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Washington, Tuesday, September 1, 1942

The President

PROCLAMATION 2567

NATIONAL DEFENSE PIPE LINE—PROJECT FIVE PIPE LINE CORPORATION

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

WHEREAS, the Act of Congress entitled "An Act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce", approved July 30, 1941 (Public Law 197, 77th Congress), vests in the President certain powers relating to the construction, extension, completion, operation and maintenance of interstate pipe lines related to national defense:

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States of America, under and by virtue of the authority vested in me by said Act do hereby find and proclaim: That

(1) For national defense purposes it is necessary that there be constructed and completed a pipe-line system for the transportation and distribution of petroleum products moving in interstate commerce originating in the vicinity of El Dorado, Arkansas, and extending in a northeasterly direction to a point near Helena, Arkansas, the route for which is generally indicated on a map which is on file in the Office of Petroleum Coordinator for War, detailed survey maps of which shall be on record in said Office, with terminal facilities for loading at barge loading docks on the Mississippi River, and with carloading racks on one or both sides of the Mississippi River;

(2) That Project Five Pipe Line Corporation, a private corporation organized under the laws of the State of Delaware, has commenced the work necessary for the construction of said pipe line and facilities, and represents that it is prepared to complete said pipe line and facilities; and

(3) For the purposes of construction, completion, operation and maintenance of said pipeline system it is necessary that said Project Five Pipe Line Corporation have the right, as provided in the aforesaid Act, by the exercise of the right of eminent domain, to acquire along the route, and at, and between the points above identified, and such portions thereof as may be along or across or under any railroad, public highway, road, street, or alley, and any public stream (a) easements and rights of way not in excess of one hundred feet in width, for the construction, completion, operation, maintenance and removal of the pipe lines, including right of access thereto over adjoining lands, and (b) parcels of land or any interest therein not in excess of one hundred acres in each separate parcel, for location of its storage tanks, pumping stations, delivery and receiving facilities, and other facilities in connection therewith; and said right to exercise the right of eminent domain is hereby granted to said Project Five Pipe Line Corporation, provided that such right of eminent domain be exercised by Project Five Pipe Line Corporation for the aforesaid purposes prior to June 30, 1943, and provided further that said pipe line and facilities herein identified shall be constructed, completed, operated and maintained subject to such terms and conditions as the President may hereafter from time to time prescribe as necessary for national defense purposes;

(4) For national defense purposes I do deem it advisable to do so, and do hereby relieve the person or persons operating said pipe line pursuant to request for action of the Petroleum Coordinator for War addressed to Gulf Refining Company, Socony-Vacuum Oil Company, Incorporated, The Texas Company, Lion Oil Refining Company, and Premier Oil Refining Company of Texas for the period of time ending April 1, 1948, in the doing of any act or thing or the omission to do any act or thing, from any and all duty or liability under those provisions of (1) an Act approved February 4, 1887

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(24 Stat. 379-387, Chapter 105), "An Act to regulate commerce", known as the "Interstate Commerce Act", as amended, and of (ii) an Act approved February 19, 1903 (32 Stat. 847-849, Chapter 708), "An Act to further regulate commerce with foreign nations and among the States", known as the "Elkins Act", as amended, which now appear in the United States Code under Title 49, Transportation, and read as follows:

(a) U.S.C., Title 49, section 2:

"If any common carrier subject to the provisions of this chapter shall, directly or indirectly, by any special rate, rebate, drawback, or other device, charge, demand, collect, or receive from any person or persons a greater or less compensation for any service rendered or to be rendered, in the transportation of passengers or property, subject to the provisions of this chapter, than it charges, demands, collects, or receives from any other person or persons for doing for him or them a like and contemporaneous service in the transportation of a like kind of traffic under substantially similar circumstances and conditions, such common carrier shall be deemed guilty of unjust discrimination, which is prohibited and declared to be unlawful."

(b) U.S.C., Title 49, section 3 (1):

"It shall be unlawful for any common carrier subject to the provisions of this chapter to make, give, or cause any undue or unreasonable preference or advantage to any particular person, company, firm, corporation, association, locality, port, port district, gateway, transit point, region, district, territory, or any particular description of traffic, in any respect whatsoever; or to subject any particular person, company, firm, corporation, association, locality, port, port district, gateway, transit point, region, district, territory, or any particular description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatsoever."

(c) U.S.C., Title 49, section 6 (7):

"* * * nor shall any carrier charge or demand or collect or receive a greater or less or different compensation for such transportation of passengers or property, or for any service in connection therewith, between the points named in such tariffs than the rates, fares, and charges which are specified in the tariff filed and in effect at the time; nor shall any carrier refund or remit in any manner or by any device any portion of the rates, fares, and charges so specified, nor ex-

tend to any shipper or person any privileges or facilities in the transportation of passengers or property, except such as are specified in such tariffs."

(d) U.S.C., Title 49, section 41 (1):

"* * * it shall be unlawful for any person, persons, or corporation to offer, grant, or give, or to solicit, accept, or receive any rebate, concession, or discrimination in respect to the transportation of any property in interstate or foreign commerce by any common carrier subject to said chapter whereby any such property shall by any device whatever be transported at a less rate than that named in the tariffs published and filed by such carrier, as is required by said chapter, or whereby any other advantage is given or discrimination is practiced. Every person or corporation, whether carrier or shipper, who shall, knowingly, offer, grant, or give, or solicit, accept, or receive any such rebates, concession, or discrimination shall be deemed guilty of a misdemeanor * * *

(e) U.S.C., Title 49, section 43:

"Whenever the Interstate Commerce Commission shall have reasonable ground for belief that any common carrier * * * is committing any discriminations forbidden by law, a petition may be presented alleging such facts to the district court of the United States sitting in equity having jurisdiction; * * * whereupon it shall be the duty of the court summarily to inquire into the circumstances * * * and upon being satisfied of the truth of the allegations of said petition said court shall * * * direct and require a discontinuance of such discrimination * * *

in so far as such relief may be necessary to remove any bar which may be created by those statutory provisions to the payment out of funds, if any remain after payment of the expenses of operation and maintenance of said pipe line, derived from transportation or other common carrier services, furnished at rates established pursuant to the provisions of the Interstate Commerce Act, as amended and supplemented, of (1) indebtedness of Project Five Pipe Line Corporation, incurred for acquiring, financing and constructing said pipe line; (2) liquidating dividends to stockholders at any time; and (3) annual dividends to stockholders not exceeding seven per centum (7%) of the valuation for rate making purposes, of such common carrier's property owned and used for common carrier purposes, made under the authority of the Interstate Commerce Commission; and further to remove any bar which may be created by those statutory provisions to the acceptance by Project Five Pipe Line Corporation from its stockholders of petroleum products for shipment, in such amounts that the use, by agreement of the stockholders, of the capacity of the pipe line available to them as shippers over a common carrier pipe line and not used in the performance of its common carrier obligations to other shippers, will be in amounts proportionate to the stock ownership as it may exist from time to time, of such stockholders desiring to utilize the capacity of the pipe line or any part thereof, provided that this authorization shall not permit the rejection in disre-

gard of the common carrier obligations of Project Five Pipe Line Corporation, of any petroleum products offered for shipment.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 28th day of August in the year of our Lord nineteen hundred and [SEAL] forty-two, and of the Independence of the United States of America the one hundred and sixty-seventh.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 42-8489; Filed, August 29, 1942;
11:07 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—Sugar Agency

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF PROPORTIONATE SHARES FOR FARMS IN THE TERRITORY OF HAWAII FOR THE 1942 CROP

Pursuant to the provisions of subsections (a) and (b) of section 302 of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.36e *Proportionate shares for farms in the Territory of Hawaii for the 1942 crop*—(a) *Proportionate share for any farm*. The proportionate share for any farm in the Territory of Hawaii for the 1942 crop shall be the amount of sugar, raw value, commercially recoverable from sugarcane grown on such farm and marketed (or processed by the producer) for the extraction of sugar during the calendar year 1942.

(b) *Adherent planter protection*. The provisions of this determination shall be subject to the following conditions: (1) that no changes in the planter-plantation sugarcane production relationship shall have been made, and (2) that no reduction in the number of planters shall have been made under programs carried out pursuant to the Act, except such as are considered justified and are approved by the Chief of the Sugar Agency and the Director of the Division of Special Programs of the Agricultural Adjustment Agency, acting either jointly or severally. (Section 302, 50 Stat. 910; 7 U.S.C. 1940 ed 1131).

Done at Washington, D. C. this 29th day of August 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 42-8531; Filed, August 31, 1942;
11:09 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGE

Chapter II—Securities and Exchange Commission

PART 210—REGULATION S-X UNDER SECURITIES ACT, SECURITIES EXCHANGE ACT AND INVESTMENT COMPANY ACT

AMENDMENT OF REGULATION

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, particularly sections 7 and 19 (a) thereof; the Securities Exchange Act of 1934, particularly sections 12, 13, 15 (d), and 23 (a) thereof; and the Investment Company Act of 1940, particularly sections 8, 30, and 38 (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 the said Acts, hereby amends paragraph (c) of Rule 1-01 of Regulation S-X to read as follows:

(c) Supplemental or periodic reports under section 13 of the Securities Exchange Act of 1934 filed on Form 10-K, 11-K, 13-K, 14-K, or 24-K;

Effective August 28, 1942.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8481; Filed, August 29, 1942;
10:36 a. m.]

PART 239—FORMS, SECURITIES EXCHANGE ACT OF 1934

AMENDMENT TO THE INSTRUCTION BOOK FOR CERTAIN FORMS

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 13 and 23 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, hereby amends Form 24-K and the Instruction Book therefor as follows:

I. Item 11 of Form 24-K is amended by deleting the following instructional sentence set forth in parentheses thereunder:

(The financial statements and schedules are to be set forth at this point in the annual report)

II. All matter appearing in the Instruction Book under the caption "Item 11. Instructions as to financial statements", down to and including the schedule entitled "Schedule IX. Income from dividends", is rescinded and deleted from the Instruction Book.

III. The following new instructions are inserted in the Instruction Book in lieu of the above-mentioned caption and the instructions thereunder:

ITEM 11. *Financial statements*. The following instructions specify the balance

sheets and profit and loss statements required to be filed as a part of annual reports on this form. Regulation S-X governs the certification, form and content of such balance sheets and profit and loss statements and prescribes the statements of surplus and the schedules to be filed in support thereof.

The definitions contained in Rule 1-02 of Regulation S-X shall also apply to the terms therein defined which are used in the following instructions.

The financial statements shall be bound and filed as a separate part of the annual report.

1. *Registrant.* There shall be filed for the registrant a balance sheet as of the close of the fiscal year and a profit and loss statement for the fiscal year.

2. *Subsidiaries.* (a) Subject to Article 4 of Regulation S-X, there shall be filed for each majority-owned subsidiary of the registrant which is a bank or bank holding company a balance sheet as of the close of the registrant's fiscal year and a profit and loss statement for the fiscal year.

(b) Subject to Article 4 of Regulation S-X, there shall be filed for each other majority-owned subsidiary of the registrant a balance sheet as of the close of the fiscal year of the registrant or the subsidiary and a profit and loss statement for the fiscal year. If the fiscal year of any such subsidiary ends within 105 days before the date of filing the report, or ends after the date of filing, and the subsidiary's financial statements are filed on the basis of its own fiscal year, they may be filed as an amendment to the report within 105 days after the end of the subsidiary's fiscal year.

(c) No financial statements need be filed for any subsidiary, whether domestic or foreign, which is not a significant subsidiary. Statements of subsidiaries may be so omitted, however, only to the extent that all of the subsidiaries for which statements are so omitted, considered in the aggregate, would not constitute a significant subsidiary.

3. *Certification.* Except as provided in Rule 9-05 of Regulation S-X, the statements required by the preceding instructions shall be certified.

Effective August 28, 1942.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-8487; Filed, August 29, 1942;
10:36 a. m.]

PART 239—FORMS, SECURITIES EXCHANGE ACT OF 1934

AMENDMENT TO THE INSTRUCTION BOOK FOR CERTAIN FORM

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 13 and 23 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, hereby amends Form 14-K and the Instruction Book therefor as follows:

I. Item 12 of Form 14-K is amended by deleting the following instructional sentence set forth in parentheses thereunder:

(The financial statements and schedules are to be set forth at this point in the annual report)

II. The instructions to item 12 in the Instruction Book are amended to read as follows:

Item 12. *Financial statements.* 1. The following financial statements shall be filed as a part of the report.

(a) A certified statement of the assets and liabilities of the committee as of the close of the period of report.

(b) A certified statement of the cash receipts and disbursements of the committee for the period of report and also for the period from the date of its inception to the close of the period of report.

2. Regulation S-X, which contains rules governing the form and content of financial statements, shall be applicable to the statements specified above.

3. The financial statements shall be bound and filed as a separate part of the annual report.

III. The Instruction Book is further amended by deleting therefrom the forms for statements of assets and liabilities and statements of cash receipts and disbursements which are set forth at the end of the Instruction Book following the instructions as to exhibits.

Effective August 28, 1942.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-8486; Filed, August 29, 1942;
10:37 a. m.]

PART 239—FORMS, SECURITIES EXCHANGE ACT OF 1934

AMENDMENT TO THE INSTRUCTION BOOK FOR CERTAIN FORM

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 13 and 23 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, hereby amends Form 13-K and the Instruction Book therefor as follows:

I. Item 14 of Form 13-K is amended by deleting the following instructional sentence set forth in parentheses thereunder:

(The financial statements and schedules are to be set forth at this point in the annual report)

II. All matter appearing in the Instruction Book under the caption "Item 14. Instructions as to financial statements", down to and including the schedule entitled "Schedule XI. Profit and loss on sale or maturity of investments", is rescinded and deleted from the Instruction Book.

III. The following new instructions are inserted in the Instruction Book in lieu of the above-mentioned caption and the instructions thereunder:

Item 14. *Financial statements.* The following instructions specify the balance sheets and profit and loss statements required to be filed as a part of annual reports on this form. Regulation S-X governs the form and content of such balance sheets and profit and loss statements and prescribes the statements of surplus and the schedules to be filed in support thereof.

The definitions contained in Rule 1-02 of Regulation S-X shall also apply to the terms therein defined which are used in the following instructions.

The financial statements shall be bound and filed as a separate part of the annual report.

1. *Registrant.* There shall be filed for the registrant a balance sheet as of the close of the fiscal year and a profit and loss statement for the fiscal year.

2. *Subsidiaries.* (a) Subject to Rule 4-03 of Regulation S-X as qualified by Rule 4-09 thereof, there shall be filed for each majority-owned subsidiary of the registrant a balance sheet as of the close of the subsidiary's fiscal year and a profit and loss statement for its fiscal year, prepared in accordance with the appropriate article of regulation S-X.

(b) If the fiscal year of any such subsidiary ends within 105 days before the date of filing the annual report, or ends after the date of filing, the financial statements of the subsidiary may be filed as an amendment to the report within 105 days after the end of the subsidiary's fiscal year.

(c) No financial statements need be filed for any subsidiary, whether domestic or foreign, which is not a significant subsidiary. Statements of subsidiaries may be so omitted, however, only to the extent that all of the subsidiaries for which statements are so omitted, considered in the aggregate, would not constitute a significant subsidiary.

3. *Fifty-percent-owned persons.* If the registrant owns directly or indirectly approximately fifty percent of the voting power of any person approximately fifty percent of the voting power of which is owned directly or indirectly by another single interest, there shall be filed for each such person the financial statements which would be required if it were a majority-owned subsidiary of the registrant. The statements filed for each such person shall identify the other single interest. No statements need be filed, however, for any such person which, if it were a subsidiary, would not be a significant subsidiary.

4. *Certification.* None of the statements required by the preceding instructions need be certified.

Effective August 28, 1942.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-8485; Filed, August 29, 1942;
10:37 a. m.]

PART 239—FORMS, SECURITIES EXCHANGE ACT OF 1934

AMENDMENT TO THE INSTRUCTION BOOK FOR CERTAIN FORM

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 13 and 23 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, hereby amends Form 11-K and the Instruction Book therefor as follows:

I. Item 9 of Form 11-K is amended by deleting the following instructional sentence set forth in parentheses thereunder:

(The financial statements and schedules are to be set forth at this point in the annual report)

II. All matter appearing in the Instruction Book under the caption "Item 9. Instructions as to financial statements", down to and including the schedule entitled "Schedule XI. Income from Dividends", is rescinded and deleted from the Instruction Book.

III. The following new instructions are inserted in the Instruction Book in lieu of the above-mentioned caption and the instructions thereunder:

Item 9. *Financial statements.* The following instructions specify the balance sheets and profit and loss statements required to be filed as a part of annual reports on this form. Regulation S-X governs the certification, form and content of such balance sheets and profit and loss statements, including the basis of consolidation, and prescribes the statements of surplus and the schedules to be filed in support thereof.

The definitions contained in Rule 1-02 of Regulation S-X shall also apply to the terms therein defined which are used in the following instructions.

The financial statements shall be bound and filed as a separate part of the annual report.

1. *The registrant.* (a) There shall be filed for the registrant a certified balance sheet as of the close of the fiscal year and a certified profit and loss statement for the fiscal year.

(b) In lieu of the profit and loss statement required by paragraph (a), there may be filed a certified consolidated profit and loss statement of the registrant and one or more of its totally-held subsidiaries if all of the following conditions exist:

(1) The registrant is primarily an operating company;

(2) Each of the subsidiaries included is, in practical effect, an operating division of the registrant; and

(3) There is filed, in addition to the balance sheet of the registrant required by paragraph (a), a certified consolidated balance sheet of the registrant and the included subsidiaries only.

2. *The registrant and its subsidiaries consolidated.* Subject to article 4 of

Regulation S-X, there shall be filed for the registrant and its subsidiaries a certified consolidated balance sheet as of the close of the fiscal year of the registrant and a certified consolidated profit and loss statement for the fiscal year of the registrant.

3. *Subsidiaries not consolidated.* (a) Subject to Rule 4-03 of Regulation S-X regarding group statements, there shall be filed for each majority-owned subsidiary of the registrant not consolidated a certified balance sheet as of the close of the subsidiary's fiscal year and a certified profit and loss statement for its fiscal year.

(b) If the fiscal year of any such subsidiary ends within 105 days before the date of filing the annual report, or ends after the date of filing, the financial statements of the subsidiary may be filed as an amendment to the report within 105 days after the end of the subsidiary's fiscal year.

(c) No financial statements need be filed for any subsidiary, whether domestic or foreign, which is not a significant subsidiary. Statements of subsidiaries may be so omitted, however, only to the extent that all of the subsidiaries for which statements are so omitted, considered in the aggregate, would not constitute a significant subsidiary.

Effective August 28, 1942.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8484; Filed, August 29, 1942;
10:38 a. m.]

PART 239—FORMS, SECURITIES EXCHANGE ACT OF 1934

AMENDMENT TO THE INSTRUCTION BOOK FOR CERTAIN FORM

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 13 and 23 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, hereby amends Form 10-K and the instruction book therefor as follows:

I. Item 8 of Form 10-K is amended by deleting the following instructional sentence set forth in parentheses thereunder:

"(The financial statements and schedules are to be set forth at this point in the annual report)"

II. All matter appearing in the Instruction Book under the caption "Item 8. Instructions as to financial statements", down to and including the schedule entitled "Schedule XI. Income from dividends", is rescinded and deleted from the Instruction Book.

III. The following new instructions are inserted in the Instruction Book in lieu

of the above-mentioned caption and the instructions thereunder:

ITEM 8. *Financial statements.* The following instructions specify the balance sheets and profit and loss statements required to be filed as a part of annual reports on this form. Regulation S-X governs the certification, form and content of such balance sheets and profit and loss statements, including the basis of consolidation, and prescribes the statements of surplus and the schedules to be filed in support thereof.

The definitions contained in Rule 1-02 of Regulation S-X shall also apply to the terms therein defined which are used in the following instructions.

The financial statements shall be bound and filed as a separate part of the annual report.

1. *The registrant.* (a) There shall be filed for the registrant a certified balance sheet as of the close of the fiscal year and a certified profit and loss statement for the fiscal year.

(b) In lieu of the profit and loss statement required by paragraph (a), there may be filed a certified consolidated profit and loss statement of the registrant and one or more of its totally-held subsidiaries if all of the following conditions exist:

(1) The registrant is primarily an operating company;

(2) Each of the subsidiaries included is, in practical effect, an operating division of the registrant; and

(3) There is filed, in addition to the balance sheet of the registrant required by paragraph (a), a certified consolidated balance sheet of the registrant and the included subsidiaries only.

2. *The registrant and its subsidiaries consolidated.* Subject to article 4 of Regulation S-X, there shall be filed for the registrant and its subsidiaries a certified consolidated balance sheet as of the close of the fiscal year of the registrant and a certified consolidated profit and loss statement for the fiscal year of the registrant.

3. *Subsidiaries not consolidated.* (a) Subject to Rule 4-03 of Regulation S-X regarding group statements, there shall be filed for each majority-owned subsidiary of the registrant not consolidated a certified balance sheet as of the close of the subsidiary's fiscal year and a certified profit and loss statement for its fiscal year.

(b) If the fiscal year of any such subsidiary ends within 105 days before the date of filing the annual report, or ends after the date of filing, the financial statements of the subsidiary may be filed as an amendment to the report within 105 days after the end of the subsidiary's fiscal year.

(c) No financial statements need be filed for any subsidiary, whether domestic or foreign, which is not a significant subsidiary. Statements of subsidiaries may be so omitted, however, only to the extent that all of the subsidiaries for which statements are so omitted, consid-

ered in the aggregate, would not constitute a significant subsidiary.

4. *Uncertified statements of Canadian carriers.* (a) The financial statements of the registrant and its subsidiaries required by the preceding instructions need not be certified if the following conditions exist:

(1) The registrant is organized under the laws of the Dominion of Canada and the principal properties of the registrant and its subsidiaries are operated in the business of a common carrier by rail.

(2) The registrant is a majority-owned subsidiary of a company making annual reports to the Interstate Commerce Commission under section 20 of the Interstate Commerce Act, as amended.

(3) The registrant is required by the laws of the Dominion of Canada to make annual returns to the Board of Railway Commissioners for Canada and the Dominion Bureau of Statistics, which returns are required by such laws to contain approximately the same amount of information in similar detail as required to be set forth in annual reports made by common carriers by rail to the Interstate Commerce Commission under Section 20 of the Interstate Commerce Act, as amended.

(b) If the registrant files uncertified financial statements pursuant to this instruction, it shall include as an exhibit to its annual report a copy of its annual return to the Board of Railway Commissioners for Canada and the Dominion Bureau of Statistics for the fiscal year covered by the annual report.

Effective August 28, 1942.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-8483; Filed, August 29, 1942;
10:38 a. m.]

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

AMENDMENT TO RULE UNDER THE ACT RELATING TO RESCISSION OF CERTAIN FORM AND INSTRUCTION BOOK THEREFOR

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

(a) Form 15-K and the Instruction Book therefor are rescinded.

(b) Section 240.13A-2 [Rule X-13A-2] is amended by deleting therefrom the paragraph relating to Form 15-K.

Effective August 28, 1942.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-8482; Filed, August 29, 1942;
10:36 a. m.]

TITLE 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

[Order No. 99]

PART 57—APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER SECTION 7 OF THE NATURAL GAS ACT

AMENDMENTS

AUGUST 26, 1942.

Order amending the "Provisional Rules of Practice and Regulations Under the Natural Gas Act, with approved forms, effective July 11, 1938".

The Commission, pursuant to authority vested in it by the Natural Gas Act, particularly sections 7 (as amended February 7, 1942) and 16 thereof, and finding such action necessary and appropriate for carrying out the provisions of said Act, hereby adopts, promulgates and prescribes the following amendments to the "Provisional Rules of Practice and Regulations under the Natural Gas Act, Effective July 11, 1938", as heretofore prescribed and amended:

Part 57 be and it is hereby amended by adding §§ 57.5 to 57.9, inclusive, as follows:

*Applications Under Section 7 of the Natural Gas Act as Amended for Certificates of Public Convenience and Necessity for Construction, Extension, Acquisition, Operation, etc. (Non-"Grandfather" Clause Certificates)*¹

AUTHORITY: §§ 57.5 to 57.9, inclusive, issued under 52 Stat. 833; Pub. Law. 444, 77th Cong.; 15 U.S.C. 717-717 w.

§ 57.5 *Contents of application.* Applications for certificates of public convenience and necessity for construction, extension, acquisition, operation, etc., under section 7 of the Natural Gas Act as amended, other than under the "grandfather" clause of section 7 (c), shall set forth in the order indicated the following, incorporating any data already on file with the Commission by reference:

(a) The exact legal name of the applicant; if the applicant is a corporation, the state or territory under the laws of which the applicant was organized, the location of applicant's principal place of business, the names of all states where applicant is authorized to do business; and a concise but comprehensive de-

¹ During the war emergency, any applicant filing an application with the War Production Board incidental to an application for a certificate of public convenience and necessity to the Federal Power Commission, should, wherever it is possible to do so, at the same time file its application with the Commission in order to facilitate action by the Commission. In view of the emergency involved, the Commission, in such certificate hearings, will expect all parties, including interveners, to exercise due diligence to move the proceeding forward as rapidly as possible. Where such emergency is involved, the Commission reserves the right to proceed with maximum speed and with minimum notice to parties and interveners.

scription of the existing business, operations and properties of the applicant, with particular reference to the transportation and sale of natural gas.

(b) The name, title and post office address of the person to whom correspondence or communications in regard to the application are to be addressed. Unless advised to the contrary, the Commission will serve all notices, orders, and other papers, service of which is required, upon the person so named.

(c) A brief but accurate description of the project or facilities for which a certificate is sought and the dates on which it is intended to begin and complete construction or acquisition.

(d) A statement setting forth the service proposed to be rendered by applicant, showing communities, proposed to be served presently and within the next five years, with the population of each, main line industrial customers, sales or interchange with other natural-gas companies, and any other service. In describing such other service, furnish:

(1) The name of any other gas company rendering service within any county (or other local territorial unit of similar size where not within a county) in which any community or customer to be served by applicant is located, together with a general statement of pertinent facts as to the extent and nature of such existing service, specifying whether such other gas company is serving natural, artificial or mixed gas.

(2) A detailed statement of pertinent facts as to existing service by such gas company, including a showing as to (i) the adequacy of the present service and plant, and available supplies of gas, (ii) the public need for further service, and (iii) the potential market which could be served economically through the proposed extension of facilities.

(e) A description of the facilities proposed to be constructed, acquired, or operated, giving, in so far as such information may be pertinent, the size, capacity, length and location of gathering lines, transmission lines and laterals; the extent of distribution systems; the location, rated horsepower and capacity of all compressor stations; the location and description of other important property units; a description of the proposed manner or method of operating said proposed facilities, including proposed operating pressures, the capacity of the proposed facilities, estimates of maximum and minimum day demands, and any other pertinent facts showing that such facilities will be capable of performing adequately the services which applicant purposes to render. In connection herewith the applicant shall furnish:

(1) A sketch map delineating the size and location of applicant's proposed pipe lines, the communities to be served, the points of connection with existing facilities and the location of any gas fields representing a new source of supply to be utilized in connection with the proposed facilities;

(2) A statement setting forth all contracts for the construction, purchase or lease of the proposed facilities and giving the affiliation, if any, between applicant and any other party to said contracts.

(f) A statement of the gas reserves which are to supply the market which is proposed to be served, and an estimate of their expected life in years.

(g) A statement setting forth all facts bearing upon economic feasibility, including:

(1) The estimated total overall capital cost of the proposed extension or acquisition, including all expenditures involved in the construction or acquisition of the proposed facilities, proposed costs of financing, franchises, working capital, and other incidental costs, with a brief statement of applicant's proposed plan of financing.

(2) A detailed statement of the extent to which such plan is supported by firm or contingent commitments from all financial sources, including commitments from banks, trust companies, insurance companies, investment bankers, steel companies, pipe line supply companies, or other sources.

(3) A statement showing estimates of (i) total revenues expected from the proposed new facilities to be constructed, acquired or operated, (ii) total fixed charges, (iii) total operating expenses.

(4) A general statement covering the rates proposed to be charged by applicant for each kind of natural gas service proposed to be rendered, and the expected sales, revenues, average revenue per M.c.f. and average revenue per therm, to be derived therefrom.

(h) A general description of the proposed method of supervising the operation of the proposed project, including reference to any relevant service or management contracts, existing or contemplated.

(i) During war or other emergency, a detailed statement of pertinent facts showing the relation, if any, of the proposed facilities and service to such emergency.

(j) A statement of any other facts and circumstances upon which applicant relies to establish that present or future public convenience and necessity require the new construction, acquisition or operation of such facilities.

Wherever volumes of gas are mentioned in an application filed under this section or an exhibit later filed under § 57.6, such volumes shall be computed upon a uniform pressure base and such pressure base shall be clearly set forth therein.

§ 57.6 Exhibits. The applicant may be required by the Commission to file, at any time during its consideration of such application, in addition to the application and as part thereof, any or all of the following exhibits. The following exhibits are designed to amplify paragraphs (a) through (l) of § 57.5:

Exhibit A: If applicant is a corporation, a certified copy or photostat of its articles of incorporation and bylaws.

Exhibit A-1: If applicant is a corporation, certified copies or photostats of any and all

evidences of domestication in or authorization to do business in any state or states other than the state of incorporation involved in the application.

Exhibit A-2: List of names and business addresses of all officers and directors of applicant.

Exhibit A-3: If applicant is an individual, or group of individuals, satisfactory proof of citizenship of such individual or individuals.

Exhibit A-4: If the applicant or any officer or directly thereof directly or indirectly owns, controls or holds with power to vote 10 per centum or more of the outstanding voting securities of any other person or company engaged in the production, transportation, or sale of natural gas, a detailed statement showing the financial and corporate relationship existing between the applicant or any officer or director thereof and all such other persons or companies, including the percentage of voting power represented by such ownership of such securities. If any person or company directly or indirectly owns, controls, or holds with power to vote, 10 per centum or more of the outstanding voting securities of the applicant, a statement of the financial and corporate relationship existing between the applicant and all such other persons or companies.

Exhibit B: A certified copy or a photostat of the resolution of board of directors or other similar legal authority authorizing the filing of the application.

Exhibit C: A map showing applicant's proposed facilities for the transportation and sale of natural gas, together with the facilities or pipe line systems of other gas companies operating in the general territory of the proposed facilities. This map should be of sufficient scale and in sufficient detail to show the geographical location of the properties, and should show:

(a) the location of applicant's proposed pipe lines and the diameters thereof,

(b) the communities to be served at wholesale or at retail, indicating those served at wholesale by a small square and those at retail by a small circle,

(c) the points of connection with the facilities or pipe lines of other companies,

(d) the location of gas fields which are to be the source of supply for the proposed facilities.

Applicant may also be required to furnish the Commission with alignment (right-of-way) maps in support of the application.

Applicant, if granted a certificate hereunder, is ordered and required to keep on hand in its offices subsidiary alignment and field maps properly marked and maintained showing all the facts required in connection with Exhibit C immediately preceding, and to be prepared to furnish information relative thereto or copies thereof at any time to the Commission.

Exhibit D: A forecast of the business proposed to be obtained in the market proposed to be served, including estimates of the numbers of domestic, commercial, and industrial customers expected to be obtained during each of the first five years of operation, their estimated annual requirements of natural gas, and estimated peak-day demand requirements by character of delivery for each of the first five years.

Exhibit D-1: Copies of any market surveys or studies prepared by or for the applicant. Points of delivery from main transmission lines indicated in such market surveys should be referenced to the general map required as Exhibit C above.

Exhibit D-2: Photostatic or certified copies of all contracts held by the applicant for the sale of natural gas from the proposed facilities.

Exhibit D-3: If applicant intends to engage in the distribution of natural gas from any of the proposed facilities, a statement

outlining such distribution plans, including rates to be charged.

Exhibit D-4: Photostatic or certified copies of all franchises held by applicant in connection with the proposed project. Certified copies of any orders of any state or municipal agency in connection with applicant's proposed operations.

Exhibit E: A statement of specifications, prices, estimates, and any other information relating to the cost of construction or acquisition of all the proposed facilities. The estimated cost of construction should be stated separately by operating units, showing pipe lines by sizes, river crossings, compressor stations, and other accessory equipment, with the costs of material separate from the costs of labor.

Exhibit E-1: A statement of depreciation and depletion rates proposed to be established, and the basis therefor, by primary plant accounts prescribed by this Commission in its Uniform System of Accounts for Natural Gas Companies.

Exhibit E-2: Photostatic or certified copies of any and all contracts for the construction, purchase or lease of the proposed facilities, with a statement describing the affiliation of applicant with any other party to said contracts.

Exhibit F: An estimate of the natural gas reserves in the fields from which applicant proposes to secure natural gas to supply the proposed project. This report should show:

(1) Gas reserves (M. c. f.) by fields and producing horizons, classified as operated or unoperated and as owned or controlled,

(2) The methods used in estimating the volumetric gas reserves,

(3) Annual withdrawals of gas (M. c. f.) from each gas reserve for each of the most recent three years,

(4) Average initial and current rock pressures by fields and producing horizons,

(5) The B. t. u. content of the natural gas reserves,

(6) Open flow capacities of producing wells owned or controlled by the applicant, by fields, and the deliverability of these wells under safe operating conditions or conservation limitations, and

(7) The number and location of wells presently owned or controlled by applicant, with a statement of any proposed drilling program which may be planned.

Exhibit F-1: A map of each field from which natural gas is to be procured to supply the proposed project showing clearly all leaseholds, mineral interests, pipe lines, and wells owned, operated or contracted for by the applicant.

Exhibit F-2: Photostatic copies of all contracts or agreements which provide for the purchase of any of the natural gas supply for the proposed project.

Exhibit G: A balance sheet and income statement of applicant, as of the most recent date available.

Exhibit G-1: Full and complete description of applicant's proposed plan of financing, with photostatic or certified copies of all contracts relating thereto.

Exhibit G-2: Photostatic or certified copies of any and all firm or contingent commitments covering the financing proposed by applicant. There should be included copies of mortgages, deeds of trust, indentures, agreements to advance supplies (steel pipe, compressor engines, etc.) or labor in return for applicant's securities, underwriting contracts, or documents of a similar nature.

Exhibit G-3: Full and complete statement of the rates to be charged for service from the proposed facilities. This should be supplemented, if possible, by copies of samples of rate schedules applicant proposes to use.

Exhibit G-4: For the first full year's operation of the proposed new facilities a detailed

statement showing for each point of delivery and by classes of service—

- (1) Rate or rate schedule applicable.
- (2) Estimated deliveries in M. c. f.
- (3) Estimated deliveries in therms.
- (4) Estimated revenue.
- (5) Average revenue per M. c. f.
- (6) Average revenue per therm.

Exhibit G-5: Statement of and comparison with rates charged by other gas companies serving the markets and territory involved.

Exhibit G-6: Estimates by years, for the first five years, of expected operating revenues and operating expenses in connection with the proposed project. In preparing this exhibit, it is desirable to follow as closely as possible the accounting procedure and forms set forth in the Uniform System of Accounts for Natural Gas Companies prescribed by this Commission.

Exhibit H: Photostatic or certified copies of service or management contracts of applicant.

Exhibit I: In case of war or emergency applications where applicant must also file a project or preference rating application with the War Production Board, a copy of such application and any order issued thereon.

Other Exhibits: The applicant may submit as many additional exhibits as may be deemed essential for consideration of the application. Such exhibits may be identified as Exhibit L, M, etc., if supplementary, or may be given subnumbers such as Exhibit C-4, K-1, etc., if in amplification.

§ 57.7 *Form of filing.* An application under § 57.5 except as otherwise provided, shall be executed, filed and served in compliance with §§ 50.31 to 50.40 and in addition the original of the application shall be verified under oath by a person having knowledge of the matters therein set forth.

§ 57.8 *Other information.* Any applicant under § 57.5 may be required to furnish such additional information as the Commission may deem pertinent.

Applications for Temporary Certificates for Construction, Extension, Acquisition, Operation, etc., Under Section 7 (c) of the Natural Gas Act as amended

§ 57.9 *Applications.* In cases of emergency, to assure maintenance of adequate service or to serve particular customers, application may be made to the Federal Power Commission, by letter or telegram, for a temporary certificate under section 7 (c) of the Natural Gas Act as amended, stating clearly and specifically the exact character of the emergency situation, the proposed method of meeting it, and the facts warranting the issuance of a temporary certificate; *Provided*, That, with respect to all emergencies which may continue for more than 30 days, within 10 days after such application for a temporary certificate, the applicant shall file an application for a permanent certificate pursuant to § 57.5.

The amendments to the "Provisional Rules of Practice and Regulations under the Natural Gas Act" adopted, promulgated and prescribed by this order shall become effective September 15, 1942; and the Secretary of the Commission shall

cause publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-8530; Filed, August 31, 1942;
10:04 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 50711]

PART 6—INVOICES, ENTRY AND ASSESSMENT OF DUTIES

PART 23—CUSTOMS BONDS

TEMPORARY INSTRUCTIONS AS TO BONDS FOR CERTIFIED INVOICES

Article 299 (b), Customs Regulations of 1937, amended so as to remove therefrom certain exemptions from certified invoice requirements, and temporary instructions promulgated concerning bonds given for the production of certified invoices and the cancellation of such bonds.

The following special instructions and amendments to the Customs Regulations of 1937 respecting certified invoices are deemed essential to the more effective prosecution of the war, and any exceptional provisions thereof are made necessary by reasons connected with the war.

Section 6.16 [Article 299 of the Customs Regulations of 1937, as amended] is hereby further amended as follows:

Section 6.16 (b) (11) (i) [paragraph (b) (11) (a)] is amended to read as follows:

(b) * * *

(11) (i) The following articles imported from countries contiguous to continental United States, when unconditionally free of duty or subject only to a specific rate of duty not depending on value:

Forest products, except red cedar shingles and chicle.

Standard newsprint paper.

Pulpwood and woodpulp.

Live domestic animals.

Agricultural products, crude or unmanufactured, except bananas, coca leaves, coffee, raw cotton, dairy products other than milk and cream, guayule, henequen, hides, opium, seeds imported subject to the provisions of the Federal Seed Act (See T.D. 50071) or for seeding (planting) purposes, sisal, skins of all kinds, tea, tobacco, and wool of all kinds, including wool on the skin. Importers shall be required by collectors of customs to furnish satisfactory evidence that seeds are not imported for planting purposes, when such claim is made the basis for exemption from the necessity of producing a certified invoice. When such evidence is not furnished at the time of entry and a bond is given for the produc-

tion of a certified invoice, the required evidence may be accepted in satisfaction of the bond obligation if produced within the period prescribed in section 484 (b), Tariff Act of 1930. (Sec. 484, 46 Stat. 722, sec. 12, 52 Stat. 1083; 19 U.S.C. 1484.)

Section 6.16 (b) (11) (iii) [paragraph (b) (11) (c)] is amended by deleting the definition of "minerals." (Sec. 484, 46 Stat. 722, sec. 12, 52 Stat. 1083; 19 U.S.C. 1484.)

Section 6.16 (b) [paragraph (b)] is further amended by adding at the end thereof a new item numbered (20), reading as follows:

(20) Fertilizer and fertilizer materials, newsreel films, fish, mother-of-pearl shells, and newspapers, when unconditionally free of duty or subject only to a specific rate of duty not depending on value. (Sec. 484, 46 Stat. 722, sec. 12, 52 Stat. 1083; 19 U.S.C. 1484.)

§ 23.20a *Bonds for production of certified invoices; temporary instructions.* Until six months after the termination of the unlimited national emergency proclaimed by the President on May 27, 1941, collectors of customs shall observe the following instructions respecting bonds for the production of certified invoices, unless such instructions are sooner amended, revoked, or superseded:

(a) Collectors of customs shall be guided by the provisions of the general customs regulations currently in effect in determining the amounts of bonds for the production of certified invoices. However, as the requirement of certified invoices in accordance with § 6.16 [article 299 of the Customs Regulations of 1937, as amended] will not only furnish information for customs purposes but will also aid in the enforcement of import controls, such as those relating to General Imports Order M-63, as amended,¹ of the War Production Board, and the Proclaimed List of Blocked Nationals, and will assist the Department of State in compiling certain statistical data it urgently needs, collectors of customs shall consider these factors in fixing the amounts of bonds pursuant to the authority contained in the second sentence of § 23.4 (a) (8) [article 1254 (a) (8) of the Customs Regulations of 1937]. The Bureau is of the opinion that such amount should in no case be less than \$5,000 or an amount equal to the value of the merchandise, as set forth in the entry, whichever is lower. These factors shall also be considered in administering the provisions of § 23.20 (a) [article 1270 (a) of the Customs Regulations of 1937] and no case in which liquidated damages have been incurred for failure to produce a certified invoice shall be settled by a collector under that regulation if the merchandise involved is subject to General Imports Order M-63, as amended.

¹ 7 F.R. 4199, 4404, 4878, 5638, 6521, 6737.

(b) Upon the breach of any bond given for the production of a certified invoice covering merchandise subject to General Imports Order M-63, as amended, liquidated damages in the full amount of the bond shall be demanded, and no remission or mitigation thereof will be granted unless the importer shall produce within one month after the expiration of the bond period satisfactory evidence that the importation of the merchandise was not in violation of General Imports Order M-63, as amended, and that the failure to satisfy the conditions of the bond was not due to negligence or lack of good faith on the part of any party to the transaction. (Secs. 484, 623, 46 Stat. 722, 759, secs. 12, 30, 52 Stat. 1083, 1089; 19 U.S.C. 1484, 1623.)

The provisions hereof shall become effective on the thirtieth day after the date of publication in the FEDERAL REGISTER.

[SEAL]

W. R. JOHNSON,
Commissioner of Customs.

Approved: August 27, 1942.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42-8523; Filed, August 31, 1942;
9:35 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

SUPPLEMENT I

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Board of Economic Warfare, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), the following Supplement I containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision III of August 10, 1942 (7 F.R. 5970), is hereby promulgated.

By direction of the President:

CORDELL HULL,
Secretary of State.

H. MORGENTHAU, Jr.,
Secretary of the Treasury.

FRANCIS BIDDLE,
Attorney General.

JESSE H. JONES,
Secretary of Commerce.

MILO PERKINS,
Executive Director,

Board of Economic Warfare.

NELSON A. ROCKEFELLER,

Coordinator of Inter-American Affairs.

AUGUST 28, 1942.

GENERAL NOTES: (1) The Proclaimed List is divided into two parts: part I relates to listings in the American republics; part II relates to listings outside the American republics.

(2) In part I titles are listed in their letter-address form, word for word as written in that form, with the following exceptions: If the title includes a full personal name,

that is, a given name or initial and the surname, the title is listed under the surname. Personal-name prefixes such as *de*, *la*, *von*, etc., are considered as part of the surname and the basis for listing. The listing is made under the next word of the title when the initial word or phrase, or abbreviation thereof, is one of the following Spanish forms or similar equivalent forms in any other language:

Compañía; Cia.; Comp.
Compañía Anónima; C. A.; Comp. Anón.
Sociedad; Soc.
Sociedad Anónima; S. A.; Soc. Anón.

(3) The indication of an address for a name on the list is not intended to exclude other addresses of the same firm or individual. A listed name refers to all branches of the business in the country.

(4) The symbols following additions to the List made with each supplement will appear in subsequent issues, including revisions, and serve to identify the issue of the List in which action to add or amend the name was taken. Thus, the symbol "III-1" means that the name was first added in Revision III, Supplement 1.

PART I—LISTINGS IN AMERICAN REPUBLICS

ADDITIONS

Argentina

*Almagro*¹ (tug owned by Delfino y Cia., Sociedad en Comandita Exclusividad de los Aceros "Boehler").— III-1.

Altschul, Mauricio Walter.—Bartolomé Mitre 367, Buenos Aires. III-1.

Ambrosini y Cia., F.—Cangallo 315, Buenos Aires. III-1.

*Atleta*² (tug owned by "La Porteña" Empresa de Remolcadores).— III-1.

Barral, Andrés.—Pasaje Judío 2070, Piñeyro, Avellaneda. III-1.

Bein, Georg.—Leandro N. Alem 168, Buenos Aires. III-1.

Bonacossa, Segundo.—Santa María 641, Buenos Aires. III-1.

Cantiello, Alfredo.—Bolívar 643, Buenos Aires. III-1.

Casa Pavese.—Cangallo 315, Buenos Aires. III-1.

Casa Petromax.—Perú 139, Buenos Aires. III-1.

*Ciclope*³ (tug owned by "La Porteña" Empresa de Remolcadores).— III-1.

Cine Germania.—El Dorado, Gobernación de Misiones. III-1.

Cine Sociedad Italiana.—Resistencia, Gobernación de Chaco. III-1.

Cine Villa Allende.—Villa Allende, Provincia de Córdoba. III-1.

*Comodoro Rivadavia*⁴ (steamship owned by "Argentina" Nueva Compañía General de Navegación S. A.).— III-1.

Comunetti Hermanos.—Balcárce 851, Rosario. III-1.

de Con, Elías.—Santiago del Estero 949, Buenos Aires. III-1.

Drogueria y Farmacia "Internacional".—Rivadavia 70-74, Córdoba. III-1.

¹Tug which previously appeared in footnote to "La Porteña" Empresa de Remolcadores.

²Tug which previously appeared in footnote to "La Porteña" Empresa de Remolcadores.

³Tug which previously appeared in footnote to "La Porteña" Empresa de Remolcadores.

⁴Steamship which previously appeared in footnote to "Argentina" Nueva Compañía General de Navegación S. A.

"El Censor".—Bahía Blanca. III-1.
*Gigante*⁵ (tug owned by "La Porteña" Empresa de Remolcadores).— III-1.

*Goliath*⁶ (tug and salvage steamer owned by "La Porteña" Empresa de Remolcadores).— III-1.

*Hercules*⁷ (tug owned by "La Porteña" Empresa de Remolcadores).— III-1.

Hilandería Platense S.A.—Avenida Presidente Roque Sáenz Peña 680. Buenos Aires. III-1.

Hillekamps, C. H. (Dr.).—Aristobulo del Valle 556, Martínez, F. C. C. A., B.A. III-1.

Imprenta Mercur.—Paseo Colón 389, Buenos Aires. III-1.

Imprenta Optimus.—Bolívar 643, Buenos Aires. III-1.

Industrial Textil Algodonera Argentina, S. A.—Moreno 1423, Buenos Aires. III-1.

"ITALAR" Sociedad Anónima Industrial Textil Algodonera Argentina.—Moreno 1423, Buenos Aires. III-1.

Kemmler, Carlos.—Villas Iris, F. C. S. III-1.

Kerndt, Otto.—Bolívar 144, Buenos Aires. III-1.

Kobilinsky, Mauricio.—Avenida de Mayo 1370, Buenos Aires. III-1.

Koelble, Andrés.—Avenida Presidente Roque Sáenz Peña 788, Buenos Aires. III-1.

Koelble y Avery.—Avenida Presidente Roque Sáenz Peña 788, Buenos Aires. III-1.

Krommes, Hertha Niebuhr de.—Malabia 1754, Buenos Aires. III-1.

Krommes, Roberto.—Malabia 1754, Buenos Aires. III-1.

"La Flexible" S. de R. L.—Malabia 1754, Buenos Aires. III-1.

"La Varesina".—Balcárce 851, Rosario. III-1.

Lechner, Walter.—Piedras 881, Buenos Aires. III-1.

Leporace, Julio.—Soler 288, Bahía Blanca. III-1.

*Madryn*⁸ (steamship owned by "Argentina" Nueva Compañía General de Navegación S. A.).— III-1.

Marra y Cia., Mario.—Santa Fe 3170, Buenos Aires. III-1.

Mazzoni, Guido.—José P. Varela 5451, Buenos Aires. III-1.

Moro e Hijos (Argentina) Comercial, Industrial y Financiera S. A., Tomás.—Avenida Alvear 4476, Buenos Aires. III-1.

Neuberger, Roberto.—Venezuela 632, Buenos Aires. III-1.

Palombelli, Juan.—Suipacha 644, Buenos Aires. III-1.

Riecke, Juan.—Paseo Colón, 389, Buenos Aires. III-1.

Rocco, Domingo.—Avenida de Mayo 1035, Buenos Aires. III-1.

*Samson*⁹ (salvage steamer owned by

⁵Tug which previously appeared in footnote to "La Porteña" Empresa de Remolcadores.

⁶Tug and salvage steamer which previously appeared in footnote to "La Porteña" Empresa de Remolcadores.

⁷Steamship which previously appeared in footnote to "Argentina" Nueva Compañía General de Navegación S. A.

⁸Salvage steamer which previously appeared in footnote to "La Porteña" Empresa de Remolcadores.

⁹Tug which previously appeared in footnote to "La Porteña" Empresa de Remolcadores.

"La Portaña" Empresa de Remolcadores.— III-1.

San Martin* (tug owned by Delfino y Cia., Sociedad en Comandita Exclusividad de los Aceros "Boehler").— III-1.

Shore y Hermano, L.—Rivadavia 70-74, Córdoba. III-1.

Teatro Asociación Patriótica Italiana.—Blandenguez 225, Bahía Blanca, F. C. S. III-1.

Teatro El Dorado.—El Dorado, Gobernación de Misiones. III-1.

Teatro Marconi.—Rivadavia 2330, Buenos Aires. III-1.

Titan* (tug owned by "La Portaña" Empresa de Remolcadores).— III-1.

Von Seidlitz, Eitel Fritz.—Florida 439, Buenos Aires. III-1.

Von Seidlitz, Wilhelm.—Florida 439, Buenos Aires. III-1.

Von Simons, Walter.—Avenida de Mayo 833, Buenos Aires. III-1.

Bolivia

Oizumi, Roberto K.—La Paz. III-1.

Rauthmann, Otto.—Cochabamba. III-1.

Brazil

Arai, Toyozo.—Bandeirantes, Paraná. III-1.

Assurances Générales, Compagnie d'.—Rua Buenos Aires 70, Rio de Janeiro, and all branches in Brazil. III-1.

Bast, Jorge.—Rua Capote Valente 116, São Paulo. III-1.

Breithaupt, João.—Rua General Câmara 242, Santos, São Paulo. III-1.

Casa Lamada.—Taquaratinga, São Paulo. III-1.

Chá Ribeira.—Registro, São Paulo; Rua Galvão Bueno 351, São Paulo; Rua Braz Cubas 378, Santos; and all branches in Brazil. III-1.

Cintra, Eulalio Ulhoa (Dr.).—Rua Martinico Prado 417. III-1.

Colonização Tres Rios, Ltda.—Praça João Mendes 154, Sala 27, São Paulo. III-1.

Cooperativa Mixta Agrícola de Presidente Prudente.—Presidente Prudente, São Paulo. III-1.

Dannemann, Eduardo (Dr.).—Rua do Ouvidor 75, Rio de Janeiro. III-1.

Diedrichsen, Ernesto.—Rua Libero Badaró 137, São Paulo. III-1.

Empresa Commercial Bandeirante Ltda.—Rua Dr. Falcão Filho 56, São Paulo. III-1.

Energia Eléctrica Hamburguesa Ltda.—Nôvo Hamburgo, Rio Grande do Sul. III-1.

Fábrica de Maquinas "Helo" S. A.—Rua Turiassú 1687 (Caixa Postal 3399), São Paulo. III-1.

Fazenda Barra Mansa.—Avanhandava, São Paulo. III-1.

Galeria Carioca de Modas S. A.—Rua do Ouvidor 158, Rio de Janeiro. III-1.

Goto, Riyti.—Bastos, São Paulo. III-1.

Hamaoka, Kasuto.—Rua Carlos Garcia 103, São Paulo. III-1.

Hercules Waste Co.—Caixa Postal 1795, Rio de Janeiro. III-1.

Hirth, Georg.—Rua do Ouvidor 86, e Rua Riachuelo 81-87, Rio de Janeiro. III-1.

Internacional de Capitalização, Cia.—Rua 1° de Março 6, Rio de Janeiro, and all branches in Brazil. III-1.

Internacional de Seguros, Cia.—Rua da Alfândega 48, Rio de Janeiro, and all branches in Brazil. III-1.

Kamada, R.—Taquaratinga, São Paulo. III-1.

Koboyashi, Kohei.—Santo Anastacio (Piquero), São Paulo. III-1.

Kume, Taneaka.—Paraguassú, São Paulo. III-1.

Kuroiwa, Hidechiki.—Paraguassú, São Paulo. III-1.

Kwakura, Zinzuki.—Ourinhos, São Paulo. III-1.

Laubisch, Carlos.—Rua do Ouvidor 86, e Rua Riachuelo 81-87, Rio de Janeiro. III-1.

Lehr, Robert.—Rua Fernando Mendes 25, 8°, e Rua Alvaro Alvim 24, 5°, Rio de Janeiro. III-1.

Lombardi, Angelina.—Rua José Antonio Coelho 439, São Paulo. III-1.

Mannheimer Versicherungs-Gesellschaft.—Rua da Alfândega 48, Rio de Janeiro, and all branches in Brazil. III-1.

Marubayashi, Shigueta.—Paraguassú, São Paulo. III-1.

Marx, Fritz.—Rua José Maria Lisboa 1008, São Paulo. III-1.

Matsubara, Koshi.—Ourinhos, São Paulo. III-1.

Myamoto, Hiroshi.—Cornelio Procopio, Paraná. III-1.

Nord-Deutsche Versicherungs Gesellschaft.—Avenida Rio Branco 79-81, Rio de Janeiro, and all branches in Brazil. III-1.

Okamoto, Torazo.—Registro, São Paulo; Rua Galvão Bueno 351, São Paulo; Rua Braz Cubas 378, Santos; and all branches in Brazil. III-1.

Okano, Tsumematsu.—Bandeirantes, Paraná. III-1.

Onishi e Cia.—Presidente Prudente, São Paulo. III-1.

Productos Agrícola Ltda.—Rua Libero Badaró 641, São Paulo; and Rua Mayrink Veiga 28, Rio de Janeiro. III-1.

Seguros Aachen & Munich, Cia.—Avenida Rio Branco 47, Rio de Janeiro, and all branches in Brazil. III-1.

Seguros Albingia, Cia.—Avenida Rio Branco 47, Rio de Janeiro, and all branches in Brazil. III-1.

Seguros El Fenix Sudamericano, Cia.—Rua da Alfândega 48, Rio de Janeiro, and all branches in Brazil. III-1.

Seguros Gerais "National" S. A., Cia.—Avenida Rio Branco 47, Rio de Janeiro. III-1.

Seguros L'Union, Cia.—Rua Uruguayana 87, Rio de Janeiro, and all branches in Brazil. III-1.

Seguros La Fonciere Incendie, Cia.—Avenida Rio Branco 128, Rio de Janeiro, and all branches in Brazil. III-1.

Suzuki, Rinkuro.—Ourinhos, São Paulo. III-1.

Taruma, Soiti.—Londrina, Paraná. III-1.

Toshio Saito, Antonio.—Sta. Cruz do Rio Pardo, São Paulo. III-1.

Uehara, Ushi.—Paraguassú, São Paulo. III-1.

Ueno, Yonezo.—Ourinhos, São Paulo. III-1.

Yoneda, H.—Sta. Cruz do Rio Pardo, São Paulo. III-1.

Chile

Agencia Sanzolini.—Bandera 575, Segundo Piso, oficina 5, Santiago. III-1.

Arzic, Nicolás.—Hotel Cervantes, Punta Arenas. III-1.

Aubel Sangmeister, Maquinaria y Mercadería, Arnoldo.—Urmeneta 529 (Casilla 24), Puerto Montt. III-1.

Bazar Japonés.—B. O'Higgins 2370, Santiago. III-1.

Boric, Tomislav.—Talca 1143, Punta Arenas. III-1.

Bornoldt, Max.—Constitución 664, Chillán. III-1.

Bostelmann, Juan.—Prat 834, Valparaíso. III-1.

Bueckner, Hans.—Bustos 2640, Santiago. III-1.

Busch D., Hans.—Casilla 27-D y Trizaro s/n, Temuco. III-1.

Café "Olimpia".—Casilla 123, Puerto Montt. III-1.

Colombo Bagnara, Aldo.—Avenida Brasil 2296, Valparaíso. III-1.

Colombo Bagnara, Hugo.—Avenida Brasil 2296, Valparaíso. III-1.

Colombo Caro, Enrique.—Avenida Brasil 2296, Valparaíso. III-1.

Condor.—Santiago. III-1.

Da Forno Baldovino, Osvaldo.—Picarte 343, Valdivia. III-1.

Da Forno Baldovino, Sebastián.—Picarte 343, Valdivia. III-1.

Da Forno, Ltda., S. y O.—Picarte 343, Valdivia; and General Lagos 1701, Valdivia. III-1.

Denger, Helmut.—Casilla 168-D, Santiago. III-1.

Ebel B., Ignacio.—Varas 870 (Casilla 160), Puerto Montt. III-1.

Ebel B., José.—Varas 870 (Casilla 160), Puerto Montt. III-1.

Ebel B., Luis.—Varas 870 (Casilla 160), Puerto Montt. III-1.

Ebel Hermanos, Ltda.—Varas 870 (Casilla 160), Puerto Montt. III-1.

El Jote Grande.—Varas 529 (Casilla 314), Puerto Montt. III-1.

"Emporio El Japón".—M. Montt esquina V. Mackenna, Temuco. III-1.

Estancia Rio Zamora.— III-1.

Farmacia Hoppe y Laboratorio "Etos".—Avenida Francia 698 (Casilla 1020), Valparaíso. III-1.

Firmani y Cia., Ezio.—Ahumada 376, 21 de Mayo 825-865, y 21 de Mayo 801, Santiago. III-1.

Fischer Herene, Juan.—La Unión. III-1.

Fonck Sieveking, Oscar.—Nueva York 80, oficina 57, Santiago. III-1.

Fonck y Cia.—Avenida Brasil 1753, Valparaíso. III-1.

Franz y Cia., Ltda.—Calle Del Salvador esquina San Francisco, Puerto Varas. III-1.

*Tug which previously appeared in footnote to Delfino y Cia., Sociedad en Comandita Exclusividad de los Aceros "Boehler".

*Tug which previously appeared in footnote to "La Portaña" Empresa de Remolcadores.

*Magazine published by Talleres Gráficos del Diario Alemán.

Froech Ebner, Miguel.—Bandera 443, Santiago. III-1.
 Fundación Garajales.—Grajales 2548, Santiago. III-1.
 Gili Hermanos.—Bandera 643 (Casilla 3820), Santiago. III-1.
 Grob, Arturo.—La Unión. III-1.
 Gross y Cia., Ltda.—Catedral 1151, Santiago. III-1.
 Hammersley, Antonio.—Ahumada 215 y Constanza 618, Santiago. III-1.
 Hammersley, Víctor.—Esmeralda 1118, Valparaíso; and Callao 146, Viña del Mar. III-1.
 Hammersley Hnos.—Esmeralda 1118, Valparaíso; and Ahumada 215, Santiago. III-1.
 Heck Munzenmeyer, Gustavo A.—Varas 529 (Casilla 314), Puerto Montt. III-1.
 Holtz y Cia., Ltda., Carlos.—Valparaíso. III-1.
 Hoppe B., Arnoldo.—Avenida Francia 698 (Casilla 1020), Valparaíso. III-1.
 Imprenta El Rayo.—O'Higgins 509, Osorno. III-1.
 Islah (La Reforma).—Bellavista 263, Santiago. III-1.
 Jahn Radmann, Rodolfo.—Blanco 1041, Valparaíso. III-1.
 Jahn y Cia., R.—Blanco 1041, Valparaíso. III-1.
 Kahl, Alfredo.—Calle San Francisco, Puerto Varas. III-1.
 Kähni B., Enrique.—Ahumada 285, Santiago. III-1.
 Kehl y Cia.—Constitución 664, Chillán. III-1.
 Kitzing, Ricardo.—Coronel Dávila 103 (Casilla 2649), Santiago. III-1.
 Kohnenkamp, Merino y Cia., Ltda.—Ahumada 346, Santiago. III-1.
 Korff Hahn, Francisco.—Estación Llanquihue. III-1.
 Kroeger M., Alberto.—Valparaíso. III-1.
 La Reforma (Islah).—Bellavista 263, Santiago. III-1.
 Lindemann Aust, Relojería y Joyería, Jorge.—Varas 634 (Casilla 174), Puerto Montt. III-1.
 Litografía Marinetti, S.A.—Santa María 0298, Santiago. III-1.
 Loch P., Sibylla.—Grajales 2548, Santiago. III-1.
 Loguerio Padulo, Miguel.—Puerto Varas. III-1.
 López, Félix A.—Esmeralda 968, Valparaíso. III-1.
 Luck, Guillermo (Willy).—Quilpué. III-1.
 Manfè Gaggero, Juan.—Avenida Pedro Montt 2555, Valparaíso. III-1.
 Manns, Fernando Luis.—San José de Mariquina. III-1.
 Martínez, Carlos Alberto.—Huérfanos 1112, Departamento 20, Santiago. III-1.
 Meyer, Heriberto.—Avenida Manuel Montt 1660 (Casilla 13006), Santiago. III-1.
 Minte, Roberto.—Puerto Varas. III-1.
 Molinera de Villarica, Cia.—Villarica. III-1.
 Mugalsky, Otto.—Errázuriz 928, Punta Arenas. III-1.
 Mulach, Pablo.—21 de Mayo 1155, Punta Arenas. III-1.

Optica López.—Esmeralda 968, Valparaíso. III-1.
 Pinochet V., Augusto.—Blanco 889 (oficina 3), Valparaíso. III-1.
 "Propaganda Fonck".—Nueva York 80, oficina 57, Santiago. III-1.
 Purrrucker, Otto.—Augustinas 1111, Santiago. III-1.
 Remmele Schmidt, Germán.—Calle Ramírez s/n, Osorno. III-1.
 Remmele y Koepfer, Ltda.—Calle Ramírez s/n, Osorno. III-1.
 Reyes Baez, Carlos.—Cochrane 557, Valparaíso. III-1.
 Richter, Curt.—Frutillar. III-1.
 Rossi Porta, Carlos.—Edificio Estación Puerto, oficina 86, Valparaíso. III-1.
 Sabaj Zurob, Jorge.—Bellavista 263, Santiago. III-1.
 Salón de Ostras.—Varas 529 (Casilla 314), Puerto Montt. III-1.
 Sanzolini Pallottini, Oreste.—Bandera 575, Segundo Piso, oficina 5, Santiago. III-1.
 "Sastrería Alemán".—Calle Ramírez s/n, Osorno. III-1.
 Schiesewitz Reichel, Pablo.—Casilla 123, Puerto Montt. III-1.
 Schmidt, Joseph A.—Calle Talca, Punta Arenas. III-1.
 Schmoll, Federico.—La Unión. III-1.
 Schroeder, Francisco.—Estación Llanquihue. III-1.
 Schwerer Kick, Jorge.—Pedro Valdivia 1376, Concepción. III-1.
 Sederias Timmermann, Ltda.—Avenida Tocornal 3247, Santiago. III-1.
 Sievert Meyer, Hans.—Avenida O'Higgins 1385 (Casilla 9591), Santiago. III-1.
 Steuckrath, Franz.—La Unión. III-1.
 Steuckrath y Grob.—Calle Comercio esquina Esmeralda, La Unión. III-1.
 Stolzenbach, Bernardo.—Picarte 476, Valdivia; and Collico. III-1.
 Stolzenbach, Otto.—Picarte 476, Valdivia; and Collico. III-1.
 Stolzenbach Hermanos.—Picarte 476, Valdivia; and Collico. III-1.
 Taucher, Max.—Martínez de Rosas 3770, Santiago. III-1.
 Taucher y Cia., Ltda.—Santos Dumont 936, Santiago. III-1.
 Tilmanns Cerereu, Reinaldo.—Recova 640 (Casilla 12), Vallenar. III-1.
 Tredinick Ponce, Enrique.—Blanco 1041, Valparaíso. III-1.
 Ulriksen, Ivar.—Sargento Aldea s/n, Chillán. III-1.
 Valle Hermanos y Cia., Ltda.—Avenida Matta 524, Santiago. III-1.
 Vergara, E.—Santo Domingo 1216, Santiago. III-1.
 Vergara y Cia., E.—Santo Domingo 1216, Santiago. III-1.
 Vyhmeister Binder, Felix.—Puerto Varas. III-1.
 Weber, Carlos.—Villarica. III-1.
 Wevar M., Miguel.—O'Higgins 509, Osorno. III-1.
 Witt, K.—Estancia "Cameron", Tierra del Fuego. III-1.
 Wittmann M., Guillermo.—Pasaje Matte 81, Santiago. III-1.
 Zampetti, Conrado.—Paulino Alfonso 378 (Casilla 1872), Santiago. III-1.
 Zeller B., Guillermo (Willy).—Esmeralda 1068, y Avenida Alemania 5508, Valparaíso. III-1.

Colombia

Borné y Cia., S. A., A.—Cali. III-1.
 Brauer, Klemens.—Cali. III-1.
 Garage del Comercio.—Comercio, Ribón, Barranquilla. III-1.
 Hohmann, C. E.—Calle 22 No. 4-20, Cali. III-1.
 Marent, Otto Francisco.—Calle 8 entre Boulevard Norte y Avenida E., Barranquilla. III-1.
 Monti, Ferrugio.—Comercio, Ribón, Barranquilla. III-1.
 Monti, Nullo.—Comercio, Ribón, Barranquilla. III-1.
 Pelaez, Gonzalo.—Medellín. III-1.
 Poensgen, Oskar.—Cali. III-1.
 Sanders, Helmuth.—Medellín. III-1.
 Schwabe, Albrecht.—Hotel Royal (Apartado Aéreo 8), Barranquilla. III-1.
 Schwartz, Juan.—Armero, Tolima. III-1.
 Segre, Gabriel (Dr.).—Calle 12 No. 4-88 (Apartado Nacional 1157), Bogotá. III-1.
 Seni, Ivo.—Calle del Cuartel 100, Cartagena. III-1.
 Taller Universal.—Calle 22 No. 4-20, Cali. III-1.
 Vogel, Max.—Edificio Sadi, Calle 12 No. 10-74, Bogotá. III-1.

Costa Rica

Lohrengel, Ernest.—Tres Ríos. III-1.
 Pastelería del Correo.—San José. III-1.
 Tradt, Dora (Victoria).—San José. III-1.

Cuba

Eisner, Srecko W.—Habana. III-1.
 Kubli, Hans Erich.—III-1.
 Sulmanis, Morduchs.—Hotel Plaza, Habana. III-1.

Ecuador

Sánchez Z., Miguel A.—Guayaquil. III-1.

El Salvador

Koessler, Willi.—Arce 37, San Salvador. III-1.
 Oertel, Elia Lainez de.—Delgado 23, San Salvador. III-1.
 Oertel, Erich.—Delgado 23, San Salvador. III-1.
 Oertel y Cia., Sociedad Colectiva.—Delgado 23, San Salvador. III-1.

Honduras

Acorda, Raymond.—San Pedro Sula. III-1.
 McNab, Winfield.—Roatan. III-1.

Panama

Goldstein, Erwin.—Calle 10 No. 2.003, Colón. III-1.
 La Favorita.—Calle 10 No. 2.003, Colón. III-1.

Paraguay

Dohmen, Federico.—Presidente E. Ayala esquina Méjico, Asunción. III-1.
 Exportadora e Importadora del Paraguay S. A., Cia.—Presidente E. Ayala esquina Méjico, Asunción. III-1.
 Kraus, Talleres Nacionales H.—Presidente Franco esquina 15 de Agosto, Asunción. III-1.

Peru

Fábrica de Aguas Gaseosas "La Pericholi".—Virrey Toledo 152, Lima. III-1.

Goda, Kumakichi.—Huacho. III-1.

Kajilla, Jorge.—Huacho. III-1.

Kato, Carlos M.—Lima. III-1.

Kato Uchida & Co., Ltda., C. M.—Hualgayoc 296, Lima. III-1.

Kato y Cia., S. A.—Avenida Los Incas 599, Lima. III-1.

Lau, Julio.—Gamarra 519, Trujillo. III-1.

Masaichi Tanaka, Francisco.—Virrey Toledo 152, Lima. III-1.

Ollanta¹ (auxiliary motor vessel owned by Wert Leemhuis).—III-1.

Panaderia "La Higiénica".—Huacho. III-1.

Sano, Misao.—Morona 381, Lima. III-1.

Sano, Takeo.—A. Marquez 1756, Lima. III-1.

Sano Hermanos.—La Merced 620, Lima. III-1.

Stromsdorfer, Georg.—Casilla 665, Lima. III-1.

Takano, Manuel.—Mendocita 139, Lima. III-1.

Uruguay

Dellepiane, Guido A.—Dr. Luis P. Lengas 1551, Montevideo. III-1.

Dellepiane, Luis.—Tala 2258 (bis), Montevideo. III-1.

Ehemann, Willy W.—Mateo Vidal 3242, Montevideo. III-1.

Farmacia "Del Inca".—Yi 1214, Montevideo. III-1.

Gabriel, Eugenio.—Uruguay 910, Montevideo. III-1.

Goldstein, Willy.—Montevideo. III-1.

Gsaller, José.—Tuyuti 2797, Montevideo. III-1.

Hollweck, Federico.—Asamblea 4598, Montevideo. III-1.

Reinbacher, Rodolfo.—Constituyente 1663, piso 3, Apto. 6, Montevideo. III-1.

Schicke, Hermann.—Juan P. Laguna 3444, Montevideo. III-1.

South American Trading Company.—Cerrito 558, Montevideo, and all branches in Uruguay. III-1.

Vitale Manfredi, Félix.—Camino Ariel 4760, Montevideo. III-1.

Von Pieverling, Pablo F. G.—Puerto del Sauce, Departamento de Colonia. III-1.

Venezuela

Adler, Ernst.—Apartado 1941, Caracas. III-1.

Agencia Meteor.—Apartado 1406, Caracas. III-1.

Gottlieb, Gerhard.—Edificio Washington 42, Caracas. III-1.

Gottlieb, Helmuth.—Apartado 1492, Caracas. III-1.

Hacienda "El Negrito".—San Casimiro. III-1.

Mata, Ramón.—Puerto Cabello. III-1.

Matthies, Roland.—Caracas. III-1.

Paul H., Otto (Dr.).—Avenida del Trabajo, El Paraíso, Caracas. III-1.

¹ Auxiliary motor vessel which previously appeared in footnote to Wert Leemhuis.

Pohrt, Federico (Dr.).—El Paraíso, Caracas. III-1.

Preuss, Rudolf.—Hacienda El Negrito, San Casimiro. III-1.

Waldeck, Paul.—Caracas. III-1.

Winberg, Federico.—Caracas. III-1.

Zittlosen, Hans (Jr.).—Maracaibo. III-1.

Zittlosen, Hans (Sr.).—Maracaibo. III-1.

Zumfelde, Herman.—Caracas. III-1.

AMENDMENTS

Argentina

For Banque Française et Italienne pour l'Amérique du Sud S. A.—Buenos Aires, and all branches in Argentina, substitute Banco Frances e Italiano para la America del Sud S. A.—Buenos Aires, and all branches in Argentina.

For "Continental" Compañía Transatlántica de Caoutchouc S. A.—Laval 1681, Buenos Aires, substitute "Continental" Compañía Transatlántica de Caoutchouc S. A.—25 de Mayo 145, Buenos Aires.

Relative to Moreira, Juan Carlos.—Cangallo 559, Buenos Aires, see footnote 1.

Chile

For Boletín Relámpago.—Valdivia, substitute Radio Relámpago.—Valdivia.

Colombia

For Bauer, Carlos.—Carrera 4, Calles 13 y 14, Cali, substitute Brauer, Carlos.—Carrera 4, Calles 13 y 14, Cali.

For Hungenbach, Francisco.—Medellín, substitute Hugenbach, Francisco.—Medellín.

Relative to Núñez B., Emilio.—Apartado Nacional 648, Barranquilla, see footnote 2.

Mexico

For Arvide, Manuel.—Avenida Independencia 91, Veracruz, substitute Arvide, Manuel.—

Peru

For Furukawa, K.—Huacho, substitute Furuzawa, Carlos.—Huacho.

For Koike, Juan S.—Junín 642, Trujillo, substitute Koide, Juan Saburo.—Junín 642, Trujillo.

Uruguay

For Buch y Basso.—Mercedes 950, Montevideo; substitute Buch y Basso.—Payсандú 935, Montevideo.

For Delfino y Espinosa, Eduardo.—Piedras 439 y Durazno 1818, Montevideo, substitute Delfino y Espinosa, Eduardo.—25 de Mayo 477 y Durazno 1818, Montevideo.

For Nantillo Alfonso.—Rincón 472 y José Ellauri 1034 (Casilla 108), Montevideo, substitute Nantillo, Alfonso.—Cerrito 558 y Ellauri 1034 (Casilla 108), Montevideo.

¹ Not to be confused with Carlos Moreira, Isabel La Católica 110-116, Buenos Aires.

² Not to be confused with Emigdio Núñez Valle, or his firm E. Núñez V. y Cia., Barranquilla.

DELETIONS

Argentina

Buenos Aires (steamship previously appearing in footnote to "Argentina" Nueva Compañía General de Navegación S. A.).—

Bolivia

Barron y Rauthmann.—Cochabamba, Fábrica de Alcoholes Tunari.—Cochabamba.

Fábrica Nacional de Alcoholes.—La Paz.

Ferretería y Barraca Nacional.—Bolívar esquina Buenos Aires (Casilla 102), Oruro; and Potosí.

Günther Sucrs. Inc., Ernesto.—Sorata. Tapia, Joaquín.—Mercado esquina Socabaya, La Paz.

Brazil

Administradora Industrial, S. A.—Rua Guaycurús, São Paulo.

Fábrica Fiel, Ltda.—Rua Guaycurús 225, São Paulo.

Fiação e Tecelagem São Leopoldo Ltda.—São Paulo.

Isoletra, Ltda.—Rua Julio Colaco 59, São Paulo.

Wanderley e Cia., Ltda., Tercio.—Rua do Comercio 508-518, Maceió Alagoas.

Chile

de Flores, Francisco P.—Prat 871 (Casilla 1425), Valparaíso.

Echeverría, Renard y Cia., Ltd.—Santiago.

Industrial del Aysen, Soc.—Arturo Prat 871 (Casilla 1425), Valparaíso.

Pichalda, Georg.—Bandera 575 (Casilla 1303), Santiago.

Colombia

Cardinali, Vicente.—Barranquilla.

Fadul y Cia., Miguel.—Calle de la Soledad 125, Cartagena.

Importadora Santander, Ltda.—Cúcuta.

Pérez U., Laureano.—Medellín.

Ecuador

Bar "Piedra".—Tulcán.

Guatemala

Central American Plantations Corporation.—3a Avenida Sur 3, Guatemala, Guatemala, and all branches in Guatemala.

Finca "Concepción-Candelaria".—La Reforma, San Marcos.

Finca "El Pensamiento-Palmira".—Colomba, Quezaltenango.

Finca "El Porvenir".—San Pablo, San Marcos.

Finca "Morelia-Santa Sofía".—Yepocapa, Chimaltenango.

Finca "San Andrés Osuna".—Escuintla, Escuintla.

Finca "San Agustín".—Patulul, Suchitepequez.

Finca "San Francisco Miramar".—Colomba, Quezaltenango.

Finca "San Luis".—Malacatan, San Marcos.

Hacienda "Chocolá".—San Pablo Jocopilas, Suchitepequez.

Hacienda "El Reposo".—Génova, Quezaltenango.
Ingenio "Palo Gordo".—San Antonio Suchitepequez, Suchitepequez.

Mexico

Abastecedora de Cal de Apasco, S. A.—Ferrocarriles Nacionales 155, México, D. F.

Berentsen, Lambertus.—Palma 308 (Apartado 1009), México, D. F.

Calera de Apasco S. A., Cia.—Ferrocarriles Nacionales 155, México, D. F.

Calidra, S. A.—Ferrocarriles Nacionales 155, México, D. F.

Farmacia Arvide.—Avenida Independencia 91, Veracruz.

Riefkohl, Alejandro.—Ferrocarriles Nacionales 155, México, D. F.

Riefkohl, Luis.—Ferrocarriles Nacionales 155, México, D. F.

Panama

Hess, Aurora Meléndez de.—Bolívar 4062, Colón.

Peru

Fleischmann, Mayo y Cia.—Pasaje Olaya 162, Lima.

Negociación Gerbolini, S. A.—Paseo República 299 (Casilla 68), Lima.

Stein Abrill, Alfonso.—Mercaderes 136, Arequipa.

Venezuela

Banco Alemán Antioqueño.—Caracas, and all branches in Venezuela.

Carrizales y Cia., Luis R.—Apartado 1093, Caracas.

PART II—LISTINGS OUTSIDE AMERICAN REPUBLICS

ADDITIONS

Iran

Daneshvar, Abdul Rassoul.—Ave. Boozarjomehri, Seray Omid, Tehran. III-1.
Touba, Ferredj.—Jahan Ara St. 6, Isfahan, and all branches in Iran. III-1.

Morocco

Spanish Morocco

Agricola del Lukus Cia.—Larache. III-1.

Alwin, Georg.—Ave. Las Palmeras, "Chalo Latorre", Tetuan. III-1.

Amselem, Mesod.—Larache. III-1.

Ayuso, Sanchez Aranda y Cia. Ltda.—Ave. Reyes 6, Melilla, and at Tetuan. III-1.

Benalm Hatchuel, Alfonso.—Tetuan. III-1.

Carranza, Jose Leon.—Larache. III-1.

Carranza, Ramon.—Larache. III-1.

Carranza & Bernhardt, S. A.—Tetuan. III-1.

Colombo, Ettore.—Tetuan. III-1.

Diaz Olalla, Enrique.—Larache. III-1.

Gomendio, Jose.—Larache. III-1.

"Hisma" Ltda.—Tetuan. III-1.

Hispano-Marroqui de Transportes, Soc. Ltda.—Tetuan. III-1.

Industrias del Cuero S. A.—Tetuan. III-1.

Kraemer, Eugen.—Melilla. III-1.

"La Tecnica".—Calle General Prim 12, Tetuan. III-1.

Lukus Cia., Agricola del.—Larache. III-1.

Lupo, Andrea.—Larache. III-1.

Mawick Schieff, Francisco.—Calle

Cardinal Cisneros 9, Tetuan. III-1.

Mawick, Lupo & Co. Ltd. (Unitas Ltd.).—Calle Cardinal Cisneros 9, Tetuan. III-1.

Minera Mauretania S. A., Cia.—Tetuan. III-1.

Paegge Sandau, Fred.—Apartado 98, Tetuan. III-1.

Renschhausen, A. & Co.—Tetuan and Larache. III-1.

Rödelheimer, H.—Kaa-el-Hafa, Tetuan. III-1.

Rudt, E. "La Tecnica".—Calle General Prim 12, Tetuan. III-1.

Schultz y Cia., Soc. Ltda., Wilhelm.—Calle Falange de Marruccos 19, Tetuan. III-1.

Stettler, Hans.—Tetuan. III-1.

Wilmer, H. & O. (Sucrs. to H. Toenies).—Calle O'Donnell 12, Tetuan. III-1.

Tangier International Zone

Abecassis, Nissim.—Bvd. Pasteur 36, Tangier. III-1.

Accarias, Paul.—Calle de Belgica 3, Tangier. III-1.

Agence Industrielle Marocaine.—Bvd. Pasteur 82, Tangier. III-1.

Agricola del Lukus Cia.—Tangier. III-1.

Alling, Franz.—Riff Hotel, Tangier. III-1.

Ayuso, Sanchez Aranda y Cia., Ltda.—Bvd. Pasteur 2, Tangier. III-1.

Banca di Tangeri.—Calle America del Sur 5, Tangier. III-1.

Banque Commercial du Maroc S. A.—Tangier. III-1.

Barrada, Abdelkader ben Omar.—Wad Ahardan 84, Tangier. III-1.

Bata, Calzados S. A.—Rue de Fez 68, Tangier. III-1.

Bendelac, Salomon.—Calle Esperanza Orellana 51, Tangier. III-1.

Benhaim, S. M.—Azancot Bldg., Grand Socco, Tangier. III-1.

Boland, Georges.—Calle Sidi Amar 42, Tangier. III-1.

Botbol, A. J.—La Mascota, Calle Siguins 11, Tangier. III-1.

Brahim, Hassan Hadj.—Rue Moses Patriente 28, Tangier. III-1.

Cabanita, Antonio Coelho.—Hotel Berra, Tangier. III-1.

Carranza, Jose Leon (owner of S. T. "Turquesa").—Tangier. III-1.

Carranza, Ramon (owner of S. T. "Blanca de C", "Paco", "Punta Alcazar", "Punta Azamor", "Punta Paloma", "Punta Sabinal", "Ramon de Carranza", and "Reina Victoria").—Tangier. III-1.

Cirrito, Giuseppe.—Rue de Fez 29, Tangier. III-1.

Cominex S. A.—Rue du Dr. Fumey 46, Tangier. III-1.

Comptoir Commercial Marocain.—Rue Tannerie 7, Tangier. III-1.

Corrocheano, Armando.—Bvd. Pasteur 35, Tangier. III-1.

Dalamal, H. & Sons (H. Dalamal).—Calle Cristianos 6, Tangier. III-1.

Delmar, Jaime.—Bvd. Pasteur 31B, Tangier. III-1.

Depeche Marocaine.—Rue Goya 13, Tangier. III-1.

Di Dio S. T. I. E.—Rue Velazquez 16, Tangier. III-1.

El Comercio de Marruecos.—Calle Cristianos 6, Tangier. III-1.

Erola, Francisco.—Calle Nueva 11-15, Tangier. III-1.

Flavia, La Maison.—Bvd. Pasteur 36, Tangier. III-1.

Furian, Louis.—Rue d'Italie (Entrada Fondak del Trigo), Tangier. III-1.

Gomendio, Jose.—Tangier. III-1.

Grange, Bernard de la.—Rue Rembrandt 4, Tangier. III-1.

Grebler, Albert.—Bvd. Antee 11, Tangier. III-1.

Guessus, Abdelghani.—Wad Ahardan 84, Tangier. III-1.

Hafner, Ernesto.—Rue Delacroix 13, Tangier. III-1.

Haggenmacher, Paul.—Rue Tannerie 7, Tangier. III-1.

Hollander, Emanuel.—Rue Goya 43, Tangier. III-1.

Jangl, Josef ("Jas" Export & Import).—Immeuble Moya, Rue du Dr. Fumey, Tangier. III-1.

"Jas" Export & Import—Josef Jangl.—Immeuble Moya, Rue du Dr. Fumey, Tangier. III-1.

Jimenez Beltran, Diego.—Tangier. III-1.

Kabadj, Sidel Hassan.—Calle Comercio 47, Tangier. III-1.

L. U. C. I. A.—L'Union Commerciale Indochinoise & Africaine.—Rue Rembrandt 4, Tangier. III-1.

La Mercantil Ultramarina.—Rue du Statut 79, Tangier. III-1.

Lemoigne, Emile.—Rue Rembrandt, Immeuble Chene, Tangier. III-1.

Likatscheff, Elena.—Calle Buonni 24, Tangier. III-1.

Losbichler, Ludwig.—Apartado 54, Tangier. III-1.

Lukus Cia., Agricola del.—Tangier. III-1.

L'Union Commerciale Indochinoise & Africaine (L. U. C. I. A.).—Rue Rembrandt 4, Tangier. III-1.

Mairati, Nino.—Italian School, Tangier. III-1.

Maman, David.—Rue du Statut 43, Tangier. III-1.

Maman, Judah A.—Rue du Statut 43, Tangier. III-1.

Marco, Rodolfo.—Cassas Mellado 21, Tangier. III-1.

Martin, Paul V.—Hotel Lutetia, Tangier. III-1.

Mas, Pierre.—Rue Goya 13, Tangier. III-1.

Masi, Giulio, Miguel.—Hotel Lutetia, Tangier. III-1.

Mencarelli Santirelli, Amadeo.—Hotel Minzah, Tangier. III-1.

Munoz Massa, Juan J.—Rue Semmarin 26, Tangier. III-1.

Oesch, Ernst.—Tangier. III-1.

Oswald, R.—Hotel Lutetia, Tangier. III-1.

Paganetto, Antonio.—Hotel Lutetia, Tangier. III-1.

Pelissa, Jacques.—Marshan, Tangier. III-1.

Perez, Jacques M.—Hotel Lutetia, Tangier. III-1.

Petri, Ditta Achille.—Ave. d'Espagne 24, Tangier. III-1.

Pinto, Aaron M.—Rue Raphael 5, Tangier. III-1.

Prata, U. M. da Costa.—Tangier. III-1.

Renschhausen, A. & Co.—Tangier. III-1.

Rolny, S. A. Marocaine des Vêtements.—Rue du Statut 69, Tangier. III-1.

S. T. I. E. (Di Dio).—Rue Velazquez 16, Tangier. III-1.

Schnitzer, Rudolfo.—Riff Hotel, Tangier. III-1.

Sciuto, Humberto.—Bvd. Pasteur 36, Tangier. III-1.

Société Générale d'Entreprise et de Commerce.—Rue Wagner 1, Tangier. III-1.

Tanger S. A.—Calle Rusia 10, Tangier. III-1.

Union Co-operative Marocaine.—Rue de la Plage 88, Tangier. III-1.

Portugal and Possessions

Portugal

Aguiar, Adriano Lopes de.—Rua Tomaz Ribeiro 32, Lisbon. III-1.

Beck, Op der, Werner.—Hotel das Duas Nacoes, Lisbon. III-1.

Benarroja, Henrique.—Hotel Metropole, Lisbon. III-1.

Bianca, Edoardo Giuseppe.—Rua das Pedras Negras 3, Lisbon, and at Matozinhos, Oporto. III-1.

Braz & Bras Irmaos, Ltda.—Silves. III-1.

Castro, Augusto de.—Ave. da Liberdade 144, Lisbon. III-1.

Centro Cafeiro Ltda.—Rua Ivens 10-10A, Lisbon. III-1.

Continental Metalurgica Ltda., Soc. ("Socomet").—Rua das Pedras Negras 3, Lisbon. III-1.

Efel—Empresa Fabril e Exportadora Ltda.—Rua Herois de Franca 315, Matozinhos, Oporto, and all branches in Portugal. III-1.

Einhart, Hubert.—Rua dos Douradores 83, Lisbon. III-1.

Einhart Ltda.—Rua dos Douradores 83, Lisbon. III-1.

Empresa Fabril e Exportadora Ltda. (Efel).—Rua Herois de Franca 315, Matozinhos, Oporto, and all branches in Portugal. III-1.

Franco, Matilde Helena Queiroz.—Praca D. Filipa de Lencastre 14, Oporto, and at Lisbon. III-1.

Garrochinho & Cia. Ltda., Bernardo.—Estrada do Cemiterio, Silves. III-1.

Geral Comercial Ltda.—Rua Ivens 56, Lisbon. III-1.

Geral Mercantil do Atlantico Ltda., Cia.—Rua das Pedras Negras 3, Lisbon. III-1.

Gomes de Sa, Henrique Alberto.—Praca D. Filipa de Lencastre 14, Oporto, and at Lisbon. III-1.

Guerreiro, Bernardo.—Santiago do Cacem. III-1.

Guimaraes, Joaquim de Oliveira.—Praca D. Filipa de Lencastre 14, Oporto, and Rua dos Correeiros 184, Lisbon. III-1.

Guimaraes & Franco Ltda., Oliveira.—Praca D. Filipa de Lencastre 14, Oporto, and Rua dos Correeiros 184, Lisbon. III-1.

Guimaraes & Franco Ltda., Oliveira.—Praca D. Filipa de Lencastre 14, Oporto, and Rua dos Correeiros 184, Lisbon. III-1.

Guimaraes & Franco Ltda., Oliveira.—Praca D. Filipa de Lencastre 14, Oporto, and Rua dos Correeiros 184, Lisbon. III-1.

Guimaraes, Furtado & Co., Ltda.—Praca D. Filipa de Lencastre 14, Oporto, III-1.

Hartmann, Henri.—Pensao Colonial, Rossio 59, Lisbon. III-1.

Induca-Industria e Comercio Ltda.—Rua Ivens 56, Lisbon. III-1.

Industria e Comercio Ltda. (Induca).—Rua Ivens 56, Lisbon. III-1.

Leopardi, Corrado.—Rua das Pedras Negras 3, Lisbon. III-1.

Lima, Manoel Lobo d'Avila.—Rua da Vitoria 53, and Ave. Joao Crisostomo 13, Lisbon. III-1.

Loewenthal, Fritz.—Travessa Larga 11, and Rua Barros Queiros 39, Lisbon. III-1.

Mazzoni, Giacomo.—Travessa das Andrezas 90, Oporto. III-1.

Metalum, Ltda.—Rua das Pedras Negras 3, Lisbon. III-1.

Oliveira Guimaraes & Franco Ltda.—Praca D. Filipa de Lencastre 14, Oporto, and Rua dos Correeiros 184, Lisbon. III-1.

Parreira, Joaquim Varandas.—Travessa de Carvalho 15, Lisbon. III-1.

Perlo, Alessandro.—Hotel Americano, Lisbon. III-1.

Peter, Martin.—Rua da Prata 54, and Ave. da Republica 87, Lisbon. III-1.

Products Exchange Co.—Travessa Larga 11, and Rua Barros Queiroz 39, Lisbon. III-1.

Reis, Antonio da Cunha.—Rua dos Douradores 83, Lisbon. III-1.

Rizzetti, Italo.—Rua Victor Cordon 14, Lisbon. III-1.

Sa, Henrique de (Henrique Alberto Gomes de Sa).—Praca D. Filipa de Lencastre 14, Oporto, and at Lisbon. III-1.

Salinas, Jose Maria.—Rua dos Fanqueiros 250, Lisbon. III-1.

Salsicharia Favorita Ltda. Soc.—Rua do Ouro 283, Lisbon. III-1.

Santos, Eladio dos.—Rua Bernardo Lima 27, Lisbon. III-1.

Schick, Alfredo.—Calcado do Lavro 22, and Rua Braam Camp 10, Lisbon. III-1.

Schunck, Karl.—Rua de S. Juliao 72, Lisbon. III-1.

Seixas & Co. Ltda., Fernando Coimbra.—Praca D. Filipa de Lencastre 14, and Rua de Fabrica 67, Oporto. III-1.

"Socomet"—Soc. Continental Metalurgica Ltda.—Rua das Pedras Negras 3, Lisbon. III-1.

Terol Miralles, Antonio.—Rua dos Fanqueiros 250, Lisbon. III-1.

Vaz Ribeiro, Figueiredo & Co. Ltda.—Praca D. Filipa de Lencastre 14, Oporto. III-1.

Angola

Fazenda Coporolo.—Ganda, Benguela. III-1.

Hey, Elbe Dittmar.—Fazenda, Coporolo, Ganda, Benguela. III-1.

Spain

Bastian, Dr. Walter.—Serrano 135, Madrid. III-1.

Beck, Op der, Werner.—Calle Ibiza 28, Madrid. III-1.

Becker Wolf, Juan.—Provenza 379-381, Barcelona. III-1.

Benavent y Marx, Soc. Ltda.—Valencia 277, Barcelona. III-1.

Bleckmann y Cia. Ltda.—Plaza Cataluna 9, Barcelona, and Rodriguez Arias 3, Bilbao. III-1.

Conservas Sacco S. A.—Coya, Vigo. III-1.

Construcciones Agricolas Soc. Anon. de (S. A. C. A.).—Gago 5, Seville. III-1.

Diana Gil, Luis.—Calle Maestro Chapi 16, Carcagente, Valencia. III-1.

Ferrari, Vicente.—Calle Balmes 32, Barcelona. III-1.

Gaggero, Attilio.—M. Rios, Bueu, Pontevedra. III-1.

Gandolfo, Pietro.—Castelar 2, Vigo. III-1.

Giordani, Gustavo.—Provenza 243, Barcelona. III-1.

Hafner, Ernesto.—Ave. Gen. Franco 7, Malaga. III-1.

Klaebisch, Alfredo.—Via Layetana 149-151, and Ave. del Generalissimo 520, Barcelona. III-1.

Kopp, Luis.—Aragon 266, Barcelona. III-1.

Mittrach, Walter.—Ave. Gen. Franco 368, Barcelona. III-1.

Muller Bergh, Alfredo.—Calle Aguirre 12, Bilbao. III-1.

Paganini, Antonio.—El Forte, Cangas de Morrazo, Pontevedra. III-1.

Paganini, Guido.—Ed. Sanchon, Policarpo Sanz, Vigo. III-1.

Pastor Fernandez, Eusebio.—Coya, Vigo. III-1.

Perez Munoz, Joaquin.—Puerto del Mar 24, Malaga. III-1.

Polonioli, Giovanni.—Ave. Jose Antonio 63, Madrid. III-1.

Reinicke, Heinrich Volkmer.—Espantero 25, and Las Arenas, Bilbao. III-1.

S. A. C. A.—Soc. Anon. de Construcciones Agricolas.—Gago 5, Seville. III-1.

Samstag, Ernesto.—Calle Balmes 336, Barcelona. III-1.

Schilling, Ricardo.—Galileo 28, Madrid. III-1.

Simo Climent, Gonzalo.—Carretera 54, Malaga. III-1.

Simo Perez, Manuel.—Carretera 54, Malaga. III-1.

Soderi, Remo.—Calle Travesera 51, Barcelona. III-1.

Terol Miralles, Antonio.—Alicante. III-1.

"Transocean".—Serrano 135, Madrid. III-1.

Wirth Svalina, Roberto.—Antonio Maura 8, Madrid. III-1.

Sweden

Berania, Rederi A/B.—Stureplan 19, Stockholm. III-1.

Jacobsson, David Sture Albert.—Stureplan 19, Stockholm. III-1.

Jacobsson, Mrs. Karin Matilda.—Stureplan 19, Stockholm. III-1.

Malmo Skeppsfargfabrik A/B.—Norra Vallgatan 70, Malmo. III-1.

Sodra Vaxelkontoret.—Hornsgatan 78, Stockholm. III-1.

Sydsvenska Farg & Ferniss Fabriken A/B.—Karl Krooksgatan 86, Halsingborg. III-1.

Unic A/B.—Birger Jarlsgatan 5, Stockholm. III-1.

Wennberg, Eric T. G. E.—Hornsgatan 78, Stockholm. III-1.

Widlund, Baltzar.—Hornsgatan 78, Stockholm. III-1.

Switzerland

"Aria" Automobil-Reifen-Import A. G.—Limmatstr. 214, Zürich. III-1.

Baeumlin, Jakob.—Oberergraben 32, St. Gallen. III-1.

Baeumlin & Cie., Ernst.—Oberergraben 32, St. Gallen. III-1.

Bianca Freres (Bianca Gebrueder).—Hafnerstr. 10, Zürich. III-1.

Biscuits Pernot, S. A.—Rue de Mole 2, Geneva. III-1.

Christoff, Sava.—Stockerstr. 54, Zürich. III-1.

Crastis Verwaltungs A. G., Soc.—Bahnhofstr., Zürich. III-1.

Fornaciari, Enea.—Via Soldini 25, Chiasso. III-1.

Giussani, Luigi.—Via Soldini 25, Chiasso. III-1.

Giussani & Fornaciari.—Via Soldini 25, Chiasso. III-1.

Guhag A. G. (Gummihandels A. G.).—Roveredo, Grisons. III-1.

Hoffmann, G. (Frankfurt-am-Main, Filiale Basel).—Aeschengraben 13, Basel. III-1.

"Illy-Cafe".—Hohlstr. 86, Zürich. III-1.

Lindt, Otto.—Bahnhofstr. 74, Zürich. III-1.

Martenson, Colonel Bertel.—Arveyes, Villars-sur-Ollon, Vaud. III-1.

Miglietti, Remo.—Rue de la Terrassiere 9, Geneva. III-1.

Scheyer, F. J. M.—Leonhardstr. 1, Zürich. III-1.

Schlaraffiwerk A. G.—Gueterstr. 133, Basel. III-1.

Technica AG.—Schutzengass 32, Grenchen. III-1.

Voser, Josef.—Riedmattstr. 4, Zürich. III-1.

Turkey

Alliotti, Enrico.—Izmir. III-1.

Danon & Co., David.—Istanbul. III-1.

Uc Halka Turk Ltd., Sirketi.—Ankara. III-1.

Visentini, P.—Minar Kemalettin Cad. 3, Izmir. III-1.

AMENDMENTS

Iraq

Relative to Abdeni, Ernest, for Baghdad, substitute 2-33 Khan Astarabadi, Rewaq St, Baghdad.

Relative to Abdeni, Gabriel, for Baghdad, substitute 2-33 Khan Astarabadi, Rewaq St, Baghdad.

Relative to Abdeni, G. G. & Co. Ltd., for Baghdad, substitute 2-33 Khan Astarabadi, Rewaq St, Baghdad.

Portugal and Possessions

Portugal

Relative to Cappanari, Silvio, for Lisbon, substitute and Ave. da Liberdade 164, Lisbon.

Relative to Polonia, Adao Pacheco, add Owner of Trawlers "Carlos Alberto", "Gaivina", "Goncalo Zarco", and "Sa Da Bandeira".

For Sousa, Pedro Jesus de, substitute Sousa, Pedro Joao de and add Owner of

"Guadiana 4", S. T. "Maria 3", S. T. "Maria 5" and M. T. "Maria Manuela".

Mozambique

Relative to Toennies, Gustav, for Lourenço Marques, substitute Mozambique.

Spain

For De Filipo, C., substitute Filipo, C. de.

For Del Manzano Parody, Antonio, substitute Del Manzano y Parody, Antonio.

Relative to Industria y Comercio del Automobili Ltda., for and at Vigo, substitute and all branches in Spain.

Switzerland

For "Cipa" D'Importation de Produits Alimentaires Cie et Agricoles S. A., substitute "Cipa" Compagnie D'Importation de Produits Alimentaires.

For D'Importation de Produits Alimentaires Cie. et Agricoles "Cipa" S. A., substitute Compagnie D'Importation de Produits Alimentaires "Cipa".

For Hangartner, W., substitute Hangartner, Willy (Verkaufsbureau Pronto).

Relative to Merk & Co., Max, for Stampfenbachstrasse 70, substitute Linteschergasse 13.

DELETIONS

Portugal and Possessions

Portugal

Albuquerque, Oscar de.—Travessa Nova de S. Domingos 9, Lisbon, and Queluz Sintra.

Borges, B. J. Ltda.—Rua Maury 5, Caixa Postal 330, Lisbon.

Cabrita, A. J.—Rua do Amparo 25, and Ave. Manuel de Maia 26, Lisbon, and at Albufeira, Algarve.

Cabrita, Joaquim Vinhas.—Rua do Amparo 25, Lisbon, and at Albufeira, Algarve.

Cerqueira, Francisco Jose.—Rua Pinto Ferreira 8, Quinta do Almargem, Lisbon.

Cerqueira Jnr., Francisco Jose.—Rua Pinto Ferreira 8, Quinta do Almargem, Lisbon.

Chocolates Camarana Ltda., Soc. de.—Rua Pinto Ferreira 8, Quinta do Almargem, Lisbon.

Lazaro, Bonifacio.—Rua da Saude, Setubal.

Leitao & Lillenthal Ltda.—Praca dos Restauradores 13, Lisbon.

Lewandowsky, Georg.—Caixa Postal 360, Lisbon.

Moreno, Edelmiro.—Rua San Juliao 48, and Hotel Suizo Atlantico, Rua da Gloria 3, Lisbon.

Nogueiro, Ermando Borges.—Rua de S. Damaso 51, Guimaraes.

Scheyer, Paul.—Rua Passos Manuel 174-178, Oporto.

Suhl, Henry.—Lisbon.

Angola

Fazenda Belo Horizonte Ltda.—Dem-bos.

Maderia

Maderia Embroidery Co. Ltd.—Rua do Conselheiro 39, Caixa Postal 52, Funchal.

Spain and Possessions

Fernando Po and Spanish Guinea

Kells.—Calatrava, Kogo.

Switzerland

Arpic, S.A. Etablissements.—Rue St. Leger 6, Geneva.

Etablissements Arpic, S. A.—Rue St. Leger 6, Geneva.

Kuhner, Heinrich.—Basel.

Turkey

Aciman ve Ortaklari, Moiz.—Istanbul.

Cuhaci, Mirza Ali.—Tahtakale, Menase Han 45, Istanbul.

Inkisar Ticarte, Anadolu Sirketi Ltd.—Yenigun 1329 neu S, Izmir, and all branches in Turkey.

Kastoryano, Marko.—Istanbul.

Ojalvo, Jacques.—Cicekpazar, Ostratyadi Hans 3, Istanbul.

Societe pour le Developpement de Commerce en Orient Ltd.—Yenigun 1329 neu S, Izmir, and all branches in Turkey.

"Sodor".—Yenigun 1329 neu S, Izmir, and all branches in Turkey.

[F. R. Doc. 42-8490; Filed, August 29, 1942; 10:42 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1548]

PART 333—MINIMUM PRICE SCHEDULE, DISTRICT No. 13

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 13.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 13; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 333.6 (*General prices*) is amended by adding thereto Supplement R-I, § 333.7 (*Special prices*—(a) *Prices for shipment to all railroads and for exclusive use of railroads*) is

amended by adding hereto Supplement R-II, § 333.7 (*Special prices*—(b) *Prices for shipment by railroad, applicable only for blacksmithing use for all destinations in market areas as listed*) is amended by adding thereto Supplement R-III, § 333.7 (*Special prices*—(c) *Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel*) is amended by adding thereto Supplement R-IV, § 333.24 (*General prices*) is amended by adding thereto Supplement R-V, § 333.25 (*Special prices*—(b) *Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses*) is amended by adding thereto Supplement R-VI, § 333.34 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T-I, and § 333.43 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T-II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

No relief is granted herein as to the coals of the Carr No. 2 Mine (Mine Index No. 1273) of W. C. Carr (Carr Coal Company) or as to the coals of the Tennessee Valley Mine (Mine Index No. 276) of R. D. Campbell (Tennessee Valley Coal Company) for the reasons set forth in an order severing that portion of Docket No. A-1548 which relates to them and designating such portion as Docket No. A-1548 Part II and scheduling a hearing therein.

No provision is made herein for shipment by river for the Nunley Mine (Mine Index No. 1597) of H. Y. Nunley, Phillips Mine (Mine Index No. 1606) of J. T. Phillips and Alexander No. 2 Mine (Mine

Index No. 1631) of C. B. Alexander, which are truck mines in Tennessee, for the reason that no request for f. a. s. prices for them has been made. Free alongside prices will only be made appli-

cable to these mines when proposed or requested in a proper 4 II (d) petition.
Dated: August 20, 1942.

[SEAL]

DAN H. WHEELER,
Acting Director.

DISTRICT No. 13

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions and other provisions contained in Part 333, Minimum Price Schedule for District No. 13 and supplements thereto.

§ 333.6 General prices—Supplement R-I

Prices f. o. b. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine Index No.	Code member	Mine	Sub-district	Seam	Freight origin group
BLOUNT COUNTY, ALA.					
1561	Cannon & Hampton (Dewey Cannon).....	Cannon ¹	1	Black Creek.....	31
215	Costlow, G. F.	Costlow Drift ²	1	Jagger.....	31
JEFFERSON COUNTY, ALA.					
1635	Wright, G. E.	Wright #2 ³	1	Blue Creek.....	31
TUSCALOOSA COUNTY, ALA.					
538	McBride, E. E.	McBride Coal Co. ⁴	1	Carter.....	42
WALKER COUNTY, ALA.					
684	Bonner, Cleo.....	Bonner & Wideman ⁵	1	Black Creek.....	110
669	Bonner, M. J.	Bonner ⁶	1	Black Creek.....	110
994	Keeton & Keeton.....	Keeton ⁷	1	Black Creek.....	110
1642	Drummond, H. E.	Drummond #3 ⁸	1	Black Creek.....	80

¹ Shipping Point: Warrior, Ala. Railroad: L&N. This mine shall have in Size Group 13 on each respective price table a price which is 10¢ less than that respectively listed in Size Group 12 for Mine Index No. 76 (Moss & McCormack Coal Company, Carbon mine, Price Schedule No. 1).

² Shipping Point: Inland, Ala. Railroad: L&N. This mine shall have in Size Groups 13, 22, and 23, on each respective price table, prices which are 10¢ less than those respectively listed in Size Groups 12, 17, and 18, for Mine Index No. 33 (Galloway Coal Company, Holly Grove mine, Price Schedule No. 1).

³ Shipping Point: Weller, Ala. Railroad: L&N. This mine shall have in Size Group 13 on each respective price table a price which is 10¢ less than that respectively listed in Size Group 12 for Mine Index No. 68 (Porter Coal Co., Porter mine, Price Schedule No. 1, but was succeeded by Adams, Rowe & Norman, Inc.).

⁴ Shipping Point: Coaling, Ala.; Railroad: So. Ry. This mine shall have in Size Group 13 on each respective price table, the same price as is listed thereon in that size group for Mine Index No. 9 (Black Diamond Coal Mining Co., Blocton #9 mine, Price Schedule No. 1); and in Size Groups 19, 22, and 23, on each such table, this mine shall have price which are respectively the same as those listed in Size Groups 15, 17, and 18, for Mine Index No. 17 (Southern Coal & Coke Company, Boothton mine, Price Schedule No. 1).

⁵ Shipping Point: Nauvoo, Ala.; Railroad: So. Ry. These mines shall have in Size Groups 1, 2, 4, 6, 13, 17, and 18, on each respective price table, the same prices as are listed in these respective size groups for Mine Index No. 14 (Galloway Coal Company, Hope mine, Price Schedule No. 1); these mines shall have in Size Groups 7, 22, and 23, on each such table, prices which are 10¢ less than those respectively listed in Size Groups 6, 17, and 18, for said Mine Index No. 14; and these mines shall have in Size Group 12 on each such table, a price which is 10¢ higher than that provided herein for Size Group 13.

⁶ Shipping Point: Rosemary, Ala. Railroad: SL-SF. This mine shall have in Size Groups 1, 4, 6, 18, and 26, on each respective price table, the same prices as are listed in these respective size groups for Mine Index No. 22 (DeBardleben Coal Corporation, Empire mine, Price Schedule No. 1); and this mine shall have in Size Groups 7 and 23, on each such table, prices which are 10¢ less than those respectively listed in Size Groups 6 and 18 for said Mine Index No. 22. This mine shall have in Size Group 12 on each respective price table, a price which is 20¢ higher than that listed in Size Group 13 for Mine Index No. 14 (Galloway Coal Company, Hope mine, Price Schedule No. 1); and this mine shall have in Size Group 13 on each such table, a price which is 10¢ higher than that listed in this size group for said Mine Index No. 14.

§ 333.7 Special prices (a) *Prices for shipment to all railroads and for exclusive use of railroads*—Supplement R-II. The following prices apply on coal for

use in railroad locomotives and power-house plants. For station heating, use in dining cars, or other uses than stated above, commercial prices as listed in

other sections of this price schedule shall apply.

[Prices f. o. b. mines for shipment to all railroads and for exclusive use of railroads, for mines in Subdistrict No. 1. For all sizes, customarily furnished railroads for locomotive fuel]

Mine index Nos.	Central of Georgia ¹	Seaboard Air Line Rail- way ¹	St. Louis & San Fran- cisco R. R. for con- sideration west of the Mississippi River	St. Louis & San Fran- cisco R. R. for con- sideration east of the Mississippi River	All other railroads not specifically shown
215, 538, 569, 984, 994, 1642	220	220	200	220	220

¹ Prices listed for Central of Georgia and Seaboard Air Line Railways shall also apply to controlled subsidiaries whose purchases of coal are directly made by the controlling system.

SUB-DISTRICT NO. 1

§ 333.7 Special prices—(c) Prices for shipment by railroads, applicable to all coal sold for steamship vessel fuel—Supplement R-IV

[Prices f. o. b. mines for shipment by railroad, applicable to all coal sold for steamship vessel fuel, subject to price instructions and exceptions]

Mine Index Nos.	Size groups and prices applicable for steamship vessel fuel				Mine Index Nos.	Size groups and prices applicable for steamship vessel fuel			
	Mine group					Mine group			
	14, 15, 16, 17, 18	12	13	23		14, 15, 16, 17, 18	12	13	23
549, 984, 994, 1642	285	285	285	275	538, 1396, 1623, 1684, 1855	Cahaba Carbon Hill; Big Seam.	270 245	270	270
	Black Creek Black Creek								

§ 333.7 Special prices—(b) Prices for shipment by railroad, applicable only for blacksmithing use for all destinations in market areas listed—Supplement R-III

[Prices f. o. b. mines for shipment by railroad, applicable only for blacksmithing use; for all destinations in market areas as listed, subject to price instructions and exceptions]

Mine index No.	Sub-dis- trict No.	Market areas in which prices apply	Price
1492	1	(111, 112, 113, 114, 115, 116, 117, 118, 120, 121, 122, 123, 124, 125, 126, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 146, 147, 148, 150, 151, 152, 153, 154, 155, 156, 157, 212 All market areas not listed above. For shipment to all railroads in all areas.)	425 350 425

§ 333.24 General prices—Supplement R-V

[Prices f. o. b. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing]

Mine index No.	Code member	Mine	Sub-dis- trict	Seam	Freight origin group
1595	HAMILTON COUNTY, TENN. Luttlar & Johnson (Marvin Johnson)	Luttlar & Johnson ¹	3	Soddy #12	20
1535 1534	MARION COUNTY, TENN. Henderson, A. L. Morgan & Caldwell (John L. Morgan)	Floyd Tract Pocket ¹ Morgan & Caldwell #12	3 3	Sewanee	149 140
1564	DADE COUNTY, GEORGIA Manis, Sam	Morris #1	3	Etna	190

¹ Shipping Point: Rathburn, Tenn. Railroad: CN&O&TP. This mine shall have in each size group, on each respective price table except that for Market Area No. 112, a price which is 10¢ less than that listed thereon for Mine Index No. 95 (Tennessee Products Corporation, Whitwell mine, Price Schedule No. 1). In the price table for Market Area No. 112, this mine shall have in each size group, a price which is 8¢ higher than that listed thereon for said Mine Index No. 95.

² Shipping Point: Palmer, Tenn. Railroad: NC&SL. This mine shall have in each size group on each respective price table, the same respective price as is listed for Mine Index No. 93 (Tennessee Consolidated Coal Company, Palmer mine, Price Schedule No. 1).

³ Shipping Point: Tracy City, Tenn. Railroad: NC&SL. This mine shall have in each size group on each respective price table, the same respective price as is listed for Mine Index No. 93 (Tennessee Consolidated Coal Company, Palmer mine, Price Schedule No. 1).

⁴ Shipping Point: Whiteside, Tenn. Railroad: NC&SL. This mine shall have in Size Groups 1, 2, 3, 4, 5, 6, 7, 8, 9, and 15, on each respective price table except that for Market Area No. 112, the price in each of these respective size groups as is listed for Mine Index No. 95 (Tennessee Products Corporation, Whiteside mine, Price Schedule No. 1) and in Size Groups 10, 11, 12, and 14, on each such table, respectively, a price which is 10¢ higher than that listed for said Mine Index No. 95; and this mine shall have in Size Group 13 on each such table, a price which is 4¢ higher than is listed in this size group for said Mine Index No. 95. In the price table for Market Area No. 112, this mine shall have in Size Groups 1, 2, 3, 4, 5, 6, 7, 8, 9, and 15, respectively, a price which is 48¢ higher in each of these size groups than is respectively listed in these size groups for said Mine Index No. 95; this mine shall have in Size Groups 10, 11, 12, and 14, respectively, a price which is 58¢ higher than is respectively listed in these size groups for said Mine Index No. 95; and this mine shall have in Size Group 13, a price which is 33¢ higher than is listed in this size group for said Mine Index No. 95.

§ 333.25 Special prices—(b) Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses—Supplement R-VI

[Prices f. o. b. mines for shipment to all railroads for locomotive fuel, station heating, power plants and other uses; for mines in subdistrict No. 3.]

Mine Index No.	Size	Price
1534, 1535, 1564	For all sizes except screenings— Screenings with top size not more than 2"	225
1565	For all sizes except screenings— Screenings with top size not more than 2"	215

FOR TRUCK SHIPMENTS
 § 333.24 General prices in cents per net ton for shipment into all market areas—Supplement T-1

Code member index	Mine	Mine Index No.	Subdistrict	Seam	Lump: over 2'; egg: top size over 6"	Egg: top size 6" and under	Lump: 2' and under	Nut: top size 3" and under, bottom size 1 1/2"		Chestnut: top size 3" and under, bottom size 1 1/2"		Chestnut: top size 1 1/2" and under, bottom size 3/4"		Run of mine model- R/M	Residuals: 3" and under		Screens: 1 1/4"		Industrial coal	
								Wash	Raw	Wash	Raw	Wash	Raw		Wash	Raw	Wash	Raw		
					1	2	3	6	7	8	9	10	11	13	17	22	18	23	24-25	
ALABAMA																				
BLOUNT COUNTY																				
Parker, George C.	Parker #2	1632	2	Berry Mountain	365	365	340	335	315	315	290	300	275	275	275	265	265	260	275	275
JEFFERSON COUNTY																				
Bryant & Bryant (O. H. Bryant), Wright, G. E.	Bryant #2 Wright #2	1601 1635	2	Harkness Blue Creek	365 290	265 290	340	335 310	315 310	315 300	290	300	275	275	260 265	190	250 250	175	275	275
MARION COUNTY																				
Gann & Gann (Clard Gann)	Gann #1	1607	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290	290
Gann & Gann (Clard Gann)	Gann #2	1608	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290	290
Gann & Gann (Clard Gann)	Gann #3	1609	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290	290
Gann & Gann (Clard Gann)	Gann #4	1610	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290	290
Gann & Gann (Clard Gann)	Gann #5	1611	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290	290
Gann & Gann (Clard Gann)	Gann #6	1612	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290	290
Gann & Gann (Clard Gann)	Gann #7	1613	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290	290
Gann & Gann (Clard Gann)	Gann #8	1614	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290	290
Gann & Gann (Clard Gann)	Gann #9	1615	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290	290
Gann & Gann (Clard Gann)	Gann #10	1616	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290	290
Gann & Gann (Clard Gann)	Gann #11	1617	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290	290
Gann & Gann (Clard Gann)	Gann #12	1618	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290	290
SHELBY COUNTY																				
Norton, R. L.	Norton	1626	2	Upper Nunnally	280	280	275	295	275			270	230	230	235	200	180	230	230	230
WALKER COUNTY																				
Cobb, A. E.	Tucker #21	1566	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290	290
Drummond, H. E.	Drummond #3	1642	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290	290
Hall, James R.	Tucker #12	1619	2	Black Creek	385	385	360	335	315	315	305	310	300	290	275	265	265	225	290	290

§ 333.43 General prices in cents per net ton for shipment into all market areas—Supplement T-II
FOR TRUCK SHIPMENTS

Code member index	Mine	Mine index No.	Subdistrict	Seam	Lump: Over 2', egg: top size over 8" and under 2' and under	Egg: top size 8" and under 2' and under	Lump: 2' and under	Nut: top size 2' and under, bottom size 1' and under	Stoker: top size 1 1/2" and under, bottom size 3/4" and under	Stoker: top size 3/4" and under, bottom size 1/2" and under	Straight and modified M/R	Resultants: 8' and under	Resultants: 4' and under	Screenings: 2' and under	Screenings: 1 1/2" and under	Screenings: 1 1/4" and under	Screenings: 3/4" and under	Screenings: 3/8" and under	Industrial coal*
TENNESSEE-GEORGIA HAMILTON COUNTY, TENN. Alexander, C. B.	Alexander #2	1631	4	Soddy #10	305	305	295	250	240	220	225	225	225	205	205	195	190	155	250
MARION COUNTY, TENN. Nunley, H. Y. Phillips, J. T.	Nunley Phillips	1597 1606	4	Battle Creek Sewanee	340 315	340 315	330 305	260 260	250 250	245 245	235 235	235 235	235 235	205 205	205 205	195 205	175 200	140 165	285 260

* For sizes included see Size Group Table, page No. 25.

[F. R. Doc. 42-8412; Filed, August 28, 1942; 11:08 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order No. S-88]

JOSEPH POLLAK CORP.

Joseph Pollak Corporation of Boston, Massachusetts, is a manufacturer of automotive replacement parts and other items. The Company made an application under the Production Requirements Plan on Form PD-25A for the second quarter of 1942. On this application it represented that shipments having a dollar value of approximately \$77,000 had been made on an A-2 preference rating during the first quarter of 1942 and that shipments having a dollar value of approximately \$19,000 had been made on an A-10 preference rating during the same quarter. Almost all of these shipments were in fact made on unrated orders and, therefore, the Company's certification that such shipments had been made on orders bearing preference ratings of A-2 and A-10 constituted a wilful misrepresentation to the War Pro-

In view of the foregoing facts, it is hereby ordered:

§ 1010.88 Suspension Order S-88.
(a) Joseph Pollak Corporation, its successors and assigns, shall not accept delivery of, process, or fabricate any automotive replacement parts or any steel, copper, bronze, brass or monel sheets except as specifically authorized by the Director General for Operations.

(b) Joseph Pollak Corporation, its successors and assigns, shall not deliver any automotive replacement parts or any steel, copper, bronze, brass or monel sheets or products made therefrom except as specifically authorized by the Director General for Operations.

(c) Deliveries of material to Joseph Pollak Corporation, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned or applied to such deliveries to Joseph Pollak Corporation by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board except as specifically authorized by the Director General for Operations.

(d) No allocation shall be made to Joseph Pollak Corporation, its successors and assigns, of any material the supply or distribution of which is governed by any order of the War Production Board except as specifically authorized by the Director General for Operations.

(e) Nothing contained in this order shall be deemed to relieve Joseph Pollak Corporation from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(f) This order shall take effect August 30, 1942, and shall expire on February 28, 1943, at which time the restrictions contained in this order shall be of no further effect. (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; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8462; Filed, August 28, 1942; 1:57 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-93]

GOLD SEAL ELECTRIC SUPPLY CO.

Gold Seal Electric Supply Company is a Pennsylvania corporation with its principal place of business at 35 North Seventh Street, Philadelphia, Pennsylvania. The company is engaged in the sale of electrical supplies and fixtures and is a warehouse as defined in General Preference Order M-9-a.¹

The Gold Seal Electric Supply Company violated General Preference Order M-9-a, as amended February 6, 1942, and May 7, 1942,² by making deliveries of substantial amounts of copper wire and cable on unrated orders and on rated orders which failed to bear the required preference ratings.

These violations of General Preference Order M-9-a have impeded and hampered the war effort of the United States by diverting scarce material to uses not authorized by the War Production Board. In view of the foregoing, *It is hereby ordered:*

§ 1010.93 *Suspension Order S-93.* (a) Deliveries of material to Gold Seal Electric Supply Company, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating orders, general preference orders, or any other orders or regulations of the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to Gold Seal Electric Supply Company, its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) Nothing contained in this order shall be deemed to relieve Gold Seal Electric Supply Company, from any restriction, prohibition, or provision contained in any other order or regulation of the Director General for Operations, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect August 29, 1942, and shall expire November 29, 1942, at which time the restrictions contained in this order shall be of no further effect. (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; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8463; Filed, August 28, 1942;
1:57 p. m.]

¹ 7 F.R. 5980.

PART 1174—LAUNDRY EQUIPMENT, DRY CLEANING EQUIPMENT AND TAILORS' PRESSING MACHINERY

[Amendment 1 of General Limitation Order L-91, as Amended June 22, 1942]

Section 1174.1 *General Limitation Order L-91*,¹ as amended June 22, 1942, is hereby amended in the following respects:

1. Section 1174.1 (a) (3) is amended to read as follows:

(a) (3) "Distributor" means any person distributing, selling, or dealing in commercial laundry or dry cleaning machinery, or tailors' pressing machinery (whether new or second-hand) to the extent that he is engaged in such sales, dealing, or distribution, other than sales and distribution outlets controlled by a manufacturer.

2. Section 1174.1 (a) (4) is amended to read as follows:

(a) (4) "Commercial laundry machinery," "commercial dry cleaning machinery," and "tailors' pressing machinery," unless otherwise specified, include machinery of the kinds listed, from time to time, in List A attached to § 1174.1. New machinery of such kinds is machinery which has not previously been used or purchased for use. Second-hand machinery of such kinds is machinery which has previously been used or purchased for use, including rebuilt or reconditioned machinery. "Tailors' pressing machinery" shall include pressing machinery used by custom tailors or by pressing establishments, but shall not include pressing machines used in the mass production of garments or other textiles. "Commercial laundry machinery" and "commercial dry cleaning machinery" shall include machinery used in all types of laundering and cleaning establishments, such as, but not limited to, rug cleaning establishments and fur cleaning establishments, but shall not include electric hand irons, electrically heated steam irons or water spray irons, which are subject to the limitations of General Limitation Order L-65.²

3. Section 1174.1 (b) is amended to read as follows:

(b) *Restrictions on delivery.* Regardless of the terms of any contract of sale or purchase or other commitment, or of any preference rating certificate, no manufacturer, distributor, or other person shall accept an order for, or sell, lease, deliver, or otherwise transfer, and no person shall purchase, lease, receive delivery of, or otherwise acquire, either for use or for export, any new commercial laundry or dry cleaning machinery, or tailors' pressing machinery of any value, or any of such kinds of second-hand machinery having a value in excess of \$100.00, except as follows:

¹ 7 F.R. 4650, 5748.

² 7 F.R. 2465, 2732.

(1) To fill orders for the Army or Navy of the United States, the Army or Navy of Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown Colonies and Protectorates, or Yugoslavia; for the Maritime Commission or War Shipping Administration; or to fill orders to equip a vessel constructed for the Navy, Maritime Commission, War Shipping Administration or Lend-Lease Administration, or a cantonment or other Army or Navy base constructed for the use and operation of the Army or Navy of the United States; or to fill orders for a bag loading or other ordnance plant where the hazard is such that the above-mentioned machinery has been specified as necessary by the Army or Navy; or

(2) Upon express authorization of the Director General for Operations upon Form PD-418.

Nothing in this paragraph shall be construed to prohibit the delivery of machinery from one manufacturer or distributor to another manufacturer or distributor to fill an order, or part of an order, for machinery for use or for export if the filling of the order has been authorized on Form PD-418, or if the order was placed pursuant to the provisions of paragraph (b) (1) of this order.

4. Section 1174.1 (e) is amended to read as follows:

(e) *Non-applicability to rebuilding, reconditioning, repair or maintenance of existing equipment.* The prohibitions of paragraph (b), paragraph (d) (1) and paragraph (d) (2) hereof shall not be construed to restrict the manufacture, acquisition, sale, or delivery, in any manner, of parts to be used to rebuild, recondition, repair or maintain existing machinery, or machinery delivered under the terms of this order. The above provision for parts for rebuilding, reconditioning, repair or maintenance includes replacement parts to be used for such purposes.

5. Section 1174.1 (1) (3) is amended to read as follows:

(1) (3) On or before May 7, 1942, for the month of April, and on or before the seventh day of each month thereafter, for the preceding month, each manufacturer or distributor of commercial laundry or dry cleaning machinery, or tailors' pressing machinery shall file a monthly report on Form PD-419.

6. List A attached to § 1174.1 is amended by the insertion of the item "stills, vacuum" between "sterilizer, general" and "stretchers, trouser," by amending the item "extractor baskets" to read "extractor baskets (no-trux)," by amending "washers, metal" to read "washers, metal type," by amending "washers, metal cylinders" to read "washers, metal cylinder type," by amending "washers, wood" to read

"washers, wood type," by amending "washers, wood cylinders" to read "washers, wood cylinder type," and by amending "washers, wood shells" to read "washers, wood shell type."

(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; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 28th day of August 1942.

AMORY H. UGHTON

Director General for Operations

[F. R. Doc. 42-8464; Filed, August 28, 1942; 4:13 p. m.]

PART 983—MATERIALS ENTERING INTO THE PRODUCTION OF REPLACEMENT PARTS FOR PASSENGER AUTOMOBILES AND LIGHT TRUCKS

[Revocation of Supplementary Limitation Order L-4-b]

Section 983.4 *Supplementary Limitation Order L-4-b*, issued April 25, 1942, is hereby revoked, the subject matter of said order now being covered by § 3034.1 Limitation Order L-180. This action shall not be construed to affect in any way any liabilities or penalties accrued or incurred under said Supplementary Limitation Order L-4-B. (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; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of August 1942.

AMORY HOUGHTON,

Director General for Operations.

[F. R. Doc. 42-8501; Filed, August 29, 1942; 11:37 a. m.]

PART 1227—AROMATIC PETROLEUM SOLVENTS

[General Preference Order M-150, as Amended August 29, 1942]

Section 1227.1 *General Preference Order No. M-150*¹ is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of aromatic petroleum solvents 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:

§ 1227.1 *General Preference Order M-150*—(a) *Definitions*. For the purposes of this order:

(1) "Aromatic petroleum solvents" means solvents or naphthas of petroleum origin, other than benzol and toluol, containing more than 30% by volume of aromatic hydrocarbons as determined by the analytical procedure described as "Proximate Analysis of Hydrocarbon Thinners"

¹ 7 F.R. 3887, 5352.

published in the Scientific Section Circular No. 568 of the National Paint, Varnish and Lacquer Association, November, 1938, pages 381-388, and having A. S. T. M. 50% distillation point lower than 330° F. Such term also includes all grades of xylol regardless of whether derived from petroleum, coal-tar or other sources.

(2) "Producer" means any person engaged in the production of aromatic petroleum solvents and includes any person who has such materials produced for him pursuant to toll agreement.

(3) "Distributor" means any person who purchases or has purchased aromatic petroleum solvents for resale, excluding, however, any person who sells aromatic petroleum solvents only in containers of capacities of sixty (60) gallons or less.

(b) *Restrictions on use and delivery of aromatic petroleum solvents*. (1) During the period commencing August 29, 1942, the effective date of this amendment, and ending September 30, 1942, no person, subject to the provisions of paragraphs (c) and (d) hereof, shall sell or deliver any aromatic petroleum solvent except to fill orders to which preference ratings of A-2 or higher have been assigned or extended.

(2) On and after October 1, 1942, no producer or distributor shall, subject to the provisions of paragraphs (c) and (d) hereof, deliver, and no person, subject to the provisions of said paragraphs (c) and (d) shall accept delivery of or use any aromatic petroleum solvent except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (f) hereof.

(3) Each person accepting delivery of any aromatic petroleum solvent pursuant to specific authorization of the Director General for Operations shall use such aromatic petroleum solvent only for the purposes specified in such authorization.

(4) Each person affected by this order shall comply with such directions as may be given from time to time by the Director General for Operations, with respect to the use or delivery by such person of any aromatic petroleum solvent.

(c) *Small order exemptions*. The restrictions provided for in paragraph (b) (1) hereof shall not apply to, and the authorization provided for in paragraph (b) (2) hereof shall not be required with respect to, the following:

(1) Use by any person of sixty (60) gallons or less of aromatic petroleum solvents in any one month;

(2) Delivery by any supplier of sixty (60) gallons or less of aromatic petroleum solvents to any one person in any one month, and the acceptance thereof by any such person, subject to the following conditions:

(i) Each supplier desiring to make small order deliveries of any aromatic petroleum solvent pursuant to this paragraph (c) (2), shall apply for authorization to make small order deliveries pursuant to paragraph (f) (2) (ii) hereof, and the aggregate amount of small order deliveries made by any supplier during any month shall not exceed the amount of deliveries which he is specifically authorized to make.

(ii) Each person seeking delivery of sixty (60) gallons or less of aromatic petroleum solvents shall file with his supplier at the time of placing his order therefor a certificate to the effect that, if the delivery covered by such order is made, the deliverer will not have received during the current month in excess of an aggregate of sixty (60) gallons of aromatic petroleum solvents: *Provided, however*, that such certificate shall not be required with respect to deliveries of five (5) gallons or less of any aromatic petroleum solvent.

(d) *Special exemption*. The restrictions provided for in paragraph (b) (1) hereof shall not apply to, and the specific authorization provided for in paragraph (b) (2) hereof, shall not be required with respect to, delivery to, or acceptance of delivery or use by, any person of any intermediate fraction for the manufacture of any aromatic petroleum solvents.

(e) *Production of aromatic petroleum solvents*. Each producer shall comply with such directions as may be given from time to time by the Director General for Operations with respect to the production of any aromatic petroleum solvent.

(f) *Applications and reports*. In addition to such other reports as may from time to time be required by the Director General for Operations:

(1) Each person seeking authorization to use or accept delivery of any aromatic petroleum solvent pursuant to paragraph (b) (2) hereof shall apply therefor on Form PD-600. Such applicant shall file with the War Production Board the original and two copies of such form on or before the 10th day of the month preceding the month for which such authorization is requested and shall file with his supplier one copy of such form on or before the 10th day of such month if the supplier is a producer or on or before the 5th day of such month if the supplier is a distributor, which form shall be prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading*. Specify "aromatic petroleum solvents" and order number "M-150, as amended August 29, 1942" and specify gallons as the unit of measure and in addition to specifying the delivery destination indicate the address to which communications should be directed.

(ii) *Columns 1, 11 and 19*. Specify trade name and number or letter except in the case of xylol, in which case specify "xylol" and the degree range or other common commercial identification.

(iii) *Columns 3, 20 and 22*. In the case of a distributor, specify "Resale subject to further authorization." In the case of a consumer, specify:

Paint.	Lacquer thinner.
Varnish.	Synthetic enamel reducer.
Enamel.	General solvents.
Synthetic enamel.	Dye stuffs.
Lacquer.	Intermediates.
Flameproof composition.	Other organic chemicals.
Natural rubber solution.	Other.
Synthetic rubber solution.	

If "general solvents," "other organic chemicals" or "other" is specified, describe briefly.

(iv) *Column 4.* In the case of a distributor, disregard. In the case of a consumer, specify:

U. S. Army specification number.	Balloon cloth coating.
U. S. Navy specification number.	Textile finishing.
U. S. Army-Navy aircraft specification number.	Canvas treating.
U. S. Maritime Commission specification number.	Leather coating.
Other U. S. Government Agency specification number.	Artificial leather manufacture.
	Food container lining.
	Shoe manufacture.
	Other.

If "other" is specified, describe briefly.

(2) Each producer and each distributor seeking authorization to deliver any aromatic petroleum solvent shall apply therefor on Form PD-601. Such applicant shall file with the War Production Board, the original and two copies of such form on or before the 15th day of the month preceding the month for which such authorization is requested, which form shall be prepared in the manner prescribed therein subject to the following specific instructions:

(i) *Heading.* Specify "aromatic petroleum solvents" and order number "M-150, as amended August 29, 1942" and specify gallons as the unit of measure, and in addition to specifying the plant or warehouse address indicate the address to which communications should be directed. A separate form must be filed for each grade of solvent.

(ii) *Column 1.* If authorization to fill small orders under paragraph (c) (2) (i) is requested, insert "aggregate small order deliveries" in Column 1 after completing the list of customers and specify in Column 4 the aggregate amount requested to be authorized.

(iii) *Columns 3 and 8.* Specify trade name and number or letter except in the case of xylol, in which case specify "xylol" and the degree range or other common commercial identification.

(g) *Notification of customers.* Producers and distributors of aromatic petroleum solvents shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(h) *Miscellaneous provisions.*—(1) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of aromatic petroleum solvents, shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to 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 common ownership or control.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully 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.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C. Ref: M-150. (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; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8497; Filed, August 29, 1942;
11:36 a. m.]

PART 1238—MEN'S AND BOYS' APPAREL FOR MASCULINE LOUNGING WEAR AND CERTAIN OTHER GARMENTS

[General Limitation Order L-130]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of wool, silk, rayon, cotton, linen and other materials 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:

§ 1238.1 *General Limitation Order L-130—(a) Definitions.* For the purpose of this order:

(1) "Boys'" means sizes 2, 4, 6, 8, 10, 12, 14, 16, 18 and 20.

(2) "Men's" means sizes small, medium, large and extra large.

(3) "Wool cloth" means any cloth containing any percentage of new wool, reprocessed wool or reused wool.

(4) "Masculine lounging wear" means men's and boys' robes, bathrobes and beachcoats.

(5) "Put into process" means the first cutting of cloth in the manufacture of any lounging wear for sale, resale, or on commission, including but not being limited to, cutting by the following: manufacturers to the trade, tailors, and home dressmakers.

(6) *Measurements.*—Particular measurements set forth in this order shall refer to finished measurements after all manufacturing operations have been completed and the garment is ready for shipment, as follows:

(i) All measurements for length of robes, bathrobes and beachcoats for all sizes and ranges are to be made from nape of neck to bottom of finished garment. No garment shall exceed its maximum length at any point in its circumference.

(7) "Sweep" means maximum circumference of the garment.

(8) Unless otherwise expressly defined, all trade terms shall have their usual trade meaning.

(b) *Provisions with respect to finished garments, manufacture and sale of articles of masculine lounging wear.* Except as provided in paragraph (c), no person shall put into process or cause to be put into process by others for his account any cloth for the manufacture of, or sell, or deliver any masculine lounging wear:

(1) Of wool cloth, unless made by a manufacturer from fabrics owned by him or in his possession on the effective date of this order.

(2) With another garment at a unit price.

(3) With more than one pocket.

(4) With a cuff.

(5) Exceeding measurements of the following tables:

Maximum Measurements for Men's and Boys' Robes and Beachcoats

SCHEDULE A

	Men's sizes			
	Small	Medium	Large	Extra large
Length.....	47	49	51	52
Sweep.....	57	61	65	69
Hem.....	1	1	1	1

	Boys' sizes									
	2	4	6	8	10	12	14	16	18	20
Length.....	26	28	30½	35	38	42	43	45	47	48
Sweep.....	38	40	41	44	47	50	52	54	56	58
Hem.....	1	1	1	1	1	1	1	1	1	1

(c) *General exceptions.* The prohibitions and restrictions of this order shall not apply to lounging wear:

(1) When manufactured or sold for use as:

(i) Infants' and toddlers' size ranges 1 to 3;

(ii) Lounging wear for persons who, because of unusual height, abnormal size, or physical deformities, requires measurements exceeding maximum measurements of schedule A, paragraph (b) (5) for proportionate length or sweep; provided, however, that the prohibitions of paragraphs (b) (1), (2), (3) and (4) shall nevertheless apply to such lounging wear;

(iii) Historical costumes for theatrical productions; provided, however, that no masculine lounging wear manufactured or sold pursuant to this subparagraph shall be used for any purposes other than those for which it was so manufactured or sold, unless altered to conform to the provisions of this order.

(2) When manufactured for or sold to the Army of the United States, the United States Navy or the United States Maritime Commission.

(3) When manufactured in foreign countries and imported and received in customs in the United States prior to October 1, 1942.

(d) *Appeal.* Any person affected by this order who considers that compli-

ance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of cloth conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegram, Reference: L-130, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(e) *Certificate.* No person who has heretofore or shall hereafter put into process or cause to be put into process by others for his account any masculine lounging wear, shall hereafter sell such lounging wear without furnishing to his purchaser, other than an ultimate consumer, a certification, and no such purchaser shall accept delivery of such lounging wear without a certification signed by an individual duly authorized to sign for such person, in substantially the following form:

The undersigned hereby certifies to his purchaser and the War Production Board that the masculine lounging wear covered by his invoice No. _____ dated _____ has been manufactured or sold in accordance with the curtailments and exceptions of General Limitation Order No. L-130.

(f) *Reports and records.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be required by said Board from time to time. The certificate required under paragraph (e) shall be retained by the vendee for a period of one year after receipt.

(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. (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; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8500; Filed, August 29, 1942;
11:36 a. m.]

PART 1261—LABORATORY EQUIPMENT

[Amendment 2 to Limitation Order L-144]

§ 1261.1 *Limitation Order L-144* is hereby amended by adding the following sentence to paragraph (a):

The term does not include reagent chemicals which are defined as any chemical prepared and packed for reagent use in laboratories. (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; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

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AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8499; Filed, August 29, 1942;
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PART 3034—MATERIALS ENTERING INTO THE PRODUCTION OF REPLACEMENT STORAGE BATTERIES FOR PASSENGER AUTOMOBILES AND LIGHT TRUCKS, MEDIUM AND HEAVY TRUCKS, TRUCK TRACTORS, TRUCK TRAILERS, PASSENGER CARRIERS AND OFF-THE-HIGHWAY MOTOR VEHICLES

[Limitation Order L-180]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of antimony, lead, tin, rubber, and other materials entering into the production of automotive replacement storage batteries used in the operation of passenger automobiles and light trucks, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles, 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:

§ 3034.1 *Limitation Order L-180—(a) Certain orders hereby superseded.* This order, Limitation Order L-180, supersedes Supplementary Limitation Order L-4-b,¹ issued April 25, 1942, and Limitation Order L-35, issued January 22, 1942, as amended.²

(b) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of applicable priorities regulations, 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.

(1) *Protection of production schedules.* Producers under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1

(Part 944), schedule production of automotive replacement storage batteries without regard to purchase orders or contracts placed with them for other materials on ratings lower than A-2.

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

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

(2) "Passenger automobile" means any passenger vehicle, including station wagons and taxicabs, propelled by an internal combustion engine, and having a seating capacity of less than eleven (11) persons.

(3) "Light truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of less than 9,000 pounds, as authorized by the manufacturer thereof, or the chassis therefor.

(4) "Medium and/or heavy motor truck" means a complete motor truck or truck-tractor with a gross vehicle weight rating of 9,000 pounds or more, as authorized by the manufacturer thereof, or the chassis therefor.

(5) "Truck trailer" means a complete semi-trailer or full trailer having a load-carrying capacity of 10,000 pounds or more, as authorized by the manufacturer thereof, and designed exclusively for the transportation of property or persons, or the chassis therefor.

(6) "Passenger carrier" means a complete motor coach for passenger transportation, having a seating capacity of not less than eleven (11) persons.

(7) "Off-the-highway motor vehicle" means a motor truck, truck-tractor and/or trailer, operating off the public highway normally on rubber tires and specially designed to transport materials, property or equipment on mining, construction, logging or petroleum development projects.

(8) "Automotive replacement storage battery" means any electric storage battery, designed and built for operating a starter, ignition system, lighting system, or electrical signaling device on any passenger automobile, light, medium and heavy motor truck, truck tractor, truck trailer, passenger carrier or off-the-highway motor vehicle, and which may be used to replace a storage battery delivered as original equipment for any such vehicle. Automotive replacement storage batteries are sometimes referred to hereafter for convenience as "replacement batteries."

(9) "Rebuilt automotive storage battery" means any used automotive storage battery which has been repaired, rebuilt in part or in whole and/or recharged for sale, referred to sometimes hereafter for convenience as "rebuilt batteries."

(10) "Loan or rental storage battery" means any new automotive replacement storage battery or any used automotive

¹ 7 F.R. 4452.

² 7 F.R. 3075.

³ 7 F.R. 470, 1732, 5115.

storage battery, repaired, rebuilt in whole or in part, and/or recharged to be used by any person for loaning, or renting, in order to permit the replacing, repairing, rebuilding and/or recharging of a battery.

(11) "Ampere hour capacity" means the ampere hour capacity of an automotive replacement storage battery as developed on or before the third discharge when tested at the 20-hour rate at 80 degrees Fahrenheit.

(12) "Group" means either (i) one division (of those numbered I, II, III, IV, V) of the "Table of Maximum Adjustment Units for Automobile Batteries in Passenger Car Service," as issued in 1939 by the National Battery Manufacturers Association, Inc., now known as Association of American Battery Manufacturers and referred to in paragraph (d) below as AABM; or (ii) A battery number, as shown in Table I, "Battery Classifications, Ratings and Dimensions," appearing on page 103 of the publication entitled "Storage Batteries for Motor Vehicles," issued in 1938 by the Society of Automotive Engineers, Inc., and referred to in paragraph (d) below as SAE.

(13) "Producer" means any individual, partnership, association, corporation, or other form of business enterprise engaged in the manufacture or rebuilding of automotive replacement storage batteries.

(14) "Inventory" means a stock of automotive replacement storage batteries (new and rebuilt) on hand, on consignment, or held for the account of the owner thereof in any other name, manner, or place.

(15) "Distributor" means any person not a producer whose business consists, in whole or in part of the sale from inventory of storage batteries, as defined in sub-paragraphs (8), (9) and (10) above. Distributor includes wholesalers, warehouses, jobbers, dealers, retailers and other persons performing similar functions.

(16) "Consumer" means the owner or operator of the automotive vehicle for which a replacement battery is acquired, or the user of such battery for any other purpose.

(17) "Double insulation" means, in battery construction, the use of a retaining sheet of porous or perforated material between the positive plate and the single separator.

(18) "Single insulation" means, in battery construction, the use of wood separators only.

(d) *Limitations on ampere hour capacities of replacement batteries for passenger automobiles and light trucks.* (1) On and after the effective date of this order, no producer shall manufacture any replacement batteries for passenger automobiles and light trucks except

with single insulation and only in the following minimum ampere hour capacities:

AABM	SAE	Minimum ampere hour capacity 20 hour rate 80° F.
Group	Group	
I.....	IM.....	80
II.....	IH.....	90
III.....	2L.....	100
IV.....	2ME.....	90
(E-116) (III-125)		110
IIHF (Ford)	(2M-105) (2H-116)	100
(II-115)	8L.....	110
III.....	3M (3H-133)	120
	(Special 12 Volt)	45-50

(2) Notwithstanding the limitations on insulation of replacement batteries specified in paragraph (d) (1) above, a producer may manufacture one (1)

model with double insulation in not more than three of the above groups.

(3) From Groups IV and V of AABM, or from Groups 4H and 5H of SAE, a producer may manufacture only one battery in each group. However, such batteries may be constructed either with single or double insulation.

(e) *Limitations on ampere hour capacities and container sizes of replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.* (1) On and after September 30, 1942, other than as permitted in sub-paragraph (2) below, no producer shall manufacture any replacement batteries for medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles except one (1) in each size within the following minimum-maximum ampere hour capacities and minimum-maximum container sizes:

	Ampere hour capacity 20-hour rate 80° F.		Volts	Container sizes					
				Long		Wide		High	
	Mini- mum	Maxi- mum		Mini- mum	Maxi- mum	Mini- mum	Maxi- mum	Mini- mum	Maxi- mum
For batteries with double insulation									
Size A.....	155	165	6	16	16½	7½	7½	9½	11
Size B.....	195	220	6	19½	20½	7½	7½	9½	11
Size C.....	235	245	6	22½	23½	7½	7½	9½	11
Size D.....	385	395	6	21½	22	10½	10½	12	12½
Size E.....	95	105	12	17½	18	7½	8	9½	11
Size F.....	95	105	12	19½	21½	7½	7½	9½	11
Size G.....	115	125	12	20½	21½	8½	9	9½	11
Size H.....	135	145	12	20½	21½	9	10	9½	11
Size I.....	155	165	12	20½	21½	10½	11½	9½	11
For batteries with single insulation									
Size J.....	195	205	6	16	16½	6½	7½	9	10½
Size K.....	385	345	6	25	25½	7½	7½	9½	11½
Size L.....	140	155	12	20½	21½	8½	9	9½	11
Size M.....	150	170	12	20½	21½	9	10	9½	11
Size N.....	180	205	12	20½	21½	10½	11½	9½	11

(2) Producers may manufacture replacement batteries in capacities and sizes other than as specified in sub-paragraph (1) of this paragraph (e) only from materials on hand at the effective date of this order, provided:

(i) No additional material is required;
(ii) Such material cannot be consumed without change in form in manufacturing replacement batteries of the capacities and sizes specified in sub-paragraph (1) above;

(iii) Replacement batteries so produced be included in the number authorized for production in the periods specified in paragraph (f) below.

(f) *Restrictions on production of replacement batteries for passenger auto-*

mobiles, light, medium and heavy trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles. (1) During the period commencing July 1, 1942, and ending September 30, 1942, no producer of replacement batteries shall manufacture more than forty-five (45%) percent of the number of such batteries sold by him during the base period July 1, 1941, to December 31, 1941.

(2) During the period commencing July 1, 1942, and ending December 31, 1942, no producer of replacement batteries shall manufacture more than ninety (90%) percent of the number of such batteries sold by him during the base period July 1, 1941, to December 31, 1941.

(g) *Restrictions on inventories of producers of automotive replacement batteries.* (1) On and after October 1, 1942, no producer shall have in inventory on the first day in any month a stock of replacement batteries and rebuilt batteries as defined in paragraph (c) (8) and (9) above, in excess of the number of batteries sold by him during the sixty (60) day period in 1941 corresponding to the sixty (60) day period following the date of the inventory.

(h) *General restrictions.*—(1) *Certificate of compliance required.* No distributor shall order and no distributor or producer shall deliver replacement batteries to a distributor unless each order (or written confirmation thereof, if such order is placed by telephone or telegraph) is accompanied by a certificate in the following form:

Certificate of Compliance with Order L-180

The quantity of replacement batteries on the attached purchase order does not exceed the quantity which I am entitled to order under the provisions of Limitation Order L-180, with the terms of which I am familiar.

(Signed) _____
Firm, partnership or corporation
By _____
Title of individual
Address of firm, partnership or corporation

A copy of each such certificate must be retained by the seller as part of his records.

(2) *Return of used batteries.* On and after the effective date of this order, no producer or distributor shall sell or deliver a new or rebuilt replacement battery to any consumer unless such consumer delivers to the seller concurrently with his purchase one used battery of the same size or larger for each replacement battery delivered to such consumer. The provisions of this paragraph (h) (2) shall not apply to any Federal or Territorial department, bureau or agency, State or political subdivision thereof, which is forbidden by law from making such disposal of used batteries.

(3) *Consumer's certificate.* Notwithstanding the provisions of paragraph (h) (2) above, a producer or distributor may sell and deliver a replacement battery to a consumer without receiving a used battery in exchange therefor, provided that: (i) The producer or distributor does not install such replacement battery in the consumer's vehicle; and (ii) the consumer signs and delivers to the producer or distributor with each purchase order (or written confirmation thereof if such order is placed by telephone or telegraph) a certificate in the following form:

Consumer's Certificate

I hereby certify that: (a) the replacement battery specified on this order is essential for the operation of a vehicle I now own or operate; (b) the replacement battery will be used only to replace a battery, which to the best of my knowledge, cannot be economically reconditioned; and (c) I will within thirty (30) days after receiving the replacement battery here ordered, dispose of through

No. 172—4

scrap channels, a used automotive battery of similar size for each replacement battery delivered to me.

(Signed) _____
Vehicle owner or operator
(Address) _____

A copy of each such certificate must be retained by the producer or distributor as part of his records.

(i) *General restrictions on inventories.* (1) No distributor shall accept delivery of any replacement batteries and/or rebuilt batteries, which in combination with his existing inventory will aggregate more than a sixty (60) day supply. In any month, a sixty (60) day supply means the aggregate number of replacement batteries and rebuilt batteries sold during the corresponding month in 1941 plus the number sold in the next succeeding month in 1941.

(2) No producer or distributor may keep in his possession, or under his control for a period of more than thirty (30) days any metal-containing parts of any used, traded-in, imperfect or condemned replacement battery or rebuilt battery for the purpose of repairing or rebuilding the same, or for any other purpose, but must dispose of such parts through customary disposal or scrap channels.

(j) *Exceptions to applicability of this order.* The limitations and prohibitions contained in this order shall not be applicable to the manufacture, sale or delivery of replacement batteries under contract or orders for delivery to or for the account of:

(1) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(2) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia;

(3) Any agency of the United States Government, for delivery to, or for the account of, the government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." (Lend-Lease Act)

(k) *Records.* Every person to whom this order applies shall keep and preserve for a period of not less than two years accurate and complete records of his inventories, production and sales.

(l) *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.

(m) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and

questionnaires as said Board shall from time to time require.

(n) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully 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, materials under priority control and may be deprived of priorities assistance by the Director General for Operations.

(o) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may appeal by letter to the War Production Board, Automotive Branch, Ref: L-180, setting forth pertinent facts and the reasons such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(p) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Automotive Branch, Washington, D. C., Ref: L-180.

(q) *Effective date.* This order shall take effect immediately. (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; E. O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8498; Filed, August 29, 1942;
11:36 a. m.]

PART 1261—LABORATORY EQUIPMENT

[Amendment 1 to General Limitation Order L-144]

Paragraph (b) (1) of § 1261.1 *General Limitation Order L-144*¹ is amended by inserting after the word "except" a colon and the designation "(i)", and adding the following at the end of said paragraph:

* * * or,

(ii) pursuant to a purchase order or contract from the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, or the government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland,

¹ 7 F.R. 4452.

Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia.

(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; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8522; Filed, August 29, 1942;
12:46 p. m.]

PART 3062—CONSERVATION OF NEW AUTOMOTIVE VEHICLES SUBJECT TO RATIONING BY FEDERAL AGENCIES

[Conservation Order M-216]

§ 3062.1 Conservation Order M-216—

(a) *Findings of fact with respect to reserve vehicles.* Approximately 393,000 new passenger automobiles and 130,000 new commercial motor vehicles are in the possession of or under the control of producers, distributors, dealers, sales agencies and finance agencies throughout the United States. These vehicles, hereinafter referred to as "reserve vehicles," are now held for ultimate use in the prosecution of the War through rationing procedures, established as to passenger automobiles by General Conservation Order M-130, effective June 8, 1942, and by Office of Price Administration New Passenger Automobile Rationing Regulations, Order No. 2A, effective March 2, 1942, and as to new commercial motor vehicles by General Conservation Order M-100, effective March 9, 1942. In view of the discontinuance of production, the stock of reserve vehicles herein referred to constitutes the total available supply of such vehicles in the United States. They are urgently needed for war purposes and for the maintenance of the industrial economy of the nation. The maintenance of these vehicles in prime mechanical condition is indispensable to their full utilization for the war purposes for which they are being reserved. These reserve vehicles can be maintained in prime mechanical condition provided conservation operations are performed upon them as set out in the Standards for Maintenance of New Automotive Vehicles, incorporated herein as Schedule 1.

(b) *Statement of policy with respect to requisitioning reserve vehicles.* The standards for maintenance of new automotive vehicles set out as Schedule 1 to this order and made part thereof, are

hereby adopted for the maintenance of reserve vehicles in storage in the possession of or under the control of producers, distributors, dealers, sales agencies and finance agencies. It is declared to be the policy of the War Production Board to require that all reserve vehicles be maintained in accordance with the said standards for maintenance. In order to effectuate this policy and to render all reserve vehicles available for war purposes and for the maintenance of the essential industrial economy, it is further declared to be the policy of the War Production Board to exercise its powers of requisition under existing law, and to seize reserve vehicles in the possession of producers, distributors, dealers, sales agencies and finance agencies, whenever it is found by the War Production Board or any federal agency acting in its behalf, that the mechanical condition of such vehicles has been impaired, or is threatened with impairment, due to failure on the part of the person in possession or control to comply with the Standards for Maintenance.

(c) *Reports on reserve vehicles required.* Every person in possession of reserve vehicles shall file with the Automotive Branch, War Production Board, Washington, D. C., Ref: Order M-216, a report of the condition of such vehicles on Form PD-641. The initial report shall be as of October 1, 1942, and shall be filed not later than October 10, 1942. Subsequent reports shall be filed thereafter at intervals of six months.

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

(1) "Reserve vehicle" means any of the following vehicles which have not been sold or otherwise disposed of under the rationing procedures of the War Production Board or the Office of Price Administration referred to in paragraph (a) above, and which are in storage in the possession of or under the control of producers, distributors, dealers, sales agencies and finance agencies throughout the United States:

(i) Any 1942 model passenger automobile, built upon a standard or lengthened passenger car chassis, having a seating capacity of not more than ten (10) persons, irrespective of the number of miles it has been driven, or any other such passenger automobile of an earlier model which has been driven less than 1,000 miles, including taxis, but not including ambulances, hearses and station wagons.

(ii) Any new commercial motor vehicle, including any light, medium or heavy motor truck, truck tractor or trailer, or the chassis therefor, or any chassis on which a bus body is to be mounted, and which was manufactured subsequently to July 31, 1941; was designed to be propelled or drawn by mechanical power for

use on or off the highways for transportation of property, or persons; was manufactured otherwise than under specifications of the United States Army or Navy; has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types: trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full-trailers, semi-trailers, dollies, attachment third axles, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

(2) "Producer" means any person who manufactures, or has in the past manufactured, any reserve vehicles and now or hereafter has any such reserve vehicles in his possession or under his control.

(3) "Distributor" means any person other than the manufacturer regularly engaged in the business of selling reserve vehicles to dealers.

(4) "Dealer" means any person regularly engaged in the business of offering reserve vehicles for sale at retail to the public.

(5) "Sales agency" means any distributor or dealer and includes any agency or branch of a producer which sells reserve vehicles.

(6) "Finance agency" means any person regularly engaged in the business of financing or making loans, on the security of reserve vehicles, to producers, distributors, dealers or sales agencies, and who now or hereafter has any lien or any claim against any such reserve vehicle as security for a loan or other financing arrangement.

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

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

(f) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully 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.

(g) *Communications.* All reports required by this order and all communica-

tions concerning this order shall be addressed to: War Production Board, Automotive Branch, Washington, D. C. Ref: Order M-216.

(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; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 29th day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[Schedule I to Conservation Order M-216
Issued August 29, 1942]

STANDARDS FOR MAINTENANCE OF NEW AUTOMOTIVE VEHICLES

The following Standards for Maintenance are established for the preservation and care of new passenger automobiles and new commercial motor vehicles while in storage in the possession of or under the control of producers, distributors, dealers, sales agencies, and finance agencies. These vehicles, as defined below, are termed for convenience "reserve vehicles." While set up primarily for the servicing of reserve vehicles, the Standards for Maintenance are equally appropriate for the preservation of similar vehicles whenever the same are to be kept in storage.

Vehicles to Which Standards Are Applicable

The reserve vehicles to which these Standards for Maintenance apply are those new passenger automobiles and new commercial motor vehicles held subject to rationing under orders of the War Production Board and the Office of Price Administration, as to passenger automobiles by General Conservation Order M-130, effective June 8, 1942, and by Office of Price Administration New Passenger Automobile Rationing Regulations, Order No. 2A, effective March 2, 1942, and as to new commercial motor vehicles by General Conservation Order M-100, effective March 9, 1942, while in storage, in the possession of or under the control of producers, distributors, dealers, sales agencies or finance agencies. They are defined as follows:

1. Any 1942 Model Passenger Automobile, built upon a standard or lengthened passenger car chassis having a seating capacity of not more than ten (10) persons, irrespective of the number of miles it has been driven, or any other such passenger automobile of earlier model which has been driven less than 1,000 miles, including taxis, but not including ambulances, hearses and station-wagons.

2. Any New Commercial Motor Vehicle, including any light, medium or heavy motor truck, truck tractor or trailer, or the chassis therefor, or any chassis on which a bus body is to be mounted, and which was manufactured subsequently to July 31, 1941; was designed to be propelled or drawn by mechanical power for use on or off the highways for transportation of property, or persons; was

manufactured otherwise than under specifications of the United States Army or Navy; has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types:

Trucks, truck chassis, truck tractors, off-the-highway motor vehicles, full-trailers, semi-trailers, dollies, attachment third axles, ambulances, hearses, bus chassis, station wagons, carry-all suburbans, sedan deliveries, utility sedans, coupes fitted with pickup boxes, and cab pickups, but not including taxicabs and integral type buses.

Standards for Maintenance—New Passenger Automobiles and Commercial Motor Vehicles

(These Standards for Maintenance correspond with those of the Revised Price Schedule #85 issued by the Office of Price Administration.)

General Instructions

1. All reserve vehicles must be stored indoors. Select a clean, dry building suitable for the storage of new passenger automobiles and commercial vehicles. Cover all openings through which animals and birds may enter storage space. Prevent water leakage. Remove loose dirt and whitewash lime.

2. Allow sufficient space between vehicles for accessibility to perform all specified maintenance operations.

3. The operations specified under the heading "Maintenance Operations" are of two categories: "Initial" operations, which if not already performed, are to be performed, and "Repeat" operations, which must be performed at intervals of six months, or when necessary, as indicated below.

No.	When to be done	Item	Maintenance operations
*1	Initial and whenever necessary.	Vehicle.....	(a) Thoroughly wash vehicle; remove all foreign substances, mud, dirt, grease spots, oil, tar. (b) Check paint, touch up all exposed metal surfaces to prevent rust. Remove blades; store in glove compartment.
*2	Initial.....	Windshield wiper.....	(a) Clean and moth-proof all upholstery, including seat cushions, seat backs, side walls, headlinings, floor mats and carpets.
*3	Initial and every six months.	Upholstery and floor coverings.	(b) After moth-proofing upholstery, protect it from direct sunlight, except when on display in customary display room, by one of the following methods: (1) Cover all openings through which light may enter storage space. (2) Cover the inside of all car windows and windshields with paper, using masking tape. (3) Cover the car with a paper or cloth cover. (4) Completely cover all upholstery with paper, using masking tape.
	Initial.....		(c) Place floor mats in their normal position on floor, not rolled up.
*4	Initial and whenever necessary.	Chrome plated surfaces.....	Thoroughly wash and clean all Chrome plated surfaces with clear water; when dry, apply a coating of light oil, liquid wax, or special preparations; wipe off until no excess oil or wax appears on the surface of the Chrome.
5	Initial.....	Convertible tops.....	With respect to convertibles, see that the tops are up and leave the shipping cover over the top, or cover it with paper, using masking tape.
*6	Initial.....	Engine.....	(a) Drain engine oil and refill crank case with at least 1/2 charge of rust-inhibiting oil. (b) Run engine for 5 minutes at idle speed or about 1,000 R. P. M. Leave this oil in engine.
*7	Initial.....	Fuel system and carburetor.	(a) Drain gasoline tank completely and replace filler cap to exclude dust. (b) Run engine until all gasoline is consumed.
*8	Initial.....	Spark plugs.....	Remove spark plugs. Inject 2 ounces of rust-inhibiting oil into each cylinder when piston is on the power stroke. Slowly turn engine over a few revolutions with starter. Replace spark plugs.
*9	Initial.....	Valve compartment (overhead valve engines).	Remove cover. Spray rust-preventive compound or S. A. E. 10-W on mechanism and inside cover, or pack with oil soaked rags. Replace cover.
*10	Initial.....	Seal engine.....	Seal the engine. This can be done in the following manner: Remove engine oil filler tube cover and crank case breather cover, if there is one, and seal the openings. Also seal the air cleaner, tail pipe, and any other openings into the engine. Tubes or pipes can be sealed satisfactorily by covering with a small piece of oiled or waxed paper, gathering the edges of the paper around the tube and tying them with a cord. The air cleaner can be sealed conveniently by covering with a paper bag and tying a cord around it at the solid part on the engine side of the air intake openings. Sealing the engine to a large extent prevents air moisture from entering the engine.
*11	Initial.....	Battery removal.....	NOTE.—Since no provision has been made for turning the engine over at regular intervals, it is absolutely essential that the recommended procedure for conserving the engine be followed carefully. (a) Remove the battery and store it in a cool place near recharging equipment, to facilitate servicing. Clean battery connections and wipe with light grease.

NOTE: (1) All Maintenance Operations and storage requirements are applicable to new passenger automobiles. (2) Symbol (*) indicates Maintenance Operations applicable to new commercial motor vehicles except trailers, third axles and dollies. (3) Symbol (#) indicates Maintenance Operations applicable to trailers, third axles and dollies.

No.	When to be done	Item	Maintenance operations
*11	Initial.....	Battery removal.....	(b) If dealer has portable battery charging equipment, he may elect to leave battery in car. In either case battery must be maintained as per Item 12 below.
*12	Initial and as specified under "Maintenance operations."	Battery maintenance.....	(a) Check the specific gravity at regular intervals of six weeks, except in extremely hot weather when inspection periods should be cut to three weeks. (b) Check and correct water level at each inspection and recharge batteries as necessary to bring gravity reading to 1.280 or above. In no case should the specific gravity be allowed to fall below 1.220. These specific gravity readings are given for batteries at 60° F. air temperature.
*13	Initial.....	Cooling system.....	Completely drain cooling system including radiator, cylinder block, pump, heater, hose and all water connections. Leave system dry. NOTE: If coolant contains anti-freeze and rust-inhibiting solution, it may be left in the cooling system.
*14	Initial.....	Brakes.....	Leave all brakes in released position.
*15	Initial.....	Clutch.....	Block the pedal of dry clutches in partially disengaged position. It is not necessary to disengage other type clutches.
*16	Initial and as specified under maintenance operations.	Tires.....	Jack up vehicle in storage location taking weight off the tires. Maintain the air in tires between $\frac{1}{4}$ and $\frac{3}{4}$ operating pressure so that vehicles can be pushed or towed off quickly if necessary in an emergency. Tension in cords will be relieved by lowered pressure.
*17	Initial and, if necessary, every six months where applicable.	Hood latches, hinges, brake connections.	Lubricate with light oil all hood latches, hinges, and brake connections.
*18	Initial where applicable.	Doors and windows.....	(a) Close all doors and windows tightly. (b) Close all vent-panes. (c) Leave cowl ventilator open (if screened).

NOTE.—Materials called for in the performance of these Maintenance Operations such as oils, wax and rust-inhibitor, should be of a grade recommended by the vehicle manufacturer.

[F. R. Doc. 42-8521; Filed, August 29, 1942; 12:46 p. m.]

PART 933—COPPER

[Amendment 6 to Conservation Order M-9-c as Amended May 7, 1942]

ORDER CURTAILING THE USE OF COPPER IN CERTAIN ITEMS

Section 933.4 *Conservation Order M-9-c*¹ is hereby amended in the following respects:

By amending the "Military Exemption List" to be and read as follows:

Military Exemption List of Copper Conservation Order M-9-c as amended May 7, 1942.

Air conditioning equipment (except for comfort use).

Bakery equipment (parts necessary for conducting electricity or where the use of Copper Products or Copper Base Alloy Products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see below on this List.

Bells (for use on board ship).

Binoculars.

Boxes, cans, jars and other containers (for radio and communication equipment and for powder charges).

Carbonated beverage dispensing units for use on board ship (functional parts subject to corrosive action or which come in contact with food, only).

Conduits and pipe (for radio and electrical communication equipment).

Chronometer and watch cases.

Dishwashing machines.

Fans (parts necessary for conducting electricity, only).

Field ranges and ski stoves.

Floats for liquid level control (for use in aircraft and on board ship).

7 F.R. 3424, 3660, 3745, 5344, 5902, 6162.

Furniture hardware (for use within magnetic circle on board ship).

Hoists, for handling powder, projectiles and explosives (for use on board ship).

Hot water heaters, tanks and coils for hospital, laundry and bakery projects.

Insect screens and screening.

Kitchen utensils, devices, machines and appliances (parts necessary for conducting electricity or which come in contact with food or where the use of Copper Products or Copper Base Alloy Products is essential to the proper functioning of the parts).

Ladders and stairs, for use in gasoline stowage spaces on board ship (treads, only).

Lanterns, gasoline (generators, valves and controls, only).

Laundry equipment, for use on board ship (parts necessary for conducting electricity or where the use of Copper Products or Copper Base Alloy Products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on this List.

Laundry equipment, mobile, for field use (parts necessary for conducting electricity or where the use of Copper Products or Copper Base Alloy Products is essential to the proper functioning of the parts). For hot water heaters, tanks and coils see above on this List.

Lights, lamps and accessories (for use in aircraft and on board ship).

Locks and latches (for use on board ship).

Name, identification and medal plates of a gauge of .03125 inch or less (for use in aircraft and on board ship).

Paint (for ship bottoms and flying boat hull bottoms).

Photographic equipment and supplies.
Pins for hinges (for use on board ship).

Prescription scales (health supplies).
Reflectors (for use on board ship, in aircraft searchlights and recognition lights and in hospital operating room lights and therapeutic lights).

Safety lamps, flame (for use on board ship and for use in other places where there is danger of explosion).

Shells and caps for electric sockets (for use in aircraft and on board ship).

Soda fountain equipment for use on board ship (functional parts subject to corrosive action or which come in contact with food, only).

Telescopes.

Unions and union fittings (for use on board ship).

Valve handles (for use within magnetic circle on board ship).

Valves (for use on board ship).

Issued this 31st day of August 1942.

AMORY HOUGHTON,

Director General for Operations.

[F. R. Doc. 42-8544; Filed, August 31, 1942; 11:56 a. m.]

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

[Interpretation 1 to Priorities Regulation 12]

The following official Interpretation is issued with respect to Priorities Regulation No. 12 (§ 944.33)¹:

Paragraph (d) (2) (i) of Priorities Regulation No. 12 as amended, which permits a PRP unit to rate or rerate its purchase orders, in accordance with a pattern of ratings which it determines in the manner set forth in that paragraph, specifically excludes from the definition of purchase order materials for plant improvement, expansion and construction. Accordingly, even though a PRP unit has calculated a new rating pattern pursuant to Priorities Regulation No. 12, and intends to apply it to purchase orders for materials which it will manufacture, it is not permitted to apply the new pattern to purchase orders for materials for the improvement, expansion, or construction of its own plant. In order to obtain higher ratings for such materials, it must obtain a new or amended Preference Rating Certificate or Order, or a rerating Direction on Form PD-4X.

(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; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of August, 1942.

AMORY HOUGHTON,

Director General for Operations.

[F. R. Doc. 42-8545; Filed, August 31, 1942; 11:57 a. m.]

¹ 7 F.R. 4833, 6256, 6465.

PART 950—CUTTING TOOLS

[Revocation of Supplementary Order E-2-a]

Section 950.2 *Supplementary Order E-2-a*,¹ as amended, is hereby revoked, the subject matter of said order now being covered by § 950.3 General Preference Order No. E-2-b. This action shall not be construed to affect in any way any liabilities accrued or incurred under said Order No. E-2-a. (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; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8546; Filed, August 31, 1942;
11:57 a. m.]

PART 950—CUTTING TOOLS

[General Preference Order E-2-b]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cutting tools 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.

§ 950.3 *General Preference Order E-2-b—(a) Definitions.* For the purposes of this order:

(1) "Producer" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not, engaged in the production of cutting tools.

(2) "Cutting tools" means the following types of carbon or alloy steel tools designed for cutting metals, whether of standard or special design and including those having inserted or brazed edges, made with cemented carbide or hard-alloy tips:

Cut thread taps.
Ground thread taps.
Threading dies.
Straight shank drills (including long set drills).
Taper shank drills.
Combined drills and countersinks.
Ship plate countersinks.
Counterbores (all types).
Hand reamers and taper pin reamers.
Inserted blade reamers and blades.
Bridge and car reamers.
All other machine reamers.
Circular saws.
Form cutters (including gear cutters and thread hobs).
Hobs-ground and unground.
Other gear tooth generating cutters and tools.
Gear finishing tools.
Inserted tooth milling cutters and blades.
All other milling cutters.
Form tools—Flat and circular.
Rotary files.
Chasers.
Round broaches.

¹ 6 F.R. 4524, 6143; 7 F.R. 1592.

Flat broaches.
Spline broaches.
All tool bits except those produced by producers of steel.
Cut off blades.
Router bits.
Solid boring bars and boring tools.
Inserted boring bars and boring tools.
Machine knives.
Shear knives.

(3) "Special cutting tool" means any cutting tool of a type or size not listed in a producer's catalogue as of June 1, 1942.

(4) "Total monthly production" means the total dollar value of each type of cutting tool, including both special and standard tools of that type, to be scheduled for production in any given month by a producer. In calculating total monthly production any producer using cutting tools of his own manufacture in his production of cutting tools or machine tools, or using cutting tools of his own manufacture for original tooling on machine tools being produced by him, shall exclude the value of such cutting tools to be scheduled for production in such month.

(5) "Special cutting tools required for original tooling" means those special cutting tools required as a part of the tooling for a new or rebuilt machine tool, or for a machine tool which is being adapted to an operation different from that in which it was previously employed, in order to make such machine tool usable in production for the purposes intended and may in no event exceed three sets of special cutting tools of the same type and size.

(6) "Continental United States" means the territory comprising the several States and the District of Columbia.

(b) *Scheduling of total monthly production.* Commencing with the month of October, 1942, and every month thereafter each producer shall schedule his total monthly production as follows:

(1) 10 per cent of his total monthly production of each type of cutting tool specified in paragraph (a) (2) shall be scheduled for delivery against purchase orders for that type of special cutting tool required for original tooling, subject to the following provisions:

(i) No purchase order shall be scheduled pursuant to paragraph (b) (1) unless it has been received 45 or more days prior to the 1st day of the month in which it is being scheduled for delivery and unless it bears the following endorsement:

All cutting tools specified on this purchase order are special cutting tools required for use by the undersigned for original tooling, or for resale for such use. Their delivery will not at any time effect an increase of such cutting tools in the undersigned's inventory beyond a ninety-day supply, except as permitted in paragraph (d) (3) of General Preference Order No. E-2-b with the terms of which the undersigned is familiar.

Name and Address of Purchaser
By _____
Authorized Signature

(ii) The sequence of deliveries on purchase orders bearing the above endorsement, within the percentage limitation

on orders which may be filled in any given month pursuant to such endorsement, shall be scheduled according to the terms of Priorities Regulation No. 1 and other applicable priorities regulations.

(iii) Purchasers of special cutting tools who have placed their purchase orders prior to September 15, 1942, and who are entitled to obtain their special cutting tools pursuant to paragraph (b) (1) may apply the endorsement herein specified to their existing purchase orders by mailing a letter on or before September 15, 1942, to the producer stating the date and number of the purchaser's order and setting forth the required endorsement.

(iv) Any portion of the percentage set forth in paragraph (b) (1) which has not been taken up by purchase orders properly endorsed hereunder shall be scheduled for delivery against other purchase orders in accordance with paragraph (b) (2) hereof.

(2) Ninety percent of his total monthly production of each type of cutting tool specified in paragraph (a) (2), together with any portion of the percentage stated in paragraph (b) (1) which has not been taken up by purchase orders properly endorsed thereunder, shall be scheduled for delivery against other purchase orders received by such producer subject to the following provisions:

(i) No purchase order shall be scheduled pursuant to paragraph (b) (2) unless such purchase order bears either the endorsement specified in subparagraph (b) (2) (ii) hereof, or the following endorsement:

The delivery of the cutting tools specified in this purchase order will not at any time effect an increase of such cutting tools in the undersigned's inventory beyond a 90-day supply, except as permitted in paragraph (d) (3) of General Preference Order No. E-2-b, with the terms of which the undersigned is familiar.

Name and Address of Purchaser
By _____
Authorized Signature

(ii) Purchase orders for special cutting tools required by any prime or subcontractor of the Army, Navy, Maritime Commission, or War Shipping Administration as a result of a change in design or other alteration in the specifications of the product being produced by such prime contractor or subcontractor shall be given preference over all other purchase orders scheduled pursuant to paragraph (b) (2). No such purchase order shall be given such preference unless it has been received 15 or more days prior to the 1st day of the month in which such purchase order is being scheduled for delivery and unless it bears the following endorsement:

All cutting tools specified on this order are special cutting tools required by the undersigned as a result of change in design or other alteration in the specifications of the product being produced by a prime or subcontractor of the Army, Navy or Maritime Commission. Their delivery will not at any time effect an increase of such cutting tools in the undersigned's inventory beyond a 90-day supply, except as permitted in paragraph (d) (3) of

General Preference Order No. E-2-b, with the terms of which the undersigned is familiar.

Name and Address of Purchaser
By _____
Authorized Signature

(iii) Except as otherwise provided in paragraph (b) (2), the sequence of deliveries of purchase orders scheduled pursuant to paragraph (b) (2), within the percentage limitation on orders which may be filled pursuant thereto, shall be scheduled according to the terms of Priorities Regulation No. 1 and other applicable priorities regulations.

(iv) Purchasers of cutting tools who have placed their purchase orders prior to September 15, 1942, and who are entitled to obtain such cutting tools pursuant to paragraph (b) (2) may apply to their existing purchase orders the endorsement herein specified for such purchase orders by mailing a letter on or before September 15, 1942, to the producer stating the date and number of the purchaser's order and setting forth the required endorsement.

(c) *Effect of endorsement.* Any endorsement made pursuant to this order shall constitute a representation to the seller and to the War Production Board of the truth of the facts therein set forth, upon which the seller shall be entitled to rely unless he knows or has reason to believe the same to be false.

(d) *Restriction on sales and purchases of cutting tools.* (1) Except as provided in (d) (1) (i) and (ii) below, no person shall sell or deliver, nor shall any person buy or accept delivery of, any cutting tools except pursuant to a preference rating of A-9 or higher, or except pursuant to specific permission of the Director General for Operations.

(i) Purchase orders for special cutting tools carrying a rating of A-10 received prior to the date of this order may be completed and delivered.

(ii) Cutting tools produced from steel other than high speed steel as defined in General Preference Order N-14, as amended, which cutting tools do not have inserted or brazed edges with cemented carbide or hard-alloy tips, may be purchased, sold and delivered pursuant to a rating of A-10 or higher.

(2) No person shall sell or deliver, nor shall any person buy or accept delivery of any cutting tools, unless the purchase order for such cutting tools has endorsed thereon the endorsement specified for such purchase order in this order.

(3) No person shall buy or accept delivery of any cutting tools, the delivery of which will at any time effect an increase in the purchaser's inventory thereof beyond a 90-day supply: *Provided, however,* That deliveries of cutting tools, pursuant to the following designated types of purchase orders, shall be permitted to effect such an increase:

(i) Purchase orders for a quantity which is the producer's minimum practicable manufacturing quantity.

(ii) Purchase orders placed by any procurement agency of the United States pursuant to the Act of March 11, 1941,

entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(iii) Purchase orders placed by the Army, Navy or Maritime Commission for cutting tools required for bases or supply depots outside the continental United States, or for bases or supply depots within the continental United States which are maintained for emergency purposes or to supply such bases or supply depots outside the continental United States.

(iv) Any other purchase order specifically excepted from this restriction by the Director General for Operations.

(4) In no event shall any person sell or deliver to the same purchaser, nor shall any person buy or accept delivery from one or more sellers of, more than three sets of special cutting tools of the same type and size pursuant to paragraph (b) (2) (ii) hereof, by reason of any single change in design or other alteration in the specifications of the product being produced by a prime or subcontractor of the Army, Navy or Maritime Commission.

(e) *Continuance of present schedules.* Present schedules of production and delivery of cutting tools as established by Priorities Regulation No. 1 and other applicable regulations shall be continued until October 1, 1942 subject to the restrictions on sales and deliveries thereof contained in paragraph (d) (1) hereof. Thereafter production and delivery shall be scheduled in accordance with this order: *Provided, however,* That present schedules on purchase orders placed by the Procurement Division of the United States Treasury for shipment to the U. S. S. R. shall be maintained notwithstanding priorities regulations or any other provision of this order if the delivery schedules for such order have been established by a specific letter to the producer from the Director General for Operations or his predecessor, the Director of Industry Operations.

(f) *Allocation of cutting tool capacity in emergencies.* Notwithstanding the provisions of this order, the Director General for Operations may allocate to any purchaser, or may order any cutting tools scheduled for production and delivery at a specific time for a specific purchaser. No person other than the Director General for Operations may give any directions concerning sequence of production or deliveries of cutting tools.

(g) *Supplementary Order E-2-a superseded.* This order supersedes Supplementary Order E-2-a issued on August 28, 1941 and all amendments thereto.

(h) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time require.

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully 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.

(j) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of material conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the Director General for Operations by addressing a letter to the War Production Board, Washington, D. C., Ref: E-2-b, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(k) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Tools Division, Washington, D. C., Ref: E-2-b.

(l) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(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; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8547; Filed, August 31, 1942;
11:57 a. m.]

PART 1047—FETROLEUM MATERIAL CONSERVATION

[Supplementary Order M-68-5]

OIL WELLS IN ILLINOIS, INDIANA, KENTUCKY

General Exception authorized by paragraph (c) (10) of Conservation Order M-68, as amended.

Whereas immediate production of large quantities of oil in the State of Illinois and portions of the States of Indiana and Kentucky is necessary for the continued effective operation of industries engaged in vital war production and for essential civilian uses;

Now, therefore, it is hereby ordered that:

§ 1047.10 *Supplementary Order M-68-5—(a) Definitions.* The definitions of Conservation Order M-68, as amended from time to time, shall apply in this order.

16 F.R. 6687; 7 F.R. 281, 601, 903, 1088, 3806, 4760.

(b) Oil wells drilled in the State of Illinois and portions of the States of Indiana and Kentucky. The provisions of paragraph (b) of Conservation Order M-68, as amended, shall not apply to any case where material is to be used by an operator to drill, complete or provide additions to any oil well to any sand formation or sand reservoir in the State of Illinois, in the Counties of Clay, Daviess, Dubois, Gibson, Greene, Knox, Martin, Perry, Pike, Posey, Spencer, Sullivan, Vanderburgh, Vigo or Warrick in the State of Indiana, or in the Counties of Breckinridge, Butler, Christian, Daviess, Grayson, Hancock, Henderson, Hopkins, Ohio, Logan, McLean, Muhlenberg, Todd, Union or Webster in the State of Kentucky: *Provided*, that no well shall be "spudded" by such operator unless:

(1) As to any oil well which is drilled to a depth of not more than 2,500 feet;

(i) Such well is drilled on a drilling unit of not less than 10 surface acres,

(ii) The proposed drilling unit upon which such well is located consists entirely of acreage which is not attributable to any well other than such well, (The acreage attributable to wells offsetting the proposed drilling unit shall be determined by assigning to such wells an acreage equivalent to that in the existing well density or drilling pattern contiguous to such wells.)

(iii) All separate property interests in the proposed drilling unit shall have been consolidated prior to the actual commencement of drilling operations at the designated drilling location of such well,

(iv) Such well is drilled at least 466 feet from any drilling or producible well,

(v) Such well is drilled at least 330 feet from any lease line, property line, or subdivision line which separates unconsolidated property interests, and

(vi) Material required to drill, complete or provide additions to such well is on hand and available for such use or is to be obtained without the use of priorities assistance.

(2) As to any oil well which is drilled to a depth of more than 2,500 feet.

(i) Such well is drilled on a drilling unit of not less than 20 surface acres,

(ii) The proposed drilling unit upon which such well is located consists entirely of acreage which is not attributable to any well other than such well, (The acreage attributable to wells offsetting the proposed drilling unit shall be determined by assigning to such wells an acreage equivalent to that in the existing well density or drilling pattern contiguous to such wells. No portion of a drilling unit shall fall within 330 feet of an existing well.)

(iii) All separate property interests in the proposed drilling unit shall have been consolidated prior to the actual commencement of drilling operations at the designated drilling location of such well.

(iv) Such well is drilled at least 900 feet from any drilling or producible well,

(v) Such well is drilled at least 330 feet from any lease line, property line or subdivision line which separates unconsolidated property interests, and

(vi) Material required to drill, complete or provide additions to such well is on hand and available for such use or is to be obtained without the use of priorities assistance.

(c) *Information statement.* Upon the completion of any well pursuant to this supplementary order, the operator shall file with the District Director, Office of Petroleum Coordinator, Suite 1336, 120 South LaSalle Street, Chicago, Illinois, a statement containing the following information: the field in which such well is located, a plat showing the specific location of such well, the depth of such well, the sand to which such well is drilled, the initial production of such well, and the date of the completion of such well.

(d) *Effective date.* This order shall take effect on the date of issuance and shall continue in effect until January 1, 1943. (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; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8549; Filed, August 31, 1942;
11:57 a. m.]

PART 1213—SAFETY EQUIPMENT

[Amendment 3 to General Limitation Order L-114]

GENERAL EXCEPTIONS

Paragraph (c) of § 1213.1 *General Limitation Order L-114* is amended to read:

(c) *General exceptions.* Paragraph (b) shall not apply to safety equipment assembled or manufactured:

(1) Prior to May 5, 1942, or from parts which were finished and ready for assembly on said date, provided such safety equipment is delivered to fill purchase orders bearing preference ratings of A-10 or higher, or

(2) From materials to the extent permitted in Appendix A hereof, or

(3) For delivery to, or for the account of, the Army or Navy of the United States, the Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics or the government of any country entitled to deliveries under the Act of Congress of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), provided, and to the extent that the materials designated in paragraph (b) are

17 F.R. 3669, 4273, 4537.

necessary for efficient functioning and required endurance of safety equipment intended for use:

(i) In or on completed vehicles, aircraft, or ships, or

(ii) Outside of Continental United States, or in Alaska, or

(iii) In the protection of military or naval personnel while not engaged in production, maintenance, or repair.

(4) Any order or contract from any agency or government mentioned in paragraph (c) (3) requiring the incorporation or use of scarce materials designated in paragraph (b) shall constitute a representation that the conditions exist under which such scarce materials may be incorporated or used within the terms of this order. Said representation may be relied on by the person with whom the purchase order or contract is placed, his sub-contractors, and suppliers. (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; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8548; Filed, August 31, 1942;
11:56 a. m.]

PART 3013—SOLUBLE NITROCELLULOSE

[Amendment 1 to General Preference Order M-196]

Section 3013.1 *General Preference Order M-196* is hereby amended in the following respects:

(a) The last sentence of paragraph (a) (1) is hereby amended to read:

The term includes smokeless powder scrap and dissolved film scrap, but does not include undissolved film scrap nor nitrocellulose suitable for dynamite manufacture.

(b) Paragraph (d) is amended to read:

(d) *Directions with respect to deliveries of undissolved film scrap.* The Director General for Operations may from time to time issue directions with respect to the delivery, acceptance of delivery, use or storage of undissolved film scrap by any person. (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; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

[F. R. Doc. 42-8550; Filed August 31, 1942;
11:56 a. m.]

17 F.R. 6148

PART 3058—USED CONSTRUCTION EQUIPMENT

[Limitation Order L-196]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of rubber and other materials used in the production of construction equipment 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:

§ 3058.1 *Limitation Order L-196—(a) Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, 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.

(b) *Inapplicability of this order.* This order shall not apply to the Army, Navy, Maritime Commission or to any person or agency who has acquired used construction equipment for export outside the continental limits of the United States.

(c) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, except those excluded by paragraph (b) hereof.

(2) "Construction equipment" means any of those products listed in Schedule A attached hereto and made a part of this order.

(3) "Used" when applied to construction equipment, means any construction equipment which has been delivered to an ultimate consumer.

(d) *Registration of used construction equipment.* Any person who owns construction equipment shall within thirty (30) days after the date of issuance of this order register such equipment by completing, signing, and returning by mail WPB Form 1159 to Used Construction Equipment Regional Specialist in the War Production Board Regional Office in the region in which such equipment is located.

(e) *Registration of change of status of used construction equipment.* Within one week after any used construction equipment (1) is moved from the project on which it is being used; (2) becomes idle after completing its work on that project even if not moved from the project; (3) not being on a project is put into use on a project; or (4) has had its ownership changed, any person owning such equipment shall register such change of status by completing, signing and returning by mail WPB Form 1333 or such other form as may be in the future specified by the Director General for Operations to Used Construction Equipment

Regional Specialist in the War Production Board Regional Office in the region in which such equipment is located.

(f) *Records.* All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning the movement of used construction equipment from projects.

(g) *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.

(h) *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.

(i) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by addressing a letter to the War Production Board Regional Office in the region in which the equipment is located setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action, if any, as he deems appropriate to the amendment of this order or otherwise.

(j) *Communications.* All communications concerning this order shall be addressed to Used Construction Equipment Regional Specialist in the War Production Board Regional Office in the region in which the equipment is located. (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; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of August 1942.

AMORY HOUGHTON,
Director General for Operations.

SCHEDULE "A"

Buckets, clamshell.
Buckets, concrete.
Buckets, dragline.
Buckets, orange peel.
Buckets, scraper (bottomless) for dragline operation.
Buckets, shovel.

Cranes, crawler mounted power.
Cranes, tractor mounted power.
Cranes, rubber tire mounted power.
Discs, road.
Ditchers, blade.
Ditchers, ladder.
Ditchers, wheel.
Dragline, see cranes.
Draglines, slack line.
Draglines, walking.
Dredges & dredge equipment.
¹ Drilling machines, earth & rock blast hole drills.
¹ Drilling machines, earth & rock core drills.
¹ Drilling machines, earth & rock jack hammers.
¹ Drilling machines, earth & rock rock drills.
Earth boring machines.
Excavators, see Power shovels.
Graders, blade or pull type earth moving.
Graders, elevating earth moving.
Graders, self-propelled earth moving.
Graders, under-truck earth moving.
Hammers, pile.
Rollers, road, tamping.
Rollers, road, tandem.
Rollers, road, three wheeled.
Scrapers, carrying or hauling, both drawn and self-propelled.
Shovels, crawler mounted power.
Shovels, rubber tire mounted power.
Shovels, tractor mounted power.
Batching plants, contractors.
Bins, construction material.
Conveyors, construction material belt.
Crushers, construction material asphalt.
Crushers, construction material cone.
Crushers, construction material gyratory.
Crushers, construction material jaw.
Crushing plants, other than stationary, construction.
Distributors, bituminous.
Finishers, bituminous.
Hoists, contractors (other than tractor mounted).
Loaders, portable bucket type (other than coal).
Mixers, bituminous.
Mixers, concrete agitator & truck.
Mixers, concrete construction.
Mixers, paving.
Plants, asphalt.
Pumps, concrete.
Screening plants, construction material (other than stationary).
Washing & screening plants, portable.
Winches, contractors.
Track-laying tractors.
Angledoosers.
Bulldozers.
Tractor operated control units.
Internal combustion engines—Diesel and gasoline unattached.

[F. R. Doc. 42-8551; Filed, August 31, 1942; 11:56 a. m.]

¹ Except when owned by mines operating under a serial number assigned by P-56.

Chapter XI—Office of Price Administration

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Amendment 3 to Ration Order 5B¹]

GASOLINE RATIONING REGULATIONS FOR PUERTO RICO

A new paragraph (b) is added to §1394.2601; a new paragraph (d) is added to §1394.2851; a new paragraph (c) is added to §1394.2913; paragraph (c) of §1394.3052 is redesignated paragraph (b); and a new paragraph (c) is added to §1394.3052, as set forth below:

Gallonage Value of Coupons

§1394.2601 *Value of coupons.* * * *

(b) Notwithstanding the provisions of paragraph (a) of this section each gasoline ration coupon of the class herewith designated shall have the following value in gallons of gasoline during the period from 8:00 a. m. on August 28, 1942 to 8:00 a. m. on September 14, 1942:

Class:	None
A.....	2
B.....	1
C.....	1/2
D.....	1 1/2
E.....	5
R.....	1 1/2
S-1.....	1 1/2
S-2.....	1 1/2

Restriction on Transfers

§1394.2851 *Restriction on transfer to consumers.* * * *

(d) No dealer shall transfer gasoline to a consumer between the hours of 8:00 a. m. and 12:00 noon on August 28, 1942.

Replenishment and Audit

§1394.2913 *Exchange of coupons for certificates.* * * *

(c) Every dealer and intermediate distributor, on or before the hour of 11:00 a. m. August 28, 1942, shall surrender to his local War Price and Rationing Board all coupons of each class or classes held by such dealer or intermediate distributor for exchange certificates having an equal gallonage value, computed in accordance with §1394.2601 (a).

Effective Date

§1394.3052 *Effective date of amendments.* * * *

(c) Amendment No. 3 to Ration Order No. 5B (§§ 1394.2601 (b), 1394.2851 (d) and 1394.2913 (c)) shall become effective at 8:00 a. m. August², 28, 1942.

(Pub. No. 617, 76th Cong., 3rd sess., as amended by Pub. No. 89, 77th Cong., 1st sess., and by Pub. No. 507, 77th Cong., 2nd sess., Pub. No. 421, 77th Cong., 2nd sess., W.P.B. Directive No. 1, Supp. Dir. No. 1-J, 7 F.R. 562)

Issued this 28th day of August 1942.

NELSON EDDY,
Acting Director For Puerto Rico.

[F. R. Doc. 42-8470; Filed, August 28, 1942; 5:14 p. m.]

¹ 7 F.R. 5607, 6389, 6390.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 8]

GASOLINE RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

Pursuant to the authority vested in me by Directive No. 1 of the War Production Board, issued January 24, 1942, and by Supplementary Directive No. 1 J, issued July 1, 1942. It is hereby ordered that:

AUTHORITY: §§ 1394.3501 to 1394.4401, inclusive, issued under Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., Pub. Law 421, 77th Cong., W.P.B. Directive No. 1, Supp. Directive No. 1 J, 7 F.R. 562, 5043.

Definitions

§1394.3501 *Definitions.* (a) When used in Ration Order No. 8:

(1) "Board" means a War Price and Rationing Board established by the Office of Price Administration.

(2) "Bulk coupon" means any gasoline ration coupon on the face of which word "bulk" has been printed by authority of the Office of Price Administration.

(3) "Bulk transfer" means any transfer of gasoline other than into the fuel tank of a licensed motor vehicle.

(4) "Bus" means any motor vehicle, other than a station wagon or suburban carryall, built or re-built primarily for the purpose of carrying passengers, licensed by a municipality of the Virgin Islands to carry passengers for hire, and having a rated seating capacity of eight or more persons.

(5) "Consumer" means any person acquiring gasoline for use, including use as a component part of any manufactured article, material or compound other than gasoline. The term includes dealers and distributors to the extent that they use gasoline or acquire gasoline for use rather than for transfer.

(6) "Dealer" means any person who operates a service station, filling station, garage, store, pump, or other place of business at which gasoline is regularly transferred directly to consumers.

(7) "Director" means the Director of the Office of Price Administration for the Virgin Islands.

(8) "Distributor" means any person who imports gasoline into the Virgin Islands.

(9) "Evidence" means a token which, under the provisions of Ration Order No. 8, represents a right to receive a transfer of gasoline.

(10) "Fleet" when the term is used in connection with a motor vehicle of any type, means that the vehicle is one of three or more vehicles of such type, owned or leased by and operated by the same person and used principally in connection with the same occupation or related occupations.

(11) "Gasoline" means any liquid fuel, used for the propulsion of motor vehicles, aircraft, or boats by means of internal combustion engines, except liquid fuel

with an octane rating of 86 or more, and except Diesel fuel, kerosene, benzene, benzol, and naphtha.

(12) "Inboard motorboat" means any self-propelled water craft the motive power for which is furnished by a gasoline-operated internal combustion engine other than an outboard motor.

(13) "Inventory coupons" means a one-gallon or 100-gallon coupon issued by a Board to represent unfilled storage capacity of a dealer or distributor, or for such other purpose as may be provided in Ration Order No. 8.

(14) "Motorcycle" means any motor vehicle designed for operation on three wheels or less, but does not include tractors.

(15) "Motor vehicle" means and rubber-borne, self-propelled conveyance the motive power for which is furnished by a gasoline-operated internal combustion engine.

(16) "Motor vehicle dealer" means any person regularly engaged in the business of selling or re-selling motor vehicles and includes persons engaged in selling repossessed motor vehicles.

(17) "Motor vehicle rental agency" means any person engaged in the business of leasing motor vehicles to others, and "boat rental agency" means any person engaged in the business of leasing inboard motorboats or outboard motorboats to others.

(18) "Non-highway use" means any use of gasoline other than for the propulsion of a licensed motor vehicle or of a motor vehicle held by a motor vehicle dealer for sale or resale or of a motor vehicle operated on dealer license plates.

(19) "Occupation" means business, gainful work, or any work regularly performed by a person which contributes to the war effort or to the public welfare, and includes the pursuit of a regular and recognized course of study.

(20) "Occupational mileage" means mileage driven by a person in carrying on his occupation or to and from a place where such occupation is carried on by him.

(21) "Passenger automobile" means any motor vehicle other than a motorcycle built primarily for the purpose of transporting passengers and having a rated seating capacity of seven or less; and also includes station wagons and suburban carryalls, irrespective of seating capacity.

(22) "Ration book" means any gasoline coupon book issued pursuant to Ration Order No. 8.

(23) "Licensed", as applied to a motor vehicle, means that such motor vehicle is duly licensed for operation on public roads or highways by the appropriate agency of the Federal Government of the United States, a municipal government of the Virgin Islands, the government of a State of the United States, or any territorial or foreign government.

(24) "Taxicab" means a passenger automobile which is licensed by a municipality of the Virgin Islands as an automobile for hire and which is actually

engaged in the regular occupation of carrying passengers for hire.

(25) "Transfer" means to sell, give, exchange, lease, lend, deliver, supply, or furnish and includes the acquisition of title by will, inheritance, foreclosure or legal process; it also includes the use by any dealer or distributor, of any gasoline held for transfer; but does not include the creation of a security interest or security title involving no change of possession. Delivery to a carrier for shipment, or by a carrier in completion of a shipment, shall not be deemed to be a transfer to or by such a carrier.

(26) "Transfer", as applied to a place of business, means any change from one person to another of the right of occupation of the premises and the right to possession and disposal of any gasoline stocks on hand, whether or not the transferor continued on the premises in another capacity. The term shall include, but not by way of limitation, a sale, lease, change in tenancy, inheritance, devise, eviction, foreclosure, or occupation of an executor, administrator, receiver, or trustee in bankruptcy, but not a mortgage or other security transfer unaccompanied by a change in the right to present possession.

(27) "Truck" means any motor vehicle, other than a motorcycle, built or re-built primarily for the purpose of transporting or hauling property or equipment.

(28) "Vehicle available for public rental" means any registered motor vehicle leased from or held for rental by a motor vehicle agency, but does not include a taxicab.

(29) "Virgin Islands" means all the Virgin Islands of the United States of America and includes, but is not limited to, the Islands of St. Thomas, St. John, and St. Croix.

(b) Where the context so requires, words in the singular shall include the plural, words in the plural shall include the singular, and the masculine gender shall denote the feminine and neuter.

Scope of Ration Order No. 8

§ 1394.3551 *Territorial limitations.* Ration Order No. 8 shall apply to the Virgin Islands.

§ 1394.3552 *Scope of restrictions.* (a) Nothing in Ration Order No. 8 shall be construed to limit the quantity of gasoline which may be acquired by the Army, Navy, Marine Corps, Coast Guard, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, and Office of Scientific Research and Development.

Administration and Personnel

§ 1394.3601 *Administration.* (a) Ration Order No. 8 shall be administered by the Office of Price Administration through the War Price and Rationing Boards and such Administrative personnel in the Virgin Islands as the Office of Price Administration may designate.

(b) No person participating in the administration of Ration Order No. 8

shall act officially in connection with any matter arising thereunder as to which he has any interest by reason of business connection or relationship by blood or marriage.

§ 1394.3602 *Jurisdiction of Boards.* (a) For the purpose of Ration Order No. 8, a Board shall have jurisdiction over the issuance of all rations for vehicles or equipment customarily kept, garaged, stationed or located in the area which the Board is designated to serve.

§ 1394.3603 *Action on applications.* (a) The Board shall render its decision on an application for a ration within five (5) days after the date of such application. In any case of apparent emergency, such decision shall be made within forty-eight (48) hours, if possible. The Board shall promptly notify the applicant of its decision.

§ 1394.3604 *Records of application.* (a) Each Board shall maintain a file of all applications for rations submitted to it. A rationing officer may act as executive secretary of a Board and maintain custody of its records.

Basic Rations

§ 1394.3651 *Persons entitled to basic rations.* (a) The owner or the person entitled to the use of a licensed passenger automobile or a licensed motorcycle may obtain during the period from September 1, 1942 to March 15, 1943, a basic ration for use with such vehicle, except that no basic ration shall be issued for use with a passenger automobile or motorcycle which is:

- (1) A taxicab or vehicle available for public rental;
- (2) Specially built or re-built as an ambulance or hearse; or used as a hospital car;
- (3) Held by a motor vehicle dealer for sale or resale.

§ 1394.3652 *Basic ration books.* (a) Class A coupon books shall be issued as basic rations for passenger automobiles and motorcycles. Each basic ration book shall contain forty-eight (48) coupons, when issued for a passenger automobile, and twenty-four (24) coupons, when issued for a motorcycle. Coupons contained in Class A books shall be valid for the transfer of gasoline to a consumer only during the periods indicated below:

Coupons numbered:	Valid Period
1....	September 16, 1942, to September 30, 1942, inclusive.
2....	October 1, 1942, to October 15, 1942, inclusive.
3....	October 16, 1942, to October 31, 1942, inclusive.
4....	November 1, 1942, to November 15, 1942, inclusive.
5....	November 16, 1942, to November 30, 1942, inclusive.
6....	December 1, 1942, to December 15, 1942, inclusive.
7....	December 16, 1942, to December 31, 1942, inclusive.
8....	January 1, 1943, to January 15, 1943, inclusive.
9....	January 16, 1943, to January 31, 1943, inclusive.
10....	February 1, 1943, to February 15, 1943, inclusive.

Coupons numbered—Con.	Valid Period
11....	February 16, 1943, to February 28, 1943, inclusive.
12....	March 1, 1943, to March 15, 1943, inclusive.

§ 1394.3653 *Application for an issuance of basic ration books.* (a) During the period from September 1, 1942 to March 15, 1943, application for a basic ration book shall be made at the Board having jurisdiction, on Form OPA VIR-1, by the owner or the person entitled to the use of the vehicle or by the authorized agent of either. A separate application shall be made for each passenger automobile or motorcycle for which a basic ration is sought.

(b) Pursuant to such application a basic ration book shall be issued by the Board. The Board shall remove twenty-four (24) coupons from every Class A book issued as a basic ration for a motorcycle, and shall also remove all expired coupons from any Class A book issued subsequent to October 1, 1942 as a basic ration for a passenger automobile or motorcycle.

(c) Not more than one basic ration may be issued for a vehicle, except as provided in § 1394.4102.

Supplemental Rations

§ 1394.3701 *Supplemental ration books.* (a) Class A or B coupon books may be issued by a Board as supplemental rations to an owner or person entitled to the use of a licensed passenger automobile or licensed motorcycle for which a basic ration may be issued pursuant to § 1394.3651 (a). Sufficient books shall be issued to provide for occupational mileage driven in such vehicle by the owner or the person entitled to the use of the vehicle, to the extent that such mileage is allowed by the Board pursuant to § 1394.3703.

(b) The ration period for which each Class A or B book shall be issued shall be six (6) months in length and shall commence on September 16, 1942. The ration period shall be noted on the cover of each book by the Board and shall authorize the transfer of gasoline to a consumer only during such period.

(c) Class A and B books issued as supplemental rations shall contain numbered coupons which shall be valid during the same period as the corresponding numbered coupons of Class A books issued as basic rations, as set forth in § 1394.3652 (a).

§ 1394.3702 *Application for supplemental ration.* (a) Application for a supplemental ration for each vehicle shall be made separately to a Board on or after September 1, 1942, on Form OPA VIR-2, by the owner or person entitled to the use of a licensed passenger automobile or licensed motorcycle. Application on behalf of an individual may not be made by an agent. In the event that two or more passenger automobiles for which supplemental rations are desired are owned by persons living in the same household and related to each other by blood, marriage, or adoption, all applications for supplemental rations for

such vehicle shall, except for good cause shown, be submitted at the same time.

(b) An applicant shall establish his average monthly occupational mileage required for each of the following purposes during the ration period for which such ration is valid:

(1) Driving between home and a fixed place of work in connection with the principal occupation of the applicant or principal user of the vehicle;

(2) Driving in the course of such principal occupation;

(3) Driving to and from or in the course of any other occupation or occupations for which the vehicle is used.

(c) Where two or more vehicles are used in a ride-sharing arrangement of the type described in § 1394.3703 (a), a separate application for a supplemental ration shall be made for each such vehicle, but all such applications must, except for good cause shown, be submitted at the same time. Each such application shall include only the mileage driven in the vehicle for which it is made.

§ 1394.3703 *Allowance of mileage and number of gallons.*—(a) No occupational mileage shall be allowed by a Board for any purpose specified in § 1394.3702 (b), unless the applicant establishes that the transportation is needed for such purpose and that, in connection with the use of the vehicle for that purpose, either:

(1) That a *bona fide* ride-sharing arrangement has been made pursuant to which at least four persons (including the operator) will regularly be carried in the vehicle for the purpose of going to and from or carrying on their occupation: *Provided*, That each such person must certify to his participation in the ride-sharing arrangement by signing the application, or

(2) That no such ride-sharing arrangement can reasonably be made but that the vehicle carries as many persons as could reasonably be expected in the light of the circumstances in which and the purpose for which it is used.

(i) An applicant may establish that four or more persons cannot regularly be carried in the vehicle for which application is made by showing the limited capacity of the vehicle, the absence of a fixed place of work, the necessity of traveling at unusual or irregular hours, the necessity of traveling over routes not feasible for other persons who might be carried, or such other reasons as the Board may find sufficient.

(ii) In the event application is made for a supplemental ration in order to permit the use of the vehicle for which application is made in the pursuit of an occupation other than a gainful occupation, and four or more persons are not regularly carried in such vehicle in connection with their occupations, the application must be certified, as indicated thereon, by a responsible official of the organization for or under the direction of which the work is performed.

(b) Upon the basis of the application and such other facts as the Board may require, the Board shall allow a monthly mileage for any of the purposes listed

in § 1394.3702 (b) for which the applicant has applied, with respect to which the applicant has established the facts required by paragraph (a) hereof. The Board shall then compute the number of gallons to be allowed monthly by dividing the monthly mileage allowed by the average actual number of miles obtained per gallon in the vehicle for which application for the Supplemental ration is made: *Provided*, That the Board may not allow more than twelve (12) gallons per month in the case of a passenger car, or six (6) gallons, in the case of a motorcycle, for occupational mileage unless the number of gallons in excess of such 12 or 6 gallons is to be used for preferred mileage as defined in § 1394.3705. The total number of gallons allowed any applicant for occupational mileage shall not exceed thirty-six (36) gallons per month for a passenger car, or eighteen (18) gallons per month for a motorcycle.

§ 1394.3704 *Issuance of supplemental rations.* (a) Supplemental rations shall be issued for the number of gallons allowed by the Board in accordance with § 1394.3703, for the unexpired portion of the ration period for which the ration book issued is valid.

(b) The Board shall issue, in the event that the number of gallons allowed by the Board is eight (8) gallons per month or less for a passenger automobile or motorcycle, sufficient coupons in one Class A book in addition to the Class A book issued as a basic ration, to provide the number of gallons allowed by the Board as occupational mileage for the six-month ration period. In the event that the number of gallons allowed by the Board exceeds eight (8) gallons per month, the Board shall issue sufficient coupons in one Class B and/or Class A books to provide the number of gallons allowed by the Board.

§ 1394.3705 *Preferred mileage.* The mileage given, in a passenger automobile or motorcycle, necessary for carrying out one or more of the following purposes shall be deemed preferred mileage:

(a) By a duly elected or appointed agent, officer, representative, or employee of a Federal, Insular, Municipal or foreign government or government agency for performing the official business or carrying out an official function of such government or government agency in a passenger automobile or motorcycle owned or leased either by such government or government agency or by the agent or employee.

(1) For the purpose of this paragraph:

(i) Daily or periodic travel between home and lodgings and a fixed place of work shall not be deemed performance of official business or carrying out an official function:

(ii) Travel by duly elected members of a municipal council between their places of residence and the place where the council convenes, for the sole purpose of attending the council sessions, or committee meetings of the council, shall be deemed the carrying out of an official function.

(b) By public school teachers or officials for the performance of official duties

which require travel from school to school.

(c) By a licensed physician, surgeon, osteopath, chiropractor, or veterinarian, or by a midwife or nurse, for making necessary professional calls or rendering necessary professional services.

(d) By a regularly practicing minister of any religious faith who actually serves a congregation, or by any religious practitioner qualified to minister to the religious needs of the members of a congregation, for giving religious comfort, assistance, advice or instruction.

(e) By a farmer, for transporting farm products and necessary farm supplies between farm and market, shipping point or point of delivery, or between one farm establishment and another.

(f) By members of the armed forces of the United States for transportation to, from or between places at which their duties are performed, and between their residences and places at which their duties are performed.

(g) By a worker (including an executive, technician, or office worker, but not including salesmen) or by an employer, employer's representative or representatives of a labor organization in travel to, from, within, or between the establishments or facilities listed below, for purposes necessary to the operation or functioning of such establishments or facilities or to the maintenance of peaceful industrial relations therein:

(1) Naval, military or hospital establishments or facilities;

(2) Establishments or facilities of common carriers; or of other carriers performing services essential to the community or to the war effort; or of plants or establishments engaged in the war production or distribution of heat, light, power, petroleum products, gas, steam or water; or of irrigation, drainage, flood-control or sanitation systems; or of telephone, telegraph, radio, or other communications systems; or newspapers.

(h) By engineers, architects, technicians, supervisors, repair and maintenance men or other workers (but not including salesmen) to enable them to render services or to transport materials and equipment necessary for construction, repair, installation, or maintenance work (other than the repair or maintenance of portable household appliances) which is essential to the war effort or the civilian economy; or for rendering indispensable services of a specialized nature to agricultural, extractive or industrial establishments. "Services of a specialized nature" shall include services related to the natural breeding of livestock; crop or livestock inspection in connection with the marketing or processing thereof; inspection in connection with the improvement of farm sanitation; protection of crops, livestock or farms from blights, diseases or pests; and soil conservation.

(i) In a motorcycle, for delivery or messenger service.

Service Rations

§ 1394.3751 *Service rations.* (a) The owner or the person entitled to the use of a licensed motor vehicle which is found by the Board to be in one or more of the

classes listed below may obtain a service ration providing the number of gallons necessary for the mileage allowed by the Board for the purpose or purposes specified for each class.

(1) A taxicab or vehicle available for public rental: *Provided*, That a lessee of a vehicle available for public rental may not obtain a service ration for such vehicle unless his use of the vehicle is for a purpose specified in this section.

(2) A bus which is part of a regular system for the transportation of persons.

(3) A truck used as a carrier of persons or property in connection with a regular business or occupation, or owned or leased by and operated by a Federal, Insular, municipal, or foreign government or government agency, and used exclusively for the official business of such government or government agency.

(4) A motor vehicle specially built or re-built as an ambulance or hearse used for the transportation of invalids, injured, sick, or deceased persons, or a hospital car used solely and exclusively for the transportation of physicians, nurses, or other hospital employees in connection with rendering medical treatment or performing other duties for the hospital.

§ 1394.3752 *Service ration for owners of leased vehicles.* (a) No owner of a motor vehicle which is in the possession of another person under a lease or rental agreement may obtain a service ration for such vehicle more than five days prior to the expiration date of such lease or rental agreement.

§ 1394.3753 *Service ration books.* (a) Class C books, containing coupons which shall be valid at any time during the ration period, shall be issued as service rations.

(b) The ration period for service rations shall be three months in length and shall commence September 16, 1942, and each three months period thereafter.

§ 1394.3754 *Application for service ration.* (a) Application for a service ration may be made to a Board by the owner or the person entitled to the use of the vehicle, or the agent of either of them, on and after September 1, 1942, on Form OPA VIR-3. One application form may be used for all vehicles for which the applicant seeks a service ration.

§ 1394.3755 *Issuance of service rationing.* (a) Service rations shall be issued to eligible applicants in the manner indicated below:

(1) Taxicabs: One and not more than one Class C coupon book, containing 96 coupons, which shall be valid for the three-month ration period: *Provided*, That the Board may issue more than one Class C coupon book to a taxicab pursuant to the provisions of § 1394.3756 (a).

(2) Buses: Sufficient coupons in Class C coupon books or bulk coupons, if bulk coupons are requested, to provide the number of gallons necessary for the minimum mileage required for the three-

month ration period for the operation of the bus on the routes and schedules normally followed by the bus.

(3) Trucks: Sufficient coupons in one or more Class C books to provide the number of gallons allowed by the Board for the monthly mileage required for the three-month ration period. The Board shall allow only a number of gallons absolutely required by the truck for the carrying of persons and property in the course of a business or occupation: *Provided*, That the Board may not allow a monthly number of gallons for trucks in excess of 32 gallons a month, except for essential trucking as provided for in § 1394.3756 (b).

(4) Ambulances, hearses, and hospital cars: Sufficient coupons in Class C coupon books to provide the number of gallons allowed for the minimum mileage required by the ambulance or hearse for the three-month ration period to transport invalids, injured, sick, or deceased persons, or for the hospital car to transport physicians, nurses, or hospital employees in connection with rendering medical treatment or performing other duties for the hospital.

§ 1394.3756 *Issuance of essential service rations to taxicabs and trucks.* (a) On or after October 1, 1942, a Board, in its discretion, may issue one or more additional Class C books for any taxicab which carries persons to or from, or in the course of, an occupation for which preferred mileage is allowed pursuant to § 1394.3705: *Provided*, That such additional Class C books shall be issued for a taxicab only to provide the mileage travelled in the transportation of such essential occupational workers.

(b) On or after October 1, 1942, a Board, in its discretion, may issue one or more additional Class C books for any truck the principal use of which is made in one or more of the following essential services:

(1) To maintain fire-fighting services;
(2) To maintain necessary public police services, or to enforce laws relating specifically to the protection of public health or property;

(3) To maintain garbage and night soil disposal, and other sanitation services;

(4) To carry mail;
(5) To transport ice, water, milk, and fuel;

(6) To transport farm products, including sugar, vegetables, fruits, and other food crops, to processing plants, storage houses, or wholesale or retail establishments, but not from retail establishments to consumers;

(7) To transport food and food supplies to wholesale or retail establishments, but not from retail establishments to consumers;

(8) To transport medicines or medical equipment;

(9) To transport waste and scrap material;

(10) To maintain the essential services of public utilities system;

(11) To transport material and equipment for strictly essential farm, highway, industrial, or government construction, maintenance, or repair.

The Board shall issue such additional coupon books only if a request therefor on the original application is signed by the applicant on or after October 1, 1942.

(c) The Board shall issue sufficient coupons to provide the number of gallons allowed for the minimum mileage required by the taxicab or truck, solely in the carrying of persons to, from or in the course of their occupations for which preferred mileage is allowable, or solely in the performance of an essential truck service or services, for the entire ration period for which the initial service ration was issued.

§ 1394.3757 *Computation of gallons.* (a) The Board shall compute the number of gallons necessary for the mileage allowed pursuant to this section by dividing the mileage allowed by the average actual number of miles obtained per gallon by the vehicle when it is efficiently operated.

Special Rations

§ 1394.3801 *Application for special rations.* (a) The owner or person entitled to the use of a motor vehicle, or of a motor boat or outboard motor, who finds that transportation in such a vehicle, or boat, is necessary for one or more of the purposes specified in paragraph (b) of this section, and who finds that a ration issued for such vehicle or boat is not sufficient to permit its necessary use for such purpose, may apply to a board for a special ration. Application for a special ration on behalf of an individual may not be made by an agent. A special ration may be issued for any period not exceeding six months from the date of application.

(b) Special rations may be issued in order to permit acquisition of gasoline for use in a motor vehicle, motorboat, or outboard motor for one or more of the following purposes:

(1) To obtain necessary medical attention or therapeutic treatment or to procure strictly necessary food and supplies;

(2) To operate a motor vehicle or motorboat held by a motor vehicle or boat dealer for sale or resale, solely for the purpose of demonstrating such vehicle or boat to prospective purchasers or for delivery after sale, or to test the motor for such vehicle, or to remove a purchased or repossessed motor vehicle or motorboat, or a vehicle or boat seized pursuant to judicial process or by a government authority, to a place of storage: *Provided*, That no ration in excess of four (4) gallons per month per vehicle or boat shall be granted for any such purpose.

(3) To remove a vehicle or boat in connection with a bona fide change in a place of residence.

(c) Application shall be made on Form OPA VIR-5 and the applicant shall state,

in addition to such other information as may be required:

(1) The purpose for which a special ration is sought and the period during which such ration will be needed;

(2) The type and number of ration books already issued for the vehicle, boat, or outboard motor, for which the application is made;

(3) The facts supporting the claim that transportation is necessary for the purpose;

(4) The number of miles of driving or, in the case of a boat or outboard motor, the amount of gasoline claimed to be essential to the accomplishment of the purpose or purposes stated during the period for which the special ration is needed.

§ 1394.3802 Form and issuance of special rations. (a) The Board may grant a special ration only if it finds:

(1) That such special ration is needed by the applicant for the purpose claimed.

(2) That any ration previously issued for such vehicle, boat, or outboard motor is not reasonably adequate or cannot be used for such purposes:

(3) That transportation is necessary to the accomplishment of such purpose;

(b) If the Board grants the application, it shall determine the quantity of gasoline which is essential to the applicant for the period for which such ration is sought for the purpose or purposes stated and shall issue a coupon book or books of any appropriate class containing sufficient coupons to allow the applicant the quantity of gasoline determined by it to be essential. It shall mark "Special" any book which it so issues. The Board shall remove from the book and immediately destroy any coupons in excess of the number issued.

Non-Highway Rations

§ 1394.3851 Non-highway rations. (a) Any person who requires gasoline for a non-highway purpose may obtain a Class R Coupon book as a non-highway ration authorizing the transfer of the amount of gasoline required for such purpose during the six-month period for which such books shall be valid: *Provided, however,* That in lieu of a Class R coupon book a Board may issue a Class C coupon book as a non-highway ration for a three month period, with the words "Non-Highway" printed plainly on the outside cover of such book. Each non-highway ration book issued with respect to a motorboat or outboard motor for non-occupational use shall be so designated by the Board on the inside cover.

(b) The ration periods for Class R coupon books issued as non-highway rations shall be six months in length and shall commence on September 15, 1942, March 15, 1943 and each six month period thereafter.

§ 1394.3852 Application for non-highway ration. (a) Applications for non-highway rations may be made to the Boards, on or after September 1, 1942, on Form OPA VIR-4. Application may be made by an agent.

§ 1394.3853 Issuance of non-highway rations. (a) The Board shall determine the amount of gasoline required for the six-month ration period and shall issue to the applicant, subject to the provisions of paragraph (b) of this section, sufficient coupons in one or more Class R coupon books to provide the number of gallons determined by the Board to be needed for the six-month ration period. The Board shall remove from the book and immediately destroy any coupons in excess of the number allotted and shall note the ration period on the cover of each book issued.

(b) If application is made for a non-highway ration for use with a motorboat or outboard motor operated wholly or in part for a non-occupational purpose, the Board shall not allow for the non-occupational purpose an amount of gasoline in excess of the number of gallons determined by the following formulae:

(1) In the case of an inboard motorboat, the number of gallons times the manufacturer's rated horsepower of the motor or motors, but in any more than 144 gallons for the six-month ration period.

(2) In the case of an outboard motor, the number of gallons equal to five times the manufacturer's rated horsepower of such motor, but not in excess of 24 gallons for the six-month ration period.

(c) Except as provided in § 1394.4103 (a), no more than one non-occupational ration may be issued for an inboard motorboat or an outboard motor during any six-month ration period.

Army, Navy, and Certain Other Agencies

§ 1394.3901 Issuance of ration books by Office of Price Administration. (a) Coupon books of all types designated in Ration Order No. 8 may be issued by the Director of the Office of Price Administration for the Virgin Islands, in his discretion, to the Army, Navy, Marine Corps, Coast Guard and the law enforcement agencies of the United States, solely for the use of such agencies and for distribution to and use by their officers, agents, or employees in the performance of official duties which depend upon secrecy.

(b) Any agency enumerated in paragraph (a) of this section which requires coupon books for use by such officers, agents, or employees shall make application therefor to the Director of the Office of Price Administration for the Virgin Islands and shall state the number and type of books required and the use for which such books are intended.

§ 1394.3902 Acknowledgment of delivery and allotment authorization. (a) The Army, Navy, Marine Corps, Coast Guard, and Maritime Commission of the United States may obtain gasoline in exchange for a duly executed acknowledgment of delivery on Form OPA R-544. Such form shall bear the signature of an authorized officer, agent, or employee of any such agencies and shall be valid as an authorization for the transfer of gasoline by any person to whom it is presented to the extent of the gallonage stated thereon.

(b) The Army, Navy, Marine Corps, and Coast Guard of the United States, may obtain gasoline, and any person authorized by one of such agencies may obtain gasoline needed for the performance of services for such agency, in exchange for an allotment authorization executed by an authorized officer thereof. Such allotment authorization shall be valid as an authorization for the transfer of gasoline by any person to whom it is presented to the extent of the gallonage stated thereon.

§ 1394.3903 Use of gasoline obtained by Army and other exempt agencies.

(a) Gasoline obtained pursuant to § 1394.3902 may be used without restriction by the agency for which the acknowledgement of delivery form or allotment authorization is issued.

(b) Gasoline obtained pursuant to § 1394.3902 may not be used in a vehicle, boat, or motor not owned, leased, or operated by the agency issuing such acknowledgement of delivery form or allotment authorization unless the person obtaining such gasoline surrenders, to the officer executing such form or to the person transferring such gasoline, valid ration coupons having a gallonage value equal to the amount of gasoline transferred or authorized to be transferred by the Acknowledgement or Allotment Authorization. Coupons so surrendered shall be destroyed by the agency receiving them.

(c) For the purpose of this section the term "Army" shall include Post Exchanges operated by the Army of the United States, and the term "Navy" shall include Naval stores operated by the United States Navy.

Gallon Value of Coupons

§ 1394.3951 Value of coupons. (a) Each gasoline ration coupon of the class hereinafter designated shall have the following value in gallons of gasoline:

	Gallons
Class A.....	1
Class B.....	4
Class C.....	1
Class R.....	4

(b) The value of each coupon in gallons of gasoline may be changed and established from time to time by order or direction of the Office of Price Administration.

General Provisions With Respect to Issuance of Gasoline Rations

§ 1394.4001 Application forms. Every applicant for a ration shall fill out and execute the appropriate application form for the class of ration applied for and shall furnish the information required by such form.

§ 1394.4002 Appearances before boards. (a) The Board may require any applicant for a ration to appear before it for examination and to produce such witnesses or evidence, or supply such information in addition to that contained in the application form, as it may deem material.

§ 1394.4003 *Presentation of license receipt or other certificate.* (a) No gasoline ration, other than a ration issued pursuant to § 1394.3802, shall be issued for any motor vehicle unless the applicant for a ration presents to the Board a receipt for the payment of a motor vehicle license fee, issued by a municipality of the Virgin Islands, or a registration card or registration certificate of a state of the United States or of any foreign or territorial government, authorizing, or signifying the payment of a fee on, the operation of such vehicle during all or part of the period for which such ration is to be issued.

§ 1394.4004 *Notation on license receipt or other certificate.* (a) At the time of issuing a gasoline ration for a licensed motor vehicle for which a license receipt or other certificate must be presented, the person issuing such ration shall make a clear notation in ink, indelible pencil, or by typewriter, on the front of the license receipt or other certificate presented by the applicant, showing the date of issuance, the class of ration and the serial number of the ration book issued.

§ 1394.4005 *Notation on ration books and applications.* (a) At the time of issuance of any ration book for a licensed motor vehicle, the person issuing such book shall, unless a fleet identification is used as provided in paragraph (b) of this section, make a clear notation on the cover thereof, in ink, indelible pencil, or by typewriter, of the license number of the vehicle for which it is issued and of the name and address of the licensed owner of such vehicle. The Board shall also make a notation on the cover of such book, other than a basic book, and on the application therefor, of the date on which it becomes valid and of its expiration date.

(b) An applicant for a gasoline ration for fleet vehicles may request the Board to note on the ration books issued the name or other identification of the fleet, in lieu of the license number of a particular vehicle. The Board may grant such request with respect to any vehicles in the fleet which are used interchangeably and which bear a clearly discernible fleet name, identification or designation. Any book on which a fleet identification is noted may be used, interchangeably, for all vehicles in the fleet bearing such identification.

(c) At the time of issuance of a non-highway ration book, the Board shall make a clear notation on such book in ink, indelible pencil, or by typewriter, of the name and address of the applicant and of the period during which such book shall be valid. Such period shall also be noted on the application.

§ 1394.4006 *Change in motor vehicle license number.* (a) The holder of a ration book issued for a licensed motor vehicle, other than a ration book bearing a fleet identification, shall upon any change in the license number of such vehicle, submit such ration book, together with the license certificate or registration card evidencing the new num-

ber, to a Board within five (5) days after such change for the purpose of having the notation thereon changed to correspond to the new license number. The person authorized to make the change for the board to which such book is presented shall obliterate the license number appearing thereon; note thereon, in ink, indelible pencil, or by typewriter, the new license number issued for such vehicle, and countersign or initial the change made on the book. Notation on the new license receipt or registration card shall also be made, as prescribed in § 1394.4004.

§ 1394.4007 *Removal of coupons.* The Board shall remove from every ration book, and shall immediately destroy all coupons in excess of the number to be issued under the provisions of Ration Order No. 8.

§ 1394.4008 *Authorization of bulk purchase.* (a) Any person who establishes to the satisfaction of a Board that he wishes, pursuant to a regular business practice, to purchase gasoline in bulk, may, when applying for a gasoline ration, request the Board to issue such ration in the form of bulk coupons, or partly in bulk coupons and partly in books. Such person may also request the Board to make a notation on any coupon books issued to him indicating that coupons in such books may be used for a bulk transfer of gasoline.

(b) If the applicant establishes the facts required by paragraph (a) hereof, the Board shall issue bulk coupons to the extent of the number of gallons allowed by it for which bulk coupons are requested: *Provided*, That the Board shall first determine the type, number and expiration date of the coupon books to which the applicant is entitled; it shall then issue bulk coupons, to the extent requested by the applicant, having a gallon value equal to the value in units of the coupons in the coupon books to which the applicant is entitled and in lieu of which such bulk coupons are issued. Such bulk coupons shall expire on, and may not be used for the transfer of gasoline to a consumer after, the date on which such coupon books would require.

§ 1394.4009 *Loss of destroyed coupon or books.* (a) In the event of the accidental loss, destruction or mutilation of any coupon books or bulk coupons, the holder thereof may apply for replacement thereof to the Board having jurisdiction.

(b) Such application shall be made in writing, under oath or affirmation, and shall set forth:

(1) The name and address of the applicant;

(2) The class, date and place of issuance, and expiration date of such book of coupons;

(3) A description of the motor vehicle, boat, equipment, or use for which the book or coupons were issued;

(4) A statement of the number and type of unused coupons so lost, destroyed, or mutilated;

(5) A description of the manner and circumstances of the loss, destruction, or mutilation.

(c) If the Board is satisfied that such book or coupons have been lost or destroyed, or so damaged or mutilated as to be rendered unfit for use, it may issue, in its discretion, a duplicate book or duplicate bulk coupons of the same class and in the same quantity as those sought to be replaced. It shall clearly note on the cover of any duplicate book issued that same expiration date that appeared on the original book.

(d) No person receiving a duplicate book or coupons under paragraph (c) hereof shall use, attempt to use, or permit the use of the original book or coupons, but shall surrender such original book or coupons, if damaged or mutilated, to the Board at the time of issuance of the duplicate book or coupons. In the event that a lost book or lost coupons are found after duplicates have been issued, such original book or coupons shall be surrendered to the Board forthwith.

§ 1394.4010 *Signature on book.* (a) No coupon book shall be valid until the person to whom such book is issued has signed the certification provided for therein.

§ 1394.4011 *Alteration on book.* (a) Any alteration on the face or cover of any coupon book, unless made and countersigned by a person authorized to do so under Ration Order No. 8, shall render such book, and the coupons therein, invalid.

Renewal of Rations and Issuance of Further Rations

§ 1394.4051 *Renewal of rations.* (a) At any time within ten (10) days prior to the expiration of any ration, or at any time thereafter, application for a further ration may be made. Such application shall be made in the same manner as the original application, except as provided in paragraph (b) of this section.

(b) If there have been no substantial changes since the date of the original application in the applicant's gasoline needs, or in the nature, amount, and conditions of use of the motor vehicle for which the original ration was issued, and if such original application accurately calculated the applicant's requirements, application for a further ration other than a basic ration may be made by executing the renewal certificate on such original application. The applicant shall, in such case, note on such renewal certificate any change in the nature or amount used since the date of the original application.

(c) When issuing a further ration prior to the expiration date of a current ration of the same class, the Board shall note on the application and on the front cover of the coupon book representing such further ration the date on which such further ration shall become valid. Such date shall be the day following the expiration date of the current ration.

(d) Except as provided in §§ 1394.3756, and 1394.4052, no further ration of any class may be issued for use prior to, or

may be used prior to, the expiration of the current ration of such class.

§ 1394.4052 *Issuance of further ration for use prior to expiration date of current ration.* (a) Any person who finds that, due to a change in occupation or in the location of place of business or residence, or other change in circumstances, or due to seasonal variation in the amount of occupational mileage needed, or miscalculations of needs, a ration of any class other than a basic ration issued to him fails to meet his requirements, may apply for a further ration of such class for use prior to the expiration date of his current ration. Such application shall be made in the same manner as the application for the current ration.

(b) The applicant shall append to the application a statement showing:

(1) That the current ration is insufficient to meet his needs for more than ten (10) days from the date of the application;

(2) The reason or reasons why a further ration will be needed for use prior to the expiration date of the current ration.

(c) If the Board determines that, for one or more reasons specified in paragraph (a) of this Section, more mileage is needed or, in the case of a non-highway ration, more gasoline is required, than that stated in the application on the basis of which the current ration was issued, it may grant a further ration by issuing sufficient further coupons in one or more coupon books, to permit transfer of gasoline in the amount of the further ration allowed.

(d) All of the provisions of Ration Order No. 8 applicable to the issuance of an original ration shall apply to the issuance of a further ration.

Expiration and Revocation of Ration

§ 1394.4101 *Surrender of expired coupons.* (a) No coupon book issued in the Virgin Islands shall be valid for the transfer of gasoline to a consumer in the Virgin Islands after the expiration thereof, or to any consumer at any time outside the Virgin Islands.

(b) The person to whom a ration has been issued shall, within five (5) days after the expiration thereof, surrender to the issuing Board all expired coupon books and all unused coupons representing such ration.

§ 1394.4102 *Expiration of ration.* (a) Every ration shall expire at midnight on the last day of the ration period for which it is issued.

(b) Upon cessation of use or *bona fide* transfer of ownership of any vehicle, boat or equipment, any ration issued for such vehicle, boat or equipment shall expire and all unused coupons and books issued therefor shall, within five (5) days after such cessation or change, be surrendered to the issuing Board by the person to whom such ration was issued. The transferee of such vehicle, boat or equipment may apply for a gasoline ration in accordance with the applicable provisions of Ration Order No. 8.

(c) Upon cessation of use of a ration, other than a basic ration, for a purpose for which such ration may be obtained, such ration shall expire and all unused coupons and books issued therefor shall, within five (5) days after such cessation, be surrendered to the issuing Board by the person to whom such ration was issued.

§ 1394.4103 *Denial of gasoline ration.* (a) No person whose name has been recorded by a Board, in accordance with the provisions of § 1394.4104 (c) for refusal to surrender a gasoline ration book upon direction of the Board, or for failure or refusal, without good cause shown, to appear before such Board for examination shall be entitled to obtain a ration of any type under Ration Order No. 8 while his name remains thus recorded.

§ 1394.4104 *Review by Local Boards of application for gasoline rations.* (a) Any Board may review an application for a gasoline ration of any class, made in the area over which it has jurisdiction, or referred to it by another board, in order to determine whether the holder of the ration was entitled to receive it. The Board may also require the holder of a supplemental, service, non-highway, or special ration to appear before it for examination in order to determine whether such ration is being used in accordance with the provisions of Ration Order No. 8. The Board shall give the holder written notice of the time and place fixed for such appearance. The notice shall be deemed sufficient if mailed to the address shown on the application at least five (5) days prior to such time. The Board may designate one or more of its members to perform the functions of prescribed in this section.

(b) If the Board finds that the ration holder was not entitled to receive the ration issued, or, if it finds that a ration issued is being used for a purpose other than one for which such ration may be obtained, it shall revoke such ration and shall direct that any coupons or coupon books issued therefor be surrendered to it. If it finds that the holder is entitled to a ration of a different class or quantity than that issued, it may issue such ration as it finds the holder entitled to receive pursuant to the provisions of Ration Order No. 8 in place of the ration revoked.

(c) The Board shall record the name of any ration holder who refuses to comply with a direction of the Board pursuant to paragraph (b) of this section or who fails or refuses to appear for examination in accordance with a notice sent by the Board pursuant to paragraph (a) of this section: *Provided*, That if a person whose name has been recorded for failure or refusal to appear for examination shows good cause to the Board for such failure or refusal his name shall be stricken from such record, upon compliance with the Board's direction with respect to the disposition of his ration. The Board shall notify the Director of the Office of Price Administration for the Virgin Islands immediately after so re-

cording any name and immediately after striking any name from the record. Any person whose name remains recorded shall be prohibited from securing any ration under the provisions of Ration Order No. 8.

Restrictions on Use of Rations and Gasoline

§ 1394.4151 *Restrictions as to purposes.* (a) No person to whom a special ration has been issued may use or permit the use of such ration for any purpose other than the one for which it was issued. No person to whom a supplemental, service, or non-highway ration has been issued may use or permit the use of such ration for a purpose other than that for which such ration may be obtained.

§ 1394.4152 *Rations not transferable.* (a) No ration may be transferred or assigned. A ration may, however, subject to the provisions of § 1394.4154 be used by anyone entitled to use the vehicle, boat or equipment for which it was issued, if such use is for a purpose for which such ration may be obtained and so long as there is no change in ownership of such vehicle, boat or equipment.

§ 1394.4153 *Change of occupation.* (a) The holder of a supplemental ration based on preferred mileage, as defined in § 1394.3705, shall report to the issuing Board any change in the principal occupation for the pursuit of which such ration was issued. Such report shall be transmitted to the Board within five (5) days after such change and shall describe fully the nature of the new occupation, the exact type of work performed, the business or industry in which such work is performed, and the purpose, if any, for which the motor vehicle will be used in such new occupation. If, on the basis of such report, the Board finds that such motor vehicle will no longer be used for a preferred purpose listed in § 1394.3705, it shall notify such holder, in writing, that his right to such ration is to be re-examined. Such notice shall be mailed to such holder at the address shown on his application (or at the address shown on his report), and shall require him to file a new application for a ration within ten (10) days after the mailing date shown on such notice. If no new application is filed within such time, the Board shall revoke such ration and shall recall all coupon books based on preferred mileage issued in connection therewith. If a new application is filed, and if the Board determines that the motor vehicle will be used for a preferred purpose listed in § 1394.3705, it shall take no further action. If the Board finds that the vehicle will no longer be used for a preferred purpose, listed in § 1394.3705, it shall revoke the ration and recall the coupons or coupon book originally issued and shall issue, in lieu thereof, such ration, if any, as it determines that the holder is entitled to receive on the basis of his new application.

§ 1394.4154 *Use of rations issued for vehicles or boats available for public rental.* (a) A motor vehicle rental

agency may permit a lessee to use a Service ration issued to such agency for a vehicle leased by him, during the period of a *bona fide* lease for one week or less. In the case of any lease other than a *bona fide* lease for one week or less, the lessee may not use or be permitted to use the Service ration issued to such agency for such vehicle, but shall apply for a ration on his own behalf, pursuant to the provisions of paragraph (b) of this section.

(b) A lessee of a vehicle available for public rental who leases such vehicle for a period of more than one week shall be deemed to be a person entitled to the use of such vehicle, within the meaning of § 1394.3702. Such lessee may apply for a ration for use of such vehicle on his own behalf, and his right to such ration shall be determined solely by the nature and extent of his use of the vehicle. Application by such lessee for a ration shall be made on Form OPA VIR-5. Upon termination of the lease, any ration issued to such lessee shall expire and all coupons or coupon books issued to him shall be returned by him to the issuing Board.

(c) A boat rental agency may permit a lessee to use a non-highway ration issued for an inboard motorboat or outboard motor leased to him, only during the period of a *bona fide* lease for one week or less. A lessee of such boat or motor who leases it for a period of more than one week may apply for a non-highway ration on his own behalf.

Restriction on Transfer of Gasoline

§ 1394.4201 *Restriction on transfer to consumers.* (a) On and after September 16, 1942, and notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no person other than a dealer or distributor shall transfer or offer to transfer gasoline to any consumer, and no consumer shall accept transfer of such gasoline.

(b) On or after September 16, 1942, a dealer or distributor may transfer gasoline to a consumer in the Virgin Islands, and such consumer may accept such transfer of gasoline, only in exchange for valid coupons or other evidences issued in the Virgin Islands.

(c) No gasoline may be exported, or transferred to any person for export or for use or consumption in any country or island other than the Virgin Islands of the United States, unless a written purchase order for such export or transfer is approved by the Director of the Office of Price Administration for the Virgin Islands. The Director shall signify his approval of the export by signing or initialing such purchase order.

(d) Whenever in the opinion of the Director of the Office of Price Administration for the Virgin Islands the supply of motor fuel on the Islands available for civilian use becomes so limited, or threatens to become so limited that it appears to him that such essential functions as fire protection, ambulance and medical service, night soil removal and sanitation services may not be able to be continued because of lack of motor

fuel, he may issue an emergency order that all transfers of motor fuel under both basic and supplemental rations shall cease, and such emergency order may provide that all existing supplies of motor fuel shall be held exclusively for the use of such of the essential public services as he may designate: *Provided*, That when such an emergency order is issued, no dealer or other person may transfer any gasoline in exchange for any coupons of any type, but shall transfer gasoline only to the essential service or services designated upon presentation to him of a written authorization from the Director of the Office of Price Administration, which authorization shall set forth the service to receive the transfer and the amount to be transferred: *Provided further*, That the heads of the governmental departments responsible for such essential services may obtain an authorization from the Director of the Office of Price Administration for supplies of motor fuel to carry on such essential services upon application and furnishing proof that such supplies are needed for the purposes set forth.

§ 1394.4202 *Transfer to consumers in exchange for coupons.* (a) A transfer of gasoline may be made in exchange for coupons contained in Class A, B, and C books, under the following conditions:

(1) At the time of transfer, the transferor shall require presentation of the coupon book and must therefrom detach coupons having an aggregate gallon value equal to the amount of gasoline transferred: *Provided*, That if the transferee is able to accept only a portion of the amount of gasoline represented by the gallon value of a coupon, the transferor shall nevertheless detach an entire coupon. No transfer may be made pursuant to this paragraph in exchange for a coupon detached prior to the presentation of the coupon book to the transferor.

(2) Transfer may be made only into the fuel tank of a motor vehicle identified on the coupon book presented: *Provided*, That if such book bears a notation by a Board indicating that bulk transfer is authorized, a bulk transfer may be made in exchange for coupons in such book: *Provided further*, That bulk transfer may also be made of an amount of gasoline, not in excess of a minimum quantity necessary to enable a vehicle stranded for lack of fuel to reach a source of supply. In such case the transferor shall detach the coupon or coupons necessary and shall retain the ration book presented until the vehicle is brought to the place of transfer for identification.

(3) Transfer may be made only during the period of validity of the coupon in exchange for which the transfer is to be made.

(b) Bulk transfer may be made in exchange for coupons contained in a Class R book, under the following conditions:

(1) At the time of transfer, the transferor must require presentation of the coupon book and must detach therefrom coupons having an aggregate gallonage value equal to the number of gallons of

gasoline transferred. No transfer may be made pursuant to this paragraph in exchange for a coupon detached prior to the presentation of the coupon book to the transferor.

(2) No transfer in exchange for coupons in a Class R book may be made into the fuel tank of, or knowingly made for use in, a licensed motor vehicle or a motor vehicle held by a motor vehicle dealer for sale or resale.

(c) Transfer may be made in exchange for bulk coupons. The transferor shall require surrender, at or before time of transfer, of bulk coupons having a value in gallons equal to the number of gallons of gasoline transferred: *Provided*, That in the case of any delivery made in the absence of the transferor or his agent, or in the absence of the transferee or his agent, coupons need not be surrendered simultaneously with delivery, but must be forwarded by the transferee to the transferor within forty-eight (48) hours after delivery.

§ 1394.4203 *Emergency transfer.* (a) Transfer may be made in exchange for an emergency receipt on Form OPA R-555, which may be obtained from any dealer.

(b) Any person requiring gasoline in order to meet any emergency involving serious threat to life, health, or valuable property, may obtain such gasoline by signing an emergency receipt in triplicate and stating thereon the emergency purpose for which such gasoline is required and the reason why he is unable to present coupons in exchange for such gasoline. If such gasoline is required for use in a licensed motor vehicle, he shall also state the license number of the vehicle in which such gasoline is to be used.

(c) Any dealer or distributor who has transferred gasoline in exchange for an emergency receipt, shall transmit such emergency receipt, in triplicate, to the Board having jurisdiction over the area in which his place of business is located. The Board, if it is satisfied that the transferor made a transfer, in good faith, of the amount of gasoline specified in such emergency receipt, shall issue to him, in exchange therefor, inventory coupons equal in gallonage value to the amount of gasoline so transferred. The Board shall retain one copy of such receipt in its own files, shall transmit the second copy to the Board having jurisdiction over the area in which the transferee resides, as stated on the receipt, and shall send the third copy to the Director of the Office of Price Administration for the Virgin Islands.

§ 1394.4204 *Transfer of vehicle, boat or equipment.* (a) Nothing in Ration Order No. 8 shall be deemed to forbid the transfer of gasoline actually in the fuel supply tank of a vehicle, boat or equipment, in conjunction with a *bona fide* transfer of such vehicle, boat, or equipment itself; or the consumption by the transferee in such vehicle, boat, or equipment of gasoline actually in the fuel supply tank thereof at the time of transfer.

§ 1394.4205 *Transfer of consumer establishments.* (a) Nothing in Ration Order No. 8 shall be deemed to forbid the transfer of gasoline actually in a storage tank or another container maintained by a consumer as part of an enterprise or establishment, in conjunction with a *bona fide* transfer of such enterprise or establishment itself, or a transfer of gasoline by legal process or operation of law.

(b) Any person to whom a transfer of the character described in paragraph (a) is made shall forthwith report such transfer and the amount of gasoline involved to the Board having jurisdiction over the area in which such gasoline is located. Such person, if not a dealer or distributor, may either:

(1) Transfer all or any part of such gasoline in exchange for coupons or other evidences having a value equal to the number of gallons of gasoline so transferred: *Provided*, That such coupons or other evidences shall forthwith be surrendered by him to the Board for cancellation; or

(2) Consume such gasoline to the extent of any gasoline ration issued to him: *Provided*, That he may consume such gallons of gasoline only for the purpose for which such ration may be issued and shall surrender to the Board, for cancellation, coupons equal in value to the amount of gasoline consumed or to be consumed.

§ 1394.4206 *Transfer from fuel tank to fuel tank of vehicles and boats forbidden.*

(a) No gasoline contained in the fuel tank of any licensed motor vehicle, inboard motorboat, outboard motor, or non-highway equipment shall be transferred therefrom to the fuel tank of any licensed motor vehicle, or of any inboard motorboat or outboard motor.

§ 1394.4207 *Discrimination by dealers and distributors.* (a) On and after September 1, 1942, no dealer or distributor shall discriminate in the transfer of gasoline among any consumers lawfully entitled to acquire gasoline under the provisions of Ration Order No. 8 by selling only to favored customers or classes of consumers, or only to regular customers, and refusing to sell to others who are entitled to acquire gasoline under the provisions of Ration Order No. 8. Nothing in this section, however, shall be construed to prohibit a dealer or distributor from adopting restrictions which apply to all consumers or from holding reserve stocks for delivery to persons presenting acknowledgment of delivery or allotment authorization duly executed by an authorized officer of the armed forces of the United States.

§ 1394.4208 *Display of stickers.* (a) No person may use a Class A, B, or C ration issued for a registered motor vehicle unless a sticker identifying the class of ration issued, in such form as may be prescribed by the Office of Price Administration, is affixed to and conspicuously displayed on such vehicle. Such sticker shall be displayed on such vehicle at all times. A person to whom any ration in addition to Class A ration has been

issued shall display only the sticker identifying such additional ration.

§ 1394.4209 *Restriction on use of gasoline in vehicle without ration.* (a) On and after September 16, 1942, no gasoline may be used in the Virgin Islands in a motor vehicle licensed in the Virgin Islands unless a sticker, indicating that a gasoline ration has been issued, is displayed on such vehicle in accordance with § 1394.4208.

Records and Audit

§ 1394.4251 *Registration of inventory and capacity.* (a) No dealer having a place of business in the Virgin Islands shall make or receive any transfer of gasoline between the hours of 4 p. m. on September 15, 1942, and 8 a. m. on September 16, 1942. During such hours every dealer shall take an actual physical inventory of his total gasoline supplies on hand and shall register, on Form OPA R-545, in duplicate, with the Board having jurisdiction of the area in which he has such place of business, at the hours provided by the Board, the following matters, together with such other information as may be required:

(1) His total inventory of gasoline on hand as of the close of business on September 15, 1942.

(2) His total gasoline storage capacity.

(3) His name, firm name, business address, and type of business.

(4) A certification as to the correctness of each of the foregoing items of information.

Separate registration shall be made by a dealer for each place of business in Virgin Islands where gasoline is transferred, and shall be made at each respective Board having jurisdiction of the area in which each such place of business is located.

§ 1394.4252 *What constitutes gasoline on hand.* (a) The registrant shall register all gasoline on hand, whether in storage tanks, tank trucks, tank ships, tank barges, or in drums or vessels alongside a dock or at anchor, also all gasoline in drums or other containers, except gasoline in the fuel tank of a motor vehicle. The registrant shall not register gasoline in transit which did not arrive at his place of business prior to the close of business on September 15, 1942. Gasoline shipped to a dealer on or prior to September 15, 1942, but received by him at any time after September 15, 1942, shall be deemed to be gasoline transferred to him after September 15, 1942, and shall require an exchange therefor of coupons or other evidences.

§ 1394.4253 *What constitutes storage capacity.* (a) The registrant shall register the total capacity of all immobile gasoline storage facilities, but not the capacity of tanks, trucks, tank wagons, drums, or other movable containers: *Provided*, That a registrant who maintains no stationary gasoline storage tanks shall register the total capacity of all his delivery facilities.

§ 1394.4254 *Issuance of registration certificates.* (a) The Board, on determining that the information and certifi-

cation submitted by the registrant are in good order, shall by authorized signature approve the same, file the duplicate, and return the original to the registrant, who shall retain it as a certificate of registration at the place of business to which it applies and shall present it as an identification at the time of transacting business with any Board.

§ 1394.4255 *Issuance of inventory coupons.* (a) The Board shall at the time of its approval of any registration certificate, issue to the registrant inventory coupons in the amount of the difference between the total gasoline storage capacity for each place of business and the total inventory of gasoline on hand as certified by the registrant. A one-hundred gallon inventory coupon may at any time subsequent to registration be exchanged at any Board in the Virgin Islands by a dealer for an equivalent amount of one gallon inventory coupons.

§ 1394.4256 *Restriction on use of inventory coupons.* (a) Every dealer shall retain all inventory coupons issued to him at the place of business for which they were issued, and shall exchange his inventory coupons only when a delivery to him exceeds the number of consumer coupons or other evidences available for exchange: *Provided, however*, That one-gallon inventory coupons may be used at any time to make the difference between the number of gallons in any delivery and the nearest number of gallons which can be represented by the use of consumer coupons or other evidences.

§ 1394.4257 *Restriction on transfers.* (a) Except as provided in § 1394.4258 no dealer shall transfer or offer to transfer to, or shall receive a transfer of gasoline from, any other dealer except in exchange for a quantity of coupons or other evidences, at or before the time of the actual delivery of the gasoline, equal in gallonage value to the amount of the gasoline so transferred.

§ 1394.4258 *Night deliveries; third party deliveries.* (a) When a distributor elects to make delivery of gasoline during the hours when the dealer is not open for business, the dealer shall, where the exact amount of the delivery is known in advance, mail or deliver in advance to the distributor coupons or other evidences in an equal gallonage value, or may, at the discretion of the distributor, within twenty-four (24) hours of delivery forward to the distributor an amount of coupons or other evidences equal in gallonage value to the number of gallons so delivered.

§ 1394.4259 *Preservation of coupons, coupon sheets.* (a) Each dealer and distributor shall affix the coupons received by him directly from consumers to a coupon sheet (Form OPA R-542) in the manner directed thereon. Separate coupon sheets shall be maintained for coupons of each separate type; only coupons of one class shall be attached to any one sheet.

§ 1394.4260 *Preservation of acknowledgements.* (a) Each dealer and distributor shall attach the acknowledge-

ments and allotment authorizations delivered to him by authorized purchasers to a summary of coupons and acknowledgments (Form OPA VIR-806) on which he shall enter for each such Acknowledgement and allotment authorization in order the date of purchase, name of purchaser, and number of gallons sold.

§ 1394.4261 *Summary of coupons.* Each dealer and distributor shall, prior to every delivery by him of coupons or other evidence, except exchange certificates, prepare in duplicate on Form OPA VIR-806 a summary of coupons and acknowledgments in the manner directed thereon, certifying the number of each type of coupon and the number of evidences to be delivered. The original of this summary shall be delivered by him attached to his coupons and other evidences. The copy shall be retained by him at his place of business for a period of not less than one year. Dealers and distributors shall forward such summaries to their vendors.

§ 1394.4362 *Invalidity of Class A and B coupons after expiration of bi-monthly period.* (a) No dealer shall accept any coupon the period of validity of which has expired and no such coupon shall be an evidence of any gallonage value, except on coupon sheets to which it has been attached prior to the expiration of its period of validity.

§ 1394.4263 *Certification of shortage.* (a) Dealers shall be permitted from time to time to apply on Form OPA R-549 for compensation for losses of gasoline through evaporation, handling, accident, or other extraordinary circumstances, and account for unavoidable loss of coupons. The certification of shortage shall be submitted to the Board having jurisdiction of the area in which each dealer or distributor has the place of business to which the shortage is to be attributed, and shall show the nature and quantity of such shortage with a full explanation therefor. If, on consideration, of the certification of such other facts as it may require of the applicant, the Board is satisfied that the applicant has established the fact and reasonableness of such shortage, the Board shall file certification and issue to the applicant a quantity of inventory coupons equal to the amount of the proven loss: *Provided*, That the Board shall not issue, as compensation for a shortage resulting from shrinkage or evaporation, certificates having a gallon value in excess of 1% of the number of gallons delivered each month.

§ 1394.4264 *Exports by distributors.* (a) Every distributor shall, on or before the 5th day of each month, commencing with the month of October, 1942, submit to the Director of the Office of Price Administration for the Virgin Islands a written report for the previous calendar month showing:

(1) The amount of gasoline on hand at the close of business on the last day of the month preceding the month for which the report is made;

(2) The amount of gasoline imported into the Virgin Islands during the month for which the report is made;

(3) The amount of gasoline exported from the Virgin Islands during the month for which the report is made;

(4) The amount of gasoline transferred to and received from other distributors during the month for which the report is made;

(5) The amount of gasoline on hand at the close of business on the last day of the month for which the report is made;

(6) The amount of gasoline transferred to the armed forces of the United States during the month for which the report is made;

(7) The amount of gasoline transferred to dealers or consumers during the month for which the report is made;

Every distributor shall attach to such report all evidences received in exchange for gasoline so transferred by it during the month for which the report is made. The distributor shall include in its report a reconciliation of any difference between the total amount of gasoline reported so transferred and the total amount of gasoline represented by the evidences attached to the report.

§ 1394.4265 *Reports by collector of customs.* (a) As soon after the first of each month as is practicable, commencing with the month of October, 1942, the United States Collector of Customs from the Virgin Islands shall be requested to send to the Director of the Office of Price Administration for the Virgin Islands a written report for the previous calendar month containing the following information:

(1) The total amount of gasoline imported into the Virgin Islands during the previous month, and the amount imported by each distributor.

(2) The total amount of gasoline and the amounts of each distributor exported from the Virgin Islands during the previous month.

(3) The total gasoline inventory of the distributors, and the inventory of each distributor, at the close of business on the last day of the month for which the report is made.

§ 1394.4266 *Explanation by distributor.* (a) The Director of the Office of Price Administration for the Virgin Islands may, at any time, request any distributor to explain a discrepancy existing between the figures supplied in its monthly report and the number of evidences turned in by it to the Office of Price Administration for the Virgin Islands and the monthly report made by the Collector of Customs. Any failure or refusal to explain such discrepancies shall constitute prima facie evidence that such distributor has transferred gasoline without accepting evidences therefor.

§ 1394.4267 *Registration of new or reopened place of business.* (a) Any dealer who opens or reopens a place of business not previously registered by such dealer, shall, prior to receipt or transfer of any gasoline, register such place of business

in the manner, provided in § 1394.4251, and shall be issued inventory coupons equal in gallon value to the total capacity of his unfilled gasoline storage facilities as of the time of registration.

§ 1394.4268 *Cessation of business.* (a) Any dealer who ceases to operate as such, disposes of his stocks of gasoline, and closes his place of business without transferring it to another for continued operation, shall, at the time of final closing, deliver to the Board having jurisdiction of the area in which his place of business is located the original certificate of registration of such place of business and a quantity of coupons or other evidences equal in gallon value to the total capacity of the gasoline storage facilities of such place of business.

§ 1394.4269 *Sale of place of business.* (a) Any person acquiring from a dealer a place of business already registered in accordance with the provisions of § 1394.4251 shall, prior to receipt or transfer of any gasoline, register such place of business in the manner provided in §§ 1394.4251 to 1394.4256, inclusive; except that he shall be issued inventory coupons equal in gallon value to the total capacity of the entire gasoline storage facilities of such place of business. He shall then deliver to the transferor of such place of business a quantity of inventory coupons equal in gallon value to the total amount of gasoline on hand as of the time of transfer. The transferor shall deliver, to the Board having jurisdiction of the area in which the place of business transferred by him is located, the certificate of registration of such place of business, together with a quantity of coupons or other evidences equal in gallon value to the total capacity of the entire gasoline storage facilities of such place of business.

§ 1394.4270 *Change of storage capacity.* (a) Any dealer in any manner altering the total capacity of the gasoline storage facilities of a place of business shall deliver for cancellation to the Board having jurisdiction of the area in which such place of business is located, his original certificate of registration, and shall obtain a new certificate of registration in the manner provided by §§ 1394.4251 to 1394.4256, inclusive. The Board shall attach to its copy of the new certificate the original and copy of the cancelled certificate. Where the capacity of the gasoline storage facilities is decreased, the dealer shall furnish to the Board a quantity of coupons or other evidences equal in gallon value to the amount of the decrease. Where the capacity of his gasoline storage facilities is increased, the Board shall issue to the dealer in the manner described in § 1394.4253 a quantity of inventory coupons equal in gallon value to the amount of the increase.

§ 1394.4271 *Inspection of records and facilities.* (a) All records, reports, forms, account of other documents by Ration Order No. 8 to be prepared and kept by any person, and the gasoline facilities of any person, shall be subject to the inspection of the Office of Price Adminis-

tration and its employees or by such persons as the Office of Price Administration may designate for the purpose of making inspections. Such inspections may be made at the place of business of any such person during regular hours, or, in the case of matters prepared on forms of the Office of Price Administration, at any time and place designated by the Office of Price Administration.

Adjustments and Appeal

§ 1394.4301 *Appeals from decisions of Boards.* (a) An applicant may appeal to the Director of the Office of Price Administration for the Virgin Islands from an adverse decision of a Board by filing with the Board a sworn statement in writing setting forth his objections to the decision and the grounds for the appeal. The statement must be filed not later than ten (10) days after receipt of notice of the decision. Within three (3) days after receipt of the statement, the Board shall send the statement to the Director together with its entire record on the application.

(b) The Director may request the applicant to appear before him or to furnish such additional information as he may deem pertinent. The Director shall render his decision on the appeal within five (5) days after receipt of the statement and record, and, in case of apparent emergency, within twenty-four (24) hours, if possible. He shall promptly notify the applicant and the Board, in writing, of his decision. In the event that a decision of a Board is reversed or modified by the Director, the record shall be remanded to the Board for action consistent with his decision.

Enforcement

§ 1394.4351 *Criminal prosecution.* (a) Any person who knowingly falsifies an application or any other record or certificate made pursuant to or required by the terms of Ration Order No. 8, or who otherwise knowingly furnishes false information to a Board, or any other agent, employee or officer of the Office of Price Administration, or who conspires with another person to perform any of the foregoing acts, may upon conviction be fined not more than \$10,000.00 or imprisoned for not more than ten years, or both, and shall be subject to such other penalties as may be prescribed by law.

(b) Any person who willfully performs any act prohibited, or willfully fails to perform any act required, by any provisions of Ration Order No. 8 may, upon conviction, be fined not more than \$10,000.00, and imprisoned for not more than one year, or both, and shall be subject to such other penalties as may be prescribed by all applicable statutes.

§ 1394.4352 *Suspension orders.* (a) Any person who violates Ration Order No. 8 may by administrative suspension order, be prohibited from receiving any deliveries of, or selling or otherwise disposing of, any gasoline or other rationed product. Such suspension order shall be issued for such period as in the judgment of the Director of the Office of Price Administration for the Virgin Islands is

necessary or appropriate in the public interest and to promote the security of the Virgin Islands.

Effective Date

§ 1394.4401 *Effective date.* Ration Order No. 8 (§§ 1394.3501 to 1394.4401) shall become effective August 28, 1942. (Pub. No. 671, 76th Cong., 3rd Sess., as amended by Pub. No. 89, 77th Cong., 1st Sess., and by Pub. No. 507, 77th Cong., 2nd Sess., Pub. No. 421, 77th Cong., 2nd Sess., W.P.B. Directive No. 1, Supp. Dir. No. 1 J, 7 F.R. 562, 5043)

Issued this 28th day of August 1942.

JACOB A. ROBLES,
Director for the Virgin Islands.

[F. R. Doc. 42-8471; Filed, August 28, 1942;
5:14 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 10]

FOOD RATIONING REGULATIONS FOR THE VIRGIN ISLANDS

Pursuant to the authority vested in the Office of Price Administration by Directive No. 1 of the War Production Board issued January 24, 1942, and by Supplementary Directive No. 1 J of the War Production Board issued July 1, 1942.

It is hereby ordered, That:

AUTHORITY: §§ 1407.601 to 1407.900, inclusive, issued under Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., by Pub. Law 507, 77th Cong., and by Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, Supp. Dir. No. 1 J, 7 F.R. 562, 5043.

Definitions

§ 1407.601 *Definitions.* (a) When used in Ration Order No. 10:

(1) "Board" means a War Price and Rationing Board established by the Office of Price Administration, and when the context so indicates, the term "The Board" means the Board with which a person is registered pursuant to Ration Order No. 10.

(2) "Book" means War Ration Book One issued in the Virgin Islands.

(3) "Certificate" means a purchase certificate issued by authority of the Office of Price Administration as evidence of a ration.

(4) "Consumer" means any person who receives a rationed commodity for the personal use of himself or members of his family.

(5) "Commercial institution" means a restaurant, hotel, public dining room, or other similar eating place, that serves meals solely as a commercial operation, but not including a boarding house.

(6) "Director" means the Director of the Office of Price Administration for the Virgin Islands.

(7) "Distributor" includes primary distributors, intermediate distributors and retailers subject to Ration Order No. 10.

(8) "Establishment" means a business or operation subject to Ration Order No.

10 conducted at or from a particular location.

(9) "Family" means a group of two or more individuals consisting of all persons customarily living and eating together in the same household, and any other persons regularly eating a majority of their meals in the household.

(10) "Importer" means a person who imports a rationed commodity into the Virgin Islands.

(11) "Industrial establishment" means an establishment in which a rationed commodity is received for use in the production, manufacture, or processing of any product for transfer, except as a part of the operation of a commercial or non-commercial institution.

(12) "Industrial use" means the use of a rationed commodity in the production, manufacture, or processing of any product, except as a part of the operation of a commercial or non-commercial institution.

(13) "Industrial user" means a person who obtains rationed commodities for industrial use at an industrial establishment.

(14) "Institutional use" means the use of a rationed commodity in the preparation for service or the service of meals in a commercial or non-commercial institution.

(15) "Institutional user" means a person who obtains a rationed commodity for institutional use.

(16) "Intermediate distributor" means a person who obtains a rationed commodity from a primary distributor for transfer principally to persons other than consumers.

(17) "Non-commercial institution" means an establishment serving meals as a part of or supplementary to the operation of a prison, hospital, sanitarium, asylum or other similar institution.

(18) "Person" includes an individual, partnership, corporation, association, government, government agency, or any other organized group or enterprise.

(19) "Primary distributor" means any person who manufactures or produces a rationed commodity for transfer, or the agent of any such person, or any person who delivers a rationed commodity to the Virgin Islands for transfer, or any person who takes such delivery for transfer, or the agent of any person who makes or takes such delivery. The term "agent" shall be deemed to include a broker, factor, commission merchant, or a person who takes title but actually performs functions commonly performed by agents, brokers, factors, or commission merchants.

(20) "Ration" means a right to acquire and use a specified quantity of a rationed commodity, or an evidence of such right, as the context requires.

(21) "Ration period" means the space of time designated in Ration Order No. 10 during which a ration is valid.

(22) "Rationed commodity" means any commodity designated in Ration Order No. 10, or any amendments or supplements thereto, as being subject to the provisions of Ration Order No. 10.

(23) "Retailer" means a person who obtains a rationed commodity for resale or re-transfer principally to consumers.

(24) "Sale at retail" means a sale or transfer to a person for use as consumer.

(25) "Sale at wholesale" means a sale or transfer to a person other than a consumer.

(26) "Stamp" means a War Ration Stamp originally contained in a War Ration Book and designated by the Office of Price Administration as an authorization to accept transfer of a specified quantity of a particular rationed commodity.

(27) "Transfer" means to sell, give, exchange, lease, lend, deliver, supply or furnish, and includes the acquisition of title by will, inheritance, foreclosure, or legal process; it also includes the use by primary distributor, intermediate distributor, or retailer of any rationed commodity held for transfer; but does not include the creation of a security interest or security title involving no change of possession. Delivery to a carrier for shipment, or by a carrier in completion of a shipment shall not be deemed to be a transfer to or by such carrier.

(28) "Weight value" means the quantity of a particular rationed commodity authorized to be transferred by a certificate or stamp.

(b) When the context so requires, words in the singular shall include the plural, words in the plural shall include the singular, and the masculine gender shall denote the feminine and neuter.

Scope of Ration Order No. 10

§ 1407.621 *Territorial limitations.* (a) Ration Order No. 10 shall apply to the Virgin Islands of the United States.

§ 1407.622 *Scope of restriction.* (a) Nothing in Ration Order No. 10 shall be construed to limit the quantity of any rationed commodity which may be acquired by the Army, Navy, Marine Corps, Coast Guard, Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Authority, the National Advisory Commission for Aeronautics, and the Office of Scientific Research and Development, of the United States.

§ 1407.623 *Commodities subject to Ration Order No. 10.* (a) The following commodities are subject to Ration Order No. 10:

- (1) Wheat flour.

Administration and Personnel

§ 1407.641 *Personnel.* (a) Ration Order No. 10 shall be administered by the Office of Price Administration through its local war price and rationing boards in the Virgin Islands and such other administrative personnel as it may designate. Any administrative function of a Board may be performed in its behalf by a rationing officer appointed for such Board by the Director.

(b) The persons referred to in paragraph (a) hereof may be assisted during a registration period by the Superintendents of Education of the Virgin Islands and by teachers and other persons ap-

pointed by authority of the Director to act as registrars. The persons mentioned in this paragraph shall serve without compensation and shall be under the supervision of the persons who appointed them.

(c) No person participating in the administration of Ration Order No. 10 shall act officially in connection with any matter arising hereunder as to which he has any interest, by reason of business connection or relationship by blood or marriage. If a majority of the members of a Board should be disqualified to act on any matter, it shall be referred to another Board for decision.

§ 1407.642 *Jurisdiction of Boards.*

(a) For the purpose of Ration Order No. 10 a Board shall have jurisdiction over:

(1) The issuance of War Ration Books and Certificates to consumers registered with it: *Provided*, That during a registration period such War Ration Books may be issued by registrars.

(2) The issuance of rations for an establishment located in the area which such Board is designated to serve: *Provided*, That such rations may be issued by a Board upon which jurisdiction over such establishment has been conferred by specific instructions of the Director.

(b) A Board with which a person is registered for a particular purpose shall continue to have jurisdiction over such person until and unless his registration file is transferred to another Board entitled to have jurisdiction in accordance with § 1407.643. Upon the transfer of a registration file in accordance with § 1407.643 such person shall thereafter be deemed to be registered with and under the jurisdiction of the Board to which such file is transferred.

§ 1407.643 *Transfer of registration files.*

(a) If a consumer does not reside in the area assigned to the Board with which he is registered, he may apply to the Board having jurisdiction over the area in which he resides for the transfer to it of his registration file. Such application may be made by an agent or any person authorized to register for him. The Board with which such application is filed, after ascertaining that the consumer is residing within the area assigned to it, shall notify the Board with which such consumer is registered. The latter Board shall thereupon transfer the registration file to the Board to which the application was made.

§ 1407.644 *Records confidential.*

(a) All records of the Office of Price Administration and of a Board relating to any registration, application, or petition of any person under Ration Order No. 10 shall be confidential and shall be subject to disclosure, inspection, removal, or other disposition only as provided herein or as the Office of Price Administration may from time to time authorize. The records shall at all reasonable times be available for inspection by duly authorized employees or representatives of the Board with which such records are filed or of the Office of Price Administration, the Department of Justice, and Treasury

Department, of the United States, or by the person on whose behalf the particular record was filed or his representative.

(b) A record under the custody of a Board may be removed in connection with a transfer of a registration file pursuant to § 1407.743, or in connection with an appeal pursuant to § 1407.802; or may be removed for use in any criminal or civil action either with the prior approval of the person on whose behalf the record was filed and of the Director or with the prior approval of the Director and pursuant to a subpoena duly issued by a court of competent jurisdiction. A copy of such record, certified to be a true copy by the chairman or a clerk of the Board having custody thereof shall be substituted for the original and the original returned to the person from whose custody it was removed as soon as practicable in all such cases.

(c) A record may be posted at the office of each Board stating the name and address of all persons registered with the Board to whom rations have been issued and the type of ration issued.

Restrictions on Transfers and Use of Rationed Commodities

§ 1407.661 *Restrictions on transfers for use.*

(a) On and after August 26, 1942, or the effective date of any amendment, with respect to any commodity made subject to Ration Order No. 10 by such amendment, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, except as otherwise provided in Ration Order No. 10, no person other than a person who has registered as a distributor pursuant to Ration Order No. 10, shall transfer or offer to transfer a rationed commodity to any person for use as a consumer, or as an institutional or industrial user: *Provided*, That this section shall not apply to transfers by a farmer or producer of rationed commodities grown or produced by him if the total value of all products sold by him is less than \$75 per month; nor shall it apply to transfers by the American Red Cross or by a Government agency, nor by any person as a part of a service of a meal.

§ 1407.662 *Transfers to consumers.*

(a) On and after August 26, 1942, or the effective date of any amendment, with respect to any commodity made subject to Ration Order No. 10 by such amendment, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, a distributor or other person may transfer a rationed commodity to a consumer, and a consumer may accept such transfer of a rationed commodity, only under the following conditions:

(1) At the time of transfer the transferor shall require presentation of a valid War Ration Book or Certificate issued to the transferee or a person on whose behalf he is acting and shall detach from such War Ration Book Stamps designated for the particular commodity and for the period in which the transfer is made, or shall require surrender of a valid certificate, having a weight value

equal to the quantity of the rationed commodity transferred.

(b) No transfer of a rationed commodity shall be made to consumers in, or residing in, the Island of St. Croix or the Island of St. John during the period from August 26 to August 30, 1942, inclusive.

§ 1407.663 *Transfers to institution and industrial users.* (a) On and after August 26, 1942, or the effective date of any amendment, with respect to any commodity made subject to Ration Order No. 10 by such amendment, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, a distributor or other person may transfer a rationed commodity to an institutional or industrial user for use, and a person may receive a transfer of a rationed commodity for such a purpose, only under the following conditions:

(1) The transferee shall surrender to the transferor, at or before the time of transfer, a valid purchase certificate having a weight value equal to the quantity of the rationed commodity transferred, issued to him for such commodity pursuant to Ration Order No. 10.

§ 1407.664 *Restriction on use.* (a) Rationed commodities may be used only if a ration therefor has been obtained pursuant to Ration Order No. 10 and shall be used only for the purpose for which the ration was issued.

§ 1407.665 *Transfers to dealers, Army, Navy, and certain other persons and agencies.* (a) Notwithstanding any provision of Ration Order No. 10 to the contrary, any person may transfer rationed commodities to the Army, Navy, Marine Corps, or Coast Guard, of the United States, or any other agency named in § 1407.622 or to any person authorized to transfer such commodity; *Provided, however,* That the transferor shall obtain from the duly authorized representative of such service or agency a certificate or receipt of such delivery with the amount, date, and purpose for which the commodity is to be used set forth thereon.

§ 1407.666 *Transfers for supplies of vessel.* (a) Notwithstanding any provision of Ration Order No. 10 to the contrary, any person authorized to transfer rationed commodities may transfer a rationed commodity to an ocean-going vessel engaged in foreign or interstate commerce upon the surrender of a certificate issued by an authorized representative of the Director for an amount of such commodity required as necessary supplies for such vessel for the time required to reach its immediate destination.

§ 1407.667 *Valid period of stamps and certificates.* (a) Each stamp authorizes transfer of the particular commodity or commodities for which it has been designated to a consumer only during the ration period assigned to that stamp in § 1407.687.

(b) Each certificate authorizes transfer of the particular commodity designated therein only during the period of thirty days from the date thereof.

§ 1407.668 *Export.* (a) On and after August 26, 1942, notwithstanding any contract, agreement, or commitment, regardless of when made, no rationed commodity may be exported, nor transferred to a person for export, from the Virgin Islands, except that such commodity may be so exported or transferred for export on written approval of the Director or his authorized representative.

§ 1407.669 *Emergencies.* (a) In the event of a public disaster or similar emergency, the Director may authorize a transfer of a rationed commodity to be made without the surrender of certificates or stamps, or may issue certificates, in an amount deemed necessary under the circumstances to alleviate hardship or suffering and promote the public welfare.

Consumers—Registration and Rations

§ 1407.681 *Eligibility for rations.* (a) Except as is otherwise provided in Ration Order No. 10, every consumer over the age of two years shall be entitled to a War Ration Book as evidence of a right to acquire rationed commodities upon proper registration and application.

(b) No person shall be eligible for a War Ration Book while he is:

(1) Confined indefinitely, or for a fixed period of time in excess of 15 days, in a public or private institution such as a jail, asylum or hospital.

(2) A member of the armed forces of the United States receiving his meals regularly in organized messes or receiving rations in kind.

(3) Receiving all his meals at commercial or non-commercial institutions.

(4) Residing outside the Virgin Islands for a period in excess of 30 days.

§ 1407.682 *Registration and application.* (a) Registration and application for rations shall be made for eligible consumers at a registration site designated for the area in which the consumer resides at the time of registration, during a period designated by the Director, or may be made at any other time at the office of the Board having jurisdiction over the area in which such consumer resides.

(b) Registration and application for rations for all members of a family, including those temporarily absent, shall be made by an adult member, or the oldest member, of the family.

(c) An eligible consumer not a member of a family shall register and apply for rations for himself.

(d) In the event that an eligible consumer not a member of a family is unable to register or if there is no qualified person able to register for the family, registration and application for rations may be made by an agent.

(e) No consumer shall be registered more than once.

(f) Applications received by a registrar shall be filed at the office of the

Board for the area in which the application was made.

§ 1407.683 *Information required.* (a) At the time of initial registration and application for rations the registrant shall furnish the following information with respect to the person or persons for whom rations are applied for:

(1) The name and age of each person for whom rations are desired.

(2) The address of the place of residence of the person for whom rations are applied for.

(3) The amount of wheat flour on hand and the number of eligible consumers in the household on the date of registration.

(4) Any additional pertinent information required by the Director.

§ 1407.684 *Certifications.* (a) At the time of the initial registration and application and any subsequent application for a ration the registrant shall certify that the facts stated are true. Such certification shall constitute a representation to the Office of Price Administration by the applicant and by any person on whose behalf such application is made.

§ 1407.685 *Issuance of ration.* (a) Upon proper registration and application each eligible consumer shall be issued a War Ration Book.

(b) War Ration Books issued during a registration period shall be completed and issued by a registrar. War Ration Books issued at a time other than during a registration period shall be completed and issued by a member, or an authorized employee, of the Board, or by authority of the Director.

(c) At the time of issuance of a War Ration Book, stamps for ration periods which have expired shall be detached. In addition, stamps shall be detached having a weight value equal to the amount of wheat flour, or the pro-rata share of the supply of wheat flour of the family, on hand on the date of registration; *Provided,* that no book shall be issued if more stamps would be required to be removed than the stamps to which a weight value for wheat flour has been assigned in § 1407.687. In such a case the book shall be issued at such time as stamps, to which a weight value for wheat flour has been so assigned, may be detached having a weight value equal to such amount.

(d) A book issued prior to the effective date of Ration Order No. 10, by authority of the Director, to or for a consumer eligible under the terms of Ration Order No. 10 may be used in the same manner and shall have the same effect as a book issued pursuant to Ration Order No. 10. The use of a War Ration Book issued prior to the effective date of Ration Order No. 10 shall constitute a representation to the Office of Price Administration that any statements or representation made in connection with the application therefor are true, and that the consumer is a person who is eligible to a book under the provisions of Ration Order No. 10.

(e) In the event that a consumer should require an amount of any rationed commodity in addition to that to which he would otherwise be entitled, for dietary reasons, the Board may issue a certificate for such additional amount on satisfactory proof of such fact.

§ 1407.686 *Surrender of War Ration Books.* (a) Within ten days after the death of a consumer the person having possession of the War Ration Book of the decedent shall surrender it to the Board for cancellation.

(b) If a consumer departs from the Virgin Islands for a period in excess of 30 days, or otherwise becomes ineligible for rations, he or his representative shall surrender his War Ration Book to the Board.

§ 1407.687 *Designation of consumer ration periods, and weight value of stamps valid therein.*

Ration period	Stamp valid during ration period	Weight value of stamp
No. 1.—July 27 to Aug. 9, 1942.	Book 1 stamp 1.	2 pounds wheat flour.
No. 2.—Aug. 10 to Aug. 16, 1942.	Book 1 stamp 2.	2 pounds wheat flour.
No. 3.—Aug. 17 to Aug. 23, 1942.	Book 1 stamp 3.	2 pounds wheat flour.
No. 4.—Aug. 24 to Aug. 30, 1942.	Book 1 stamp 4.	2 pounds wheat flour.
No. 5.—Aug. 31 to Sept. 6, 1942.	Book 1 stamp 5.	2 pounds wheat flour.
No. 6.—Sept. 7 to Sept. 13, 1942.	Book 1 stamp 6.	2 pounds wheat flour.
No. 7.—Sept. 14 to Sept. 20, 1942.	Book 1 stamp 7.	2 pounds wheat flour.
No. 8.—Sept. 21 to Sept. 27, 1942.	Book 1 stamp 8.	2 pounds wheat flour.

Commercial and Non-Commercial Institution Registration and Issuance of Rations

§ 1407.701 *Registration.* (a) Each commercial and non-commercial institution for which rations are desired shall be registered on August 31, 1942 at the Office of Price Administration in which the establishment is located, or may be registered thereafter at the discretion of the Director.

(b) Registration for each such institution shall be made by the owner or manager of the institution.

(c) At the time of the initial registration the registrant shall state the name and address of the establishment registered, the name and address of the owner thereof, the number of meals served during the last full week preceding registration, the quantity of each rationed commodity on hand on August 30, 1942, the type of institution operated, the purposes for which the commodity is used, and any additional information required by the Board.

§ 1407.702 *Application for rations.* (a) At the time of the initial registration, and for each ration period thereafter, if rations are desired, application for rations shall be made on a form to be provided by the Office of Price Administration. Such application shall be presented to the Board and shall be signed by a person authorized to register the institution or by an authorized agent.

(b) Application for rations made at the time of registration shall be for the period from the date of registration to the end of the succeeding month.

(c) Subsequent applications for rations shall be made for a period of one calendar month and may be made at any time during, or within five days preceding, the ration period.

(d) At the time of making each application subsequent to the first application the applicant shall report the number of meals served during the last full week preceding such application.

(e) At the time of making the first application for a ration of a commodity made subject to Ration Order No. 10 by an amendment thereto the applicant shall report the quantity of such commodity on hand on the effective date of such amendment.

§ 1407.703 *Basic ration.* (a) The basic ration for each rationed commodity, for one month, to be allowed a commercial or non-commercial institution shall be the amount arrived at by dividing the number of meals served per week, as reported pursuant to § 1407.701 (c) or § 1407.702 (d), by 25 and multiplying the result by the allowance per person for the particular rationed commodity, as specified in § 1407.704.

(b) The basic ration for a ration period longer or shorter than one month shall be the basic monthly ration, adjusted in accordance with the length of the ration period.

§ 1407.704 *Designation of amount of rationed commodities allowed per person served by institutional user.* (a) For computing the amount of the ration of a person for institutional use, pursuant to § 1407.703, the allowance per person served shall be as follows:

Rationed commodity : Allowance per person
Wheat flour : 8 pounds per month.

§ 1407.705 *Excess inventory.* (a) Each registered commercial and non-commercial institution shall be entitled to retain as an inventory of a rationed commodity an amount equal to the amount of the basic ration for one month, computed as of the date of the first application for rations of such commodity. Any amount of such commodity on hand, as reported pursuant to § 1407.701 (c) or § 1407.702 (e) in excess of such allowable inventory shall be deducted from the amount of the basic ration to which it would otherwise be entitled for the first and any subsequent ration periods.

§ 1407.706 *Issuance of certificate.* (a) At the time of each application a purchase certificate shall be issued for the basic ration for each rationed commodity for the ration period as adjusted in accordance with § 1407.705.

§ 1407.707 *New business.* (a) A person desiring to obtain rationed commodities for institutional use in connection with the operation of a new establishment may register and apply for rations for such purpose. The application shall be made to the Director of the Office of Price Administration, and shall

be in a form approved by the Director. The applicant shall state the name and address of the establishment, the name and address of the owner thereof, the type of establishment operated, the purpose for which each rationed commodity is to be used, the amount on hand at the time of registration, the number of meals which it is estimated will be served per week, and any additional information required by the Board.

(b) On proper registration and application the Board shall allow a temporary ration for a period determined by the Board, which shall be adjusted thereafter in accordance with the actual number of meals served per week in such period.

§ 1407.708 *Certification.* (a) At the time of making any registration, report, or petition, the registrant or applicant shall certify that the facts stated are true. Such certification shall constitute a representation to the Office of Price Administration by the person making it and by any person in whose behalf it is made.

Industrial Use Registration and Ration

§ 1407.721 *Registration.* (a) Each person desiring to obtain rationed commodities for industrial use at an establishment owned or operated by him shall register such establishment on August 26, 1942, at the Office of Price Administration. Registration of such establishment may be made after such date in the discretion of the Director.

(b) Registration shall be made on a form to be provided by the Office of Price Administration, by the owner or manager of the establishment.

(c) At the time of the initial registration the registrant shall state the name and address of the establishment registered, the name and address of the owner thereof, the purpose for which each rationed commodity is to be used, the quantity of each rationed commodity used in the establishment during the month of May, June or July, 1942, as selected by the registrant, the quantity of each rationed commodity on hand on August 26, 1942, and any additional information required by the Board.

(d) At the time of the first application for rations for a commodity made subject to Ration Order No. 10 by an amendment thereto, the applicant shall state the quantity of such commodity on hand on the effective date of such amendment, the purpose for which the commodity is to be used, and the amount of such commodity used in any one of the last three full months preceding the effective date of the amendment.

§ 1407.722 *Application for rations.* (a) At the time of the initial registration, and for each ration period thereafter for which rations are desired, applications for rations shall be made on a form to be provided by the Office of Price Administration. Such application shall be presented to the Board and shall be

signed by a person authorized to register the establishment, or by an authorized agent.

(b) The first application for a ration shall be for the period from the date of application to the end of the succeeding month.

(c) Application for rations subsequent to the first shall be made for the period of one calendar month and may be made at any time during, or within five (5) days preceding, the ration period.

§ 1407.723 Certification. (a) At the time of making any registration, report, or petition, the registrant or applicant shall certify that the facts stated are true. Such certification shall constitute a representation to the Office of Price Administration by the person making it and by any person in whose behalf it is made.

§ 1407.724 Determination of ration. (a) The basic ration of each rationed commodity to be allowed a registered industrial establishment for one month shall be an amount not in excess of 80% of the amount of the commodity used in the month selected pursuant to § 1407.721 (c) or (d).

(b) The basic ration of a rationed commodity for a ration period longer than one month shall be the basic ration for one month, increased in accordance with the length of the ration period.

(c) The net ration of a rationed commodity for a ration period shall be the amount of the basic ration for such period as adjusted by any required deduction of excess inventory pursuant to § 1407.725.

§ 1407.725 Excess inventory. (a) Each industrial user shall be entitled to retain as an allowable inventory an amount of each rationed commodity equal to the basic ration for one month, computed as of the date of the first application for a ration for such commodity.

(b) The amount of a rationed commodity on hand, as declared pursuant to § 1407.721 (c) or (d), in excess of the allowable inventory, shall be considered excess inventory and shall be deducted from the amount of rations otherwise allowable for such first or subsequent ration periods.

§ 1407.726 Increase of rations. (a) The Director, may increase the ration of an industrial user for any rationed commodity if such rationed commodity is used in the manufacture or production of a product which is essential, or contributes to a substantial degree, to the health and well-being of the people of the Virgin Islands if, because of an increase in demand for the product by the Army, Navy, Coast Guard or Marine Corps of the United States, the amount of the ration allowed is insufficient to supply the essential needs of the people of the Virgin Islands.

§ 1407.727 New businesses. (a) A person desiring to obtain a rationed commodity for industrial use at a new establishment may register and apply for rations at the Office of Price Adminis-

tration in which that establishment will be located.

(b) At the time of registration the registrant shall state the name and address of the establishment, the name and address of the owner thereof, the purpose for which each rationed commodity is to be used and such other information as may be required by the Board.

(c) The Director in his discretion, may grant the application and allow a ration in such amount as he deems appropriate, consistent with the amount granted other establishments of similar type and size.

Distributors

§ 1407.741 Registration of distributors. (a) Every distributor desiring to transfer one or more rationed commodities at retail or wholesale, shall register each establishment owned or operated by him at which such transfers are to be made. Such registration shall be made in duplicate and shall be filed at the office of the Office of Price Administration in the area in which the establishment is located. Initial registration shall be made on August 26, 1942, or may be made thereafter at the discretion of the Director. Renewal registration may be required by the Director each six months thereafter.

(b) Registration shall be made on a form to be provided by the Office of Price Administration, and shall be signed by the owner or manager of the establishment.

(c) At the time of the initial and any subsequent registration, the registrant shall state the name and address of the establishment registered, the name and address of the owner thereof, the quantity of each rationed commodity on hand on the date of such registration, and such other information as may be required by the Director.

(d) Within one week after the effective date of any amendment which subjects a commodity to the provisions of Ration Order No. 10, every such dealer shall report to the Office of Price Administration, for each registered establishment, the quantity of such commodity on hand on the effective date of the amendment. Such facts shall be entered on the registration card of the establishment.

§ 1407.742 Certification. (a) At the time of making any registration, report, or petition, the registrant or applicant shall certify that the facts stated are true. Such certification shall constitute a representation to the Office of Price Administration by the person making it and by any person in whose behalf it is made.

Reports and Records

§ 1407.761 Records of transfers received and of use. (a) Every primary distributor, intermediate distributor, retailer and institutional or industrial user receiving rationed commodities shall keep accurate, current records of all transfers received including transfers from another establishment or depart-

ment owned or operated by the same person. Such records shall contain the date of the transfer, the quantity of each rationed commodity received, and the person or establishment making the transfer.

(b) Every institutional user shall keep accurate current records of all meals served at each establishment and of the amount of each rationed commodity used.

(c) Every industrial user shall keep accurate current records of the use of each rationed commodity.

§ 1407.762 Records of transfers made.

(a) Every primary distributor, intermediate distributor, and retailer shall keep accurate current records of all transfers of rationed commodities made to any person, including transfers to another establishment or department owned by the transferor, for retransfer or for institutional or industrial use, and of all transfers to any of the persons named in § 1407.722 (a). Such records shall contain the date of transfer, the quantity of each rationed commodity transferred, and the name and address of the transferee.

§ 1407.763 Reports. (a) Every primary distributor, intermediate distributor, and retailer, on the first Monday of each consumer ration period following registration, shall submit a report to the Director, or his designated representative for the area in which the establishment is located, on a form approved by the Director. Such report shall state, for each commodity, the quantity received, the quantity transferred during the period preceding such report, the quantity on hand at the expiration of such period, and any additional information required by the Director. A separate report shall be made for each establishment. Such report shall include transfers to and from other establishments owned by the same person.

(b) At the time of making such report, there shall be submitted therewith all stamps, certificates, and other evidences received during the period covered by such report.

§ 1407.764 Preservation and inspection of records. (a) All records required to be kept by Ration Order No. 10 shall be preserved for a period of two years and shall be subject to inspection by the Board or by a duly authorized representative of the Office of Price Administration at any reasonable time.

Miscellaneous Provisions

§ 1407.781 Transfer of establishments. (a) Notwithstanding any provision of Ration Order No. 10 to the contrary, if an entire establishment of an institutional or industrial user, including the good will, is transferred to a person, any rationed commodities on hand, as well as the current rations allowed the establishment, may be transferred to such person for use for purposes for which the ration was allowed.

(b) An establishment of an institutional or industrial user which is con-

tinued in substantially the same manner as prior to the transfer, shall be entitled to rations to the same extent as prior to the transfer, regardless of whether there is a change in location or a merger or consolidation of two or more such establishments.

§ 1407.782 *Liquidation of establishments.* (a) In the event of the liquidation or cessation of operation, other than a change in location, of an establishment of an institutional or industrial user, rationed commodities on hand may be transferred but only to persons authorized to accept transfer of such commodity for re-transfer.

(b) The owner, or the person having charge of the disposition of the assets of an establishment being liquidated shall report the facts to the Office of Price Administration and shall surrender all stamps and purchase certificates on hand, to the Office of Price Administration at the time of the completion of such liquidation.

§ 1407.783 *Judicial seizures.* (a) No War Ration Book, certificate, nor other evidence of a ration may be seized by execution, levy, attachment or other judicial process, nor acquired through devise, bequest, or inheritance, other than as provided in § 1407.781.

(b) No provision of Ration Order No. 10 shall be construed to prevent the seizure of a rationed commodity pursuant to judicial process or order issued by a court of competent jurisdiction, or pursuant to any right given by law or contract in connection with the foreclosure of a lien, mortgage, or other security interest or a repossession of property sold under a conditional sales agreement. Rationed commodities so acquired may not be used but may be transferred to any person upon the receipt of valid stamps or certificates having a weight value equal to the amount of such commodity transferred, or may be transferred to a dealer without obtaining stamps or certificates therefor. Stamps or certificates so received shall be surrendered to the Board with which the consumer or establishment is registered.

(c) Upon proper application, the Director of the Office of Price Administration in his discretion, may issue a new purchase certificate to permit a person from whom a rationed commodity is seized in a manner indicated in paragraph (b) of this section to acquire rationed commodities in an amount equal to the quantity so seized.

§ 1407.784 *Lost, destroyed, mutilated, or stolen War Ration Books and certificates.* (a) If a War Ration Book or certificate is lost, stolen, destroyed, or mutilated, the person entitled thereto or his authorized agent may apply to the Office of Price Administration in writing for a replacement thereof. The Director, in a proper case, shall grant the application if he is satisfied that such War Ration Book or certificate was lost, stolen, destroyed, or mutilated. Before issuing a replacement War Ration Book, the Director shall remove all stamps designated for periods which

have expired, and all stamps corresponding to those which were removed from the War Ration Book to be replaced.

(b) If a book which has been replaced is found, it shall be immediately surrendered to the Office of Price Administration.

§ 1407.785 *Lost, destroyed, stolen or damaged commodities.* (a) The owner or manager of an establishment registered with a Board pursuant to Ration Order No. 10 whose supply of any rationed commodity, or any substantial part thereof, is lost, destroyed, stolen, spoiled, or damaged may apply to the Office of Price Administration for permission to accept transfer of an amount of such commodity equal to the amount so lost, destroyed, stolen or damaged. The Director, in a proper case, shall grant the application and shall issue a certificate for the amount of the rationed commodity so lost, destroyed, or stolen, or for the amount thereof damaged which cannot be used for the purposes for which the ration was allowed.

(b) A rationed commodity which is damaged may be transferred only pursuant to the provision of Ration Order No. 10 applicable to transfer of rationed commodities or pursuant to paragraph (c) or (d) of this section.

(c) A rationed commodity which is damaged so as to be unfit for reclamation or for human consumption may be transferred to any person, with the prior approval of the Office of Price Administration, without receiving stamps or certificates therefor and regardless of the fact that the transferor has not registered as a Distributor.

(d) A rationed commodity which is damaged but is fit for human consumption or for reclamation may be transferred to any insurer, salvager, or to an institutional or industrial user without obtaining stamps or certificates therefor: *Provided*, That, if the transferor is registered with the Office of Price Administration, the prior approval of the Director shall be obtained: *And provided further*, That, if the transferee is an institution or industrial user, the reclaimable portion thereof, as determined by the Director, shall be deducted from subsequent rations of the establishment receiving the transfer.

(e) Transfers of damaged or reclaimed rationed commodities may be made by an insurer or salvager to a primary distributor, intermediate distributor, or retailer, without obtaining stamps or certificates therefor, or to any institutional or industrial user on approval of the Office of Price Administration. The amount so received shall be deducted from subsequent rations, if any, to which the transferee otherwise would be entitled.

§ 1407.786 *Exchanges.* (a) Any person may exchange a rationed commodity of one type for an equal quantity of the same commodity of a different type, providing the exchange is made substantially simultaneously.

§ 1407.787 *Enforcement agencies.* (a) Any investigatory or enforcement agency

of the Federal or Insular Government which requires war ration books for the performance of its functions shall be entitled to receive war ration books issued in blank on application to the Director. Such books may be filled out by an authorized officer of such agency and may be used for the purpose of securing transfer of rationed commodities. Any rationed commodity received therewith may be transferred to any public institution or to a Distributor.

§ 1407.788 *Correction of errors.* (a) Any error, omission, or mistake made by a person on any registration or application form or any document filed with the Office of Price Administration, may be corrected by such person to conform with the facts on approval of the Board or the Director.

(b) Any error, omission, or mistake made by a Board or the Director on any document may be corrected to conform to the facts at any time.

§ 1407.789 *Unlawful use or possession.* (a) No person shall at any time use or have in his possession or under his control any war ration book or purchase certificate unless such war ration book or purchase certificate was obtained pursuant to Ration Order No. 10.

(b) Evidence of the possession of any war ration book or purchase certificate not issued to or duly endorsed to the holder, or of the possession by a person as a consumer of an amount of any rationed commodity in excess of the amount declared to be on hand at the time of registration, shall be *prima facie* evidence of a violation of Ration Order No. 10.

Appeals

§ 1407.801 *Appeal to Board.* (a) Any person aggrieved by a decision or action of a registrar may appeal to the Board by petition in such form as may be approved by the Board or the Director. Such appeal shall be taken within five days from the date of the decision or action appealed from. The Board shall consider the matter *de novo* and make such decision thereon as is consistent with the provisions of Ration Order No. 10.

§ 1407.802 *Appeal to director.* (a) Any person aggrieved by a decision or action of a Board may appeal therefrom to the Director by filing a notice of appeal with the Board, specifying the decision or action appealed from and the grounds for appeal. Such notice of appeal shall be filed within ten days from the date of the decision or action appealed from.

(b) Within one day after an appeal is filed with it, the Board shall forward it to the Director, together with the registration file of the appellant and any additional documents and information which the Board deems to be material: *Provided*, That if the Board deems it proper, on the basis of a reconsideration of such matter, it may reverse or modify its previous action or decision in lieu of submitting the appeal to the Director.

§ 1407.803 *Extension of time for appeal.* (a) The Board or the Director may extend the time for taking an appeal.

§ 1407.804 *Action on appeal.* (a) The Director shall promptly consider any appeal submitted to him and shall decide such appeal within five days from the time it is submitted to him, or is resubmitted to him by the Board after securing additional information in accordance with paragraph (b) of this section.

(b) In the event the information submitted with an appeal is deemed by the Director to be insufficient to decide such appeal, the Director may require the appellant to furnish additional information in writing or to appear personally, or he may resubmit the entire matter to the Board for the purpose of securing the additional information required.

(c) In the event an appeal is resubmitted to a Board in accordance with paragraph (b) of this section the Board shall promptly secure the information required and for such purpose may require the appellant to submit such information in writing or to appear before it personally. Any additional information so secured shall be in writing signed by the person submitting such information or in the form of a summary of testimony certified to be a true summary by a member of the Board. The appellant shall be permitted to inspect all documents submitted to the Board or the Director and to submit additional evidence.

(d) Upon securing additional information pursuant to paragraph (c) of this section, the Board shall reconsider the matter, and, if it deems the action or decision appealed from to be inconsistent with Ration Order No. 10, may reverse or modify such action or decision; otherwise, it shall return the entire matter promptly to the Director.

(e) The Director shall make a finding of facts on the basis of the evidence and information submitted to him and shall make such decision upon the appeal as is consistent with Ration Order No. 10 and shall return the entire matter to the Board for action, consistent therewith. A copy of the decision shall be sent to the appellant and to the Board.

§ 1407.805 *Finality of findings.* (a) All findings made by a Board or by the Director shall be final, except as may otherwise be provided in Ration Order No. 10.

Enforcement

§ 1407.821 *Penalties.* (a) Any person who violates any provisions of Ration Order No. 10 or who, by any act or omission, knowingly falsifies a record which he is required to keep or any report which he is required to file with a Board or the Director by the terms of Ration Order No. 10, or who otherwise furnishes false information to a Board or the Director or to the Office of Price Administration or conspires with another person to perform any of the foregoing acts, shall be subject to the penalties, prosecution, or other action provided for in section 35 (a) of the Criminal Code (title 18, U.S.C., Sec. 80), section 301 of the Second War Powers Act, 1942, (Pub., No. 507, 77th Cong., approved March 27, 1942) and other applicable statutes or appropriate action taken thereunder.

(b) In addition to the foregoing penalties the Office of Price Administration may prohibit the sale, transfer, or other disposition of products to any retailer, wholesaler, or other supplier of any retailer, directly or indirectly, who acts in violation of Ration Order No. 10.

Effective Dates

§ 1407.841 *Effective date of Ration Order No. 10.* (a) Ration Order No. 10 (§§ 1407.601 to 1407.841, inclusive) shall become effective August 26, 1942.

Issued this 28th day of August 1942.

JACOB A. ROBLES,
Director for the Virgin Islands.

[F. R. Doc. 42-8472; Filed, August 28, 1942;
5:14 p. m.]

PART 1410—WOOL

[Correction to Amendment 2 to Maximum Price Regulation 163¹]

WOOLEN AND WORSTED CIVILIAN APPAREL FABRICS

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

Paragraph (c), subparagraph (2) of paragraph (f) and paragraph (g) of § 1410.103 should read as set forth below:

§ 1410.103 *Maximum prices for woolen and worsted apparel fabrics sold by jobbers.* * * *

(c) *Sales by secondary jobbers.*

(iv) Men's and women's wear fabrics sold in cut lengths of 11 yards or less to custom or merchant tailors, and to special order departments of manufacturers of apparel and retail establishments, .53.

In cases of sales and deliveries covered by subdivisions (ii), (iii) and (iv) where a secondary jobber has several styles of a woolen or worsted apparel fabric in the same range, and the differential between the manufacturer's net invoice prices of all the styles in the range does not exceed \$0.25 per yard, the manufacturer's net invoice price per yard for all the styles may be determined by taking the average of the manufacturer's net invoice prices per yard of all the styles in the range.

(f) *Customary discounts, trade practices and transportation costs.* * * *

(2) Every person making sales of woolen or worsted apparel fabrics subject to this § 1410.103 shall determine his maximum prices to the closest 2½ cents per yard.

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 4513, 4733, 4734, 5827, 5872.

(g) *Invoice requirements.* (1) On and after June 22, 1942, every person making sales of woolen or worsted apparel fabrics subject to paragraphs (a), (b) or (c) of this § 1410.103, except sales to retail stores, custom or merchant tailors, and special order departments of manufacturers of apparel, shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth, in addition to the terms thereof: (i) the manufacturer's net invoice price, (ii) the freight charges paid, and (iii) the division factor used; or (iv) in the case of mill ends, close outs, seconds and irregular pieces, the manufacturer's maximum price therefor determined in accordance with this Maximum Price Regulation No. 163.

§ 1410.117 *Effective dates of amendments.* * * *

(e) This correction to Amendment No. 2 (§§ 1410.103, 1410.115 (a), (3), (7), (8), (9) and (10)) to Maximum Price Regulation No. 163 shall become effective as of July 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8466; Filed, August 28, 1942;
5:13 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Amendment 12 to Supplementary Regulation No. 14¹ of General Maximum Price Regulation²]

SEMI-FABRICATED ARTICLES CONTAINING NEWLY-MINED DOMESTIC SILVER

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

A new subparagraph (12) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(12) *Semifabricated articles containing newly-mined domestic silver—*(i) *Maximum prices.* On and after September 3, 1942, the seller's maximum price for any semifabricated article containing newly-mined domestic silver shall be the maximum price for the same article containing silver other than newly-mined domestic silver, as determined in accordance with § 1499.2 of the General

¹ 7 F.R. 5486, 5709, 6018, 5911, 6271

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216.

Maximum Price Regulation, plus 36.125 cents per fine troy ounce of newly-mined domestic silver contained: *Provided, however,* That the seller's maximum price for any such article shall be the price so determined under § 1499.2 of the General Maximum Price Regulation for the same article containing silver other than newly-mined domestic silver, exclusive of any added amount, if the seller fails to comply with the conditions set forth herein, including the provisions herein contained as to records, reports, and certificates.

(ii) *Definitions.* For the purposes of this § 1499.73 (a) (12), and as used in the forms set forth in Appendix A § 1499.73 (a) (12) (v):

(a) The term "newly-mined domestic silver" shall mean silver which the Director of the Mint, subject to any regulations which have been or may hereafter be prescribed by the Secretary of the Treasury pursuant to section 4 (c) of the Act of July 6, 1939, is satisfied has been mined subsequently to July 1, 1939, from natural deposits in the United States or any place subject to the jurisdiction thereof. Silver purchased by any seller of semifabricated articles shall be deemed *prima facie* to be newly-mined domestic silver if purchases of such silver are reported to the Office of Price Administration in accordance with the provisions of § 1499.73 (a) (12), and if evidence that the silver so purchased is newly-mined domestic silver is submitted to the Director of the Mint as provided herein: *Provided,* That if, within one year from the receipt of such evidence, the Director of the Mint notifies the Administrator that the United States coinage mints are not satisfied that such silver, or any portion thereof, has been mined subsequently to July 1, 1939, from natural deposits in the United States or any place subject to the jurisdiction thereof, then the aggregate amount of newly-mined domestic silver reported as purchased by such seller shall be reduced accordingly.

(b) The term "semifabricated article" refers to newly-mined domestic silver which has been melted, smelted or refined, and further processed, or combined with other materials, by alloying, machining, rolling, drawing, turning, blanking, slitting, cutting, spinning, remelting, recasting, or other similar process, or by being subjected to special refining processes, and which is in such state or condition that its value depends primarily upon the metallic silver content and not upon its form. The term includes, but is not restricted to, silver alloys, grain, shot, powder, wire, sheet, blanks, circles, solders, brazing alloys, sintered products, silver-clad metals, silver inlays, and bar silver in weights or degrees of fineness different from the weight and fineness of standard commercial bars; it excludes, but without limitation, standard commercial bar silver and any article, other than those specifically referred to herein, which is suitable for ultimate use without further processing or combination with other materials.

(c) The terms "standard commercial bars" and "standard commercial bar silver" mean silver bullion in the form of bars weighing approximately 1000 ounces, .999 fine.

(d) A semifabricated article shall be deemed to contain newly-mined domestic silver if this fact is certified to the buyer by the seller and if the aggregate fine silver content of all semifabricated articles delivered by the seller at prices higher than the maximum prices established by § 1499.2 of the General Maximum Price Regulation for the same articles containing silver other than newly-mined domestic silver at no time exceeds the aggregate quantity of fine newly-mined domestic silver (including the fine silver content of semifabricated articles) purchased by the seller and reported to the Office of Price Administration in accordance with the provisions of this § 1499.73 (a) (12).

(e) Semifabricated articles containing newly-mined domestic silver shall be deemed to have been "delivered" if they have been delivered to the buyer or loaded on any carrier, including a carrier owned or controlled by the seller, for shipment to the buyer: *Provided,* That if any such articles are delivered, and are rejected or returned by the buyer, the aggregate of the fine silver content of the semifabricated articles containing newly-mined domestic silver reported as delivered by the seller may be adjusted upon application supported by evidence satisfactory to the Administrator.

(iii) *Reports.* (a) On or before September 20, 1942, the seller of any semifabricated article containing newly-mined domestic silver shall file in the Office of the Secretary of the Office of Price Administration, Washington, D. C., a statement on Form OPA:SR14:1 of the newly-mined domestic silver which he had on hand as of September 3, 1942.

(b) On or before the twentieth day of each calendar month, beginning October 20, 1942, the seller of any semifabricated article containing newly-mined domestic silver shall file in the Office of the Secretary of the Office of Price Administration, Washington, D. C., a report containing:

(1) On Form OPA:SR14:2, a statement of the newly-mined domestic silver purchased by such seller during the preceding calendar month:

(2) On Form OPA:SR14:3, a certificate signed by the person from whom such silver was purchased, stating that such silver is newly-mined domestic silver and that evidence supporting this statement has been forwarded to the

Director of the Mint for verification and cancellation;

(3) On Form OPA:SR14:4, a statement of the semifabricated articles containing newly-mined domestic silver purchased by such seller during the preceding calendar month, if any; and

(4) On Form OPA:SR14:5, a statement of all deliveries of semifabricated articles containing newly-mined domestic silver made during the preceding calendar month:

Provided, That the first reports filed by the seller on Forms OPA:SR14:2, OPA:SR14:3, OPA:SR14:4, and OPA:SR14:5 shall cover the period from September 3, 1942, to September 30, 1942.

(c) The seller of any semifabricated articles containing newly-mined domestic silver, upon purchasing newly-mined domestic silver, shall cause the person from whom such silver is purchased to submit directly to the Director of the Mint, Treasury Department, Washington, D. C., evidence for the purpose of establishing that the silver so purchased is newly-mined domestic silver. Such evidence shall include miners' affidavits on Treasury Department Forms TSA-2 or TSA-2A, executed pursuant to § 80.7 of the Newly-Mined Domestic Silver Regulations of July 6, 1939; and the seller of any semifabricated articles containing newly-mined domestic silver shall authorize and direct the Director of the Mint to cancel such affidavits.

(iv) *Records and certificates.* Every sale of semifabricated articles containing newly-mined domestic silver shall be invoiced by the seller. The original invoice shall be delivered to the buyer, who shall preserve every such invoice for inspection by the Office of Price Administration for a period of not less than two years, and the seller shall preserve a copy of every such invoice for the same period. Each such invoice shall contain:

(a) The names and addresses of the buyer and seller;

(b) A full description of the articles sold;

(c) A statement of the silver content, in fine troy ounces, of the articles sold;

(d) A statement of the price charged; and

(e) The following certificate by the seller:

I (We) hereby certify that the articles listed in this invoice are semifabricated articles containing newly-mined domestic silver, as defined in § 1499.73 (a) (12) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, issued by the Office of Price Administration.

(v) *Appendix A: Forms.*

[The following forms may be duplicated]

(a) *Form OPA:SR14:1.* Inventory of Newly-Mined Domestic Silver as of September 3, 1942.

1. Name and address of person for whom this report is made:

2. Purchases of Newly-Mined Domestic Silver from July 2, 1939, to -----, 1942:

Description, including fineness and gross weight	Quantity in fine troy ounces	Date of purchase	Price paid	Name and address of person from whom purchased
Total quantity in fine troy ounces.				

3. Deliveries of newly-mined domestic silver and articles containing newly-mined domestic silver from July 2, 1939, to _____, 1942:

Quantity	Description of item	Silver content (in fine troy ounces)	Date of delivery	Name and address of person to whom delivered
Total silver content in fine troy ounces				

4. Newly-mined domestic silver on hand _____, 1942 (total purchases listed in Item 2, minus total deliveries listed in Item 3):

(Quantity in fine troy ounces)

I (We) hereby certify that the foregoing is a true statement of newly-mined domestic silver purchased by me (us) and of all deliveries of newly-mined domestic silver, and articles containing newly-mined domestic silver, made by me (us) during the period covered by this report.

I (We) further certify that all of the silver purchased by me (us) as listed in Item 2, above, is covered by miners' affidavits on Treasury Department Forms TSA-2 and/or TSA 2A, executed pursuant to section 80.7 of the Newly-Mined Domestic Silver Regulations of July 6, 1939, as follows:

Affidavit No.	Executed by	Date of execution	Quantity of silver covered by affidavit (in fine troy ounces)
Total quantity covered by miners' affidavits (in fine troy ounces).....			

I (We) further certify that the affidavits listed above have been forwarded to the Director of the Mint, Washington, D. C., for verification and cancellation, and I (we) hereby authorize and direct the Director of the Mint to cancel such affidavits.

This statement is made pursuant to § 1499.73 (a) (12) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, for the purpose of taking advantage of the provisions therein as to maximum prices for semifabricated articles containing newly-mined domestic silver.

[NOTARIAL SEAL]

(Signed) _____

By _____

Authorized signature

Subscribed and sworn to before me this _____ day of _____, 19_____.

Signature of officer administering oath

My commission expires _____, 19_____.

(b) Form OPA: SR14:2. Monthly Report of Purchases of Newly-Mined Domestic Silver.

- Name and address of purchaser: _____
- Period covered by this report: _____
- Newly-mined domestic silver purchased during the period covered by this report:

Description, including fineness and gross weight	Quantity in fine troy ounces	Date of purchase	Price paid	Name and address of person from whom purchased
Total quantity in fine troy ounces.				

FEDERAL REGISTER, Tuesday, September 1, 1942

4. Cumulative total of newly-mined domestic silver purchased (total previously reported, plus total reported in Item 3):

(Quantity in fine troy ounces)

I (We) hereby certify that the foregoing is a true statement of newly-mined domestic silver purchased by me (us).

This statement is made pursuant to § 1499.73 (a) (12) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, for the purpose of taking advantage of the provisions therein as to maximum prices for semifabricated articles containing newly-mined domestic silver.

(Signed) _____

By _____

Authorized signature

Subscribed and sworn to before me this _____ day of _____, 19____

[NOTARIAL SEAL]

Signature of officer administering
oath

My commission expires _____, 19____.

(c) Form OPA-SR14-3. Certificate of Person from whom Newly-Mined Domestic Silver was Purchased.

I (We) hereby certify that during the month of -----, 19-- I (we) made the following sales of newly-mined domestic silver to:

Name of purchaser

Address of purchaser

Description, including gross quantity	Quantity in fine troy ounces	Date of sale	Price charged
Total quantity in fine troy ounces.....			

I (We) further certify that all of the silver so sold is covered by miners' affidavits on Treasury Department Forms TSA-2 and/or TSA-2A, executed pursuant to § 80.7 of the Newly-Mined Domestic Silver Regulations of July 6, 1939, as follows:

Affidavit No.	Executed by	Date of execution	Quantity of silver covered by affidavit (in fine troy ounces)
Total quantity covered by miners' affidavits (in fine troy ounces).....			

I (We) further certify that the affidavits listed above have been forwarded directly by me (us) to the Director of the Mint, Treasury Department, Washington, D. C., for verification and cancellation, and I (we) hereby authorize and direct the Director of the Mint to cancel such affidavits.

This statement is furnished to the purchaser of the silver herein described at his request, and pursuant to § 1499.73 (a) (12) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, for the purpose of enabling the said purchaser to take advantage of the provisions therein as to maximum prices for semifabricated articles containing newly-mined domestic silver.

(Signed) _____

Address

By _____

Authorized signature

Subscribed and sworn to before me this _____ day of _____, 19____

[NOTARIAL SEAL]

Signature of officer administering
oath

My commission expires _____, 19_____.

(d) *Form OPA-SR14.4*. Monthly Report of Purchases of Semifabricated Articles Containing Newly-Mined Domestic Silver.

1. Name and address of purchaser: -----

2. Period covered by this report: -----

3. Semifabricated articles containing newly-mined domestic silver purchased during the period covered by this report:

Description, including gross weight	Fine silver content, in troy ounces	Date of purchase	Price paid	Name and address of person from whom purchased
Total silver content (in fine troy ounces).				

4. Cumulative total of semifabricated articles containing newly-mined domestic silver purchased (total previously reported, plus total reported in Item 3):

(Silver content in fine troy ounces)

I (We) hereby certify that the foregoing is a true statement of semifabricated articles containing newly-mined domestic silver purchased by me (us), and that the person(s) from whom such articles were purchased has (have) furnished me (us) with original invoices certifying that the articles so purchased contain newly-mined domestic silver.

This statement is made pursuant to § 1499.73 (a) (12) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, for the purpose of taking advantage of the provisions therein as to maximum prices for semifabricated articles containing newly-mined domestic silver.

(Signed) _____

Purchaser

By _____

Authorized signature

Subscribed and sworn to before me this _____ day of _____, 19____.

[NOTARIAL SEAL]

Signature of officer administering oath

My commission expires _____, 19____.

(c) Form OPA:SR14:5. Monthly Report of Deliveries of Semifabricated Articles Containing Newly-Mined Domestic Silver.

1. Name and address of seller: _____

2. Period covered by this report: _____

3. Summary of deliveries of newly-mined domestic silver and of semifabricated articles containing newly-mined domestic silver made during the period covered by this report: _____

Quantity	Description of item	Silver content (in fine troy ounces)
Total silver content (in fine troy ounces).		

4. Cumulative total of newly-mined domestic silver and of semifabricated articles containing newly-mined domestic silver delivered (total previously reported, plus total reported in Item 3):

(Silver content in fine troy ounces)

I (We) hereby certify that the foregoing is a true statement of all deliveries of newly-mined domestic silver and of semifabricated articles containing newly-mined domestic silver made by me (us); that the deliveries herein summarized are more particularly described in my (our) invoices covering each such delivery, copies of which have been preserved for inspection by the Office of Price Administration; and that I (we) have made no deliveries of any semifabricated articles containing silver, other than the deliveries summarized herein and those previously reported, at prices higher than the maximum prices established by § 1499.2 of the General Maximum Price Regulation for the same articles containing silver other than newly-mined domestic silver.

This statement is made pursuant to § 1499.73 (a) (12) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, for the purpose of taking advantage of the provisions therein as to maximum prices for semifabricated articles containing newly-mined domestic silver.

(Signed) _____

By _____

Authorized signature

Subscribed and sworn to before me this _____ day of _____, 19____.

[NOTARIAL SEAL]

Signature of officer administering oath

My commission expires _____, 19____.

(b) Effective dates. * * *

(13) Amendment No. 12 to Supplementary Regulation No. 14 (§ 1499.73 (a) (12)) shall become effective September 3, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 28th day of August 1942.

LEON HENDERSON,
Administrator.

PART 1499—COMMODITIES AND SERVICES

[Amendment 13 to Supplementary Regulation 14¹ of General Maximum Price Regulation²]

SOFT DRINKS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new subparagraph (13) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services, and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(13) *Soft drinks*—(i) *Maximum prices for bottlers and wholesalers of soft drinks to sellers at retail.* (a) A bottler whose maximum price to a retailer for a soft drink as determined under the general provisions of § 1499.2 of the General Maximum Price Regulation (herein called the unadjusted maximum price) is less than the maximum adjusted price set forth in the schedule of this subdivision (i) may add to his unadjusted maximum price the amount of the "permitted increase" set forth in such schedule: *Provided*, That prices so increased shall in no event exceed the maximum adjusted price set forth in this schedule.

(b) A wholesaler whose supplier has adjusted his maximum price under the provisions of this subparagraph may adjust his own maximum price as determined under the general provisions of § 1499.2 of the General Maximum Price Regulation by adding thereto the amount of the "permitted increase" set forth in the schedule of this subparagraph: *Provided*, That the price so increased shall in no event exceed the maximum adjusted price set forth in such schedule.

(c) Schedule of permitted increase of maximum adjusted price for bottlers and wholesalers of soft drinks to retailers.

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 5486, 5709.

² 7 F.R. 3153, 3330, 3668, 3990, 3991, 4339, 4467, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784.

Size	Unit of sale	Permitted increase	Maximum adjusted price
6-23 ounce bottles, inclusive.	Case of 24.	5 cents per case.	\$0.80
24-32 ounce bottles, inclusive.	Case of 12.	10 cents per case.	1.00
33-64 ounce bottles, inclusive.	Case of 6.	10 cents per case.	.90
$\frac{1}{4}$ barrels.	$\frac{1}{4}$ barrels.	25 cents per $\frac{1}{4}$ barrel.	2.25
$\frac{1}{2}$ barrels.	$\frac{1}{2}$ barrels.	50 cents per $\frac{1}{2}$ barrel.	4.00
Siphons.	Case of 6 siphons.	15 cents per case.	.60
Bottled water.	6- $\frac{1}{2}$ gallon containers.	5 cents per 6- $\frac{1}{2}$ gallon containers.	.60
Bottled water.	6-1 gallon containers.	10 cents per 6-1 gallon containers.	.90
Bottled water.	5 gallon container.	10 cents per 5 gallon container.	.60

(ii) *Maximum prices for bottlers to wholesalers of soft drinks.* The bottler's maximum price to a wholesaler for a soft drink shall be the maximum price determined under the schedule in subdivision (i) of this subparagraph less the amount expressed in dollars and cents by which the bottler's average selling price to retailers during July 1941 exceeded the bottler's average selling price to wholesalers during the same period.

(iii) *Maximum prices for retailers of soft drinks.* A seller of a soft drink at retail whose supplier has adjusted his maximum price under the provisions of this subparagraph may adjust his own maximum price as determined under the general provisions of § 1499.2 of the General Maximum Price Regulation by adding thereto the amount in dollars and cents by which his supplier's maximum price has been increased: *Provided*, That in the case of soft drinks sold in containers of 6-23 oz. inclusive the maximum price at retail, as adjusted hereunder, shall not exceed five cents per bottle.

(a) In figuring his adjusted maximum price under the provisions of this subparagraph, a seller of a soft drink at retail shall take the amount of the increase in price per case which has been reported to him by his supplier and divide it by the number of bottles in the case to get the per bottle increase. For single bottle sales he shall add the per bottle increase to his unadjusted maximum price for a single bottle sale. For quantity sales he shall first multiply the per bottle increase by the number of bottles sold, and add this latter figure to his unadjusted maximum price for a sale in that quantity. If after doing this, in the case either of single bottle or quantity sales, he gets a fractional cent price, he shall adjust the price to the next lower cent, if the fraction is less than half a cent, or to the next higher cent, if the fraction is one-half a cent or greater.

(b) Table showing maximum prices which may be charged by a retailer when price to retailer has been increased by bottler or wholesaler.

Size	Type of sale	Maximum price
6-23 ounce bottles, inclusive.	Single bottles.	March ceiling price plus increase but in no event more than five cents per bottle.
6-23 ounce bottles, inclusive.	Handy pack cartons or units of six bottles.	March ceiling price plus increase but in no event more than five cents per bottle.
24-32 ounce bottles, inclusive.	Single bottles or quantity sales.	March ceiling price plus increase.
33-64 ounce bottles, inclusive.	Single bottles or quantity sales.	March ceiling price plus increase.
$\frac{1}{4}$ or $\frac{1}{2}$ barrels.	Sold per glass for consumption on premises.	March ceiling price.
Siphons.	Single siphons or quantity sales.	March ceiling price plus increase.
Bottled water.	Single bottles or quantity sales.	March ceiling price plus increase.

(iv) *Definitions.* (a) "Soft drinks" means flavored or unflavored non-alcoholic beverages and waters in bottles or other closed containers, whether carbonated or not, but excluding milk drinks and drinks consisting of fruit juices, vegetable juices, and combinations thereof, where at least 85 percent by weight of such drinks is pure fruit juices, vegetable juices, or a mixture thereof.

(v) *Notification to retailers.* (a) On or before the first delivery after the effective

date of the price increase every bottler and wholesaler who increases his maximum price or prices for soft drinks under the provisions of this subparagraph, (1) shall prepare and supply to each retailer to whom he sells or contracts to sell such soft drinks, a statement written or printed by any method showing the soft drink and size thereof on which a price increase has been made, the permitted increase which may be made by the retailer per case and the

permitted increase which may be made by the retailer per bottle on such sizes of such drinks, and (2) shall file a copy of each such statement or, if the same statement is supplied to any class of purchasers, one copy of such statement within 30 days thereof with the Office of Price Administration, Washington, D. C.

(b) The statement to be supplied by the bottler or wholesaler to the retailer under subdivision (a) of this subparagraph (13) shall contain the following information:

Item: (description of item including bottle size). Permitted increase per case of bottles c. You may add cent(s) per bottle to your March ceiling price. However, the retail price shall not exceed five cents per bottle for 6 to 23 ounce bottles inclusive.

On single bottle sales add the per bottle increase to your March ceiling price.

On quantity sales multiply the per bottle increase by number of bottles sold and add this amount to your March ceiling price charged for sales of the same quantity.

If in either case above, the total is a fractional cent price, adjust to next lower cent if fraction is less than half cent or to the next higher cent if fraction is one-half cent or more.

(Bottler or Wholesaler Firm Name)

(Address)

(vi) *Applicability.* The provisions of this subparagraph shall be applicable to the United States and the District of Columbia.

(b) Effective dates. * * *

(14) Amendment No. 13 (§ 1499.73 (a) (13)) to Supplementary Regulation No. 14 shall become effective September 3, 1942. (Pub. Law 421, 77th Cong.)

Issued this 28th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8468; Filed, August 28, 1942; 5:12 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation—Order 62]

STANDARD COMMERCIAL BARS OF NEWLY MINED DOMESTIC SILVER

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and section 3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.276 *Authorization to sellers of standard commercial bars of newly*

*Copies may be obtained from the Office of Price Administration.

¹⁷ F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216.

mined domestic silver. (a) Specific authorization is hereby given to any seller of standard commercial bars of newly mined domestic silver to determine the maximum price for any such silver sold by him, and for which the maximum price cannot be established under § 1499.2 of the General Maximum Price Regulation, as follows: The seller's maximum price for standard commercial bars of newly mined domestic silver shall be 71.111 cents per fine troy ounce delivered to that one of the following points to which the transportation charges from the point of shipment are lowest: New York, Philadelphia, Denver, or San Francisco; or, if delivery is made to the buyer at any other point, the seller's maximum delivered price shall be 71.111 cents per fine troy ounce, plus actual transportation charges from the point of shipment to the destination, and minus the transportation charges from the point of shipment to New York, Philadelphia, Denver, or San Francisco, whichever are lowest.

(b) (1) "Standard commercial bars" means silver bullion in the form of bars weighing approximately 1,000 ounces, .999 fine.

(2) "Newly-mined domestic silver" means silver which the Director of the Mint, subject to any regulations which have been or may hereafter be prescribed by the Secretary of the Treasury pursuant to section 4 (c) of the Act of July 6, 1939, is satisfied has been mined subsequently to July 1, 1939, from natural deposits in the United States or any place subject to the jurisdiction thereof. Standard commercial bars will be deemed *prima facie* to be composed of newly-mined domestic silver if this fact is certified to the buyer and if evidence to establish the origin of the silver sold is forwarded by the seller at the time of sale to the Director of the Mint, Washington, D. C.: *Provided*, That if within one year from the receipt of such evidence the Director of the Mint notifies the Price Administrator and the seller that he is not satisfied that the silver so sold or any portion thereof has been mined subsequently to July 1, 1939, from natural deposits in the United States or a place subject to the jurisdiction thereof, the contract price shall accordingly be revised downward to the maximum price for silver other than newly-mined domestic silver, and the seller shall refund any excess which may have been paid.

(3) "Point of shipment" means the point at which standard commercial bar silver is first loaded on a conveyance for shipment directly to the buyer.

(c) On or before the 20th day of each month, beginning September 20, 1942, the seller shall report all sales of standard commercial bars of newly-mined domestic silver made during the preceding calendar month to the Office of Price Administration, Washington, D. C.

(d) This Order No. 62 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 62 shall become effective September 3, 1942. (Pub. Law 421, 77th Cong.)

Issued this 28th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8469; Filed, August 28, 1942; 5:13 p. m.]

PART 1306—IRON AND STEEL

[Amendment 7 to Revised Price Schedule 49¹⁷]

RESALE OF IRON OR STEEL PRODUCTS

MISCELLANEOUS AMENDMENTS

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

A new proviso is added to § 1306.154 (b); in § 1306.157, paragraph (c) is amended, paragraph (m) is amended and a new paragraph (s) is added; in § 1306.159, new provisos are added to paragraphs (f), (i) (4), (k) (2), paragraph (k) (7) is superseded by Maximum Price Regulation No. 204,¹⁸ paragraphs (i) (7), (n) (6) and (p) are added, and paragraphs (g) (1) (i), (h) (1), (2), (i) (6) are amended; to read as set forth below:

§ 1306.154 *Records and reports.* * * *

(b) * * * *Provided*, That every seller of pipe and tubular products shall file with the Office of Price Administration, in duplicate, on or before September 15, 1942, his cutting and threading charges, circulated to his salesmen or to his customers and in effect on April 16, 1941, or customarily quoted and charged as of that date.

§ 1306.157 *Definitions.* * * *

(c) * * * *Provided*, That the term shall not include pig iron. Any iron and steel products as defined above subject to the operations of pickling, cutting by machine or flame, cutting and threading of pipe, shall be considered a part of this definition of iron or steel products. This definition includes primes, seconds, wasters and all other off-grade products including used products. The term "iron or steel products" includes concrete reinforcing bars, and structural steel shapes, but not the fabrication thereof, except as is stated in § 1306.159 (c).

(m) "Mixed carload" means a carload containing not less than three product items of steel in substantial quantities and of different type, such as strip, plates, sheets or bars, etc., or a carload of one or more product classifications containing not less than 10 items of different sizes and/or gauge, each item to be of a specific and known quality, length and cross sec-

¹⁷ F.R. 1300, 1836, 2132, 2473, 2540, 2682, 3330, 3893, 4342.

¹⁸ F.R. 6479.

tion, and no item of which shall be more than 8,000 pounds. (On those products as are customarily designated by gauge numbers, cross-section shall mean a specific and known width and gauge.) Maximum prices for mixed carloads are set forth in § 1306.159 (k) (2), except that maximum prices for mixed carloads of merchant wire products and of pipe and tubular products are set forth in § 1306.159 (k) (3) and (k) (4).

(s) "The operations commonly known as the warehousing of iron or steel products" means the resale of iron or steel products by a person who customarily carries on the purchase for resale of iron or steel products, and who operates a steel warehouse for that purpose (not a public warehouse), which warehouse is such person's place of business and is equipped with facilities for the receiving, shipping, storing, sorting, and performing of other services peculiar to the iron or steel products sold, such as cutting and shearing or burning of iron or steel products.

§ 1306.159 Appendix A: Domestic and export maximum prices for iron and steel products.

(f) Maximum delivered prices for dislocated tonnage. * * * Provided, That the maximum delivered prices for dislocated tonnage established above shall not apply to shipments of pipe and tubular goods, and that on all shipments of standard pipe, seamless pipe, water well casing, large O. D. pipe, line pipe and wrought iron pipe originating from jobbers' stocks in the States of Washington, Idaho, Montana, Oregon, Wyoming, California, Nevada, Utah, Colorado, Arizona, New Mexico, and Texas (El Paso and Pecos only) and shipped to points within the above-mentioned States or to points west of the 103rd meridian within the States of North Dakota, South Dakota, Nebraska, and Texas, any freight actually paid in excess of the sum of 30¢ per 100 lbs. may be charged, notwithstanding that freight equalization of more than this amount may be required by the provisions of § 1306.159 (i) (1) and (2), establishing maximum delivered prices at such points of delivery.

(g) Maximum delivered prices on the Pacific Coast and for Gulf Ports: special filing provisions. (1) Maximum delivered prices on the Pacific Coast shall be as provided in Revised Price Schedule No. 49. Provided, That: (i) on the following steel products whether sold as standard specification carbon steel, or steel products of that grade known in the trade as Mayari R, Corten etc., or steel products of Abrasive Resisting, Armco, and Toncan quality, and on no others, the following sums may be added to the maximum delivered prices as otherwise established in Price Schedule No. 49:

	Cents per 100 pounds
Plates, universal and sheared, and floor plates	75
Hot rolled sheets	65
Cold rolled sheets	65

	Cents per 100 pounds
Hot rolled bars and small shapes (concrete reinforcing bars are not included in this classification)	20
Galvanized, galvanized and enameling sheets	45
Hot rolled strip	25
Structural shapes	45
Hard red sheets	90
Billets	70

(h) Maximum delivered prices for specific wire products. (1) Notwithstanding the provisions of any other section of Price Schedule No. 49, the maximum delivered price for shipment from warehouse stock of less-than-carload quantities of standard wire nails, annealed smooth wire, and galvanized smooth wire, in the city or free delivery area in which the seller is located, shall be the aggregate of:

(i) Mill straight carload price (after deducting the regular jobber allowance of 15¢ per cwt.).

(ii) Carload freight from the governing mill basing point to warehouse, or carload freight from the emergency basing point where use of the latter is permissible under Revised Price Schedule No. 6, not to exceed, however, the actual freight paid. (Where the emergency basing point is used as a basis for computation, records of such sales and of the manner of computing price shall be kept available for inspection for a period of one year.)

[Subdivision (ii) as amended March 31, 1942, effective March 31, 1942; 7 F.R. 2540.]

(iii) One of the following: for standard wire nails, 50¢ per cwt.; for annealed smooth wire, 60¢ per cwt.; for galvanized smooth wire, 68¢ per cwt.

(2) The maximum delivered price for shipment from warehouse stock of less-than-carload quantities of standard wire nails, annealed smooth wire, and galvanized smooth wire sold from the city or free delivery area in which the seller is located to any other place shall be the price (as computed above) in the city or free delivery area in which the seller is located and less-than-carload freight from such city.

(i) Maximum delivered prices for pipe and tubular products. Maximum delivered prices for the following types of iron and steel pipe and tubular products shall be the seller's prices in effect as of April 16, 1941: Provided, That they do not exceed the maximum delivered prices established below, as modified by deductions, discounts, and other terms customarily granted by the seller as of April 16, 1941. Standard published mill extras in effect as of April 16, 1941, shall be used in computation of maximum delivered prices. Provided further, That extras for cutting and threading operations where performed by mill shall not exceed the standard published mill extras, in effect April 16, 1941, for such operations; and that where cutting and threading operations are performed by the seller, the extras for such operations shall not exceed the amount charged or

* 7 F.R. 1215, 1836, 2132, 2153, 2299, 2997, 3115, 3941, 4780.

which would have been charged by the seller on April 16, 1941, and which seller has filed with the Office of Price Administration.

(4) * * * Provided further, That for boiler and other pressure tubes in the following sizes and gauges only:

1"-2 1/4" OD, 11 gauge and heavier.
2 1/2"-3" OD, 10 gauge and heavier.
3 1/4"-3 1/2" OD, 9 gauge and heavier.
4"-4 1/2" OD, 8 gauge and heavier.
5"-5 1/2" OD, 7 gauge and heavier.
6" OD, 5 gauge and heavier.
6 1/4"-6 1/2" OD, 5 1/2" and heavier.

on shipments from warehouse stock, the maximum delivered price shall be the lowest price resulting from that combination of mill carload Basing Point prices and less-than-carload freight from Basing Point to destination of customer, plus mark-up on such total as shown for each quantity bracket as established herein:

	For quantity (percent)
30,000 to 39,999 # or ft.	35
20,000 to 29,999 # or ft.	40
10,000 to 19,999 # or ft.	50
5,000 to 9,999 # or ft.	55
2,000 to 4,999 # or ft.	65
Under 2,000 # or ft.	80

(6) Revised Price Schedule No. 49 does not establish a maximum price for sales by retailers, such as mail order houses and retail hardware stores, in quantities not greater than 5 standard lengths of pipe larger than 3 1/2", or than 15 standard lengths of pipe 3 1/2" or smaller.

(7) In the event that a recognized tubular goods jobber purchases oil country tubular goods or line pipe from an oil company or pipe line company at a price determined under Maximum Price Regulation No. 204 and resells such tubular goods or pipe directly to another oil company or pipe line company, and that the Office of Petroleum Coordinator has granted prior approval to the transaction, the maximum price that the jobber may charge or receive for the tubular goods or pipe is the price which the jobber actually paid for the material plus 3% of such price.

(k) * * * (2) Notwithstanding the provisions of any other section of Revised Price Schedule No. 49 which relate to carload shipments, shipments of mixed carloads as defined in § 1306.157 (m) out of warehouse stock shall be sold at a price not in excess of the maximum delivered price for a 500 pound quantity minus a discount of not less than \$7.00 per net ton: Provided, That if the applicable price for the quantity of any item shipped, as established by any provision of this schedule, is lower than the price as calculated above (500 pound quantity bracket price minus a discount of not less than \$7.00 per net ton) such lower price shall be the maximum price for such item: Provided further, That prices established by this subparagraph for alloy steels (including Stainless Steel) and cold finished carbon bars need not in any in-

stance be below mill prices as established by Revised Price Schedule No. 6 for the same quantity of the same item: *Provided further*, That if a mixed carload contains any product items which were not customarily sold on a quantity plan on April 16, 1941, there shall be deducted from the out-of-stock less-than-carload price established by this Schedule for such product a discount of not less than \$3.00 per net ton.

Invoices covering any mixed carload shipment as herein defined must list each item in the shipment. Carload freight rather than less-than-carload freight shall be used in computing maximum prices applicable to a mixed carload.

(7) This section is hereby repealed and is superseded by the provisions of Maximum Price Regulation No. 204.

(n) * * *
(6) The provisions of this paragraph (n) shall supersede the provisions of Maximum Price Regulation No. 204.

(p) Maximum delivered prices for less-than-carload quantity sales of any alloy steels whose specifications as presently described were not used in production by mills on April 16, 1941, such as National Emergency Specifications and American Iron and Steel Institute Specifications of alloy grades (but not including carbon steel or tool steel grades) are hereby established:

(1) For the purposes only of this section and paragraphs of this Revised Price Schedule No. 49, and for no other purpose, basing point cities for hot rolled alloy steel shall be: Bethlehem, Pennsylvania; Buffalo, New York; Canton, Ohio; Chicago, Illinois; Massillon, Ohio; and Pittsburgh, Pennsylvania. Basing point cities for cold finished alloy steel shall be: Buffalo, New York; Chicago, Illinois; Cleveland, Ohio; Gary, Indiana; and Pittsburgh, Pennsylvania.

(2) Base prices per 100 pounds for delivery of alloy steels within the free delivery area of basing point cities shall be the aggregate (adjusted upward or downward to the nearest \$0.05) of:

(i) Mill alloy base price, as established by Revised Price Schedule No. 6, at any basing point city (hot rolled or cold finished, whichever is applicable).

(ii) Mill analysis extras, as established by Revised Price Schedule No. 6, (open hearth or electric furnace, whichever is applicable).

(iii) A mark-up of 66⅓% of the aggregate of (i) and (ii) herein above.

(3) Base prices per 100 pounds for delivery at any destination other than the free delivery area of basing point cities shall be that combination of base prices established for basing point cities in subparagraph (2) of this paragraph plus less-than-carload freight rates in effect at time of shipment from governing basing point city to destination which results in the lowest delivered price.

(4) Quantity extras shall be determined by combining the weight of one or more orders placed in one day, shipped at

one time or at Seller's convenience, to one destination.

(i) Item quantity extra, to be determined by quantity of one size, grade and finish, shall be as follows:

1,000 to 39,999 pounds—base.
500 to 999 pounds plus \$0.50 per 100 pounds.
300 to 499 pounds plus \$0.75 per 100 pounds.
Less than 300 pounds plus \$1.25 per 100 pounds.

(ii) An order extra of \$3.00 per 100 pounds may be charged on alloy orders which total less than 300 pounds. If the order extra is applicable and charged, the item quantity extra for less than 300 pounds in (i) above may not also be charged. Hot rolled alloys and cold finished alloys need not be combined to determine total weight.

(5) A charge of \$2.50 per 100 pounds may be made when the operation of heat treatment (quenching and drawing) or double treatment (both annealing and normalizing or spheroidized annealing) are performed. A charge of \$1.00 per 100 pounds may be made when either the operation of annealing or normalizing only is performed. No charge may be made for machine straightening. Size extras may be added but shall not exceed mill size extras as established by Revised Price Schedule No. 6. Other quality extras may be added but shall not exceed mill extras as established by Revised Price Schedule No. 6 or actual cost, whichever is lower.

(6) Other customary and general discounts, terms and privileges, in effect as of April 16, 1941, shall be continued without diminution or extra charge.

§ 1306.158a *Effective dates of amendments.* * * *

(g) Amendment No. 7 (§§ 1306.154 (b), 1306.157 (c), (m), (s), 1306.159 (f), (g) (1) (i), (h) (1), (2), (i) (4), (6), (7), (k) (2), (7), (n) (6) and (p)) to Revised Price Schedule No. 49 shall become effective September 4, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8503; Filed, August 29, 1942;
12:44 p. m.]

PART 1309—COPPER

[Amendment 2 to Revised Price Schedule 20,
as Amended¹]

COPPER SCRAP AND COPPER ALLOY SCRAP BRIQUETTED COPPER SCRAP

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.*

In § 1309.71 paragraph (i) (4) (ii) is amended and in § 1309.70a a new paragraph (c) is added to read as set forth below:

* Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 3404, 3489, 5516, 6482.

§ 1309.71 *Appendix A: Maximum prices.* * * *

(i) *Exceptions.* * * *

(4) *Briquetted copper scrap sold or delivered to a brass and bronze ingot manufacturer.* * * *

(ii) In the calendar month directly preceding the month in which the petition is filed with the Office of Price Administration the petitioner was unable to purchase the amount of No. 1 and No. 2 copper scrap allocated to him by the War Production Board pursuant to Copper Supplementary Order M-9-b, as amended, or, if able to purchase such scrap, was unable to briquette a sufficient amount of it to permit efficient operation of his melting equipment. In this connection petitioner must state:

(a) Amount of No. 1 and No. 2 copper scrap so allocated to him for such calendar month.

(b) Amount of No. 1 and No. 2 copper scrap purchased by him in such calendar month.

(c) Reasons for his inability to briquette sufficient copper scrap to permit efficient operation of his melting equipment.

§ 1309.70a *Effective dates of amendments.* * * *

(c) Amendment No. 2 (§ 1309.71 (i) (4) (ii)) to Revised Price Schedule No. 20, as amended, shall become effective as of August 22, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8506; Filed, August 29, 1942;
12:43 p. m.]

PART 1337—RAYON

[Amendment 1 to Maximum Price Regulation
167¹]

RAYON YARN AND STAPLE FIBER

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.*

Section 1337.36 is amended, in § 1337.42, that part of paragraph (b) which precedes subparagraph (1) is amended, and a new § 1337.41a is added, all as set forth below:

§ 1337.36 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 167 shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to rayon yarn and staple fiber, alone or in conjunction with any other commodity, or by way of commission, service, transportation or other charge or discount, premiums or other privilege, or by credit charges, or by tying

* Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 4662.

agreement, trading or trade understanding, or otherwise.

§ 1337.42 Appendix A: Maximum prices for rayon yarn and staple fiber.

(b) *Maximum prices for rayon yarn and staple fiber sold by producers.* The following are prices per pound at destination, except that on shipments to points west of the Mississippi River, only the actual cost of transportation to the Mississippi River shall be allowed. The seller shall have the right to designate the carrier. When shipment is via common or contract carrier, the seller must prepay the cost of transportation or make allowance therefor at the lowest published rate. When shipment is via vehicle owned, leased or operated by the buyer, the seller shall make allowance for transportation at the lowest published carload or truckload rates, irrespective of quantity shipped. The terms are net 30 days and no additional charges shall be made for any extension of credit, except that a charge of not more than 6% per annum may be made on past due accounts.

§ 1337.41a Effective date of amendments. (a) Amendment No. 1 (§§ 1337.36, 1337.42 (b), 1337.41a) to Maximum Price Regulation No. 167 shall become effective September 4, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8507; Filed, August 29, 1942;
12:43 p. m.]

PART 1340—FUEL

[Amendment 9 to Maximum Price Regulation 137¹]

**PETROLEUM PRODUCTS SOLD AT RETAIL
PENNSYLVANIA GRADE MOTOR OIL**

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 (e) which reads as set forth below is added to § 1340.91.

§ 1390.91 Appendix A—Maximum prices for petroleum products sold at retail establishments. * * *

(e) *Pennsylvania grade motor oils in the Pacific Coast Area.* (1) Maximum prices as determined under § 1340.91 (a) (1) and (2) for sellers at retail establishments of all S. A. E. grades of Pennsylvania grade motor oils marketed by The Pennzoll Company are increased to 35 cents a quart in any case where the maximum prices of such sellers under

said § 1340.91 (a) (1) and (2) are below that amount.

(2) Maximum prices as determined under § 1340.91 (a) (1) and (2) for sellers at retail establishments of all S.A.E. grades of Pennsylvania grade motor oils marketed by Hyvis Oils, Inc., of California are increased to 35 cents a quart in any case where the maximum prices of such sellers under said § 1340.91 (a) (1) and (2) are below that amount.

(3) Maximum prices as determined under § 1340.91 (a) (1) and (2) for sellers at retail establishments of all S.A.E. grades of Pennsylvania grade motor oils marketed by Kern Oil Company, Limited are increased to 30 cents a quart in any case where the maximum prices of such sellers under said § 1340.91 (a) (1) and (2) are below that amount.

§ 1349.93a Effective dates of amendments. * * *

(i) Amendment No. 9 (§ 1340.91 (e)) shall become effective September 4, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8518; Filed, August 29, 1942;
12:48 p. m.]

PART 1340—FUEL

[Amendment 20 to Maximum Price Regulation 120¹]

**BITUMINOUS COAL DELIVERED FROM MINE OR
PREPARATION PLANT**

A statement of the considerations involved in the issuance of this amendment has been filed with the Division of the Federal Register.*

Subdivision (i) of § 1340.210 (a) (4) is revoked and a new undesignated proviso is added thereto to read as set forth below:

§ 1340.210 Maximum price instructions. (a) * * *

(4) * * *: *Provided*, That where deliveries are made in river transportation facilities owned or subject to the control of the producer or distributor, or a subsidiary or affiliate of the producer or distributor, via the Kanawha and/or Ohio Rivers and from mines or preparation plants located in District No. 8, there may be added to the applicable maximum price established herein a sum not in excess of the average charge made by the producer or distributor concerned, or by his subsidiary or affiliate during October 1941 for the same transportation service, or, in the case of a service which was not supplied in October 1941, the offering price therefor in October 1941.

§ 1340.211a Effective dates of amendments. * * *

(u) Amendment No. 20 (§ 1340.210 (a) (4)) to Maximum Price Regulation No.

¹ 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835.

120 shall become effective as of May 18, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8517; Filed, August 29, 1942;
12:48 p. m.]

PART 1358—TOBACCOS

[Temporary Maximum Price Regulation 21]

FLUE-CURED TOBACCO

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, to issue a temporary regulation, establishing as the maximum prices for flue-cured tobacco (U. S. Types 11, 12, and 13) the prices prevailing with respect thereto within the five days prior to the issuance of this regulation.

The maximum prices established herein are not below prices which will reflect to producers of flue-cured tobacco (U. S. Types 11, 12, and 13) a price for their products equal to the highest of any of the following prices therefor determined and published by the Secretary of Agriculture: (1) 110 per centum of the parity price for such commodity, adjusted by the Secretary of Agriculture for grade, location, and seasonal differentials; (2) the market price prevailing for such commodity on October 1, 1941; (3) the market price prevailing for such commodity on December 13, 1941 or (4) the average price for such commodity during the period July 1, 1919, to June 30, 1929.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,¹ issued by the Office of Price Administration, Temporary Maximum Price Regulation No. 21 is hereby issued.

Sec.

1358.51 Prohibition against purchasing flue-cured tobacco at prices above the maximum prices.

1358.52 Maximum prices for flue-cured tobacco.

1358.53 Exempt transactions.

1358.54 Evasion.

1358.55 Conditional agreements.

1358.56 Records and reports.

1358.57 Enforcement.

1358.58 Petitions for amendment.

1358.59 Definitions.

1358.60 Standard of interpretation.

1358.61 Revocation or replacement of regulation.

1358.62 Effective period.

AUTHORITY: §§ 1358.51 to 1358.62, inclusive issued under Pub. Law 421, 77th Congress.

§ 1358.51 Prohibition against purchasing flue-cured tobacco at prices above the maximum prices. From August 31, 1942, to October 29, 1942, inclusive, regardless of any contract, agreement, or other ob-

¹ 7 F.R. 971.

* Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 3165, 3749, 4273, 4780, 4853, 5363.

ligation, no person shall buy or receive any flue-cured tobacco on the loose-leaf markets at a price higher than the maximum price permitted by § 1358.52; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 1358.52 *Maximum prices for flue-cured tobacco.* (a) During each of the periods from August 31, 1942, to September 29, 1942, inclusive, and from September 30, 1942, to October 29, 1942, inclusive, the weighted average price per pound paid by any person for flue-cured tobacco shall not exceed the weighted average price per pound paid by such person for flue-cured tobacco during the period from August 24, 1942, to August 28, 1942, inclusive.

(b) If any person did not purchase any flue-cured tobacco during the period from August 24, 1942 to August 28, 1942, inclusive, during each of the periods from August 31, 1942, to September 29, 1942, inclusive, and from September 30, 1942, to October 29, 1942, inclusive, the weighted average price per pound paid by such person for flue-cured tobacco shall not exceed the average market price per pound of flue-cured tobacco during the period from August 24, 1942, to August 28, 1942, inclusive as published by the United States Department of Agriculture.

§ 1358.53 *Exempt transactions.* This Temporary Maximum Price Regulation No. 21 shall not apply to the following transactions:

(a) Purchases of flue-cured tobacco for the account of the Commodity Credit Corporation.

(b) Purchases of flue-cured tobacco by any person for resale in substantially the same form on the loose-leaf markets.

§ 1358.54 *Evasion.* The price limitations set forth in this Temporary Maximum Price Regulation No. 21 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to flue-cured tobacco alone or in conjunction with any other commodity, or by way of any commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding or otherwise.

§ 1358.55 *Conditional agreements.* No person shall enter into an agreement permitting the adjustment of the prices for flue-cured tobacco to prices which may be higher than the maximum prices provided by § 1358.52, in the event that this Temporary Maximum Price Regulation No. 21 is amended or is determined by a court to be invalid or upon any other contingency: *Provided*, That if a petition for amendment has been duly filed, and such petition requires extensive consideration, the Administrator may grant an exception from the provisions of this section permitting the making of contracts adjustable upon the granting of the petition for amendment. Requests for such an exception may be included in the aforesaid petition for amendment.

§ 1358.56 *Records and reports.* (a) On or before September 8, 1942, each

person subject to this Temporary Maximum Price Regulation No. 21 shall file with the Office of Price Administration in Washington, D. C., a statement setting forth the total number of pounds of flue-cured tobacco purchased by such person during the period from August 24, 1942, to August 28, 1942, inclusive, and the total purchase price paid therefor.

(b) Each person subject to this Temporary Maximum Price Regulation No. 21 shall preserve for examination by the Office of Price Administration all his existing records relating to the quantities of flue-cured tobacco purchased by him during the period from August 24, 1942, to August 28, 1942, inclusive, and the purchase prices paid therefor.

(c) Each person subject to this Temporary Maximum Price Regulation No. 21 shall make and preserve for examination by the Office of Price Administration records of the same kind as he has customarily made, relating to the quantities of flue-cured tobacco purchased during the period from August 31, 1942, to October 29, 1942, inclusive, and the purchase prices paid therefor.

(d) Within five days after the expiration of each of the periods for which provision is made in § 1358.52, each person subject to this Temporary Maximum Price Regulation No. 21 shall file with the Office of Price Administration in Washington, D. C., a statement setting forth the total number of pounds of flue-cured tobacco purchased by such person during such periods, and the total purchase price paid therefor.

(e) Each person subject to this Temporary Maximum Price Regulation No. 21 shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraphs (a), (b), (c), and (d) of this section as the Office of Price Administration may from time to time require.

§ 1358.57 *Enforcement.* (a) Persons violating any provisions of this Temporary Maximum Price Regulation No. 21 are subject to the criminal penalties and civil enforcement actions provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Temporary Maximum Price Regulation No. 21 or of any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, state, field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1358.58 *Petitions for amendment.* Persons seeking modification of any provision of this Temporary Maximum Price Regulation No. 21 or an adjustment or exception not provided for therein may file petitions for amendment in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1358.59 *Definitions.* (a) When used in this Temporary Maximum Price Regulation No. 21, the term:

(1) "Person" means individual, corporation, partnership, association, or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agencies of any of the foregoing:

(2) "Flue-cured tobacco" means U. S. Types 11, 12, and 13 as classified in Regulatory Announcement No. 18 of the Bureau of Agricultural Economics of the United States Department of Agriculture.

(3) "Weighted average price" means the total purchase price paid for all flue-cured tobacco purchased in any particular period divided by the total number of pounds of flue-cured tobacco purchased during such period.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in § 1499.20¹ of the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

§ 1358.60 *Standard of interpretation.* Every provision of this Temporary Maximum Price Regulation No. 21 is to be understood and will be interpreted consistently with the provisions of the regulation as a whole, and, unless the context otherwise requires, with the corresponding and related provisions of the General Maximum Price Regulation and in such a manner as to effectuate the purposes of the Emergency Price Control Act of 1942.

§ 1358.61 *Revocation or replacement of regulation.* This Temporary Maximum Price Regulation No. 21 may be revoked or replaced by a permanent Maximum Price Regulation or order issued under the Emergency Price Control Act of 1942.

§ 1358.62 *Effective period.* This Temporary Maximum Price Regulation No. 21 (§§ 1358.51 to 1358.62, inclusive) shall become effective on August 31, 1942, and shall, unless earlier revoked or replaced, expire at 12 o'clock midnight October 29, 1942.

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8504; Filed, August 29, 1942; 12:44 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[Amendment 4 to Revised Price Schedule 85¹]

NEW PASSENGER AUTOMOBILES

A statement of the considerations involved in the issuance of this amendment has been prepared and filed with the Division of the Federal Register.*

Sections 1360.51 (c) and 1360.52 (e) are amended, and a new § 1360.62, *Appendix*

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 1364, 1675, 1836, 2132, 2134, 6048.

² 7 F.R. 3156.

B: Standards for maintenance of new passenger automobiles is added, as set forth below:

§ 1360.51 *Maximum wholesale prices for new passenger automobiles.* * * *

(c) To the maximum price may be added an amount equal to 1% of the list price of the automobile, or \$15, whichever is lower, for each calendar month or greater part thereof, after January 31, 1942, which elapses prior to the sale of the automobile by the manufacturer, distributor, or exporter: *Provided*, That the automobile shall, on and after September 30, 1942, receive while in storage all the maintenance operations set forth in Appendix B, as therein required: *Provided further*, That no amount whatsoever under this paragraph (c) shall be added to the maximum wholesale price unless:

(1) The automobile sold shall, on and after September 30, 1942, have received while in storage all the maintenance operations set forth in Appendix B, as therein required; and

(2) The seller, at the time of sale, shall certify in writing to the purchaser and to the Office of Price Administration that the automobile sold has, on and after September 30, 1942, received while in storage all the maintenance operations set forth in Appendix B, as therein required, in the following form:

The undersigned hereby certifies that the _____ automobile bearing motor number _____ and/or serial number _____ has, on and after September 30, 1942, received while in storage all the maintenance operations set forth in Appendix B of Revised Price Schedule No. 85—New Passenger Automobiles, issued by the Office of Price Administration, as required therein.

Dated: _____

The certification to the Office of Price Administration shall be filed together with the report of sale required by Rationing Order 2A, New Passenger Automobile Rationing Regulations, issued by the Office of Price Administration, with the War Price and Rationing Board designated in such rationing regulation to receive such report of sale.

§ 1390.52 *Maximum retail price for new passenger automobiles.* * * *

(e) An amount equal to 1% of the list price of the automobile, or \$15, whichever is lower, for each calendar month or greater part thereof, after January 31, 1942, which elapses prior to the sale of the automobile to the purchaser: *Provided*, That the automobile shall, on and after September 30, 1942, receive while in storage all the maintenance operations set forth in Appendix B as therein required: *Provided further*, That no allowance whatsoever under this paragraph (e) shall be included in the maximum retail price unless:

(1) The automobile sold shall, on and after September 30, 1942, have received while in storage all the maintenance operations set forth in Appendix B as therein required; and

(2) The seller, at the time of sale, shall certify in writing to the purchaser and to the Office of Price Administration that

the automobile sold has, on and after September 30, 1942, received while in storage all the maintenance operations set forth in Appendix B as therein required, in the form provided in § 1360.51 (c) (2). The certification to the Office of Price Administration shall be filed together with the report of sale required by Rationing Order 2A, New Passenger Automobile Rationing Regulations, issued by the Office of Price Administration, with the War Price and Rationing Board designated in such rationing regulation to receive such report of sale.

§ 1390.62 *Appendix B: Standards for maintenance of new passenger automobiles—(a) General instructions.* (1)

(b)

No.	When to be done	Item	Maintenance operation
1	Initial and whenever necessary.	Vehicle.....	(a) Thoroughly wash vehicle; remove all foreign substances, mud, dirt, grease spots, oil, tar. (b) Check paint, touch up all exposed metal surfaces to prevent rust. Remove blades; store in glove compartment.
2	Initial.....	Windshield wiper.....	(a) Clean and moth-proof all upholstery, including seat cushions, seat backs, side walls, headlinings, floor mats, and carpets. (b) After moth-proofing upholstery, protect it from direct sunlight, except when on display in customary display room, by one of the following methods: (1) Cover all openings through which light may enter storage space. (2) Cover the inside of all vehicle windows and windshields with paper, using masking tape. (3) Cover the vehicle with a paper or cloth cover. (4) Completely cover all upholstery with paper, using masking tape.
3	Initial and every 6 months.	Upholstery and floor coverings.	(c) Place floor mats in their normal position on floor, not rolled up. Thoroughly wash and clean all Chrome plated surfaces with clear water; when dry, apply a coating of light oil, liquid wax, or special preparations; wipe off until no excess oil or wax appears on the surface of the Chrome. With respect to convertibles, see that the tops are up and leave the shipping cover over the top, or cover it with paper, using masking tape.
	Initial.....	Convertible tops.....	(a) Drain engine oil and refill crank case with at least 1/4 charge of rust-inhibiting oil. (b) Run engine for 5 minutes at idle speed or about 1000, R. P. M. Leave this oil in engine.
4	Initial and whenever necessary.	Chrome plated surfaces.....	(a) Drain gasoline tank completely and replace filler cap to exclude dust. (b) Run engine until all gasoline is consumed. Remove spark plugs. Inject 2 ounces of rust-inhibiting oil into each cylinder when piston is on the power stroke. Slowly turn engine over a few revolutions with starter. Replace spark plugs.
5	Initial.....	Engine.....	Remove cover. Spray rust-preventive compound or S.A.E. 10-W on mechanism and inside cover, or pack with oil soaked rags. Replace cover.
6	Initial.....	Fuel system and carburetor.....	Seal the engine. This can be done in the following manner: Remove engine oil filler tube cover and crankcase breather cover, if there is one, and seal the openings. Also seal the air cleaner, tail pipe, and any other openings into the engine. Tubes or pipes can be sealed satisfactorily by covering with a small piece of oiled or waxed paper, gathering the edges of the paper around the tube and tying them with a cord. The air cleaner can be sealed conveniently by covering with a paper bag and tying a cord around it at the solid part on the engine side of the air intake openings. Sealing the engine to a large extent prevents air moisture from entering the engine.
7	Initial.....	Spark plugs.....	NOTE—Since no provision has been made for turning the engine over at regular intervals, it is absolutely essential that the recommended procedure for conserving the engine be followed carefully.
8	Initial.....	Valve compartment (overhead valve engines).....	(a) Remove the battery and store it in a cool place near recharging equipment, to facilitate servicing. Clean battery connections and wipe with light grease. (b) If dealer has portable battery charging equipment, he may elect to leave battery in vehicle. In either case battery must be maintained as per item 12 below.
9	Initial.....	Seal engine.....	(a) Check the specific gravity at regular intervals of six weeks, except in extremely hot weather when inspection periods should be cut to three weeks. (b) Check and correct water level at each inspection and recharge batteries as necessary to bring gravity reading to 1.280 or above. In no case should the specific gravity be allowed to fall below 1.220. These specific gravity readings are given for batteries at 60° F. air temperature.
10	Initial.....	Battery removal.....	Completely drain cooling system including radiator, cylinder block, pump, heater, hose and all water connections. Leave system dry.
11	Initial.....	Battery maintenance.....	NOTE.—If coolant contains anti-freeze and rust-inhibiting solution, it may be left in the cooling system.
12	Initial and as specified under "Maintenance operations."	Cooling system.....	Leave all brakes in released position. Block the pedal of dry clutches in partially disengaged position. It is not necessary to disengage other type clutches.
13	Initial.....	Brakes.....	
14	Initial.....	Clutch.....	
15	Initial.....		

All new passenger automobiles must be stored indoors. Select a clean, dry building suitable for the storage of such automobiles. Cover all openings through which animals and birds may enter storage space. Prevent water leakage. Remove loose dirt and whitewash lime.

(2) Allow sufficient space between vehicles for accessibility to perform all specified maintenance operations.

(3) The operations specified under the heading "Maintenance Operations" are of two categories: "Initial" operations, which if not already performed, are to be performed, and "Repeat" operations, which must be performed at intervals of six months, or when necessary as indicated below.

No.	When to be done	Item	Maintenance operation
16	Initial and as specified under Maintenance operations.	Tires.....	Jack up vehicle in storage location taking weight off the tires. Maintain the air in tires between $\frac{1}{2}$ and $\frac{3}{4}$ operating pressure so that vehicles can be pushed or towed out quickly if necessary in an emergency. Tension in cords will be relieved by lowered pressure.
17	Initial and if necessary, every six months where applicable.	Hood latches, hinges, brake connections.	Lubricate with light oil all hood latches, hinges, and brake connections.
18	Initial where applicable.	Doors and windows.....	(a) Close all doors and windows tightly. (b) Close all venti-panes. (c) Leave cowl ventilator open (if screened).

NOTE.—Materials called for in the performance of these maintenance operations such as oils, wax and rust-inhibitor, should be of a grade recommended by the vehicle manufacturer.

§ 1360.60a Effective dates of amendments. * * *

(d) Amendment No. 4 (§§ 1360.51 (c), 1360.52 (e) and 1360.62) shall become effective September 30, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8520; Filed, August 29, 1942;
12:46 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[Amendment 7 to Maximum Price Regulation 136¹ as Amended]

MACHINES AND PARTS AND MACHINERY SERVICES

PETROMETER CORPORATION

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

New subparagraph (5) is added to § 1390.25 (c) and new paragraph (g) is added to § 1390.31a as set forth below:

§ 1390.25 Petitions for amendment or adjustment. * * *

(c) Amendments. * * *

(5) *Petrometer Corporation.* Notwithstanding the provisions of §§ 1390.5 and 1390.6, the maximum price applicable to the sale of any mechanical instrument or part manufactured by Petrometer Corporation, Long Island City, New York, shall be determined pursuant to the provisions of § 1390.5, except that the date October 27, 1941 shall be substituted for the date October 1, 1941 wherever that date appears in § 1390.5.

§ 1390.31a Effective dates of amendments. * * *

(g) Amendment No. 7 (§ 1390.25 (c) (5)) to Maximum Price Regulation No. 136, as amended, shall become effective September 4, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8519; Filed, August 29, 1942;
12:47 p. m.]

*Copies may be obtained from the Office of Price Administration.

¹ 7 F. R. 5047, 5362, 5665, 5909, 6426, 6682.

PART 1499—COMMODITIES AND SERVICES

[Order 32 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF1-80-P]

STRAUB BREWERY

For the reasons set forth in an opinion * issued simultaneously herewith it is ordered:

§ 1499.332 *Adjustment of maximum prices for fermented malt beverages manufactured by Joseph A. Straub and Carl J. Straub, a partnership doing business under the name of Straub Brewery.* (a) Straub Brewery, St. Mary's, Pennsylvania, may sell and deliver and any person may buy and receive from Straub Brewery fermented malt beverages manufactured by it at prices not higher than those set forth below:

	To whole- saler	To retail- ers	To pri- vate indi- viduals
Draught beer per barrel.....	\$14.00	\$15.50	\$17.00
Case of 24 pint bottles.....	1.38	1.60	1.80
Case of 12 returnable qts.....	1.85	2.05	2.15

(b) Wholesalers may sell and deliver and any person may buy and receive from wholesalers fermented malt beverages manufactured by Straub Brewery at prices not higher than those set forth below.

The maximum prices established for the particular wholesaler under § 1499.2 of the General Maximum Price Regulation plus the following amounts:

- 50 cents per barrel.
- 3 cents per case of 24 pint bottles.
- 5 cents per case of 12 non-returnable quarts.

Provided, That if the particular wholesaler raised his prices during March 1942, he may add only the excess, if any, of the adjustments permitted hereunder over his March price increases.

(c) Retailers may sell and deliver and any person may buy and receive from retailers, fermented malt beverages manufactured by Straub Brewery at prices not higher than those set forth below:

The maximum prices established for the particular retailer under § 1499.2 of the General Maximum Price Regulation or 15 cents per pint and 30 cents per quart, whichever is higher.

(d) The adjustments granted to Straub Brewery and wholesalers and retailers in paragraphs (a) and (b) and (c) respectively are subject to the following conditions:

(1) The adjustments permitted under paragraphs (a), (b), and (c) shall only

be made in the counties of Bedford, Blair, Cameron, Clearfield, Potter, and all counties west thereof in the State of Pennsylvania.

(2) Straub Brewery shall forthwith by circular or other appropriate means notify all wholesalers and retailers purchasing its fermented malt beverages from it of the provisions of paragraph (b) and (c) hereof.

(3) Wholesalers selling fermented malt beverages manufactured by Straub Brewery shall forthwith by circular or other appropriate means notify all of their customers of the provisions of paragraph (c).

(e) This Order No. 32 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 32 (§ 1499.332) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 32 (§ 1499.332) shall become effective August 31, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8508; Filed, August 29, 1942;
12:43 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 33 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-962]

GOENNER & CO.

For the reasons set forth in an opinion * issued simultaneously herewith, it is ordered:

§ 1499.333 *Adjustment of maximum prices for fermented malt beverages manufactured by Goenner & Company.*

(a) Goenner & Company of Third Avenue and Power Street, Johnstown, Pennsylvania, wholesalers and retailers, may sell and deliver and any person may buy and receive from Goenner & Company, wholesalers and retailers fermented malt beverages manufactured by Goenner & Company at prices not higher than those set forth below:

(1) *Goenner & Company:* The maximum prices established under § 1499.2 of the General Maximum Price Regulation plus 5 cents per case of 24 twelve ounce bottles.

(2) *Wholesalers:* The maximum prices established for the particular wholesaler under § 1499.2 of the General Maximum Price Regulation plus 5 cents per case of 24 twelve ounce bottles: *Provided*, That if the particular wholesaler raised his prices during March 1942, he may add only the excess, if any, of the adjustment permitted hereunder over his March price increase.

(3) *Retailers:* The maximum prices established for the particular retailer under § 1499.2 of the General Maximum Price Regulation or, in the case of twelve ounce bottles, 15 cents per bottle, whichever is higher.

(b) The adjustment granted to Goenner & Company, wholesalers and retailers in paragraph (a) is subject to the following conditions:

(1) The adjustments permitted in paragraph (a) shall only be made in the Counties of Cambria and Somerset, State of Pennsylvania.

(2) Goenner & Company shall forthwith, by circular or other appropriate means, notify all wholesalers and retailers selling its products of the adjustments permitted in paragraph (a).

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 33 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 33 (§ 1499.333) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 33 (§ 1499.333) shall become effective August 31, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8505; Filed, August 29, 1942;
12:44 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 28 Under § 1499, 18 (c) of the General Maximum Price Regulation]

FONES BROTHERS HARDWARE CO.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,* and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.18 (c) of the General Maximum Price Regulation, it is hereby ordered that:

§ 1499.378 *Adjustment of maximum prices for sales of farm water systems by Fones Brothers Hardware Company of Little Rock, Arkansas.* (a) Fones Brothers Hardware Company of Little Rock, Arkansas, is hereby authorized to sell and offer, agree, solicit and attempt to sell the farm water systems listed below at the list prices listed below, f. o. b. factory, subject to 25% discount to dealers:

No. 25-RE Jacket water systems....	\$118.50
No. 33-RE Jacket water systems....	129.00
No. 50-RE Jacket water systems....	141.50
No. 25-LA Jacket water systems....	122.30
No. 33-RA Jacket water systems....	132.80
No. 50-RA Jacket water systems....	145.30

(b) The terms used in this order shall have the meaning given to them by the General Maximum Price Regulation.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 28 (§ 1499.378) shall become effective August 31, 1942.

*Copies may be obtained from the Office of Price Administration.

(e) This Order No. 28 (§ 1499.378) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(Pub. Law No. 421, 77th Cong.)

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8509; Filed, August 29, 1942;
12:43 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 29 Under § 1499.18 (c) of the General Maximum Price Regulation—Docket No. GF3-621]

BAKELITE CORPORATION

For the reasons set forth in an opinion* issued simultaneously herewith, it is ordered:

§ 1499.379 *Adjustment of maximum prices for "Bakelite" Phenol Resin Composition XK-14504 produced by Bakelite Corporation.* (a) Bakelite Corporation of New York City may sell and deliver from its plant at Bloomfield, New Jersey, and any person may buy and receive from Bakelite Corporation that phenolic type resin produced from the materials listed in the petition bearing Docket No. GF3-621 heretofore filed with the Office of Price Administration by Bakelite Corporation at prices no higher than those set forth below:

(1) Maximum prices.

Quantity:	Price per pound f. o. b. point of production
30,000 pounds or more.....	\$0.33
15,000 to 30,000 pounds.....	.335
5,000 to 15,000 pounds.....	.34
Single drum to 5,000 pounds.....	.345
Less than single drum.....	.385

(2) *Containers.* No additional charge may be made for containers, but a reasonable container deposit may be required, providing such deposit is refunded upon the return of containers in good condition within a reasonable time; transportation costs with respect to the return of empty containers to Bakelite Corporation's plant in Bloomfield, New Jersey, may be borne by buyer.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 29 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 29 (§ 1499.379) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 29 (§ 1499.379) shall become effective September 1, 1942.

(Pub. Law No. 421, 77th Cong.)

Issued this 31st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8543; Filed, August 31, 1942;
11:49 a. m.]

Chapter XVII—Office of Civilian Defense

[Regulations No. 3, Amendment No. 3]

PART 1903—UNITED STATES CITIZENS DEFENSE CORPS

By virtue of the authority vested in me by Executive Order No. 8757 dated May 20, 1941, as amended by Executive Order No. 9134 dated April 15, 1942, and Executive Order No. 9088 dated March 6, 1942, and pursuant to the Act approved January 27, 1942, and in accordance with Article 13 of Executive Order No. 9088 dated March 6, 1942, authorizing the Director of Civilian Defense to make and issue such rules, regulations, and orders as he may deem necessary or desirable to carry out the purposes of the aforementioned Act of January 27, 1942, §§ 1903.1 to 1903.16, inclusive, of this chapter (sections 1 to 16, inclusive, of Office of Civilian Defense Regulations No. 3) are hereby amended, effective September 1, 1942, to read as follows:

Sec.

1903.1	Statutory and executive authority.
1903.2	Definitions.
1903.3	Units.
1903.4	Insignia.
1903.5	Eligibility.
1903.6	Registration for training.
1903.7	Training.
1903.8	Method of appointment.
1903.9	Oath.
1903.10	Certificate of membership.
1903.11	Enrollment.
1903.12	Duties.
1903.13	Termination or suspension of membership in United States Citizens Defense Corps.
1903.14	Status and compensation of members.
1903.15	Loaned equipment.
1903.16	Organization and command of Local Defense Corps.

AUTHORITY: §§ 1903.1 to 1903.16, inclusive, issued under Pub. Law 415, 77th Congress; E.O. 8757, 6 F.R. 2517, E.O. 9088, 7 F.R. 1775, E.O. 9134, 7 F.R. 2887.

§ 1903.1 *Statutory and Executive authority.* (a) The Act approved January 27, 1942 (Public Law 415, 77th Cong.), provides in section 2 thereof:

It shall be unlawful for any person to wear any insignia, arm band, or other distinctive article prescribed by the Director of Civilian Defense except in accordance with the regulations promulgated under the authority of Section 1 hereof.

The regulations referred to have been promulgated in Executive Order No. 9088, dated March 6, 1942, which provide, in Article 12 thereof:

The Director of Civilian Defense may prescribe insignia, arm bands, and other distinctive articles which may be worn by persons engaged in civilian defense activities and may establish rules and regulations for the wearing thereof.

Pursuant to Executive Order No. 9088, the Director of Civilian Defense has issued §§ 1902.1 to 1902.9, inclusive, of this chapter (§§ 1 to 9, inclusive, Office of Civilian Defense Regulations No. 2), governing insignia which regulations provide that it shall be unlawful for any person to use or wear certain official articles embodying prescribed insignia except certain designated groups, includ-

ing the United States Citizens Defense Corps.

(b) The Act approved January 27, 1942 (Public Law 415, 77th Cong.), authorizes, in section 1 thereof, the Director of Civilian Defense, under such regulations as the President may prescribe, to provide to certain localities, by loans, supplies and equipment for the adequate protection of persons and property from bombing attacks, sabotage, or other war hazards. Executive Order No. 9088, dated March 6, 1942, sets forth the regulations prescribed by the President pursuant to said section 1, and Article 13 thereof authorizes the Director of Civilian Defense to make and issue such rules, regulations, and orders as he may deem necessary or desirable to carry out the purposes of the Act approved January 27, 1942.

Pursuant to Executive Order No. 9088, the Director has issued §§ 1901.1 to 1901.11, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1), governing loans of equipment and supplies to civil authorities, which chapter provides, in § 1901.7 thereof, that the property shall be distributed by the borrowing communities in such manner as the Commander of the local United States Citizens Defense Corps shall deem advisable in order to comply with the requirements of law.

Provided, however, That such distribution shall at all times be subject to and in accordance with such rules, regulations, orders, and instructions as the Director of Civilian Defense may make with respect thereto.

Sections 1901.1 to 1901.11, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1) also provide that each borrowing community shall execute an agreement with the Director of Civilian Defense, on OCD Form No. 501, which agreement includes a covenant on behalf of the borrowing community as follows:

That all rules, regulations, and orders heretofore or hereafter issued by the Director of Civilian Defense with respect to said supplies and equipment are a part of this agreement between the community and the Director of Civilian Defense, and that the community will comply with all rules, regulations and orders issued by the Director of Civilian Defense with respect to the aforesaid supplies and equipment as well as with respect to procedure and practices affecting the use of such supplies or equipment for civilian defense in the community.

The Director of Civilian Defense, for the purpose of attaining maximum efficiency in the use and preservation of supplies and equipment of, or under the control of, the Office of Civilian Defense, which are loaned to communities pursuant to Executive Order No. 9088 and §§ 1901.1 to 1901.11, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1), has ordered, subject to rules, regulations, and orders to be issued by him, that, subject to certain exceptions, including members of the local fire departments and police departments, the distribution of such supplies and equipment by borrowing communities shall be confined to members of and trainees for the United States Citizens Defense Corps, in accordance with in-

structions of the Commander of the local United States Citizens Defense Corps, and loaned supplies and equipment shall be used only by such members and trainees.

(c) Sections 1903.1 to 1903.16, inclusive, of this chapter (Office of Civilian Defense Regulations No. 3), herein set forth, are issued, pursuant to Executive Order No. 9088, to prescribe the eligibility, training, method of appointment, character of oath, and duties of persons who, as members of or trainees for the United States Citizens Defense Corps, are exclusively, except as provided in § 1903.4 (h) of this chapter (Office of Civilian Defense Regulations No. 3), entitled to wear or use official articles embodying prescribed insignia of the United States Citizens Defense Corps, in accordance with the provisions of §§ 1902.1 to 1902.9, inclusive, of this chapter (Office of Civilian Defense Regulations No. 2), and are entitled to receive, wear, or use supplies and equipment loaned to communities, in accordance with §§ 1901.1 to 1901.11, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1).

§ 1903.2 *Definitions.* (a) *Director* means the Director of Civilian Defense appointed by the President of the United States pursuant to Executive Order No. 8757, dated May 20, 1941, or any amendment thereto.

(b) *Defense Corps* means the United States Citizens Defense Corps established, within the Office of Civilian Defense, by Administrative Order of the Director, and consists of units composed of enrolled members in the protective services engaged in civilian defense, or in services related thereto.

(c) *Protective services engaged in civilian defense* means the services engaged in taking precautionary measures against air raids or other forms of attack and minimizing losses to persons and property resulting therefrom, which protective services shall include those specified in § 1903.3 (a) of this chapter (Office of Civilian Defense Regulations No. 3), now established and such additional protective services as shall hereafter be established as units of the Defense Corps by order of the Director.

(d) *Member* means a person eligible for membership in the Defense Corps, who has registered for training, has satisfactorily completed prescribed and approved courses of training or instruction, has been appointed to membership, has taken the prescribed oath, and has been enrolled as a member of the Defense Corps by the Local Defense Council, all in accordance with this chapter (Office of Civilian Defense Regulations No. 3), and whose membership has not been suspended or terminated as provided in this chapter.

(e) *Trainee* means a person eligible for membership in the Defense Corps who has registered for training in accordance with this chapter (Office of Civilian Defense Regulations No. 3), and who is engaged in taking prescribed and approved courses of training or instruction prior to becoming appointed and enrolled as a member.

(f) *Prescribed insignia* means insignia prescribed by the Director, by regulation or order, for any unit of the Defense Corps or for any rank of members, whether or not Letters Patent with respect to such insignia have been applied for, granted, or denied.

(g) *Official articles* mean arm bands, brassards, buttons, pins, automobile plates, decalcomania, Certificates of Membership, and other articles of identification embodying prescribed insignia, which official articles may be worn or used, except as provided in § 1903.4 (h) of this chapter (Office of Civilian Defense Regulations No. 3), only by members or, subject to § 1903.7 (c) of this chapter (Office of Civilian Defense Regulations No. 3), by trainees, and shall constitute the official identification of persons wearing or using such official articles.

(h) *Loaned equipment* means equipment and supplies (other than medical equipment and supplies) belonging to, or under the control of, the Office of Civilian Defense and loaned by the Director to communities pursuant to Executive Order No. 9088, dated March 6, 1942, and §§ 1901.1 to 1901.11, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1) governing loans of equipment and supplies to civil authorities.

(i) *State* means any State, territory, or possession of the United States and the District of Columbia.

(j) *Community* means any municipality, town or village, or any other political subdivision of any State or any area designated by the Director as a community for purposes of this chapter (Office of Civilian Defense Regulations No. 3).

(k) *Local Defense Council* means the body duly appointed by the duly authorized appointive authority to be responsible for civilian defense in a community.

§ 1903.3 *Units.* (a) The Defense Corps consists of units composed of enrolled members in (1) the protective services engaged in civilian defense now established and hereinafter specified; (2) additional protective services engaged in civilian defense, from time to time established as units of the Defense Corps by order of the Director; and (3) related services now established or hereafter established by order of the Director, including Chaplains. The protective services engaged in civilian defense now established are as follows:

Staff.
Air Raid Wardens.
Auxiliary Police.
Auxiliary Firemen.
Fire Watchers.
Demolition and Clearance.
Road Repair.
Rescue.
Decontamination.
Medical.
Nurses' Aides.
Drivers.
Emergency Food and Housing.
Messengers.
Utility Repair.
Instructors.

(b) The number of members in each unit of the protective services engaged in civilian defense in any community shall

not exceed such number as may be prescribed from time to time by order of the Director in the event that he deems such maximum limitation to be desirable.

§ 1903.4 *Insignia.* (a) The insignia of the units of the Defense Corps shall be designs related to the basic insignie of the Office of Civilian Defense, which basic insignie is a design, in the form of an applique emblem granted by Letters Patent No. D-129797 of October 7, 1941, consisting of the letters "CD" in red, centered in a white equilateral triangle embossed on a circular field of blue. In-

signia have been prescribed by order of the Director for the units of the Defense Corps designated in § 1903.3 (a) of this chapter (Office of Civilian Defense Regulations No. 3), consisting of a white equilateral triangle embossed on a circular field of blue similar to the basic insignie of the Office of Civilian Defense, but with an identifying device, described below for the respective units, substituted in lieu of the letters "CD" appearing in the basic insignie. The identifying devices for the prescribed insignia of the present units of the Defense Corps, and the Letters Patent covering such insignia, are as follows:

Unit	Letters patent	Identifying device (red, except staff unit)
Staff.....	D-132589.....	Blue five-pointed star centered above letters "CDC" in red.
Bomb Reconnaissance Agent.....	D-129799.....	Diving bomber.
Air Raid Wardens.....	D-129801.....	Seven diagonal stripes, alternately red and white.
Auxiliary Police.....	D-129803.....	Shield in the form of an inverted triangle, with sides slightly curved outward.
Auxiliary Firemen.....	D-129802.....	Cross Pattée.
Fire Watchers.....	D-129807.....	Flame.
Demolition and Clearance.....	D-129804.....	Pick, handle upward.
Road Repair.....	D-129805.....	Shovel, spade downward.
Rescue.....	D-129806.....	Ladder.
Decontamination.....	D-129810.....	Chemical retort.
Medical.....	D-129811.....	Caduceus.
Nurses' Aides.....	D-129798.....	Red cross.
Drivers.....	D-129808.....	Steering wheel.
Messengers.....	D-129806.....	Lightning flash.
Emergency Food and Housing.....	D-129809.....	Cap, handle to right.
Utility Repair.....	D-132588.....	Pliers, jaws closed, handles downward.
Instructors.....	D-132590.....	Inverted equilateral triangle centered above which is a falling bomb, to the left of which is a chemical retort and to the right of which is a flame.
(Instructors who have graduated from a War Department Civilian Protection School may wear Instructors insignie placed above a silver ribbon on which are the letters "WDPCS.")		
Chaplains.....	Patent pending.....	Christian: Latin cross. Jewish: Six-pointed star centered above Tablets of the Law in silhouette.

(b) The Director may from time to time prescribe, by regulations or orders, other designs as insignia for additional units of the Defense Corps.

(c) Prescribed insignia of the Defense Corps may be embodied in official articles which any member or, subject to § 1903.7 (c) of this chapter (Office of Civilian Defense Regulations No. 3), any trainee is authorized to use or wear so long as he complies with all rules, regulations, orders, and instructions made at any time by the Director, including those with respect to the use or wearing of prescribed insignia and with respect to the eligibility, training, or duties of members. Such right to wear or use official articles shall be subject at all times to the terms and conditions of any such rules, regulations, orders, or instructions.

(d) Any member or trainee authorized to wear or use official articles may wear or use only official articles bearing the insignia prescribed by the Director for the particular unit of the Defense Corps of which such person is a member or trainee.

(e) Arm bands or brassards embodying prescribed insignia shall constitute a substitute for a uniform. The wear or use of arm bands or brassards embodying prescribed insignia of the Defense Corps is restricted to members of or trainees, subject to § 1903.7 (c) of this chapter (Office of Civilian Defense Regulations No. 3), for the Defense Corps

(except the Instructors Unit) and to persons authorized pursuant to paragraph (h) of this section, while actively engaged in the performance of duties or while in transit to or from their places of duty.

(f) It shall be unlawful for any person to use or wear any prescribed insignia except in accordance with rules, regulations, orders, and instructions issued by the Director. The Director may prohibit or restrict, in his discretion, the wearing or use of any articles embodying prescribed insignia.

(g) Prescribed insignia may not be altered or modified in any manner, and no additional words or devices may be superimposed on prescribed insignia. However, the name of a State or community or the designation of the occupation or profession of the wearer may be placed on official articles in addition to the prescribed insignie.

(h) Such organized personnel as is certified by the American Red Cross to the Commander for emergency feeding, housing and clothing services, if such personnel is satisfactory to the Commander and is placed under his command in an emergency, may be authorized by the Commander to use and wear official articles embodying the prescribed insignie of the Emergency Food and Housing Unit, notwithstanding the fact that such persons are not members of the Defense Corps.

§ 1903.5 *Eligibility.* (a) All citizens of the United States, without distinction as to race, color, sex, or religion, shall be eligible for membership in the Defense Corps.

(b) All aliens residing in the United States, its territories or possessions, who are not of enemy nationality, and without distinction as to race, color, sex, or religion, shall be eligible for membership in the Defense Corps: *Provided, however,* That, subject to further order of the Director, any alien not of enemy nationality may be declared ineligible for membership by the Local Defense Council of the community where such alien resides, and any alien of enemy nationality may be declared eligible for membership by the State Defense Council, acting upon the favorable recommendation of the Local Defense Council of the community where such alien resides. The decision of such Local Defense Council as to an alien not of enemy nationality, and of such State Defense Council as to an alien of enemy nationality, shall be final and shall be based upon its determination as to whether a declaration of eligibility or ineligibility would best serve the interests of the United States after considering all facts bearing on the loyalty of any such alien to the United States; such decision shall be reached after such hearings as the Defense Council shall deem proper before a Board of Inquiry designated by the Defense Council or established by it to make findings of fact and recommendations to the Defense Council. The term "alien of enemy nationality", as used in this paragraph (b), means a citizen of Germany, Italy, or Japan, or such other country as shall be designated by order of the Director.

(c) Membership in any other organization of any character shall not be a condition to eligibility for membership in the Defense Corps, and no person shall become a member, or eligible for membership, solely by virtue of membership in any other organization.

(d) No person may become a member of the Defense Corps who advocates or has advocated the overthrow of the constitutional form of government in the United States by force or violence, or who has been convicted of or is under indictment or information charging any subversive act against the United States.

(e) No fees of any kind shall be required to be paid as a condition to enrollment or continued membership in the Defense Corps.

(f) Any State or community may impose further restrictions (not predicated upon race, color, sex or religion) upon eligibility, but no community shall, contrary to this chapter (Office of Civilian Defense Regulations No. 3) or subsequent rules, regulations, or orders issued by the Director, admit any person to membership in the Defense Corps.

§ 1903.6 *Registration for training.* Each person eligible for membership in the Defense Corps shall register for training, furnishing such information and data as shall be specified in the regis-

tration card (including registrant's full name, age, nationality, and residence and business addresses and telephone numbers), which card shall be in such form as shall be prescribed by order of the Director. Such registration card shall be filed with the Local Defense Council, and held by it available for inspection by the Office of Civilian Defense.

§ 1903.7 *Training.* (a) Before becoming a member of the Defense Corps, a registrant for training shall complete, in a manner satisfactory to the Commander of his local Defense Corps, and not below such standards as may be prescribed by order of the Director, courses of training or instruction prescribed and approved by order of the Director for the particular unit of the Defense Corps. Enrolled members shall take such additional courses of training and instruction and shall participate in such air raid drills and group or field training as shall be prescribed by order of the Director or such Commander.

(b) The minimum number of hours of training or instruction required to be satisfactorily completed (prior or subsequent to the effective date of this chapter) before a person may become a member of the Defense Corps (except in individual cases where the Commander of the local Defense Corps, or the Chief of Service, shall certify that the registrant has in a less number of hours satisfactorily completed required courses of training or instruction), and the subjects in which such training or instruction shall be completed for the respective units, are as follows:

Unit	First aid	Fire defense	Gas defense	General
Staff	10	3	2	5
Air Raid Wardens	10	3	5	5
Auxiliary Police	10	3	5	5
Auxiliary Firemen	10	10	2	5
Fire Watchers	0	3	2	5
Demolition and Clearance	0	3	2	5
Road Repair	0	3	2	5
Rescue	20	10	5	5
Decontamination	10	0	5	5
Medical:				
Doctors	10	0	10	0
Registered Nurses	10	0	10	0
Attendants (such as stretcher teams and orderlies)	20	0	10	0
Nurses' Aides	20	0	10	0
Drivers ¹	10	0	5	5
Messengers	10	3	2	5
Emergency Food and Housing	0	0	2	5
Utility Repair ²	0	0	3	5
Chaplains	0	0	0	0
Instructors				

Must attend Instructors Training Schools as prescribed by the Office of Civilian Defense.

¹ Formal first-aid training not required, but review course of 10 hours desirable.

² Basic 80 hours special American Red Cross Training given in connection with hospitals designated as training centers. Within one year after enrollment 20 hours first-aid training and 130 hours hospital practice are required.

³ Also the following courses: Night driving and convoy driving, 5 hours; blackout driving, 3 hours; map reading, 2 hours; minor roadside repairs, 5 hours; test and review, 3 hours.

⁴ Applicants for Utility Repair Units who are employed to do repair work for publicly or privately owned water, gas, electric, or other utilities, or communication companies, may omit all training and instruction courses, but fire defense and gas defense training is recommended.

⁵ After enrollment, training and instruction in gas defense (2 hours) is recommended.

(c) Trainees for membership in the Defense Corps may be authorized by order of the Director or the Commander, in the event of an air raid or other disaster or emergency, to perform the duties of members of the Defense Corps during such period as shall be specified in such order. The effect of any such order shall be, whether or not stated herein, to dispense with the requirements, during the period specified therein, of completion of courses of training or instruction, oath, Certificate of Membership, and enrollment. Trainees appointed as members, pursuant to such order, in the manner prescribed in § 1903.8 of this chapter (Office of Civilian Defense Regulations No. 3), and engaged in performing duties of members, or in transit to or from their places of duty, shall be members of the Defense Corps during the period specified in such order, and as such shall be entitled to wear or use official articles (but not to receive a Certificate of Membership), to receive, use, and wear loaned equipment, and to all other rights and privileges of members. Prior to any such order, trainees may, subject to § 1903.4 (e) of this chapter (Office of Civilian Defense Regulations No. 3), wear arm bands bearing only the letters "CD." Trainees for the Nurses' Aides Unit may wear the prescribed insignia on uniform sleeves while engaged in practice work in hospitals.

(d) Trainees for membership in the Defense Corps may use or wear loaned equipment, other than official articles, while engaged in training or instruction, to the extent deemed necessary and proper by the person conducting the course of training or instruction, or as otherwise ordered by the Director.

§ 1903.8 *Method of appointment.* Eligible persons who have registered for training in the Defense Corps and have satisfactorily completed prescribed and approved courses of training or instruction may be appointed to the various units of the Defense Corps on the basis of ability to perform prescribed duties, by the legally authorized appointive authority of any State or community, subject to any further rules, regulations, or orders issued by the Director as to the manner of appointment of such persons.

§ 1903.9 *Oath.* (a) Each appointee to membership in the Defense Corps shall, prior to being enrolled as a member of the Defense Corps, take an oath, orally, before any person approved by the Commander of the local Defense Corps, or in writing, which oath shall be substantially as follows:

I, _____, solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; that I will well and faithfully discharge my duties as a member of the United States Citizens Defense Corps; and that I do not advocate, and have not advocated, the overthrow of our constitutional form of government in the United States by force or violence.

Such oath may include allegiance to the particular State and such other matter

as shall not be inconsistent with the foregoing.

(b) If such oath is in writing and signed, it shall be filed with the Local Defense Council. If such oath is taken orally, there shall be filed with the Local Defense Council an affidavit of the Commander of the local Defense Corps, or the Chief of Service of the service in which the member is enrolled, or of the person administering the oath, specifying the name of the person taking the oath, the date on which the oath was taken, and the form of the oath so taken. Such oaths, written or oral, may be taken before or after the effective date of this chapter (Office of Civilian Defense Regulations No. 3).

§ 1903.10 *Certificate of membership.* Each eligible registrant for training in the Defense Corps, upon satisfactorily completing prescribed and approved courses of training or instruction, being duly appointed to membership and taking the prescribed oath, may be furnished by the Local Defense Council with a Certificate of Membership, in form prescribed by order of the Director and signed by such person or persons as shall be authorized by the Local Defense Council, certifying that such registrant has satisfactorily completed the required courses of training or instruction and demonstrated the necessary knowledge and ability to carry out his duties, and is a member of the Defense Corps entitled to use or wear the prescribed insignia of the particular unit of the Defense Corps for which he is appointed and trained.

§ 1903.11 *Enrollment.* Each person entitled to a Certificate of Membership shall be enrolled by the Local Defense Council as a member of the Defense Corps, in the unit specified in such Certificate. Local Defense Councils shall furnish the Office of Civilian Defense, from time to time upon request, information regarding enrolled members, including the number in the various units of the Defense Corps.

§ 1903.12 *Duties.* (a) The duties of each member of the Defense Corps shall be as prescribed by regulations of the Director, and as additionally prescribed, to the extent permitted by law and not inconsistent with the duties prescribed by the Director, by the Governor or the State Defense Council of his State, or by the chief executive officer or other designated authority or the Local Defense Council of his community. Specific duties shall be prescribed by the Commander of the local Defense Corps or by the Chief of Service.

(b) The general duties of the members of the Defense Corps shall include the following:

(1) *Staff.* Commanding or directing the units of the local Defense Corps in the protective services engaged in civilian defense; assisting the Commander, including technical, administrative and clerical assistance.

(2) *Air raid wardens.* Observing lights showing during a blackout and warning occupants of buildings; calling

attention of law enforcement authorities to failures to comply with blackout rules and regulations, and requesting their cooperation in obtaining such compliance; directing persons in the streets to shelter; reporting to the Control Center any fallen bombs or fires; assisting in fighting incendiary bombs; detecting and reporting to the Control Center the presence of gas; administering elementary first aid; assisting victims in damaged buildings; training residents for emergencies and becoming acquainted with physical features and residents of assigned territory.

(3) *Auxiliary police.* Enforcing emergency restrictions on lighting and prohibitions on trespassing; guarding of docks, buildings, bridges, and factories; performing traffic duty to facilitate movements of essential vehicles; preventing looting of partially demolished buildings, shops, and homes; assisting air raid protection services before, during, and after a raid; and generally assisting the regular police force.

(4) *Auxiliary firemen.* Assisting regular fire-fighting forces, including laying hose relays and operating small pumps; rescuing persons from burning buildings.

(5) *Fire watchers.* Standing guard on posts in doorways, on roofs, and at other vantage points in order to spot, reach, and extinguish fallen bombs.

(6) *Demolition and clearance unit.* Removing rubble and debris from streets after air raids; destroying partially demolished or unsafe walls and buildings; filling bomb craters in streets; assisting the local public works department.

(7) *Road repair unit.* Repairing roads after air raids to restore normal flow of traffic as rapidly as possible, including smoothing road surfaces, repaving with available material, restoring road markings, filling holes and applying top dressing; assisting street departments and public works departments following rough clearance by Demolition and Clearance Units.

(8) *Rescue unit.* Rescuing persons trapped in debris; shutting off broken gas, electric, and water lines; shoring up, tunneling, and minor demolition work; rendering emergency first aid; assisting local public works, fire, and other municipal departments.

(9) *Decontamination unit.* Effecting chemical neutralization or removal of gases contaminating streets, walls, and buildings; assisting health departments in connection with decontamination work.

(10) *Medical unit.* Proceeding to scene of air raids or other disasters and occupying casualty stations; establishing advance first aid posts so as to render emergency care to the injured; manning stations for decontamination of persons; assisting hospitals and health departments.

(11) *Nurses' aides unit.* Assisting nurses in wards and out-patient clinics of hospitals; serving in emergency medical field units in casualty stations and first aid posts.

(12) *Drivers' unit.* Driving vehicles to assist other units of the Defense Corps.

(13) *Messengers unit.* Performing messenger service for air raid warden posts, control and message centers, hospitals, casualty stations and first aid posts, fire stations and police stations, and other units of the Defense Corps.

(14) *Emergency food and housing unit.* Providing food and shelter for persons whose homes have been destroyed or damaged by air raid or other disaster; assisting local welfare departments.

(15) *Utility repair unit.* Repairing water, gas, electric, telephone, telegraph, steam, sewer, and other utility services damaged by air raid or other disaster.

(16) *Instructors.* Giving courses of training and instruction to units of the Defense Corps as prescribed from time to time by orders or instructions of the Director.

(17) *Chaplains.* Administering to the religious and spiritual needs of persons suffering from the effects of air raids or other disaster.

§ 1903.13 *Termination or suspension of membership in United States Citizens Defense Corps.* (a) Any member of or trainee for the Defense Corps who:

(1) Fails or refuses to comply with all applicable rules, regulations, and orders made or issued by his State or community or any agency thereof;

(2) Fails or refuses faithfully to perform his duties;

(3) Fails or refuses to comply with §§ 1901.1 to 1901.11, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1), as to the protection, maintenance, use, or return of loaned equipment.

(4) Was not at the date of enrollment, or would not be at any subsequent date, eligible for membership in the Defense Corps or was not trained, appointed, sworn, or enrolled as a member or trainee in accordance with this chapter, or any subsequent rules, regulations, or orders of the Director; or

(5) Has not adequate knowledge, ability, or other qualification properly to perform his duties;

may have his membership or training status suspended or terminated by order of his Local Defense Council or of the Director, after notice to such person and to the official or body which appointed such person, which notice shall specify all charges against such person and after an opportunity for such person to be heard in his defense.

(b) Unless and until such order is vacated by order of the removing authority for good cause shown, it shall be unlawful for any person whose membership or training status in the Defense Corps has been so suspended or terminated to use or wear any official article or to receive use, or wear any loaned equipment, and such person shall be deprived of all other rights and privileges as a member or trainee: *Provided, however,* That such suspension or termination shall not affect the status under State or local law

of any person appointed by a State or community appointive authority to perform such duties as may be required by such State or local law. Nothing in this chapter shall be construed to interfere with or usurp any of the rights or duties of any local district, municipal, county, or State official.

(c) Hearings in any proceeding ordered by a Local Defense Council or the Director for suspension or termination of membership or training status shall be held at such time and place, and before such examiner, and in accordance with such procedure as shall be prescribed by the order of the Local Defense Council or the Director, as the case may be.

§ 1903.14 *Status and compensation of members.* Members shall not be deemed appointees or employees of the Office of Civilian Defense, or of the United States or any agency thereof, nor entitled to any payment from the Office of Civilian Defense, or the United States or any agency thereof, for services rendered as members. Payment for such services by the States or communities shall be dependent upon the laws thereof.

§ 1903.15 *Loaned equipment.* (a) Loaned equipment received by communities from the Office of Civilian Defense pursuant to §§ 1901.1 to 1901.11, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1), shall, unless otherwise ordered by the Director or authorized by said chapter, be distributed by such communities, directly or indirectly, only to members of, or (subject to § 1903.7 (c) of this chapter (Office of Civilian Defense Regulations No. 3)), trainees for, the Defense Corps or to members of local police departments or fire departments, all in accordance with instructions of the Commander of the local Defense Corps.

(b) All loaned equipment received by any community, including fire-fighting pumping units, shall, unless otherwise ordered by the Director or authorized by §§ 1901.1 to 1901.11, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1), be used only by members of, or (subject to § 1903.7 (d) of this chapter (Office of Civilian Defense Regulations No. 3)), trainees for, the Defense Corps or by members of local police departments or fire departments.

(c) Unless otherwise ordered by the Director or authorized by §§ 1901.1 to 1901.11, inclusive, of this chapter (Office of Civilian Defense Regulations No. 1), any community which distributes any such loaned equipment to any person not a member of or trainee for the Defense Corps or a member of the local police department or fire department, or not in accordance with the instructions of the Commander of the local Defense Corps, or which permits any person not a member of or to the extent provided in § 1903.7 (c) of this chapter (Office of Civilian Defense Regulations No. 3), a trainee for the Defense Corps or a member of the local police department or fire department to use or wear any loaned equip-

ment, or which fails promptly to recall any loaned equipment from any person whose membership or training status has been suspended or terminated, shall be deemed to have violated its Agreement (OCD Form No. 501) with the Director pursuant to which such equipment was loaned; and in such event the Director may proceed to recall all or any part of the equipment and supplies of any character loaned to such community.

§ 1903.16 *Organization and command of Local Defense Corps.* (a) The Defense Corps in each community shall consist of a Staff Unit and such other units, established pursuant to § 1903.3 of this chapter (Office of Civilian Defense Regulations No. 3), as shall be deemed necessary for the community in the opinion of the Commander.

Service	Units	Chief
(1) Fire Service.....	Auxiliary Firemen..... Rescue.	Chief of Emergency Fire Service (ordinarily Chief of local Fire Department).
(2) Police Service.....	Auxiliary Police.....	Chief of Emergency Police Service (ordinarily Chief of local Police Department).
(3) Air Raid Wardens Service.....	Air Raid Wardens..... Fire Watchers. Emergency Food and Housing.	Chief Air Raid Warden.
(4) Emergency Medical Service.....	Medical..... Nurses' Aides.	Chief of Emergency Medical Service.
(5) Emergency Public Works Service.....	Demolition and Clearance..... Road Repair. Decontamination.	Chief of the Emergency Public Works Service.
(6) Emergency Utilities Service.....	Utility Repair.....	Chief of the Emergency Utilities Service.
(7) Staff.....	Staff..... Drivers. Messengers.	Commander.

(d) The Staff Unit shall include the Commander and the Chiefs of the respective Services, and in addition may include the following:

(1) Executive Officer, who shall be responsible for plans and training and who shall be second in command after the Commander. He may be assisted by Incident Officers and a Chief of Training.

(2) Controller, who shall be responsible for the establishment, maintenance, protection, and operation of the control center and who shall be next in command after the Executive Officer. He may be assisted by a Plotting Officer, Chart Writer, Communications Officer, Panel Clerk, Records Clerk, Radio Aide, and other necessary personnel, including telephone operators, messengers, radio operators, police guards, and office personnel.

(3) Personnel Officer, who shall be responsible for the personnel and enrollment records of all members of the Defense Corps, as well as all records with respect to casualties and evacuation.

(4) Property Officer, who shall be accountable for all property issued to members of the Defense Corps.

(5) Transportation Officer, who shall be responsible for local transportation facilities.

(6) Billeting Officer, who shall be responsible for emergency housing facilities.

(b) The Commander of each local Defense Corps shall be designated or appointed in accordance with the provisions of State and local law. He shall have complete authority during an air raid, blackout or other emergency, as well as during periods of air raid drills, practice blackouts or otherwise in connection with training, to command and direct the Defense Corps and to coordinate and direct, to the extent permitted by local law, the local Fire and Police Departments and other municipal services. He shall have responsibility and authority for the organization, training, and operation of the Defense Corps.

(c) The units of the Defense Corps may be organized into services as hereinafter specified, each of which shall be under the direction and command of a Chief of Service as indicated, to-wit:

(7) Bomb Reconnaissance Agents, who shall investigate reports of unexploded bombs, determine their category, and report thereon.

(8) Senior Gas Officer (ordinarily from the local Health Department), who shall supply technical direction on identification of chemical agents in food, milk, water, and air, and shall determine action to be taken by other services and agencies before, during, and after gas attacks. He may be assisted by specialists such as Gas Detection Officers and Laundry Officers.

(9) Chief Technical Intelligence Officer, who shall be in charge of obtaining information as to the effect upon civilians and property of enemy attack. He may be assisted by Technical Intelligence Aides, who shall act as squad leaders, Medical Intelligence Officers, and Structural Intelligence Officers.

(10) Water Works Officer (representing local water works organization), who shall supply technical assistance with respect to water supply problems to the Commander and the Chiefs of Emergency Utilities Service and Emergency Fire Service.

(11) Health Officer, who shall advise the Commander regarding emergency measures for disease prevention. He may be assisted by his deputies, division chiefs, and sanitary inspectors.

The functions and duties of any of the above-mentioned members of the Staff Unit may be combined in one person by order of the Commander.

[SEAL] JAMES M. LANDIS,
Director of Civilian Defense.

AUGUST 28, 1942.

[F. R. Doc. 42-8465; Filed, August 28, 1942; 4:01 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter III—Grazing Service

PART 502—LIST OF ORDERS CREATING OR MODIFYING GRAZING DISTRICTS

UTAH GRAZING DISTRICT NO. 7

MODIFICATION

Under and pursuant to the provisions of the act of June 26, 1934 (48 Stat. 1269), as amended, Departmental order of May 7, 1935, establishing Utah Grazing District No. 7, is hereby revoked as far as it affects the following described lands, such revocation to be effective upon the withdrawal of the lands for use in connection with national defense purposes:¹

UTAH

SALT LAKE MERIDIAN

T. 16 S., R. 14 E., S. 1. M.

Sec. 1 All.

Sec. 3 Lots 1, 2, 3, 4, 7, 8, 9, 10, 11, SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 4 Lots 1, 2, 7, 10, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 8 NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;

Sec. 9 NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 10 N $\frac{1}{2}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 11 All.

Sec. 12 All.

Sec. 13 All.

Sec. 14 All.

Sec. 15 N $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 17 NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$;

Sec. 22 NE $\frac{1}{4}$;

Sec. 23 N $\frac{1}{2}$;

Sec. 24 N $\frac{1}{2}$.

ABE FORTAS,

Acting Secretary of the Interior.

AUGUST 20, 1942.

[F. R. Doc. 42-8527; Filed, August 31, 1942; 10:01 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Suspension Order O.D.T. 18-1]

PART 520—CONSERVATION OF RAIL EQUIPMENT—EXCEPTIONS, SUSPENSIONS AND PERMITS

SUBPART C—MAXIMUM LOADING OF FREIGHT CARS

LOADING OF WATER-BORNE FREIGHT IN TRANSIT

By virtue of the authority vested in me by Executive Order No. 8989, issued De-

¹ Affects tabulation in § 502.1e.

ember 18, 1941, and in order to avoid difficulties arising, or which may arise, from the loading of freight in transit by water and thence by rail in compliance with the provisions of paragraph (a) of § 500.21 of Subpart C, Part 500, Chapter II, Title 49, Code of Federal Regulations (General Order O.D.T. No. 18)¹; to facilitate and expedite the transportation of such freight and to prevent congestion of traffic, the attainment of which purposes is essential to the prosecution of the war:

It is hereby ordered, That:

Sec.

520.475 Forwarding of cars loaded to less than required capacity with water-borne freight in transit.

520.476 Effective date.

AUTHORITY: §§ 520.475 and 520.476 issued under E.O. 8989, 6 F.R. 6725.

§ 520.475 *Forwarding of cars loaded to less than required capacity with water-borne freight in transit.* Until otherwise ordered by the Office of Defense Transportation, the provisions of paragraph (a) of § 500.21 of Subpart C, Part 500, Chapter II, Title 49, of the Code of Federal Regulations (General Order O.D.T. No. 18) are hereby suspended as to any freight car containing a shipment, or portion thereof, loaded in such car by a common carrier by water immediately subsequent to a movement of such shipment by water, when (a) such loading is a part, or in furtherance, of a continuous movement of such shipment by water and thence by rail, or by rail, thence by water, and thence by rail, and (b) either the total quantity of such shipment is less than the quantity necessary to load such car to required capacity, as defined in such subpart, or the freight loaded in such car is a portion of such a shipment, the remainder of which is loaded in one or more other freight cars to such required capacity: *Provided*, That nothing herein shall be deemed or construed to suspend the application of the provisions of said paragraph (a) insofar as such provisions are applicable to the acceptance for forwarding or the forwarding of a car containing freight loaded therein as a part, or in furtherance, of a continuous movement by water on the high seas and thence by rail.

§ 520.476 *Effective date.* This suspension order shall become effective on the 15th day of September, 1942, and shall remain in full force and effect until the further order of the Office of Defense Transportation.

Issued at Washington, D. C. this 29th day of August, 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.
AUGUST 29, 1942.

[F. R. Doc. 42-8496; Filed, August 29, 1942; 11:18 a. m.]

¹ 7 F.R. 6496.

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART L—TAXICABS AND TAXI SERVICE [General Order O. D. T. 20]

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1941, and by Executive Order No. 9156, dated May 2, 1942, and by Executive Order No. 9214, dated August 5, 1942, and in order to conserve and providently utilize vital transportation equipment, material and supplies, including rubber; and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

Sec.

501.80 Definitions.

501.81 Certain operations prohibited.

501.82 Operating regulations.

501.83 Loading requirements.

501.84 Special and general permits.

501.85 Records and reports.

501.86 Exemptions.

501.87 Effective date.

AUTHORITY: §§ 501.80 to 501.87, inclusive, issued under E.O. 8989, 6 F.R. 6725, E.O. 9156, 7 F.R. 3349, and E.O. 9214, 7 F.R. 6097.

§ 501.80 *Definitions.* As used in this subpart: (a) The term "person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, other than a municipality or other governmental subdivision, and includes any trustee, receiver, assignee, or personal representative.

(b) The term "taxicab" means any rubber-tired vehicle (1) propelled or drawn by mechanical power; (2) having a seating capacity of less than ten passengers; (3) used in the call and demand transportation of passengers for compensation to or from points chosen or designated by the passengers; and (4) not operated on a fixed schedule, between fixed termini, or over specific routes.

(c) The term "taxi service" means the transportation of passengers by taxicab.

§ 501.81 *Certain operations prohibited.* No person shall:

(a) Engage in taxi service unless, on the effective date of this subpart, (1) there was in force with respect to such person a license, permit, or other grant of authority issued by a municipality or other governmental subdivision, authorizing such person to engage in such taxi service; or (2) such person was engaged in bona fide taxi service in a community where no such license, permit, or other grant of authority was required;

(b) Have in operation in taxi service in any municipality or other governmental subdivision a greater number of taxicabs than such person had in operation in taxi service in such municipality or governmental subdivision on the effective date of this subpart.

§ 501.82 *Operating regulations.* No person shall drive or operate a taxicab:

(a) For any purpose, including social or recreational purposes, personal to the driver or operator;

(b) At a rate of speed which is, (1) in excess of the speed limits duly prescribed by competent public authority, or (2) in excess of forty (40) miles per hour, whichever rate of speed is the lesser;

(c) For the purpose of making commercial deliveries of property;

(d) More than ten (10) miles beyond the corporate limits of the municipality in which the trip originated;

(e) For the purpose of securing passengers while cruising;

(f) On any trip that exceeds twenty-five (25) miles from point of origin to point of destination;

(g) Without distinctly marking every such taxicab to indicate that it is a taxicab.

§ 501.83 *Loading requirements.* No person shall drive or operate a taxicab in any municipality or other governmental subdivision who does not participate in any group riding plan for taxicabs which is lawfully in effect within such municipality or other governmental subdivision and in which it is practicable for him to participate.

§ 501.84 *Special and general permits.* The provisions of this subpart shall be subject to any special or general permit issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances, or to prevent undue public hardships.

§ 501.85 *Records and reports.* Every person engaged in taxi service shall keep a daily record of the number of miles and hours each taxicab used in such service is operated, the number of passengers carried, and the gallons of fuel transferred to its fuel tank, and shall keep such other records and make such reports as may be required by the Office of Defense Transportation. Such records shall be available for inspection by authorized representatives of the Office of Defense Transportation at all times.

§ 501.86 *Exemptions.* The provisions of this subpart do not apply:

(a) To a person transporting by automobile passengers to and from burials or interments;

(b) To the transportation of passengers between their homes and their places of work by a person driving an automobile between his or her home and place of work;

(c) To the transportation of passengers incidental to emergencies arising from an accident, sickness, death, public calamity, or military necessity: *Provided*, however, That with respect to all such transportation the person driving or operating the taxicab shall within forty-eight (48) hours make a report in writing to the Office of Defense Transportation

explaining in full the emergency necessitating the transportation.

§ 501.87 *Effective date.* This subpart shall become effective September 1, 1942.

Issued at Washington, D. C., this 29th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.
AUGUST 29, 1942.

[F. R. Doc. 42-8524; Filed, August 31, 1942;
9:42 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[No. 43]

APPLICATIONS FOR REGISTRATION AS DISTRIBUTORS

An application for registration as a distributor has been filed by each of the following and is under consideration by the Acting Director:

Name and address	Date application filed
Kelley's Creek Colliery Co., Western Reserve Bldg., Cleveland, Ohio.	Aug. 10, 1942.
The Monongahela & Ohio Coal Co., 524 Rockefeller Bldg., Cleveland, Ohio.	Aug. 20, 1942.
Ralston Fox Smith, Fox Smith Coal Sales, 330 Chester Twelfth Bldg., Cleveland, Ohio.	Aug. 15, 1942.

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act and the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before September 28, 1942. This information should be mailed or presented to the Bituminous Coal Division, 734 15th Street, NW., Washington, D. C.

Dated: August 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8536; Filed, August 31, 1942;
11:33 a. m.]

[Docket No. C-13]

COLORADO FUEL AND IRON CORP.

ORDER POSTPONING HEARING AND REDESIGNATING PLACE OF HEARING

In the matter of the application of Colorado Fuel & Iron Corporation for exemption pursuant to section 4-A of the Bituminous Coal Act of 1937.

The original petitioner having moved that the hearing in the above-entitled matter, heretofore scheduled for September 9, 1942, at a hearing room of the Bituminous Coal Division, 734 Fifteenth

Street NW., Washington, D. C., be removed to Denver, Colorado, and having shown good cause why such motion should be granted;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and it hereby is, postponed from 10 o'clock in the forenoon of September 9, 1942, until a date and at a hearing room of the Bituminous Coal Division in Denver, Colorado, to be designated by further order.

Dated: August 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8534; Filed, August 31, 1942;
11:33 a. m.]

[Docket No. D-23]

NEW ENGLAND COAL AND COKE CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of the application of New England Coal and Coke Company for permission to receive sales agents' commissions and distributors' discounts on coal sold to Eastern Gas and Fuel Associates.

The New England Coal and Coke Company, a corporation organized under the laws of Massachusetts with its principal offices in Boston, Massachusetts, acting as a sales agent for certain code member producers, and being registered with the Division as a Distributor, Registration No. 6823, filed its petition on September 24, 1940, and its amended petition on August 12, 1942, praying:

1. That the Division re-determine that the ownership or control of the applicant by Eastern Gas and Fuel Associates is bona fide, that Applicant was not established to secure indirect price reductions and that such ownership or control is not within the prohibition of paragraphs 11 and 12 of section 4, Part II (1) of the Bituminous Coal Act of 1937, and
2. For such other and further relief as may be just and equitable.

It is, therefore, ordered, That a hearing on such matter be held on October 1, 1942, at 10 a. m. in the forenoon of that day, at a hearing room of the Bituminous Coal Division, 734 15th Street, N. W., Washington, D. C. On such day the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and 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 such petitioner and to any other per-

son who may have an interest in such proceeding. Any person desiring to be heard at such hearing shall file a notice to that effect with the Bituminous Coal Division on or before September 24, 1942, setting forth therein the nature of his interest and a concise statement of the matter or matters which he intends to present.

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 interveners, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

Dated: August 27, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8535; Filed, August 31, 1942;
11:34 a. m.]

[Docket No. C-17]

PUBLIC SERVICE CO. OF INDIANA

ORDER POSTPONING HEARING

In the matter of the application of Public Service Company of Indiana, Inc., for exemption pursuant to the second paragraph of section 4-A of the Bituminous Coal Act of 1937.

A hearing in the above-entitled matter having been heretofore scheduled for August 31, 1942, at 10 o'clock in the forenoon of that date at a hearing room of the Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C., and it appearing appropriate that said hearing should be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be, and it hereby is, postponed from 10 o'clock in the forenoon of August 31, 1942, until 10 o'clock in the forenoon of October 6, 1942, that Examiner Charles S. Mitchell preside at said hearing on October 6, 1942, vice Examiner Charles O. Fowler, and that in all other respects the original Notice of and Order for Hearing shall remain in full force and effect.

Dated: August 28, 1942.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 42-8533; Filed, August 31, 1942;
11:33 a. m.]

General Land Office.

[Public Land Order 33]

UTAH

WITHDRAWING PUBLIC LANDS FOR USE IN CONNECTION WITH THE PROSECUTION OF THE WAR

By virtue of the authority vested in the President, and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, the public lands within the following-

described areas, together with the mineral deposits owned by the United States in the patented lands within such areas, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, are reserved for the use of the Department of the Interior in connection with the prosecution of the war:

SALT LAKE MERIDIAN

T. 16 S., R. 14 E.,

- Sec. 1, All;
 Sec. 3, Lots, 1, 2, 3, 4, 7, 8, 9, 10, 11, SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 4, Lots 1, 2, 7, 10, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 8, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 9, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 10, N $\frac{1}{2}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 11, All;
 Sec. 12, All;
 Sec. 13, All;
 Sec. 14, All;
 Sec. 15, N $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 17, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 22, NE $\frac{1}{4}$;
 Sec. 23, N $\frac{1}{2}$;
 Sec. 24, N $\frac{1}{2}$.

The areas described, including both public and non-public land, aggregate 6645.63 acres.

ABE FORTAS,

Acting Secretary of the Interior.

AUGUST 20, 1942.

[F. R. Doc. 42-8526; Filed, August 31, 1942; 10:01 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order No. 725]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 10, 1942.

I hereby amend:

(a) Administrative Order No. 683, dated March 2, 1942, by changing the project designation appearing therein as "Tennessee 2001K1 Meigs" to read "Tennessee 2001H1 Meigs."

[SEAL]

HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-8491; Filed, August 29, 1942; 10:59 a. m.]

[Administrative Order No. 726]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 10, 1942.

I hereby amend:

(a) Administrative Order No. 249, dated May 16, 1938, by rescinding the allocation of \$13,000 therein made for "Arkansas 8014A2 Pope" (designation changed to read "Arkansas 8014A2 A. P. & L." in conformity with Amendment to General Order No. 84, dated August 1, 1939).

(b) Administrative Order No. 676, dated February 20, 1942, by rescinding the allocation of \$10,000 therein made for "Georgia 2042S1 Toombs."

(c) Administrative Order No. 544, dated December 6, 1940, by rescinding the allocation of \$2,000 therein made for "Georgia 1686W5 Seminole."

(d) Administrative Order No. 657, dated January 10, 1942, by rescinding the allocation of \$370,000 therein made for "Indiana 2001G1 Greene."

(e) Administrative Order No. 676, dated February 20, 1942, by rescinding the allocation of \$2,000 therein made for "Kansas 2026S2 Coffey."

(f) Administrative Order No. 676, dated February 20, 1942, by rescinding the allocation of \$3,000 therein made for "Michigan 2005S2 Lenawee."

(g) Administrative Order No. 620, dated September 23, 1941, by rescinding the allocation of \$25,000 therein made for "Michigan 2026S4 Ingham."

(h) Administrative Order No. 627, dated October 8, 1941, by rescinding the allocation of \$5,000 therein made for "Minnesota 2003S2 Meeker."

(i) Administrative Order No. 627, dated October 8, 1941, by rescinding the allocation of \$12,000 therein made for "Missouri 2035S2 Adair."

(j) Administrative Order No. 718, dated June 19, 1942, by rescinding the allocation of \$5,000 therein made for "Missouri 2038S2 Reynolds."

(k) Administrative Order No. 676, dated February 20, 1942, by rescinding the allocation of \$5,000 therein made for "Missouri 2043S2 Laclede."

(l) Administrative Order No. 676, dated February 20, 1942, by rescinding the allocation of \$12,000 therein made for "North Carolina 2039S2 Union."

(m) Administrative Order No. 676, dated February 20, 1942, by rescinding the allocation of \$15,000 therein made for "Oklahoma 2025S2 Rogers."

(n) Administrative Order No. 625, dated October 7, 1941, by rescinding the allocation of \$15,000 therein made for "Tennessee 2028A2 Paris Public."

(o) Administrative Order No. 636, dated November 10, 1941, by rescinding the allocation of \$164,000 therein made for "Tennessee 2039A1 Lincoln."

(p) Administrative Order No. 620, dated September 23, 1941, by rescinding the allocation of \$10,000 therein made for "Texas 2089S2 Houston."

[SEAL]

HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-8492; Filed, August 29, 1942; 10:59 a. m.]

[Administrative Order No. 727]

ALLOCATION OF FUNDS FOR LOANS

AUGUST 7, 1942.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Georgia 3-R9037D3 Douglas.....	\$34,000
Georgia 3-R9086C1 Seminole.....	58,000

[SEAL]

HARRY SLATTERY,
Administrator.

[F. R. Doc. 42-8493; Filed, August 29, 1942; 10:59 a. m.]

DEPARTMENT OF LABOR.

Division of Public Contracts.

TOBACCO INDUSTRY MINIMUM WAGE

NOTICE OF OPPORTUNITY TO SHOW CAUSE

In the matter of the determination of the prevailing minimum wage in the Tobacco Industry.

Whereas, the Secretary of Labor on April 17, 1939, pursuant to the provisions of section 1 (b) of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. Supp. III, 35), otherwise known as the Walsh-Healey Public Contracts Act, determined the prevailing minimum wage for employees engaged in the performance of contracts with agencies of the United States Government subject to said Act, for the manufacture or supply of the products of the Tobacco Industry, to be 32½ cents an hour or \$13 for a week of 40 hours, arrived at either upon a time or piece work basis; and

Whereas, on August 12, 1942, the Secretary of Labor amended that determination to provide that handicapped or superannuated workers may be employed at subminimum rates in accordance with the present applicable regulations issued by the Administrator of the Wage and Hour Division under the Fair Labor Standards Act of 1938, and that such handicapped or superannuated workers may not be employed at subminimum rates under any other conditions, with respect to all contracts, subject to the Walsh-Healey Public Contracts Act, bids for which are solicited or negotiations commenced by the contracting agency on or after September 15, 1942; and

Whereas the minimum wage required to be paid by manufacturers subject to the provisions of the Fair Labor Standards Act of 1938 became 40 cents an hour on August 10, 1942, pursuant to the Wage Order of the Administrator of the Wage and Hour Division for the Tobacco Industry; and

Whereas it appears that substantially all employees subject to the Tobacco Wage Determination of the Secretary are engaged in commerce or in the production of goods for commerce, as that term is defined in the Fair Labor Standards Act of 1938, and that the Wage Order of the Administrator will, therefore, have the effect of establishing 40 cents an hour as the prevailing minimum wage in the Tobacco Industry; and

Whereas it appears desirable, for the purpose of co-ordinating the administration of the Fair Labor Standards Act of 1938 and the Public Contracts Act, to amend the Tobacco Wage Determination of the Secretary to provide that learners may be employed at subminimum rates in accordance with the present applicable regulations of the Administrator of the Wage and Hour Division (Reg. Title 29, chapter V, Part 522),

Now, therefore, notice is hereby given to all interested parties of the opportunity to show cause on or before Sept. 19, 1942 why the Tobacco Wage Determination of the Secretary should not be amended by:

(1) Increasing the prevailing minimum wage from 32½ cents an hour to 40 cents an hour, and

(2) Providing that learners may be employed at subminimum rates in accordance with the present applicable regulations of the Administrator of the Wage and Hour Division.

All objections, protests, or any statements in opposition to or in support of the proposed amendments should be addressed to the Administrator, Division of Public Contracts, Department of Labor, Washington, D. C., and should be filed with the Administrator not later than September 19, 1942.

Dated: August 29, 1942.

WM. R. McCOMB,
Assistant Administrator.

[F. R. Doc. 42-8532; Filed, August 31, 1942;
11:16 a. m.]

Wage and Hour Division.

[Administrative Order No. 155]

CONVERTED PAPER PRODUCTS INDUSTRY

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE NO. 48

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, Department of Labor,

Do hereby accept the resignation of Mr. Thomas L. Norton from Industry Committee No. 48 for the Converted Paper Products Industry and do appoint in his stead, as representative for the public on such Committee, Mr. Carroll R. Daugherty, of New York, New York.

Signed at New York, New York this 28th day of August 1942.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 42-8528; Filed, August 31, 1942;
10:27 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear,

Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 29, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective August 31, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY,
PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Ashland Shirt & Pajama Co., Inc., Front St., Ashland, Pennsylvania; Men's shirts; 10 percent (T); August 31, 1943.

Biberman Brothers, Inc., Haas Avenue, Sunbury, Pennsylvania; Day time dresses; 10 percent (T); August 31, 1943.

Capitol Sportswear Mfg. Co., 319 North Main St., Mishawaka, Indiana; Raincoats and jackets; 25 learners (E); February 28, 1943.

Isreal Engel, 1 Engel St., Glen Lyon, Pennsylvania; Corsets and allied garments; 10 learners (T); August 31, 1943.

Fulton Mfg. Co., Fulton, Mississippi; Work & sport shirts; 10 learners (T); August 31, 1943.

Marion L. Gaunt, Main St., Mullica Hill, New Jersey; Ladies pajamas, gowns, slacks and shorts; 3 learners (T); August 31, 1943.

Goodman Brothers, Inc., 6 Whippany Street, Morristown, New Jersey; Ladies slips; 3 learners (T); August 31, 1943.

Herzog & Kramer, Inc., 60 Manhattan Avenue, Jersey City, New Jersey; Bath robes; 9 learners (T); August 31, 1943.

Hillman Garment, Inc., 201 North Water St., Milwaukee, Wisconsin; Ladies sportswear, blouses, skirts, jackets, slack suits, sport dresses, etc.; 5 learners (T); August 31, 1943.

K. & K. Dress Co., 130 West Main St., Penns Grove, New Jersey; Dresses; 10 learners (T); August 31, 1943.

Landis-Park Clothing Co., 513 Montrose St., Vineland, New Jersey; Men's sack coats; 10 learners (T); August 31, 1943.

B. M. Lauritsen & Co., Inc., 515 W. Houston St., San Antonio, Texas; Infants' & children's outerwear; 10 learners (T); August 31, 1943.

Lee's Dresses, Inc., 905 Broadway, Kansas City, Missouri; Ladies dresses; 6 learners (T); August 31, 1943.

H. D. Lee Mercantile Co., 600 East State St., Trenton, New Jersey; Work clothing; 10 percent (T); August 31, 1943.

Levi-Otteneheimer Co., 1409 East Monument St., Baltimore, Maryland; Misses' playwear, girls' gymnasium and camp apparel; 7 learners (T); August 31, 1943.

Liberty Naval Uniform Co., 5 Chelsea St., Charlestown, Massachusetts; White sailor uniforms; 5 learners (T); August 31, 1943.

Model Shirt Co., 549 River St., Troy, New York; Boys' dress and sport shirts; 10 learners (T); August 31, 1943.

R & P Wash Suit Co., Inc., 123 Whitehead Ave., South River, New Jersey; Boys' wash suits, ladies' sportswear; 10 percent (T); August 31, 1943.

S. & W. Dress Co., 15 South Chestnut St., Beacon, New York; Ladies dresses; 7 learners (T); August 31, 1943.

Saul Mfg. Co., 127 South Market St., Chicago, Illinois; Blouses and sportswear; 5 learners (T); August 31, 1943.

Shawnee Garment Mfg. Co., 115½ N. Bell St., Shawnee, Oklahoma; Overalls, pants and coats; 10 learners (T); August 31, 1943. (This certificate replaces the one bearing the expiration date of May 25, 1943.)

Sigal Sportswear Co., 55 Reid St., South River, New Jersey; Dresses; 5 learners (T); August 31, 1943.

Cigar

John H. Swisher & Son, Inc., 16th St., E., Jacksonville, Florida; Cigars; 10 percent (T); Cigar machine operators to have learning period of 320 hours at 75 percent of the applicable minimum wage; August 30, 1943.

Glove

Andre S. David, Inc., 1219 Yonkers Ave., Yonkers, New York; Leather dress gloves; 1 learner (T); August 31, 1943.

Gloversville Knitting Co., 49-51 Beaver St., Gloversville, New York; Knit wool gloves; 5 percent (T); August 31, 1943.

Wings Knitting Co., 827 East Locust St., Milwaukee, Wisconsin; Knit wool gloves; 5 percent (T); August 31, 1943.

Hosiery

Charleston Hosiery Processing Co., Charleston, Tennessee; Seamless hosiery; 5 learners (T); August 31, 1943.

Juniper Hosiery Mills, Juniper & Cherry Sts., Philadelphia, Pennsylvania; Cut and sewed hosiery; 5 learners (T); August 31, 1943.

Liberty Hosiery Mills, Inc., Liberty, North Carolina; Full-fashioned hosiery; 5 percent (T); August 31, 1943.

Lynne Hosiery Mills, Inc., North South St., Mount Airy, North Carolina; Seamless hosiery; 5 learners (T); August 31, 1943.

Marvin Carr Silk Mill, 109 South Corcoran St., Durham, North Carolina; Full-fashioned hosiery; 5 percent (T); August 31, 1943.

Sweetwater Hosiery Mills, 818 North Main St., Sweetwater, Tennessee; Seamless hosiery; 5 percent (T); August 31, 1943.

Unity Knitting Co., Union, South Carolina; Full-fashioned hosiery; 3 learners (T); August 31, 1943.

Knitted Wear

Kickaway Garments, Inc., 529 South Franklin St., Chicago, Illinois; Knitted underwear; 5 learners (T); August 31, 1943.

Westwood Knitting Mill, Inc., 425 East Pico Boulevard, Los Angeles, California; Knitted outerwear; 3 learners (T); August 31, 1943.

Textile

Bloomsburg Mills, Inc., Sixth & West Sts., Bloomsburg, Pennsylvania; Rayon, acetate and nylon; 3 percent (T); August 31, 1943.

Consolidated Textile Co., Lynchburg, Virginia; Cotton sheeting and print cloth; 3 percent (T); August 31, 1943.

Kendall Mills, Thrift Plant, Paw Creek, North Carolina; Cotton yarn and cotton cloth; 3 percent (T); August 31, 1943.

W. C. Thairlwall & Co., Inc., 15 Tudor St., Cambridge, Massachusetts; Silk and nylon throwing; 5 learners (T); August 31, 1943.

Signed at New York, N. Y., this 29th day of August 1942.

MERLE D. VINCENT,
*Authorized Representative,
of the Administrator.*

[F. R. Doc. 42-8529; Filed, August 31, 1942;
10:27 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5800]

OLCOTT FALLS COMPANY AND BELLOW FALLS HYDRO-ELECTRIC COMPANY

NOTICE OF APPLICATION

AUGUST 27, 1942.

Notice is hereby given that on August 26, 1942, a joint application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act,

by Olcott Falls Company, a corporation organized under the laws of the State of New Hampshire and doing business in the States of Vermont and New Hampshire, with its principal office at Lebanon, New Hampshire, and Bellows Falls Hydro-Electric Corporation, a corporation claiming to be organized under the laws of the States of Vermont and New Hampshire, and doing business in said States, with its principal office at Bellows Falls, Vermont, seeking an order authorizing the sale by Olcott Falls Company to Bellows Falls Hydro-Electric Corporation of all of the former's operating facilities consisting of a concrete multiple arch dam, a canal, two adjoining brick power houses containing five horizontal water wheel generator units, with an aggregate capacity of about 5,000 KW., miscellaneous hydraulic equipment, transformers adjacent to the power houses for stepping up the voltage from 600 volts to 13 KV. and 33 KV., a double circuit 13 KV. line about 200 feet long, a double circuit 33 KV. line about 750 feet long, and land and water rights, all of which are used for the generation, transmission and sale of electricity, for a consideration stated in the application to be \$200,000; all as more fully appears on the application on file with the Commission.

Any person desiring to be heard or to make any protest in reference to said application should, on or before the 15th day of September 1942, file with the Federal Power Commission a petition or protest in accordance with the Commission's Rules of Practice and Regulations.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-8488; Filed, August 29, 1942;
10:36 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[SPECIAL ORDER O. D. T. B-16]

SIoux CITY—ODEBOLT, IOWA

MOTOR VEHICLE PASSENGER SERVICE
COORDINATION

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers, filed with this Office by Interstate Transit Lines, Omaha, Nebraska, and Algona Bus Lines, Fort Dodge, Iowa, (hereinafter called "carriers"), and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

1. If and when Algona Bus Line has been duly authorized by appropriate regulatory authorities to engage in the transportation of passengers as a com-

mon carrier by motor vehicle between Sioux City and Fort Dodge, Iowa over U. S. highways 20 and 71, and State highways 59, 35, and 4,

(a) Interstate Transit Lines shall suspend service over its route between Sioux City, Iowa, and the junction of Iowa State highways Nos. 35 and 4 west of Odebolt, Iowa, and forthwith shall file with the Interstate Commerce Commission and the Iowa State Commerce Commission a notice describing the operations to be suspended in compliance herewith; and

(b) Algona Bus Line shall operate a through service of two round trips daily between Sioux City and Fort Dodge, Iowa, one of which shall be operated over the route described in subparagraph (a) hereof, connecting with its present route at the junction of U. S. highways Nos. 71 and 20.

2. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with the Iowa State Commerce Commission in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs, or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to said Commissions for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective September 15, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C. this 29th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8494; Filed, August 29, 1942;
11:18 a. m.]

[Special Order O.D.T. B-17]

READING—ALLENTOWN, PA.

MOTOR VEHICLE PASSENGER SERVICE
COORDINATION

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers, filed with this Office by Allentown & Reading Transit Co., Reading, Pennsylvania and Reading Transportation Co., Philadelphia, Pennsylvania, and in order to assure maximum utilization of the facilities, services, and equipment of common carriers of passengers by motor vehicle, and to conserve and providently utilize vital equipment, material, and supplies, including rubber, the attainment of which purposes is essential to the successful prosecution of the war,

It is hereby ordered, That:

1. Allentown & Reading Transit Co. and Reading Transportation Co. (hereinafter called "carriers"), respectively, in the transportation of passengers on the routes served by them between Reading and Allentown, Pennsylvania, as common carriers by motor vehicle, shall:

(a) Honor each other's tickets between all points common to their lines where equal fares apply and divert to each other traffic routed between such points for the purpose of relieving overloads and reducing the operation of additional equipment in extra sections;

(b) Adjust and establish schedules to eliminate duplication of times of departure of the respective carriers and provide reasonable frequency of service throughout the day;

(c) Wherever practicable eliminate duplicate depot facilities and commission ticket agencies and, in lieu thereof, utilize joint depot facilities and joint commission ticket agencies. Contracts, agreements, and arrangements for any such joint facilities and agencies shall not extend beyond the effective period of this order. At such depot facilities and commission ticket agencies used jointly by the carriers, service travel information, and ticket sales shall be impartial, without preference or discrimination for or against either of such carriers.

2. Allentown and Reading Transit Co. shall operate a through service of not to exceed seven round trips daily between Reading and Allentown, Pennsylvania and Reading Transportation Co. shall operate a through service of not to exceed four round trips daily between such points.

3. The carriers forthwith shall file with the Interstate Commerce Commission in respect of transportation in interstate or foreign commerce, and with each appropriate State regulatory body in respect of transportation in intrastate commerce, and publish in accordance with law, and continue in effect until further order, tariffs or appropriate supplements, to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices of each carrier which may be necessary to accord with the provisions of this order together with a copy of this order; and forthwith shall apply to said Commission and each such regulatory body for special permission for such tariffs or supplements to become effective on one day's notice.

This order shall become effective September 3, 1942, and shall remain in full force and effect until further order of this Office.

Issued at Washington, D. C., this 29th day of August 1942.

JOSEPH B. EASTMAN,
Director of Defense Transportation.

[F. R. Doc. 42-8495; Filed, August 29, 1942;
11:18 a. m.]

No. 172—10

OFFICE OF PRICE ADMINISTRATION.

[Administrative Order No. 18, as amended]

AUTHORIZATION OF DIRECTOR FOR PUERTO RICO

DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

Administrative Order No. 18 is amended to read as follows:

Pursuant to the authority conferred upon the Administrator by Executive Order No. 9125¹ and by War Production Board Directive No. 1-J,² the following order is prescribed:

(a) The Director of the Office of Price Administration for Puerto Rico is authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Administrator for the purpose of permitting the efficient rationing of all material in Puerto Rico.

(b) Any order issued by the Director pursuant to this delegation of authority shall have the same force and effect as if issued by the Administrator.

Issued and effective this 28th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8473; Filed, August 28, 1942;
5:13 p. m.]

[Administrative Order No. 19, as Amended]

AUTHORIZATION OF DIRECTOR FOR THE VIRGIN ISLANDS

DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

Administrative Order No. 19 is amended to read as follows:

Pursuant to the authority conferred upon the Administrator by Executive Order No. 9125¹ and by War Production Board Directive No. 1-J,² the following order is prescribed:

(a) The Director of the Office of Price Administration for the Virgin Islands is authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Administrator for the purpose of permitting the efficient rationing of all material in the Virgin Islands.

(b) Any order issued by the Director pursuant to this delegation of authority shall have the same force and effect as if issued by the Administrator.

Issued and effective this 28th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8474; Filed, August 28, 1942;
5:13 p. m.]

¹ 7 F. R. 2719.

² 7 F. R. 5043.

[Order 2 Under Revised Price Schedule 88¹—
Petroleum and Petroleum Products—
Docket #3088-23]

THE PENNZOIL COMPANY

ADJUSTMENT OF MAXIMUM PRICES

On April 4, 1942, The Pennzoil Company, 942 South Hope Street, Los Angeles, California, filed a petition for adjustment of the maximum prices established for it by Revised Price Schedule No. 88. At the time such petition was filed, this schedule contained no provision pursuant to which an adjustment to maximum prices could be effected. Such a provision has now been incorporated therein as §1340.156 (c) by Amendment No. 23 thereto, effective July 29, 1942. The facts set forth in such petition justify treatment thereof as an application for adjustment filed pursuant to §1340.156 (c) (2) of the schedule, and it is, therefore, being so treated.

An opinion in support of this Order No. 2 is being 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. 1,² it is hereby ordered, That:

(a) The Pennzoil Company may sell and deliver, agree offer, solicit, and attempt to sell and deliver, to retail dealers, such Pennsylvania grade lubricating oils as are set forth in paragraph (b) below at prices not in excess of those stated therein.

(b) (1) Maximum prices exclusive of taxes for the sale of all Pennzoil Motor Oil of all S. A. E. grades to retail dealers in such motor oil f. o. b. branch plants at Los Angeles, San Francisco, Stockton, Sacramento, Oakland, Fresno, Bakersfield and San Diego, California, shall be as follows:

	Per gallon
In bulk or in 15, 30 or 50 iron gallon barrels.....	\$0.765
In 5 quart and 5 gallon cans (cased).....	.865
In one quart cans (cased).....	.88
In 15 or 30 gallon sealed containers....	.88

(2) Maximum prices for the sale of all Pennzoil Motor Oils of all S. A. E. grades to retail dealers in such motor oils f. o. b. all branch plants at Portland, Oregon and Seattle, Washington, shall be one cent per gallon in excess of the maximum prices specified in (1) above.

(3) The maximum prices for Pennzoil Motor Oil specified in (1) and (2) above for such oil in 15, 30 or 50 gallon iron barrels are prices for the oil alone, such iron barrels are to be billed separately.

(4) There shall be deducted from maximum prices specified in (1) and (2)

¹ 7 F. R. 1107, 1371, 1798, 1799, 1836, 2132, 2304, 2352, 2634, 2945, 3110, 3462, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4957.

² 7 F. R. 971.

above, a discount of 5 cents a gallon for single deliveries of 30 gallons or more and all other quantity discounts which petitioner had in effect on October 1, 1941.

(c) Petitioner shall forthwith notify all retail dealers in its motor oils that any such dealer may increase his maximum price for such motor oil under Maximum Price Regulation No. 137 to 35¢ a quart in any case where the maximum price under said regulation is below that amount and within 10 days after such notice has been given petitioner, shall file with the Office of Price Administration at its principal office in Washington, D. C. an affidavit setting forth the names and Post Office addresses of all such dealers and the fact that all such dealers have been so notified.

(d) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions setting forth the § 1340.157 of Revised Price Schedule No. 88 shall apply to terms used herein.

(f) This Order No. 2 shall become effective September 4, 1942.

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8516; Filed, August 29, 1942;
12:45 p. m.]

[Order 1 Under Revised Price Schedule 88—
Petroleum and Petroleum Products—
Docket 1088-4-P]

HYVIS OILS, INC. OF CALIFORNIA

ADJUSTMENT OF MAXIMUM PRICES

On April 1, 1942 Hyvis Oils, Inc., of California, 424 Commercial Street, Los Angeles, California, filed a protest against the provisions of Revised Price Schedule No. 88. The facts, however, justify treatment of the protest not only as such but also as an application for adjustment filed pursuant to § 1340.156 (c) (2) of this schedule, and it is therefore being so treated in accordance with § 1300.33 of Procedural Regulation No. 1.² An opinion in support of this Order No. 1 is being issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, it is hereby ordered:

(a) Hyvis Oils, Inc. of California may sell and deliver, agree, offer, solicit and attempt to sell and deliver, to retail dealers, such Pennsylvania grade lubricating oils as are set forth in paragraph (b) below at prices not in excess of those stated therein.

(b) (1) Maximum prices exclusive of taxes for the sale of all Hyvis Motor Oils

of all S.A.E. grades of Pennsylvania grade to retail dealers in such motor oils f. o. b. all bulk plants of Hyvis Oils, Inc. of California shall be as follows:

	Per gallon
In bulk.....	\$0.765
In one-quart cans.....	.88
In five-quart cans.....	.865

(2) There shall be deducted from such maximum prices the quantity discounts which protestant had in effect on October 1, 1941.

(c) Protestant shall forthwith notify all retail dealers in its motor oils that any such dealer may increase his maximum price for such motor oils under Maximum Price Regulation No. 137 to 35¢ a quart in any case in which his maximum price under said regulation is below that amount and within 10 days after such notice has been given, protestant shall file with the Office of Price Administration at its principal office in Washington, D. C., an affidavit setting forth the names and post office addresses of all such dealers and the fact that all such dealers have been so notified.

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.157 of Revised Price Schedule No. 88 shall apply to terms used herein.

(f) This Order No. 1 shall become effective September 4, 1942.

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8510; Filed, August 29, 1942;
12:45 p. m.]

[Order 36 Under Maximum Price Regulation 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket 3120-196]

DEER CREEK COAL COMPANY

ORDER GRANTING ADJUSTMENT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942 and Procedural Regulation No. 1,² it is ordered:

(a) Steve Bennis, doing business as the Deer Creek Coal Company, may sell and deliver, and any person may buy and receive the kinds and grades of bituminous coal set forth in paragraph (b) below at prices not in excess of those stated therein;

(b) Coals in Size Groups 3, 10, 11 and 12, produced at the Deer Creek Mine, Mine Index No. 749, located in Logan County, Illinois, District No. 10, may be sold at prices not to exceed \$3.25, \$2.45, \$2.45, and \$2.45 per net ton, respectively, for shipment by truck or wagon;

(c) This Order No. 36 may be revoked or amended by the Administrator at any time;

¹ 7 F.R. 3168, 3447, 3901, 4336, 3432, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218.

² 7 F.R. 971, 3663.

(d) All prayers of the petition not granted herein are denied;

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein;

(f) This Order No. 36 shall become effective August 31, 1942.

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8512; Filed, August 29, 1942;
12:44 p. m.]

[Order 1 Under Maximum Price Regulation 154¹ as Amended—Ice—Docket 3154-2]

BOWEN ICE COMPANY

ORDER GRANTING ADJUSTMENT

Adjustment of the maximum prices for ice manufactured by The Bowen Ice Company. For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 it is ordered:

(a) The Bowen Ice Company, 11 Ives Street, Providence, Rhode Island, may sell and deliver to other ice manufacturers and other ice manufacturers may buy and receive from The Bowen Ice Company ice at prices not higher than \$2.50 per ton.

(b) The adjustment granted to The Bowen Ice Company in paragraph (a) is subject to the condition that it shall forthwith notify other ice manufacturers purchasing ice from it that the Office of Price Administration has by this order authorized adjustment of its maximum prices as provided in paragraph (a).

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 1 shall become effective August 31, 1942.

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8511; Filed, August 29, 1942;
12:44 p. m.]

[Order 3 Under Revised Price Schedule 88²—
Petroleum and Petroleum Products—
Docket 1088-9-P]

KERN OIL COMPANY, LTD.

ADJUSTMENT OF MAXIMUM PRICES

On April 9, 1942, Kern Oil Company, Limited, 354 South Spring Street, Los Angeles, California, filed a protest against the provisions of Revised Price Schedule No. 88. The facts, however, justify treatment of the protest not only

¹ 7 F.R. 5139, 5276, 5944.

² 7 F.R. 1107, 1371, 1798, 1799, 1836, 2132, 2304, 2352, 2634, 2945, 3110, 3462, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4957.

¹ 7 F.R. 1107, 1371, 1798, 1799, 1836, 2132, 2304, 2352, 2634, 2945, 3110, 3462, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4957.

² 7 F.R. 971.

as such but also as an application for adjustment filed pursuant to § 1340.156 (c) (2) of this schedule, and it is therefore, being so treated in accordance with § 1300.33 of Procedural Regulation No. 1.² An opinion in support of this Order No. 3 is being issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1, it is hereby ordered that:

(a) Kern Oil Company, Limited, may sell and deliver, agree, offer, solicit and attempt to sell and deliver, to retail dealers, such Pennsylvania grade lubricating oils as are set forth in paragraph (b) below at prices not in excess of those stated therein

(b) (1) The maximum price including taxes for the sale of all Kern Penn Motor Oil to retail dealers in such motor oils f. o. b. Protestant's plant in carload quantities shall be \$0.66 per gallon.

(2) Maximum prices including taxes for the sale of St. Helens Penn Motor Oil to retail dealers in such motor oil deliveries to the retail establishment shall be as follows:

	Per gallon
In bulk.....	\$0.63
In one and five-quart cans.....	.77

(3) There shall be deducted from such maximum prices the quantity discounts which Protestant had in effect on October 1, 1941.

(c) Protestant shall forthwith notify all retail dealers in its motor oils that any such dealer may increase his maximum price for such motor oils under Maximum Price Regulation No. 137 to 30¢ a quart in any case in which his maximum price under said regulation is below that amount and within 10 days after such notice has been given, protestant shall file with the Office of Price Administration at its principal office in Washington, D. C., an affidavit setting forth the names and post office addresses of all such dealers and the fact that all such dealers have been so notified.

(d) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.157 of Revised Price Schedule No. 88 shall apply to terms used herein.

(f) This Order No. 3 shall become effective September 4, 1942.

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8513; Filed, August 29, 1942;
12:47 p. m.]

¹ 7 F.R. 971.

[Order 35 Under Maximum Price Regulation 120¹—Bituminous Coal Delivered From Mine or Preparation Plant—Docket 3120-68]

FRENCH COAL COMPANY

ORDER DENYING ADJUSTMENT OR EXCEPTION

On May 8, 1942, French Coal Company, R. F. D. #5, Streator, Illinois, filed a protest against Maximum Price Regulation No. 120, which on June 8, 1942 was withdrawn and refiled as a petition for adjustment or exception pursuant to § 1340.207 (a) of the regulation. Due consideration has been given to the petition, and an opinion in support of this Order No. 35 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 the Procedural Regulation No. 1,² issued by the Office of Price Administration, it is hereby ordered that said petition be, and it hereby is, denied.

This Order No. 35 shall become effective August 31, 1942.

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8515; Filed, August 29, 1942;
12:49 p. m.]

[Order 34 Under Maximum Price Regulation 120¹—Bituminous Coal Delivered from Mine or Preparation Plant—Docket 3120-44]

WEYANOKE COAL AND COKE COMPANY

ORDER DENYING ADJUSTMENT OR EXCEPTION

On May 21, 1942, Weyanoke Coal and Coke Company, Arista, West Virginia, filed a petition for adjustment or exception pursuant to § 1340.207 (a) of Maximum Price Regulation No. 120. Due consideration has been given to the petition, and an opinion in support of this Order No. 34 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. 1,² issued by the Office of Price Administration, it is hereby ordered that said petition be, and it hereby is, denied.

¹ 7 F.R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218.

² 7 F.R. 971, 3663.

This Order No. 34 shall become effective August 31, 1942.

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8514; Filed, August 29, 1942;
12:49 p. m.]

[Order 2 Under Revised Price Schedule 20, as Amended¹—Copper Scrap and Copper Alloy Scrap]

NIAGARA FALLS SMELTING AND REFINING CORPORATION

ORDER GRANTING EXCEPTION

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1309.71 (i) (4) of Revised Price Schedule No. 20, as amended—Copper Scrap and Copper Alloy Scrap, it is hereby ordered:

(a) Niagara Falls Smelting and Refining Corporation may pay and any person may charge Niagara Falls Smelting and Refining Corporation the premiums for No. 1 Copper Wire, No. 1 Tinned Copper Wire, No. 1 Heavy Copper, or No. 2 Copper Wire and Mixed Heavy Copper in briquettes, provided for in § 1309.71 (f) (1) (i) of Revised Price Schedule No. 20, as amended.

(b) The terms used in this Order No. 2 shall have the meaning given to them by Revised Price Schedule No. 20, as amended.

(c) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 2 shall become effective as of August 22, 1942.

Issued this 29th day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8502; Filed, August 29, 1942;
12:43 p. m.]

[Order 15 of Revised Price Schedule 64²—Domestic Cooking and Heating Stoves]

THE HUENEFELD COMPANY

APPROVAL OF MAXIMUM PRICES OF NEW MODELS

On July 7, 1942, The Huenefeld Company, Cincinnati, Ohio, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64, for approval of maximum prices for two new models of oil-burning cooking appliances, designated in said application as Model No.

¹ 7 F.R. 3404, 3489, 5516, 6482.

² 7 F.R. 1329, 1836, 2000, 2132, 4404.

VB38JS Oil Cook Stove, and Model No. VB85 Oil Range. Due consideration has been given to the application and an opinion has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) The Huenefeld Company, Cincinnati, Ohio, may sell, offer to sell, deliver or transfer Model No. VB38JS Oil Cook Stove at a maximum price to dealers of \$13.80 f. o. b. factory, and Model No. VB85 at a maximum price to dealers of \$21.97, f. o. b. factory, subject to discounts and allowances no less favorable than those in effect as to Model No. B38JS Oil Cook Stove, and Model B85 Oil Range, respectively, under § 1356.1 (a) (1) of Revised Price Schedule No. 64.

(b) This Order No. 15 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to the terms used herein.

(d) This Order No. 15 shall become effective on the 1st day of September 1942.

(Pub. Law 421, 77th Cong.)

Issued this 31st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8539; Filed, August 31, 1942;
11:49 a. m.]

[Order 4 Under Revised Price Schedule 83—
Radio Receivers and Phonographs]

WATERS CONLEY COMPANY

AUTHORIZATION OF MAXIMUM PRICE FOR NEW MODEL RADIO

On June 1, 1942, Waters Conley Company, Rochester, Minnesota, filed an application, pursuant to Revised Price Schedule No. 83, § 1336.53 (b), for approval of a maximum price for a new model radio designated in the application as Model No. 452K.

Due consideration has been given to the application and an opinion issued simultaneously herewith has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, it is hereby ordered:

(a) Waters Conley Company is authorized to sell, offer to sell, or deliver Model No. 452K at a price no higher than \$21.65, exclusive of federal excise tax, f. o. b. seller's point of shipment, subject to discounts, allowances and terms no less favorable than those customarily granted by it.

(b) The request in the application for approval of a maximum price higher than that established by this Order No. 4 is hereby denied.

¹ 7 F. R. 619, 756, 1360, 1836, 2000, 2132, 2302, 3125, 3820.

(c) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires the definitions set forth in § 1336.60 of Revised Price Schedule No. 83 shall apply to the terms used herein.

(e) This Order No. 4 shall become effective this 1st day of September 1942.

Issued this 31st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8540; Filed, August 31, 1942;
11:49 a. m.]

[Order 12 Under Maximum Price Regulation
148—Dressed Hogs and Wholesale Pork
Cuts—Docket No. 3148-18]

T. & T. PACKING COMPANY

ORDER GRANTING PETITION FOR ADJUSTMENT

On June 27, 1942, T. & T. Packing Company, Macon, Georgia, filed a petition docketed as a petition for an adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 12 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. 1,² issued by the Office of Price Administration, it is hereby ordered:

(a) T. & T. Packing Company may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds of wholesale pork cuts referred to in paragraph (b), at prices not in excess of those stated in such paragraph. Any person may buy and receive such kinds of wholesale pork cuts at such prices from T. & T. Packing Company.

	Cents per pound
Pork loins.....	29½
Regular pork shoulders.....	24½
Smoked skinned hams.....	32
Boiled hams.....	48¾

(c) The permission granted to the T. & T. Packing Company, in this Order No. 12 is subject to the following conditions: that the several prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1 to March 31, inclusive, the maximum price at which the T. & T. Packing Company may sell or deliver or agree, offer, solicit or attempt to sell or deliver and at which any person may buy or receive or agree, offer, solicit or attempt to buy or receive from T. & T. Packing Company each pork cut specified shall be the seller's maximum price for such cut as deter-

¹ 7 F. R. 3821, 4342.
² 7 F. R. 971.

mined under the provisions of § 1364.22 of Maximum Price Regulation No. 148.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 12 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

This Order No. 12 shall become effective September 1, 1942.

Issued this 31st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8541; Filed, August 31, 1942;
11:49 a. m.]

[Order 13 Under Maximum Price Regulation
148—Dressed Hogs and Wholesale Pork
Cuts—Docket No. 3148.22]

WORTH PACKING COMPANY

ORDER GRANTING PETITION FOR ADJUSTMENT

On July 7, 1942, Worth Packing Company, Sylvester, Georgia, filed a petition docketed as a petition for an adjustment pursuant to § 1364.29 (a) of Maximum Price Regulation No. 148. Due consideration has been given to the petition, and an opinion in support of this Order No. 13 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. 1,² issued by the office of Price Administration, it is hereby ordered:

(a) Worth Packing Company may sell and deliver, and agree, offer, solicit and attempt to sell and deliver, the kinds of wholesale pork cuts referred to in paragraph (b), at prices not in excess of those stated in such paragraph. Any person may buy and receive such kinds of wholesale pork cuts at such prices from Worth Packing Company.

	Cents per pound
Pork Loins.....	29½
Hams.....	32
Skinned Pork Shoulders.....	26½
Regular Pork Shoulders.....	24½

(c) The permission granted to the Worth Packing Company in this Order No. 13 is subject to the following condition: that the several prices specified in paragraph (b) shall apply only during the period April 1 to November 30, inclusive, of any year during which Maximum Price Regulation No. 148 is in effect and that during the period December 1 to March 31, inclusive, the maximum price at which the Worth Packing Company may sell or deliver or agree, offer, solicit or attempt to sell or deliver and at which any person may buy or receive or agree, offer, solicit or attempt to buy or receive from Worth Packing Company

¹ 7 F. R. 3821, 4342.
² 7 F. R. 971.

each pork cut specified shall be the seller's maximum price for such cut as determined under the provisions of § 1364.22 of Maximum Price Regulation No. 148.

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 13 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires, the definitions set forth in § 1364.32 of Maximum Price Regulation No. 148 shall apply to terms used herein.

This Order No. 13 shall become effective September 1, 1942.

Issued this 31st day of August 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-8542; Filed, August 31, 1942;
11:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 69-18]

BUFFALO, NIAGARA AND EASTERN POWER CORPORATION

NOTICE OF TERMINATION OF EXEMPTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 28th day of August 1942.

The Commission, having this day issued a Notice and Order for Hearing (File No. 59-52), pursuant to section 11 (b) (2) and other sections of the Public Utility Holding Company Act of 1935, with respect to Niagara Hudson Power Corporation and its subsidiary companies, including Buffalo, Niagara and Eastern Power Corporation, as subsidiaries of The United Corporation, a registered holding company; Buffalo, Niagara and Eastern Power Corporation having on file with this Commission a statement on Form U-3A-2 in which Buffalo, Niagara and Eastern Power Corporation claims on behalf of itself as a holding company and on behalf of its subsidiary companies as such, exemption from the provisions of said Act, pursuant to Rule U-2 of the Commission's Rules and Regulations under said Act; and it appearing to the Commission upon the basis of such statement on Form U-3A-2 and on the basis of other information in the files of the Commission regarding Buffalo, Niagara and Eastern Power Corporation and its subsidiaries, including the facts alleged in said Notice and Order for Hearing, that a substantial question exists as to whether the continued exemption of Buffalo, Niagara and Eastern Power Corporation and its subsidiary companies as such from any provision or provisions of said Act may be detrimental to the public interest or the interest of investors or consumers;

Notice is therefore given pursuant to Rule U-6 and Rule U-2, under said Act that such substantial question does exist and that, in accordance with the provisions of said Rule U-6 and Rule U-2,

any exemption which may presently be available to Buffalo, Niagara and Eastern Power Corporation and its subsidiary companies as such by reason of the provisions of Rule U-2, shall terminate within thirty days of this notice as provided in said Rule U-6, without prejudice, however, to the right of Buffalo, Niagara and Eastern Power Corporation as a holding company to file any appropriate application for an order granting it any exemption pursuant to the provisions of any applicable section of the Act, and without prejudice to any temporary exemption provided in any provision of the Act by reason of the filing of any such application in good faith. Such notice is directed to be given by the mailing of this notice to such company.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-8480; Filed, August 29, 1942;
10:40 a. m.]

[File Nos. 59-19, 54-34]

GENERAL GAS & ELECTRIC CORPORATION ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 28th day of August, A. D. 1942.

The Commission having heretofore issued its Notice of and Order for Hearing, pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935, directed to General Gas & Electric Corporation, a registered holding company, which order, among other things, directed respondent to show cause why its corporate structure should not be simplified and its voting power equitably distributed among its security holders; and

In answer to the above described Order, General Gas & Electric Corporation having filed a plan of recapitalization, pursuant to section 11 (e) of the Act, which plan, among other things, proposes a reclassification of the present Prior Preferred Stock, Cumulative Preferred Stock, and Class A Common Stock of General Gas & Electric Corporation (a more detailed description of such plan having been set forth in the order of the Commission setting the date for a public hearing thereon, entered on March 7, 1941); and

The Commission, by order dated March 7, 1941, having consolidated the section 11 (b) (2) proceedings and the section 11 (e) proceedings; public hearings having from time to time been held on these consolidated matters and the hearings now being in recess subject to call; and

It appearing appropriate to the Commission that the hearings in this matter be reconvened for the purpose of affording an opportunity to the parties and any interested persons to complete the presentation of evidence in this matter and to present their views as to the appropriate disposition of these proceedings; and it further appearing to the Commission that the examiner heretofore designated to preside in the proceed-

ings is not available and will be unable to officiate;

Wherefore it is ordered, That the hearing in the above entitled matter be reconvened on the 17th day of September 1942, at 10 o'clock in the forenoon of that day, in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On that day the hearing room clerk in room 318 will inform the parties as to the exact room in which said reconvened hearing shall be held;

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 the 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 the Act, and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That the Secretary of the Commission shall serve notice of the reconvened hearing aforesaid by mailing a copy of this order by registered mail to General Gas & Electric Corporation not less than 10 days prior to the date of the reconvened hearing; and that notice of this order and of said reconvened hearing is hereby given to all security holders of General Gas & Electric Corporation, the subsidiaries of said company, the parents of said company, and to all other persons including Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, and Stanley Clarke, Trustee of Associated Gas and Electric Company, all States, municipalities, and political subdivisions of states within which are located any of the utility assets of General Gas & Electric Corporation holding company system or under the laws of which any of the said companies are incorporated, all State commissions, State securities commissions, and all agencies, authorities or instrumentalities of one or more States, municipalities, or other political subdivisions having jurisdiction over General Gas & Electric Corporation; that such notice shall be given by a 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 that further notice be given to all persons by publication of this order in the FEDERAL REGISTER.

It is further ordered, That, without limiting the scope of the issues presented by these proceedings, many of which have heretofore been specifically raised in previous orders, attention will be directed at the reconvened hearing to a consideration of the following matter and question:

Whether the Commission should immediately issue an order directing General Gas & Electric Corporation to proceed forthwith to effect its dissolution.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-8479; Filed, August 29, 1942;
10:40 a. m.]

[File No. 37-4]

MIDLAND UNITED COMPANY, TRUSTEE, ET AL.
NOTICE OF FILING OF AMENDMENTS AND
ORDER SETTING HEARING

In the matter of Midland United Company, trustee, Midland Stock Transfer Company, Northern Indiana Public Service Company, Chicago, South Shore and South Bend Railroad and Indiana Service Corporation.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 27th day of August, A. D. 1942.

The Commission having on July 31, 1936, found that Midland Stock Transfer Company, a wholly owned subsidiary of Midland United Company, a registered holding company in reorganization under section 77B of the Bankruptcy Act, had satisfied the requirements of section 13 (b) of the Public Utility Holding Company Act of 1935 and the requirements of Rule U-13-22 (a) promulgated thereunder, and having entered an order to the effect that said Midland Stock Transfer Company may perform as a subsidiary service company the functions of stock transfer, dividend disbursing, mailing and related services for associate companies; and

Two amendments having now been filed in said matter setting forth certain proposed changes in the ownership of Midland Stock Transfer Company together with certain changes in the operations of said company and the conduct of its business including, among other things:

1. The sale by Midland United Company of the entire outstanding common capital stock of Midland Stock Transfer Company represented by 1,000 shares with an aggregate stated value of \$5,000, to three of its subsidiary companies for a total cash consideration of \$3,450, plus an amount equal to 6% interest on \$5,000 from December 31, 1941, to date of the consummation of the sale. It is proposed that this stock be purchased by Northern Indiana Public Service Company, Indiana Service Corporation, and Chicago, South Shore and South Bend Railroad in the respective amounts of 815, 100 and 85 shares;

2. In addition to rendering services for the three owner companies, it is proposed that services be rendered on behalf of Midland United Company, Midland Utilities Company, also a registered holding company in reorganization, and Indiana Hydro-Electric Power Company, a subsidiary of Midland United Company, the properties of which are presently leased to and operated by Northern Indiana Public Service Company, a subsidiary of Midland Utilities Company. No charges for such services are to be borne by Midland United Company and Midland Utilities Company. It is proposed that stockholders of the latter two companies will be assessed \$1 for each new certificate issued by Midland Stock Transfer Company. Of this amount, 75

cents is to be retained by Midland Stock Transfer Company as transfer agent and the remainder paid to the registrar. The amendments do not disclose the name of the proposed registrar nor the basis for such allocation. Indiana Hydro-Electric Power Company will receive services on the same basis as the owner companies;

3. The amendments indicate that Public Service Company of Indiana, Inc., and West Ohio Gas Company, which have heretofore received services from Midland Stock Transfer Company, have or will cancel their contracts with the service company. The effects of such change on the future operations and conduct of the business of Midland Stock Transfer Company are not fully set forth in the amendments.

It appearing to the Commission that it is appropriate in the public interest and to meet the requirements of the Act and Rules and Regulations promulgated thereunder, particularly Rule U-88, that a public hearing should be held with respect to the above described amendments;

It is therefore ordered, That a hearing on such matter under the applicable provisions of the Act and the rules of the Commission thereunder be held on September 11, 1942, at 10 o'clock a. m. in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to where such hearing will be held.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the 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 the issues presented by said amendments to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether because of the proposed changes, including the cancellation of service contracts by certain associate companies, Midland Stock Transfer Company's proposed organization and conduct of business, including ownership, revenues, cost, and the sharing thereof by the serviced companies, will meet the standards of section 13 of the Act and the Rules and Regulations promulgated thereunder;

2. Whether under all the circumstances there is reasonable justification for the continuance of Midland Stock Transfer Company as a service company;

3. Whether the proposed ownership of the stock of Midland Stock Transfer Company is fair and equitable;

4. Whether the proposed consideration to be paid Midland United Company for the common stock of Midland Stock

Transfer Company is fair and reasonable;

5. What terms and conditions, if any, should be imposed by the Commission in the public interest or for the protection of investors or consumers.

6. Generally, whether the transactions proposed in the amendments comply with the requirements and standards of the Act and Rules and Regulations promulgated thereunder and are in the interest of investors, consumers and the public.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8478; Filed, August 29, 1942;
10:40 a. m.]

[File No. 69-22]

NIAGARA HUDSON POWER CORPORATION
NOTICE OF TERMINATION OF EXEMPTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania on the 28th day of August 1942.

The Commission, having this day issued a Notice and Order for Hearing (File No. 59-52), pursuant to section 11 (b) (2) and other sections of the Public Utility Holding Company Act of 1935, with respect to Niagara Hudson Power Corporation and its subsidiary companies, as subsidiaries of The United Corporation, a registered holding company; Niagara Hudson Power Corporation having on file with this Commission a statement on Form U-3A-2 in which Niagara Hudson Power Corporation claims on behalf of itself as a holding company and on behalf of its subsidiary companies as such, exemption from the provisions of said Act, pursuant to Rule U-2 of the Commission's Rules and Regulations under said Act; and it appearing to the Commission upon the basis of such statement on Form U-3A-2 and on the basis of other information in the files of The Commission regarding Niagara Hudson Power Corporation and its subsidiaries, including the facts alleged in said Notice and Order for Hearing, that a substantial question exists as to whether the continued exemption of Niagara Hudson Power Corporation and its subsidiary companies as such from any provision or provisions of said Act may be detrimental to the public interest or the interest of investors or consumers;

Notice is therefore given pursuant to Rule U-6 and Rule U-2, under said Act that such substantial question does exist and that, in accordance with the provisions of said Rule U-6 and Rule U-2, any exemption which presently may be available to Niagara Hudson Power Corporation and its subsidiary companies as such by reason of the provisions of Rule U-2, shall terminate within thirty days of this notice as provided in said Rule U-6, without prejudice, however, to the right of Niagara Hudson Power Corporation

as a holding company to file any appropriate application for an order granting it any exemption pursuant to the provisions of any applicable section of the Act, and without prejudice to any temporary exemption provided in any provision of the Act by reason of the filing of any such application in good faith. Such notice is directed to be given by the mailing of this notice to such company.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 42-8476; Filed, August 29, 1942;
10:39 a. m.]

[File No. 59-52]

NIAGARA HUDSON POWER CORP., ET AL.

NOTICE OF AND ORDER FOR HEARING

In the matter of Niagara Hudson Power Corporation and its subsidiary companies, respondents.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 28th day of August 1942.

The Commission having data in its files and records relating to Niagara Hudson Power Corporation and its subsidiary companies establishing, or tending to establish, the following:

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1. Niagara Hudson Power Corporation, organized in 1937 under the laws of the State of New York, is a subsidiary of The United Corporation, a registered holding company, by virtue of The United Corporation's ownership of 23.18% of its outstanding voting securities; The United Gas Improvement Company, a registered holding company and a subsidiary of The United Corporation, owns 8.57% of Niagara Hudson Power Corporation's outstanding voting securities; Niagara Hudson Power Corporation is also a holding company, as defined in section 2 (a) (7) of the Public Utility Holding Company Act of 1935; it has claimed exemption as a holding company pursuant to Rule U-2 under the Act, but is being notified by the Commission, as provided in Rule U-6, of the termination, within 30 days, of such exemption without prejudice to the filing of any appropriate application for exemption by order or to obtaining any appropriate temporary exemption until the Commission has acted on such application.

2. Niagara Hudson Power Corporation and its subsidiaries (which are a part of The United Corporation holding company system), the percentage of voting control held in the system, the state of organization, and the nature of the business of each subsidiary are depicted in the following tabulation (with appropriate indentation to indicate the relationship of the various companies):

Name of company	State of organization	Nature of business
The United Corporation.....	Delaware.....	Holding Company.
(23.18%) Niagara Hudson Power Corporation ¹	New York.....	Holding Company.
(99.9%) Buffalo Niagara & Eastern Power Corporation.....	New York.....	Holding Company.
(100%) Buffalo Niagara Electric Corporation.....	New York.....	Electric Utility.
(100%) Lockport & Newfane Power & Water Supply Co. ²	New York.....	Electric Utility.
(100%) Niagara Falls Power Co. ³	New York.....	Holding Company—Electric Utility.
(100%) Canadian Niagara Power Co., Ltd. ⁴	Ontario, Canada.....	Electric Utility.
(100%) Gorge View Park, Inc. ⁵	New York.....	Real Estate.
(100%) Niagara Junction Railway Co. ⁶	New York.....	Terminal Switching Railroad.
(100%) Niagara, Lockport & Ontario Power Co. ⁷	New York.....	Electric Utility.
(100%) Hydraulic Race Co. ⁸	New York.....	Real Estate & Water Rights.
(100%) Lower Niagara River Power & Water Supply Co. ⁹	New York.....	Real Estate.
(100%) Central New York Power Corporation ¹⁰	New York.....	Holding Company—Elec. & Gas Utility.
(100%) Kanata Realty Co., Inc. ¹¹	New York.....	Real Estate.
(54.0%) Hammond Light & Power Co., Inc. ¹²	New York.....	Electric Utility.
(34.0%) Canton Electric Light & Power Co. ¹³	New York.....	Electric Utility.
(90.97%) New York Power and Light Corporation.....	New York.....	Electric & Gas Utility.
(21.5%) The Indian River Company.....	New York.....	Controls Operations of a Dam.
(29.72%) Central Hudson Gas & Electric Corporation ¹⁴	New York.....	Electric & Gas Utility.
(100%) Hudson Valley Fuel Corporation.....	New York.....	Coke & Gas Mfg. Company.
(100%) Union Bag & Paper Power Corporation ¹⁵	New York.....	Owns Water Rights & Hydro-Elec. Plant.
(100%) Frontier Corporation.....	New York.....	Real Estate.
(100%) St. Lawrence Power Co., Ltd. ¹⁶	Ontario, Canada.....	Electric Utility.
(100%) Northern Development Corporation.....	New York.....	Real Estate and Owns Hydro-Elec. Plants.
(100%) Oswego Canal Co. ¹⁷	New York.....	Owns and Leases Water Rights.
(33.3%) Moreau Manufacturing Corporation.....	New York.....	Owns and Operates a Hydro-Elec. Plant.
(100%) Old Forge Electric Corporation ¹⁸	New York.....	Electric Utility.

*Percentages given are percent of total voting securities.

¹ Inactive.

² Central New York Power Corporation is a holding company as defined in section 2 (a) (7) of the Act, but claims an exemption as a holding company pursuant to Rule U-2 of the Rules and Regulations under the Act and is not a registered holding company.

³ Canton Electric Light and Power Co. and Central Hudson Gas and Electric Corporation are exempt from any obligation, duty or liability imposed on them as a subsidiary company by reason of the pendency of applications under section 2 (a) (8) of the Act to be declared not to be subsidiary companies.

⁴ Owns 11.5% of voting securities of The Indian River Company.

⁵ St. Lawrence Power Co., Ltd., is exempt from the duties, liabilities and obligations imposed by the Act upon subsidiaries by virtue of a pending application pursuant to section 3 (b) to be declared not to be a subsidiary.

⁶ 6,300 shares of common stock (entire issue) held by Niagara Hudson Power Corporation, pledged with power to vote pursuant to a loan evidenced by a non-interest bearing note of A. A. Low, organizer of Old Forge Electric Corporation, dated September 30, 1935.

3. Niagara Hudson Power Corporation and its subsidiaries conduct their principal operations in three divisions: i. e., Buffalo, Niagara and Eastern Power Corporation, an intermediate holding company, and its subsidiaries operate in the western portion of the State of New York in and around the Niagara Falls area; Central New York Power Corporation, a direct subsidiary of Niagara Hudson Power Corporation, and its subsidiaries operate in the central portion of the State of New York, including the cities

of Syracuse, Utica, Rome and Watertown; New York Power and Light Corporation, a direct subsidiary of Niagara Hudson Power Corporation, and its subsidiary operate in the eastern portion of the State of New York, including the cities of Albany, Schenectady, Troy and Amsterdam.

4. The corporate and consolidated capitalization, including surplus, of Niagara Hudson Power Corporation, as of December 31, 1941, was as follows:

	Shares outstanding	Amount	Percent
CORPORATE			
Notes payable to banks.....		\$3,281,250	1.87
1st preferred stock, cumulative 5%, \$100 par (voting).....	378,875	37,887,500	21.63
2d preferred stock, cumulative 5%, \$100 par, series "A" (voting).....	90,281	9,028,100	5.15
2d preferred stock, cumulative 5%, \$100 par, series "B" (voting).....	15,649	1,564,900	.89
Common stock, \$10 par.....	9,581,008	95,810,085	54.69
Paid-in-surplus.....		24,650,024	14.07
Earned surplus.....		2,978,061	1.70
Total.....		175,199,920	100.00
CONSOLIDATED			
Funded debt of subsidiaries.....		240,314,826	43.10
Preferred stock of subsidiaries.....		126,664,049	22.72
Notes payable to banks (holding company).....		3,281,250	.59
1st preferred stock of holding company.....		37,887,500	6.79
2d preferred stock (series "A") of holding company.....		9,028,100	1.62
2d preferred stock (series "B") of holding company.....		1,564,900	.28
Common stock and surplus.....		138,823,619	24.90
Total.....		557,564,244	100.00

5. Each share of common and preferred stock of Niagara Hudson Power Corporation has the right to one vote per share at all meetings of the stockholders. Neither class of preferred stock has cumulative voting rights. No additional voting power is conferred upon either class of preferred stock by reason of dividend accumulations. As of December 31, 1941 there were no arrearages in preferred dividends.

6. The first preferred shares have preference over the second preferred shares with respect to dividends and in liquidation. Each class of preferred stock has a voluntary and involuntary liquidating value of \$100 per share, plus accrued dividends. Each class of preferred stock is callable, as a whole or in part, at any time upon 30 days' notice at \$107.50 per share.

7. The common stock, par value of \$10 per share, representing 54.69% of the capitalization of Niagara Hudson Power Corporation, has 9,581,008 votes; the first preferred stock and the second preferred stock, Series "A" and "B", having a par value of \$100 per share, representing 27.67% of such capitalization, have 484,805 votes, or approximately one-twentieth of the voting power of the common stock.

8. As of December 31, 1941, Niagara Hudson Power Corporation's investments were carried at \$174,424,596 and comprised principally its ownership of the common stocks of the companies named in paragraph 2 above, substantial blocks of preferred stocks of three of its subsidiaries, open account advances to subsidiaries, and other investments as described in the summary below and in following paragraphs:

	Amount	Per- cent
Bonds of subsidiaries, \$11,000 face amount.	\$14,465	-----
Advances to subsidiaries.	31,360,582	17.8
Interest and advances to non-consolidated subsidiaries.	767,635	.4
Preferred stocks of subsidiaries.	9,685,216	5.7
Common stocks of subsidiaries.	116,142,487	66.8
Common stocks of other companies.	15,123,718	8.7
Miscellaneous investments.	1,030,493	.6
Total.	174,424,596	100.0

9. The advances to subsidiaries are on open account, payable on demand, bear 6% interest, and at December 31, 1941 were in aggregate amounts as follows:

Direct Subsidiaries

Buffalo, Niagara and Eastern Power Corporation.	\$1,843,305
Central New York Power Corporation.	3,000,000
Northern Development Corporation.	2,700,000
New York Power and Light Corporation.	20,550,000
Hudson Valley Fuel Corporation.	2,950,000

Indirect subsidiaries

Kanata Realty Company, Inc.	\$317,277
Total.	31,360,582

The amount due from New York Power and Light Corporation is the aggregate of advances made over a number of years. The debt of that company, including the advances, is equal to approximately 74.0% of its net property per books and to 72.0% of its capitalization, including surplus (see paragraph 42). New York Power and Light Corporation and Niagara Hudson Power Corporation have filed declarations and applications with this Commission regarding the sale to and the acquisition by Niagara Hudson Power Corporation for cash of 192,105 shares of common stock, enough to liquidate the indebtedness. (File Nos. 32-168; 46-181)

10. The preferred stock investments of Niagara Hudson Power Corporation at December 31, 1941, were as follows:

Issuer	Number of shares	Par or stated value
Buffalo, Niagara & Eastern Power Corp.	12,545 1/4 6.4%	\$313,631
Central New York Power Corporation.	41,515 1/2 5% preferred.	4,151,585
New York Power & Light Corporation.	36,019 7/8 7% preferred.	3,601,900
New York Power & Light Corporation.	19,181 5/8 6% preferred.	1,918,100
		9,985,216

11. The \$15,123,718 invested by Niagara Hudson in common stocks of other companies includes \$9,702,225 in shares of Consolidated Edison Company of New York, Inc. and \$4,978,893 in shares of Central Hudson Gas & Electric Corporation. Substantial percentages of the capitalization of each of these companies are represented by bonds and preferred stocks held by the public.

12. As at December 31, 1941, subsidiaries of Niagara Hudson Power Corporation had debt obligations and preferred stocks outstanding aggregating \$408,713,673, of which \$366,978,875 were held by the public, \$41,360,263 were held by Niagara Hudson, and \$374,535 were owned by other system companies. Thus, Niagara Hudson's investment in common stocks of subsidiary companies, amounting to \$116,142,487, or 66.8% of its total portfolio, is junior to \$366,978,875 of publicly held debt and preferred stocks of subsidiaries; and \$14,681,118, or about 8.5% of its portfolio, is made up of investments in common stocks of companies which have substantial percentages of bonds and preferred stocks outstanding. As of the same date, the aggregate carrying value of Niagara Hudson's total investments in debt and preferred stocks, including the advances to New York

Power and Light Corporation, amounted to \$42,127,898, as compared with its outstanding first and second preferred stocks of an aggregate par value of \$48,480,500.

13. As of December 31, 1941, there were loans and advances at 6% between direct subsidiaries of Niagara Hudson, as follows:

Central New York Power Corporation to Kanata Realty Company, Inc.	\$880,107
Frontier Corporation to Northern Development Corporation.	83,000
The Oswego Canal Company to Northern Development Corporation.	20,000
St. Lawrence Power Company, Ltd. to Northern Development Corporation.	275,000
	1,258,107

In addition thereto, there are 6% advances aggregating \$6,830,359 between direct and indirect subsidiaries of Buffalo, Niagara and Eastern Power Corporation, an intermediate holding company, more fully described hereinafter in paragraph 23.

14. The income of Niagara Hudson Power Corporation for the past three years ending December 31, 1941, was derived from the following sources:

	1939	1940	1941
From subsidiary companies:			
Dividends on preferred stocks.	\$504,866	\$504,866.00	\$504,866.00
Dividends on common stocks.	2,007,375	2,309,999.60	926,708.80
Interest on bonds.	8,937	855.98	550.00
Interest on advances.	1,928,540	2,060,143.23	2,054,253.77
	4,539,719	4,965,864.81	3,576,378.57
Other dividends and interest.	821,047	821,808.90	734,572.56
Total income.	5,360,766	5,787,673.71	4,310,951.13

II

15. Buffalo, Niagara and Eastern Power Corporation, a New York corporation and a direct subsidiary of Niagara Hudson Power Corporation, is a holding company as defined in section 2 (a) (7) of the Public Utility Holding Company Act of 1935; it has claimed exemption as a holding company pursuant to Rules U-2 under the Act, but is being notified by the Commission, as provided in Rule U-6, of the termination, within 30 days, of such exemption without prejudice to the filing of any appropriate application for exception by order or to obtaining any appropriate temporary exemption until the Commission has acted on such application.

16. The corporate and consolidated capitalization, including surplus, of Buffalo, Niagara and Eastern Power Corporation, as of December 31, 1941, was as follows:

	Shares out- standing	Amount	Percent
CORPORATE			
Advances from Niagara Hudson.....		\$1,843,305	1.9
\$5 1st Pref. Stock, no par, Cum.....	350,000	35,000,000	34.6
\$1.60 2nd Pref. Stock, \$25 par. Cum.....	2,086,725	52,418,125	51.7
Class "A" Stock (no par).....	601,493	601,493	.5
Common Stock (no par).....	2,020,126	2,020,125	2.0
Capital Surplus.....		7,815,353	7.3
Earned Surplus.....		2,209,348	2.0
Total corporate.....		101,907,749	100.0
CONSOLIDATED			
Funded Debt of Subsidiaries.....		102,185,500	46.22
Advances from Niagara Hudson.....		1,843,305	.83
\$5 1st Pref. Stock of Holding Company.....		35,000,000	15.83
\$1.60 2nd Pref. Stock of Holding Company.....		52,418,125	23.71
Common Stock, Class "A" and Surplus.....		29,653,868	13.41
Total consolidated.....		221,100,798	100.00

17. The \$5 First Preferred Stock and the \$1.60 Second Preferred Stock have no normal voting rights. In the event of four quarterly dividend defaults upon the \$5 First Preferred Stock, said shares are entitled to vote share for share with the common stock until the defaults have been cured. The Second Preferred is not given any voting power in event of default or otherwise. Such stock represents 51.7% of total capitalization. The Class "A" stock has no normal vote but has preference over the common as to dividends of \$1 per share per annum. In the event of failure to pay dividends of \$1 in any calendar year, the Class "A" stock votes share for share with the common until \$1 per share has been paid in a subsequent calendar year. Dividends on the Class "A" stock, which represents .5% of the capitalization, have not been paid since December 31, 1937. Thus, at present, 19.9% of the voting power rests with this stock as a class.

18. In either voluntary or involuntary liquidation, the \$5 First Preferred Stock and the \$1.60 Second Preferred Stock are entitled to \$100 per share and \$25 per share, respectively. The First Preferred Stock and the Second Preferred Stock are callable, as a whole or in part, at any time at \$105 per share and \$26.25 per share, respectively.

19. As of December 31, 1941, outstanding debt of subsidiaries of Buffalo, Niagara and Eastern Power Corporation totaled \$109,015,859, of which \$102,185,500 was held by the public, \$3,749,017 was held by associated companies, and \$3,-

081,342 was held by Buffalo, Niagara and Eastern Power Corporation. The amounts held by associated companies and Buffalo, Niagara and Eastern Power Corporation consisted of open account indebtedness.

20. As of the same date, December 31, 1941, the investment account of Buffalo, Niagara and Eastern Power Corporation was stated at \$101,271,171, as follows:

Common stocks of subsidiaries.....	98,152,109
Open account advances to sub- sidiaries.....	3,081,342
Other investments.....	37,720

Total..... 101,271,171

21. At the same date (December 31, 1941), Buffalo, Niagara and Eastern Power Corporation had issued and outstanding First Preferred and Second Preferred Stocks having aggregate value in the capital account of \$87,418,125 as compared with its ownership of \$3,081,342 of senior securities of subsidiaries, \$37,720 of miscellaneous investments, and common stocks of subsidiaries having carrying value of \$98,152,109.

22. The common stocks of subsidiaries owned and carried by Buffalo, Niagara and Eastern Power Corporation at \$98,152,109 were junior to the \$109,015,859 of debt issued and outstanding against the subsidiaries, of which, as stated, \$102,185,500 was held by the public.

23. Debt of the subsidiaries of Buffalo, Niagara and Eastern Power Corporation, held within the system as of December 31, 1941, all bearing interest at 6%, is shown in the following table:

	Buffalo, Niagara Electric Corporation	Niagara, Lockport & Ontario Power Co.	Lockport & Newfane Power and Water Supply Co.	Gorge View Park, Inc.	Total
Advanced by:					
Niagara Falls Power Company.....	\$1,965,000	\$500,000		\$26,672	\$2,491,672
Canadian Niagara Power Co., Ltd.....		1,207,345			1,207,345
Niagara Junction Railway Company.....	50,000				50,000
Total Inter-Subsidiary Debt.....	2,015,000	1,707,345		26,672	3,749,017
Buffalo, Niagara and Eastern Power Corp.....	1,996,342	800,000	\$285,000		3,081,342
Total Intra-System Debt.....	4,011,342	2,507,345	285,000	26,672	6,830,359

24. The income of Buffalo, Niagara and Eastern Power Corporation for the three years ending December 31, 1941, was derived from the following sources:

	1939	1940	1941
From subsidiary companies:			
Interest on ad- vances.....	\$151,376	\$179,700.00	\$179,700.00
Dividends on com- mon stocks.....	5,772,620	5,329,959.80	5,383,175.80
	5,923,996	5,509,659.80	5,562,875.80

III

25. Niagara Falls Power Company, a New York corporation and a direct subsidiary of Buffalo, Niagara and Eastern Power Corporation, is both a holding company and an electric utility company, as defined in sections 2 (a) (7) and 2 (a) (3) of the Public Utility Holding Company Act of 1935; it claims an exemption as a holding company pursuant to Rule U-2 of the Rules and Regulations under the Act and is not a registered holding company. Niagara Falls Power Company has one subsidiary company which is a public utility company, as defined in the Act; namely, Canadian Niagara Power Company, Ltd., which operates in the Province of Ontario, Dominion of Canada; it has two non-utility subsidiaries, Gorge View Park, Inc., and Niagara Junction Railway Company.

26. As of December 31, 1941, Niagara Falls Power Company owned all of the outstanding common stock of its three subsidiaries. It had open account debt, at 6% interest, due from associate companies in the aggregate amount of \$2,491,672. Its subsidiaries, Canadian Niagara Power Company, Ltd. and Niagara Junction Railway Company, have an open account indebtedness due from associate companies in the aggregate amount of \$1,257,345.

27. As of December 31, 1941, the corporate and consolidated capitalization, including surplus, of Niagara Falls Power Company was as follows:

	Shares	Amount	Per- cent
CORPORATE			
Bonds.....		\$29,493,000	43.3
Common stock (no par).....	742,241	35,575,565	56.7
Earned surplus.....		3,039,041	
Total capitalization.....		68,107,606	100.0
CONSOLIDATED			
Bonds.....		29,493,000	36.4
Common stock (no par).....	742,241	35,575,565	63.6
Capital surplus.....		5,535,602	
Earned surplus.....		10,462,312	
Total capitalization.....		81,066,479	100.0

28. The income of Niagara Falls Power Company for the year ending December

31, 1941 was derived from the following sources:

	Amount	Per- cent
Operating income.....	\$2,773,442	72.0
Dividends from subsidiaries.....	920,000	23.8
Other income, including interest.....	162,651	4.2
Total.....	3,856,093	100.0

29. On June 29, 1942, the Federal Power Commission ordered Niagara Falls Power Company to remove from the book cost of its property, in service as of March 2, 1921, totaling \$44,453,868, the sum of \$15,537,943, and to charge said amount to its earned surplus account, reserving for future consideration additional items of property cost per books aggregating \$3,985,500.

30. At December 31, 1941, gross utility plant of Niagara Falls Power Company amounted to \$65,715,880, and the reserve for depreciation aggregated \$10,228,973. Non-depreciable property is estimated at \$6,580,248. At the same date, the outstanding funded debt of Niagara Falls Power Company represented approximately 53.0% of net fixed capital. If it should be finally determined that \$15,537,943 must be removed from fixed property, as ordered by the Federal Power Commission, the ratio of funded debt to the company's net fixed property would approximate 74%.

31. Niagara Falls Power Company owns all the outstanding 300,000 shares of the common stock of Canadian Niagara Power Company, Ltd., said shares constituting all the latter's capital stock and have a book value, including surplus, of \$17,458,131. Said stock is reported to have cost \$2,817,672. At present, it is carried on the books of Niagara Falls Power Company at \$4,796,000 and is pledged by that company as part of the collateral securing its own First and Refunding 3½% Mortgage Bonds.

32. Canadian Niagara Power Company, Ltd. operates in the Dominion of Canada. It is engaged in the business of generating hydro-electric energy by means of the use of the waters of the Niagara River; and the transmission and sale of such energy principally to associate companies, subsidiaries of Niagara Hudson Power Corporation operating in the State of New York, and to the Hydro-Electric Power Commission of Ontario, Dominion of Canada. It also sells electric energy for light, heat and power purposes directly to consumers in villages and townships in the Province of Ontario, Canada. As of December 31, 1941, capitalization and surplus of Canadian Niagara Falls Power Company, Ltd. was as follows:

Common stock, no par, 300,000 Shares.....	\$15,000,000
Earned surplus.....	2,458,131
Total.....	17,458,131

33. The fixed capital of Canadian Niagara Power Company, Ltd. at December 31, 1941 totaled \$17,481,474, including appreciation of \$6,250,000, recorded pursuant to resolution of the boards of directors.

IV

34. Northern Development Corporation, a New York corporation and a direct subsidiary of Niagara Hudson Power Corporation, owns undeveloped water power sites and nine hydro-electric generating plants, the latter being leased to Central New York Power Corporation, also a direct subsidiary of Niagara Hudson Power Corporation.

35. At December 31, 1941, the capitalization and surplus of Northern Development Corporation was as follows:

	Amount	Per- cent
Open account advances at 6%.....	\$3,078,000	11.3
Common stock, no par, 157,000 shares.....	15,750,000	57.7
Capital surplus.....	8,200,000	31.0
Earned surplus.....	254,362	
Total.....	27,282,362	100.0

36. The fixed capital of Northern Development, at December 31, 1941, was reported to be \$29,969,299. The reserve for depreciation was reported to be \$2,508,069. Included in such fixed capital is a total appreciation of \$6,958,540 as a result of revaluations entered on the books of predecessor companies pursuant to resolutions of the board of directors.

37. The common stock of Northern Development Corporation, as of December 31, 1941, had a book value, including the \$6,958,540 item of appreciation referred to above, of \$11,532,362. It was all owned by Niagara Hudson Power Corporation and was carried upon the books of that company at \$24,085,463. The following table shows to whom the open accounts advances are payable:

Niagara Hudson Power Corporation.....	\$2,700,000
Oswego Canal Company.....	20,000
St. Lawrence Power Co., Ltd.....	275,000
Frontier Corporation.....	83,000
Total.....	3,078,000

38. The operating revenue of Northern Development Corporation for the year ending December 31, 1941 was reported to be \$1,113,556, all of which was received as income from the sale of power through lease arrangements with Central New York Power Corporation in respect of nine hydro-electric generating plants.

V

39. The capitalization, including surplus, of New York Power and Light Corporation, a direct subsidiary of Niagara Hudson Power Corporation, at December 31, 1941, was as follows:

	Amount	Per- cent
Bonds.....	\$66,582,000	53.2
Liability on reservoir.....	2,875,212	2.4
Advances on open account from Niagara Hudson Power Corporation.....	20,550,000	16.4
	90,007,212	72.0
7% preferred stock, 144,639 shares, \$100 par (voting).....	14,463,900	11.4
\$6 preferred stock, 96,088 shares, no par (non-voting).....	9,608,800	7.7
Common stock (1,057,895 shares).....	8,937,107	7.1
Surplus.....	2,322,782	1.8
Total.....	125,339,801	100.0

40. The 7% Preferred Stock of New York Power and Light Corporation (25% of which is owned by Niagara Hudson Power Corporation) has no increased voting power in the event of dividend defaults but at all times votes share for share with the common stock. It represents 11.4% of the capitalization and has 12% of the voting power.

The \$6 Preferred Stock (20% of which is owned by Niagara Hudson Power Corporation) represents 7.7% of the capitalization and has no vote under any circumstances.

The common stock, all of which is owned by Niagara Hudson Power Corporation, represents, together with the surplus, 8.9% of the capitalization and has 88% of the voting power at all times.

41. The 7% Cumulative Preferred Stock and the \$6 Cumulative Preferred Stock have voluntary and involuntary liquidating values of \$100 per share. The 7% Preferred Stock and \$6 Preferred Stock are callable, in whole or in part, at any time upon 30 days' notice at \$115 per share, and \$105 per share, respectively.

42. As of December 31, 1941, the total fixed capital of New York Power and Light Corporation amounted to \$137,337,424, including an estimated \$28,000,000 of non-depreciable property. The reserve for depreciation aggregated \$15,392,565. At the same date, the total debt of New York Power and Light Corporation represented approximately 74% of its net property per books.

It appearing to the Commission, in the light of the foregoing, that it is appropriate in the public interest and in the interest of investors and consumers to institute proceedings with respect to Niagara Hudson Power Corporation and its subsidiaries listed in paragraph 2 above and, more particularly, Niagara Hudson Power Corporation, Buffalo, Niagara and Eastern Power Corporation, Niagara Falls Power Company, Canadian Niagara Power Company, Ltd., Central New York Power Corporation, Northern Development Corporation and New York Power and Light Corporation, pursuant to sections 11 (b) (2), 12 (c), 12 (f), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935, in order to determine whether certain orders should be entered pursuant to the provisions of said Sections, all as set forth more fully below:

It is ordered, That Niagara Hudson Power Corporation and its subsidiary companies named in paragraph 2 above file with the Secretary of the Commission, on or before the 15th day of September, 1942, answers to the allegations of paragraphs 1 to 42 inclusive hereof in the form prescribed by Rule U-25 of the Rules and Regulations under said Act.

It is further ordered, That, pursuant to sections 11 (b) (2), 12 (c), 12 (f), 15 (f) and 20 (a) of the Act, a hearing be held on such matters at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 in the forenoon of the 1st day of October, 1942 to determine:

A. Whether the allegations in Paragraphs 1 to 42, inclusive, are true and accurate;

B. Whether voting power is fairly and equitably distributed among the security holders of Niagara Hudson Power Corporation; and, if not, what action shall be required to be taken pursuant to section 11 (b) (2) with respect thereto;

C. Whether the corporate structure or continued existence of Niagara Hudson Power Corporation unduly or unnecessarily complicates the structure of the holding company system of which it is a part, or unfairly or inequitably distributes voting power among security holders of such holding company system;

D. Whether the existing corporate structure of Niagara Hudson is such as not to justify more than a single class of stock;

E. Whether it is necessary that an order be issued requiring action to be taken by Niagara Hudson Power Corporation so that Niagara Hudson shall cease to be a holding company with respect to each subsidiary company thereof which, itself, has a subsidiary company which is a holding company;

F. Whether voting power is fairly and equitably distributed among the security holders of Buffalo, Niagara and Eastern Power Corporation; and, if not, what action shall be required to be taken pursuant to section 11 (b) (2) with respect thereto;

G. Whether the corporate structure or continued existence of Buffalo, Niagara and Eastern Power Corporation unduly or unnecessarily complicates the structure of the holding company system of which it is a part, or unfairly or inequitably distributes voting power among security holders of such holding company system;

H. Whether the existing corporate structure of Buffalo, Niagara and Eastern Power Corporation is such as not to justify more than a single class of stock;

I. Whether it is necessary that an order be issued requiring action to be taken by Buffalo, Niagara and Eastern Power Corporation so that there shall cease to be in the Niagara Hudson Power Corporation holding company system a holding company which has a subsidiary holding company which, itself, has a subsidiary which is a holding company;

J. Whether it is necessary or appropriate, in the public interest or for the protection of investors or consumers, to require Buffalo, Niagara and Eastern Power Corporation to restate its investment, surplus, capital or other accounts pursuant to section 15 (f) of the Act and the Rules and Regulations thereunder, so as to reflect, among other things, adjustments, credits or charges, or other entries which may be required to be made by its subsidiaries, including Niagara Falls Power Company and Canadian Niagara Power Company, Ltd.;

K. Whether it is necessary or appropriate to enter any order forthwith or otherwise, pursuant to section 12 (c) of the Act, prohibiting or restricting the payment of dividends on the outstanding \$5 First Preferred Stock, no par, and/or the \$1.60 Second Preferred Stock, \$25

par, of Buffalo, Niagara and Eastern Power Corporation in order to protect the financial integrity of Buffalo, Niagara and Eastern Power Corporation or any of the companies in the holding company system of which it is a part or to prevent the payment of dividends out of capital or unearned surplus, or to prevent circumvention of the provisions of the Act, or any Rule, Regulation or Order thereunder, or otherwise, in the public interest or for the protection of investors or consumers;

L. Whether, for the purpose of fairly and equitably distributing voting powers among the security holders of Niagara Falls Power Company, pursuant to the provisions of section 11 (b) (2) of the Act, it is necessary or appropriate to require that said corporation shall revise and simplify its capital structure;

M. Whether it is necessary or appropriate in the public interest, or for the protection of investors or consumers, to require Niagara Falls Power Company to restate its fixed capital, investments, surplus, capital and/or other accounts, pursuant to section 15 (f) of the Act and Rules and Regulations thereunder, so as to segregate, dispose of, and eliminate write-ups and intangibles in said accounts, set up adequate reserves for retirement and depreciation of fixed capital, and make other appropriate adjustments in conformance with the provisions of the Act;

N. Whether it is necessary or appropriate to enter an order or orders, pursuant to sections 12 (c) and 12 (f) of the Act, prohibiting or restricting the declaration or payment of dividends on the outstanding common stock of Niagara Falls Power Company and/or the receipt thereof by Buffalo, Niagara and Eastern Power Corporation, in order to protect the financial integrity or to safeguard the working capital of Niagara Falls Power Company or any company in the same holding company system, or to prevent the payment of dividends out of capital or unearned surplus or to prevent circumvention of the provisions of the Act or any Rules, Regulations or Order thereunder, or otherwise, in the public interest or for the protection of investors or consumers;

O. Whether it is necessary or appropriate to enter an order or orders, pursuant to sections 12 (c), 12 (f) and 15 (f) of the Act requiring Buffalo, Niagara and Eastern Power Corporation and/or Niagara Falls Power Company to take steps with respect to the payment by, or the receipt from, Canadian Niagara Power Company, Ltd. of dividends on its outstanding common stock, and also with respect to the latter company's fixed capital, surplus, capital or other accounts, in order to protect the financial integrity or working capital of Canadian Niagara Power Company, Ltd. or the companies in the holding company system of which it is a part, or to prevent the payment and receipt of dividends out of capital or unearned surplus, or to prevent the circumvention of the provisions of the Act or any Rule, Regulation or order

thereunder, or otherwise, in the public interest or for the protection of investors or consumers;

P. Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to require Northern Development Corporation to restate its fixed capital, surplus, capital or other accounts, pursuant to section 15 (f) of the Act and the Rules and Regulations thereunder, so as to segregate, dispose of and eliminate write-ups in the fixed capital or other accounts;

Q. Whether it is necessary or appropriate to enter an order pursuant to sections 12 (c) and/or 12 (f) of the Act prohibiting or restricting the declaration and payment of dividends on the outstanding common stock of Northern Development Corporation and/or the receipt thereof by Niagara Hudson Power Corporation, in order to protect the financial integrity or working capital of Northern Development Corporation or any company in the same holding company system, or to prevent the payment of dividends out of capital or unearned surplus, or to prevent the circumvention of the provisions of the Act or any Rule, Regulation or Order thereunder, or otherwise, in the public interest or for the protection of investors or consumers;

R. Whether, for the purpose of fairly and equitably distributing voting power among the security holders of New York Power and Light Corporation, pursuant to the provisions of section 11 (b) (2) of the Act, it is necessary or appropriate to require New York Power and Light Corporation to revise and simplify its capital structure and take other steps to fairly and equitably redistribute voting power among its security holders;

S. Whether it is necessary or appropriate, in the public interest or for the protection of investors or consumers, or to protect the financial integrity of the companies in the Niagara Hudson holding company system or to safeguard the working capital of New York Power and Light Corporation, or to prevent circumvention of the provisions of the Act or any Rule or Regulation thereunder, or otherwise, to enter an order pursuant to sections 12 (c) and/or 12 (f) of the Act prohibiting or restricting the payment and/or the receipt of principal or interest on the \$20,500,000 open account advances owing by New York Power and Light Corporation to Niagara Hudson Power Corporation;

T. Whether it is necessary or appropriate, in the public interest or for the protection of investors or consumers, or to prevent the circumvention of the provisions of the Act, or to protect the financial integrity or to safeguard the working capital of New York Power and Light Corporation, or to cause New York Power and Light Corporation to conform with the requirements of section 11 (b) (2) of the Act, or otherwise, to enter an order requiring that the \$20,500,000 of open account indebtedness owing by it to Niagara Hudson Power Corporation shall be converted into common stock of New York

Power and Light Corporation, or otherwise subordinated to its publicly-held securities;

U. Whether it is necessary or appropriate, in the public interest or for the protection of investors or consumers, or to prevent the circumvention of the Act or any Rules, Regulations or Orders thereunder, or to protect the financial integrity or to safeguard the working capital of the companies in the Niagara Hudson holding company system, or to eliminate corporate complexities in the structure of such holding company system, or to cause the companies in such holding company system to conform with the requirements of section 11 (b) (2) of the Act, or otherwise, to enter an order prohibiting or restricting the payment and/or receipt of principal and interest on the inter-company loans and advances existing within the holding company system of Niagara Hudson as set forth in paragraph 9, 13 and 23 above, or to enter an order requiring that such inter-company loans and advances be converted into common stock of the individual debtor companies, or to require that the inter-company advances owing by Buffalo, Niagara and Eastern Power Corporation and Central New York Power Corporation be subordinated to their publicly-held securities.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Public Utility Holding Company Act of 1935 and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That jurisdiction be and is hereby reserved to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues or questions hereinbefore set forth or which may arise in these proceedings, or to consolidate these proceedings or any portion thereof with any proceedings which may be instituted subsequently under section 11 (b) (1), section 13, or other provisions of said Act with respect to Niagara Hudson Power Corporation and its subsidiary companies, and to take such other action as may appear conducive to an orderly, prompt, and economic disposition of the matters involved.

It is further ordered, That notice of said hearing is hereby given to Niagara Hudson Power Corporation and its subsidiaries listed in Paragraph 2 above, and particularly to Buffalo, Niagara and Eastern Power Corporation, Niagara Falls Power Company, Canadian Niagara Power Company, Ltd., Central New York Power Corporation, Northern Development Corporation, and New York Power and Light Corporation, to their respective security holders, all States, municipalities and political subdivisions of States within which are located any of the physical assets of said companies, or under the laws of which

any of said companies are incorporated, all State Commissions, State Securities Commissions and all agencies, authorities or instrumentalities of one or more States, municipalities or other political subdivisions having jurisdiction over such companies or over any of the businesses, affairs, or operations of any of them; that the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing a copy of this Order by registered mail to such companies, The United Corporation, The United Gas Improvement Company, the Federal Power Commission, and Public Service Commission of the State of New York, not less than fifteen days prior to the date hereinbefore fixed as the date for filing of answers; that such notice shall be given further by a general release of the Commission, distributed to the press and mailed to the mailing list for releases under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER not less than fifteen days prior to the date hereinbefore fixed as the date of hearing; and

It is further ordered, That any person proposing to intervene or to be heard in these proceedings shall file with the Secretary of the Commission on or before the 25th day of September 1942 his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That, upon the convening of the hearing above ordered, the Respondents shall show cause why the Commission shall not forthwith enter an Order prohibiting the declaration or payment of further dividends on the preferred and common stocks of Buffalo, Niagara and Eastern Power Corporation and also on the common stocks of Niagara Falls Power Company, as violative of section 12 (c) of the Public Utility Holding Company Act of 1935 and Rules thereunder; such Order to be effective until termination of the proceedings herein ordered and final determination of the issues stated above.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 42-8477; Filed, August 29, 1942;
10:40 a. m.]

[File No. 70-591]

SOUTH CAROLINA ELECTRIC AND GAS CO.,
ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

In the matter of South Carolina Electric & Gas Company, Lexington Water Power Company and General Gas & Electric Corporation.

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 27th day of August, A. D. 1942.

Notice is hereby given that applications-declarations have been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by

South Carolina Electric & Gas Company and Lexington Water Power Company, subsidiaries of General Gas & Electric Corporation, and by General Gas & Electric Corporation, a registered holding company. All interested persons are referred to said document which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

South Carolina Electric & Gas Company proposes to consolidate or merge with Lexington Water Power Company.

The consolidated company is to assume all the outstanding bonds and debentures, notes and accounts payable as well as all other liabilities of any kind whatsoever of both of the companies.

The consolidated company proposes to issue 70,000 shares of common stock with a par value of \$100 per share; 146,266 shares of 5% preferred stock, with a par value of \$50 per share; and proposes to authorize the issuance of 3,734 shares of 6% preferred stock, with a par value of \$50 per share, to be issued in satisfaction of the conversion privilege of the public holders of \$186,700 principal amount of 5½% Convertible Sinking Fund debentures, due January 1, 1953, in the event that such debenture holders elect to convert.

It is proposed that the consolidated company issue for each outstanding share of \$6 prior preferred stock of South Carolina Electric & Gas Company two shares of 5% preferred stock of the consolidated company. In the event any holder of the \$6 prior preferred stock of South Carolina Electric & Gas Company objects to the consolidation or merger and thereby becomes entitled to the agreed or appraised value of stock under the appraisal section of the South Carolina Statute, then each share of the \$6 prior preferred stock is to have a value of \$105, plus accumulated unpaid dividends, if any, to the effective date of the agreement, General Gas & Electric Corporation, holder of 24,371 shares of the total of 25,000 shares of the \$6 prior preferred stock, has agreed to take the new stock and proposes to assent to the consolidation or merger.

It is also proposed that the consolidated company issue for each share of 7% preferred stock of South Carolina Electric & Gas Company two shares of 5% preferred stock of the consolidated company. To the holders of 588 shares of 7% preferred stock, being all the holders other than General Gas & Electric Corporation which holds 12,517 shares, it is proposed that in addition there be paid in cash the accumulated and unpaid dividends on the 7% preferred stock to the date from which dividends shall accumulate upon the shares of 5% preferred stock of South Carolina Electric & Gas Company. There is also a provision to the effect that if any holder of the 7% preferred stock objects to the consolidation or merger and becomes entitled thereby to the agreed or appraised value of his stock under the appraisal statute section of South Carolina Statute, then each share of 7% preferred stock of

South Carolina Electric & Gas Company has a value of \$110 and accumulated and unpaid dividends, if any, to the effective date of the agreement. General Gas & Electric Corporation has agreed to take the new stock.

No securities are to be issued for the common stock of Lexington Water Power Company. This stock is to be surrendered by General Gas & Electric Corporation for cancellation.

General Gas & Electric Corporation proposes to deliver to the consolidated company for cancellation at the effective date of the consolidation the following bonds and debentures:

\$400 principal amount of Broad River Power Company (now South Carolina Electric & Gas Company) First and Refunding Mortgage 5% Gold Bonds, Series A, due September 1, 1954;

\$612,700 principal amount Lexington Water Power Company First Mortgage 5% Gold Bonds, series due January 1, 1968;

\$2,311,900 principal amount Lexington Water Power Company 5½% Convertible Sinking Fund Gold Debentures, due January 1, 1953.

General Gas & Electric Corporation proposes to retain \$391,000 principal amount of South Carolina Electric & Gas Company 5% First and Refunding Mortgage Bonds due 1954 and \$650,000 principal amount of Lexington Water Power Company 5% Mortgage Bonds due 1968.

The consolidated company will issue to General Gas & Electric Corporation 50,000 shares of 5% preferred stock and cash equal to the accrued interest on the surrendered bonds and debentures to the date on which dividends shall accumulate on the shares of the 5% preferred stock.

It is also proposed to issue to General Gas & Electric Corporation on the effective date of the agreement 100 shares of common stock with a par value of \$100 each of the consolidated company in consideration of the payment of \$1,735,000. The consolidated company will pay to General Gas & Electric Corporation the following amounts due, as of June 30, 1942, on open accounts and notes, to the holding company:

Due from South Carolina Co.:	
Open accounts.....	\$1,175,026.60
6% Demand Note.....	14,750.00
Due from Lexington:	
Open accounts.....	471,577.19
5% Demand Note.....	64,729.59
Total.....	1,726,083.38

General Gas & Electric Corporation proposes to donate to the consolidated company on the effective date of the agreement \$240,000 in cash.

Applicants-declarants state that the proposed consolidation and recapitalization program is related to the pending proceedings involving General Gas & Electric Corporation under section 11 (b) (2) and section 11 (c) of the Act. It is asserted that it appears feasible to develop a plan for the direct distribution of the assets of General Gas & Electric Corporation to its security holders and that the most effective way of satisfying the claims of the public holders of General Gas & Electric Corporation prior and

preferred stocks is to make an exchange offer to them of preferred stock in operating subsidiaries of General Gas & Electric Corporation. The proposed plan of consolidation and recapitalization of South Carolina Electric & Gas Company and Lexington Water Power Company provides, it is maintained, for the issuance of such preferred stock in the amount required. Applicants-declarants assert that the program is, therefore, a first step in an over-all program for the distribution of the assets of General Gas & Electric Corporation and will aid in solving one of its major problems.

The applicants-declarants do not indicate the applicable sections of the Public Utility Holding Company Act of 1935 and the rules thereunder under which the filing has been made.

It appearing that it is appropriate and in the public interest and in the interests of investors and consumers that a hearing be held with respect to the filing made and that said declarations shall not become effective, said applications shall not be granted, and no other relief sought shall be granted except pursuant to further order of the Commission.

It is ordered, That a hearing on such matters be held on September 23, 1942, at 10 o'clock, a. m., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held.

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

1. Whether the proposed transactions are necessary and appropriate to effectuate the provisions of Section 11 (b);

2. Whether the plan or program proposed by applicants-declarants is fair and equitable to the persons affected by it;

3. Whether the retention of debt securities of the consolidated company by General Gas & Electric Corporation is consonant with the applicable standards of the Act;

4. Whether, in general, the various transactions composing the program comply with the applicable standards of the Act and the rules and regulations promulgated thereunder;

5. Whether terms or conditions are necessary to be imposed upon the various transactions which are the subjects of the filing to insure compliance with the requirements of the Act or any rules, regulations or orders promulgated thereunder.

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 the hearings in such matter. The officer so designated to preside at 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 the Secretary of the Commission shall serve notice of the hearings aforesaid by mailing a copy of this order by registered mail to South Carolina Electric & Gas Company, Lexington Water Power Company and General Gas & Electric Corporation and that notice of the entry of this order for said hearing is hereby given to all holders of securities of South Carolina Electric & Gas Company, Lexington Water Power Company, and General Gas & Electric Corporation, to the Public Service Commission of the State of South Carolina, and to all other state commissions or other agencies, authorities or instrumentalities, municipalities or other political subdivisions having jurisdiction over said South Carolina Electric & Gas Company, Lexington Water Power Company and General Gas & Electric Corporation, or any one of them and to all other persons such notice to be given by a 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 of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-8475; Filed, August 29, 1942;
10:38 a. m.]

[File No. 70-577]

ILLINOIS IOWA POWER COMPANY ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 29th day of August A. D., 1942.

An application or declaration having been filed by Illinois Iowa Power Company pursuant to the Public Utility Holding Company Act of 1935 in regard to the acquisition by said company of preferred stock of Kewanee Public Service Company; and

The Commission having on August 12, 1942 issued its notice of and order for hearing in said matter and said order having set a date for hearing thereon on September 2, 1942; and

It appearing to the Commission that it is necessary to postpone the date of said hearing;

It is ordered, That the hearing in this matter be, and it hereby is, postponed to September 23, 1942, at 10 a. m., E. W. T., said hearing to be held at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated by the hearing room clerk in Room 318.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 42-8525; Filed, August 31, 1942;
10:01 a. m.]

