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FEDERAL REGISTER

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Regulations

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

PART 601—DESIGNATION OF AIRWAY TRAFFIC CONTROL AREAS, CONTROL ZONES OF INTERSECTION, CONTROL AIRPORTS, AND RADIO FIXES

[Amendment 17 of Part 601]

DESIGNATION AND CANCELLATION OF CONTROL AIRPORTS

OCTOBER 16, 1942.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation of the Civil Aeronautics Board, Serial No. 197, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics, which became effective January 15, 1942, to read as follows:

By amending § 601.3 so as to include in the proper alphabetical order the designation of the following airport as a control airport:

City: *Name of airport*
San Antonio, Tex... New Municipal Airport

and to cancel the designation of the following airport as a control airport:

City: *Name of airport*
San Antonio, Tex..... Stinson Field

This amendment will become effective 00:01 E. W. T., November 1, 1942.

C. I. STANTON,
Administrator.

[F. R. Doc. 42-10566; Filed, October 20, 1942; 9:28 a. m.]

TITLE 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

PART 30—TRAVEL AND OTHER CONDUCT OF ALIENS OF ENEMY NATIONALITIES

APPLICATION FOR CERTIFICATES OF IDENTIFICATION

Section 30.51¹ is amended to read as follows:

¹7 F.R. 1477.

§ 30.51 *Persons required to apply.* Except as hereinafter expressly excluded by § 30.52, persons in the United States (including Puerto Rico and the Virgin Islands) required to apply for certificates of identification, and otherwise to comply with these regulations, are as follows:

(a) All aliens who are of the age of 14 years or upward and who are German or Japanese citizens or subjects.

(b) All aliens of the age of 14 years or upward and who at present are stateless but who, at the time at which they became stateless, were German or Japanese citizens or subjects.

(c) All aliens, of the classes described in paragraphs (a) and (b) of this section, who have not reached the age of 14 years at the time that applications for certificates of identification are required, shall from that time forward and so long as the said Presidential Proclamation dated January 14, 1942, shall remain in effect, immediately upon reaching the age of 14 years, present themselves at the nearest appropriate post office or such other place as may be hereafter designated, and make application for such certificate of identification.

Section 30.52 is amended by revising paragraphs (a), (b) and (c) by redesignating paragraph (d) as paragraph (e) and by adding thereto a new paragraph marked (d).

Section 30.52 will now read as follows:

§ 30.52 *Persons not required to apply.* Classes of aliens not required to apply for certificates of identification, or otherwise to comply with these regulations, include the following:

(a) German or Japanese citizens, or subjects who, before December 7, 1941, in the case of former Japanese subjects and before December 8, 1941, in the case of former German citizens, became citizens of any nation other than Germany or Japan: *Provided*, That such persons have not, by special license or otherwise, retained their status as German or Japanese citizens or subjects.

(b) Austrians or Austrian-Hungarians (Austro-Hungarians), who registered as such under the Alien Registration Act of 1940, provided that such persons have not at any time voluntarily become German or Japanese citizens or subjects.

(c) Koreans who, under the Alien Registration Act of 1940, registered as

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Koreans: *Provided*, That such persons have not at any time voluntarily become German or Japanese citizens or subjects.

(d) All citizens or subjects of Italy, and all aliens who at present are stateless but who, at the time they became stateless, were citizens or subjects of Italy.

(e) These regulations shall not be construed as defining or limiting the classes of "alien enemies" who are subject to apprehension, detention or internment, or to any of the other provisions of the Presidential Proclamations of December 7 and 8, 1941, and regulations heretofore or hereafter issued pursuant thereto.

(Proc. 2525, Dec. 7, 1941, Procs. 2526 and 2527, Dec. 8, 1941, Proc. 2537, Jan. 14, 1942, 6 F.R. 6321, 6323, 6324, 7 F.R. 329, and R.S. 4067; 50 U.S.C. 21)

Effective date of these amendments is October 19, 1942.

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 42-10558; Filed, October 19, 1942; 4:24 p. m.]

TITLE 29—LABOR

Chapter II—National Labor Relations Board

PREVENTION OF UNFAIR LABOR PRACTICES; INVESTIGATION AND CERTIFICATION OF REPRESENTATIVES

EXCEPTIONS, ETC.

By virtue of the authority vested in it by the National Labor Relations Act, approved July 5, 1935, the National Labor Relations Board hereby issues the following amendments to its Rules and

Regulations—Series 2—as amended (General Rules and Regulations) which it finds necessary to carry out the provisions of said Act. Said amendments to the Rules and Regulations—Series 2—as amended, shall become effective upon the signature of the original amendments by the members of the Board, and upon the publication thereof in the FEDERAL REGISTER.

Sections 202.33¹ and 203.9,² National Labor Relations Board Rules and Regulations—Series 2—as amended, are hereby amended in the following manner: § 202.33 is amended by inserting the words "and brief" immediately following the word "exceptions" in the second sentence of the first paragraph thereof. Section 203.9 is amended by substituting for the last sentence thereof the following new sentences, "Should any party desire to file a brief with the Board, the original and three copies thereof shall be filed with the Board at Washington, D. C., within seven days after the close of the hearing. Immediately upon such filing, the party filing the same shall serve a copy thereof upon each of the other parties." As amended, §§ 202.33 and 203.9, Rules and Regulations—Series 2—as amended, shall read as follows:

PART 202—PROCEDURE UNDER SECTION 10 OF THE ACT FOR THE PREVENTION OF UNFAIR LABOR PRACTICES

§ 202.33 *Exceptions; time for filing; where to file; service on parties; extension of time; effect of failure to include matter in exception.* Within fifteen days from the date of the entry of the order transferring the case to the Board, pursuant to § 202.32, any party may file with the Board at Washington, D. C., an original and four copies of a statement in writing setting forth such exceptions to the Intermediate Report or to any other part of the record or proceeding (including rulings upon all motions and objections) as he relies upon, together with the original and four copies of a brief in support thereof. Immediately upon the filing of the statement of exceptions and brief, the party filing the same shall serve a copy thereof upon each of the other parties and shall file a copy with the Regional Director. Upon proper cause shown, the Board may extend the period within which to file a statement of exceptions or brief.

No matter not included in a statement of exceptions may thereafter be objected to before the Board, and failure to file a statement of exceptions shall operate as a submission of the case to the Board on the record.

Should any party desire permission to argue orally before the Board, request therefor must be made in writing to the Board within ten days after the date of the entry of the order transferring the case to the Board (or in Board cases the date of filing the Intermediate Report), pursuant to § 202.32. The Board shall notify the parties of the time and place for oral argument, if such permission is

¹ 6 F.R. 4604; 7 F.R. 8247.

² 7 F.R. 8347.

granted. (Sec. 6 (a), 49 Stat. 452; 29 U.S.C.).

PART 203—PROCEDURE UNDER SECTION 9 (C) OF THE ACT FOR THE INVESTIGATION AND CERTIFICATION OF REPRESENTATIVES

§ 203.9 *Proceedings before Board; briefs; further hearing; direction of election; certification of representatives.* The Board shall thereupon proceed, either forthwith upon the record, or after oral argument or the submission of briefs, or after further hearing, as it may determine, to direct a secret ballot of the employees in order to complete the investigation, or to certify to the parties the name or names of the representatives that have been designated or selected, or to make other disposition of the matter. Should any party desire to file a brief with the Board, the original and three copies thereof shall be filed with the Board at Washington, D. C. within seven days after the close of the hearing. Immediately upon such filing, the party filing the same shall serve a copy thereof upon each of the other parties. (Sec. 6 (a), 49 Stat., 452; 29 U.S.C.).

Signed at Washington, D. C., this 19th day of October 1942.

H. A. MILLIS,
Chairman.

WM. M. LEISERSON,
Member.

GERARD D. REILLY,
Member.

[F. R. Doc. 42-10586; Filed, October 20, 1942; 11:33 a. m.]

Chapter VII—War Manpower Commission

[General Order 1]

PART 901—TRANSPORTATION OF WORKERS
TRANSPORTATION OF WORKERS TO NON-FERROUS METAL PRODUCING AREAS

By virtue of and pursuant to the authority vested in me by Executive Orders 9139 and 9247, and by the letter of the President dated October 8, 1942, allocating certain sums from the Emergency Fund for the President, National Defense, 1942 and 1943, to the War Manpower Commission, I hereby prescribe the following regulations:

Sec.

- 901.1 Administration of transportation program.
- 901.2 Prerequisites to transportation.
- 901.3 Persons for whom transportation provided.
- 901.4 Transportation of persons.
- 901.5 Transportation of household effects.
- 901.6 Payment of or reimbursement for transportation.
- 901.7 Conformity with standardized Government transportation regulations.
- 901.8 Determination of liability for reimbursement in the event of breach of contract.

AUTHORITY: §§ 901.1 to 901.8, inclusive, issued under E.O. 9139, 9247; 7 F.R. 2919, 7379.

§ 901.1 *Administration of transportation program.* The United States Em-

ployment Service in the War Manpower Commission, through such of its officers or employees as may be designated by operations bulletins or otherwise for that purpose, shall enter into necessary transportation agreements with workers and employers on behalf of the United States, and administer the disbursement of funds and all other operational aspects of the transportation program, including the issuance of detailed operations instructions consistent with these regulations.

§ 901.2 *Prerequisites to transportation.* (a) No transportation shall be provided for any worker, his dependents, and household effects and no reimbursement shall be made to any worker for transportation, or to any employer for advances made by him to any worker for transportation unless (1) reasonably adequate use is being made of the local labor supply at the proposed place of employment, and (2) the employer and the worker have entered into a contract of employment which includes the provisions contained in forms provided by the United States Employment Service for such purpose. Such contract shall provide for a ninety-day period of employment beginning on the day the worker begins travel to the place of employment, and shall include provisions for reimbursement to the United States by the worker or the employer as the case may be, of the costs of transportation furnished pursuant to these regulations in the event that the employment is terminated without good cause prior to the expiration of such ninety-day period.

§ 901.3 *Persons for whom transportation provided.* Transportation may be provided for a worker qualified for mining employment and not to exceed three dependents of any such worker, from points in the continental United States to places of employment in the non-ferrous metal industry in States west of the Mississippi River. For the purposes of these regulations, "dependent" means a wife or minor child of the worker or a person whose support the worker has assumed in good faith, provided that the worker maintains a bona fide family relationship in his home with such wife, child or other person.

§ 901.4 *Transportation of persons.* (a) Travel shall be by (1) railroad or licensed bus line; (2) privately-owned automobile.

(b) Travel by railroad or bus shall be by the most economical usually traveled route from the point of departure to the place of employment. Coach tickets shall be used when the travel is for a short distance, and tourist tickets, including tourist berth, shall be used when travel is for longer distances that require night travel.

(c) Reimbursement for travel by privately-owned automobile shall be computed as follows:

(1) To a worker or dependent traveling alone, the cost of transportation between the point of departure and the place of employment by railroad, or if

no available direct railroad facilities, then by bus, or if no direct railroad or bus facilities, then five cents per mile, but in no event to exceed five cents per mile from the point of departure to the place of employment by the shortest usually traveled route;

(2) To a worker traveling with one or more other workers or with one or more of his dependents, or to a dependent traveling with one or more other dependents, five cents per mile from the point of departure to the place of employment by the shortest usually traveled route. Where a group of workers, a worker and his dependents, or a group of dependents travel together in the same automobile, allowance for such automobile transportation shall be made on the basis of travel by one person only.

(d) As used in this section, the "point of departure" may be either the place where the contract required under § 901.2 is entered into by the worker, or the worker's home, whichever is authorized in the particular case.

§ 901.5 *Transportation of household effects.* Transportation of household effects shall be by freight or motor van line, whichever is the more economical as determined by published tariffs for shipments by freight and by competitive bids for shipments by motor van lines. Household effects transported pursuant to these regulations shall not be in excess of 2,500 pounds gross for a worker without dependents and 5,000 pounds gross for a worker with dependents, these maximum weights to include crates, boxes, and other containers. Packing, crating, drayage, unpacking, and uncrating shall be included in the cost of transportation. The evaluation of property as declared for shipping purposes shall not exceed that at which the lowest freight rate would apply. Any charges in excess of those herein provided for shall be paid by the worker in advance.

§ 901.6 *Payment of or reimbursement for transportation.* (a) Travel by railroad or bus line shall be upon standard Government transportation requests and shipment of household effects shall be on standard Government bills of lading. Charges for drayage, packing, crating, unpacking, or uncrating shall be paid only upon prior authorization, upon presentation of standard voucher, and after certification by the officer or employee of the United States Employment Service by whom such services were authorized that the services were performed and that payment should be made.

(b) Reimbursement for travel by privately-owned automobile will be allowed only if authorization therefor has been granted prior to the commencement of such travel. When travel by privately-owned automobile has been so authorized, the worker shall be entitled to reimbursement upon presentation of standard voucher and statement of travel by motor vehicle and shall be paid only after certification by an officer or employee of the United States Employment Service at an appropriate local United

States Employment Service office that the travel was performed and that payment should be made.

(c) Reimbursement to an employer for funds advanced to a worker in order to enable him to proceed to his new place of employment by privately-owned automobile will be allowed only if authorization for such travel and advance has been made prior to the commencement of such travel. When such travel and advance have been so authorized, the employer shall be entitled to reimbursement in accordance with such prior authorization on the same basis and to the same extent and subject to the same conditions upon which reimbursement would be made to the worker as aforesaid, upon presentation by the employer of a voucher together with evidence that the worker reported to the place of employment. Such reimbursement will be paid only after certification by an officer or employee of the United States Employment Service at an appropriate local United States Employment Service office that the travel was performed and that payment should be made.

§ 901.7 *Conformity with standardized Government transportation regulations.* Whenever practicable and to the extent pertinent to and not inconsistent with the foregoing sections of these regulations, standardized Government regulations applicable to the travel of civilian officials and employees of the several departments and independent establishments of the Federal Government and to the transportation of their household effects shall govern the transportation of workers, their dependents and household effects pursuant to these regulations.

§ 901.8 *Determination of liability for reimbursement in the event of breach of contract.* In the event that an employer fails to afford opportunity for employment for the period of employment, or a worker fails to commence and complete travel to the place of employment and thereafter to perform services for the period of employment, as provided in the contract required under § 901.2 of these regulations, the regional director of the War Manpower Commission for the region in which the place of employment is located is authorized and directed to determine whether or not a claim for reimbursement to the United States for transportation costs shall be made. If a claim so made is not paid within a reasonable time, the regional director of the War Manpower Commission for such region is authorized and directed to make a final determination, on behalf of the Chairman of the War Manpower Commission, as to all matters involved in such claim, except that if disagreement exists with respect to whether or not a termination of employment prior to the expiration of the period of employment was for good cause, the regional director shall refer that question to an appropriate local area War Manpower Committee. Such committee shall promptly afford the worker and the employer affected a fair opportunity to present evidence on such question and on the basis of such evidence and such other evidence as it may adduce shall submit

its recommendations with respect thereto to the regional director. If the regional director does not concur in such recommendations, the matter shall be referred to the regional War Manpower Committee whose decision in the matter shall be final.

PAUL V. McNUTT,
Chairman.

OCTOBER 17, 1942.

[F. R. Doc. 42-10555; Filed, October 19, 1942;
12:01 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1632]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT No. 3

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 3 for the establishment of additional price classifications and minimum prices for the coals of certain mines in District No. 3.

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 additional price classifications and minimum prices for the coals of certain mines in District No. 3; and

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 3

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 323, Minimum Price Schedule for District No. 3 and supplements thereto.

§ 323.8 *Special prices—(d) By-product, horizontal and vertical retort, or water gas use—Supplement R*

[Prices in cents per net ton. River coal—For byproduct, horizontal and vertical retort, or water gas use]

Based on river transportation charge	For deliveries free along side as shown below	Freight origin group Nos.	Price classifications	Size group Nos.					
				11	12	13	14	15	16
Actual cost.....	To all destinations on the Monongahela River from Morgantown, W. Va., upstream to headwaters of the river, both inclusive.	.....	A						
		All.....	B	240	225	215	215	215	215

The above prices apply for the following mines:

Mine index No.	Code member	Mine name	Seam	Shipping point	River
243	Glenn, H. S.....	Franklin.....	Pittsburgh.....	Kingmont, W. Va.	Monongahela.
941	Hebb, H. R.....	Kingmont, Jr.....	Pittsburgh.....	Kingmont, W. Va.	Monongahela.
287	Henderson, Rex.....	Henderson.....	Pittsburgh.....	Kingmont, W. Va.	Monongahela.
778	Jackson, J. A.....	Sunset.....	Pittsburgh.....	Kingmont, W. Va.	Monongahela.
677	McDonald, Ray.....	McDonald #1.....	Pittsburgh.....	Kingmont, W. Va.	Monongahela.
1236	Morgan, Donald.....	Morgan Bros.....	Pittsburgh.....	Kingmont, W. Va.	Monongahela.
687	Morgan, Donald.....	Morgan Bros. #2.....	Pittsburgh.....	Kingmont, W. Va.	Monongahela.
946	Morgan, Joe.....	Joe Morgan.....	Pittsburgh.....	Kingmont, W. Va.	Monongahela.
413	Virginia & Pittsburgh Coal & Coke Co.	Kingmont, Jr. #2.....	Pittsburgh.....	Kingmont, W. Va.	Monongahela.

For River and Ex-River Shipments the above mines will take the same prices as mines with Index Numbers 42-54-100-106-113-119-121-127-130-132-1226-1233 and 1219 shown in § 323.8 (e) and § 323.8 (f) in Minimum Price Schedule for District No. 3, Docket No. A-1039, and adjustments thereto, with the following exceptions:

- (1) When shipments of classification "D" coals are made from the above mines the prices in § 323.8 (e) and § 323.8 (f) in Minimum Price Schedule for District No. 3 must be increased ten cents (10¢) per net ton.
- (2) When shipments of classification "E" coals are made from the above mines the prices in § 323.8 (e) and § 323.8 (f) in Minimum Price Schedule for District No. 3 must be increased five cents (5¢) per net ton.

[F. R. Doc. 42-10512; Filed, October 19, 1942; 10:45 a. m.]

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, § 323.8 (*Special prices—(d) By-product, horizontal and vertical retort, or water gas use*) is amended by adding thereto Supplement R, which supplement is 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.

Dated: September 29, 1942.

[SEAL] DAN H. WHEELER,
Director.

[Docket No. A-1650]

**PART 330—MINIMUM PRICE SCHEDULE,
DISTRICT No. 10**

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 10 for the establishment of price classifications and minimum prices for coals produced in District No. 10 for which price classifications and minimum prices have not heretofore been established.

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 produced by the truck mine of William Blender, known as Blender Mine No. 2, Mine Index No. 1603.

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

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 10

NOTE: The material contained in this supplement is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR TRUCK SHIPMENTS

**§ 330.25 General prices in cents per net ton for shipment into all market areas—
Supplement T**

Code member index	Mine Index No.	Mine	Seam	Prices and size group Nos.															
				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
SECTION No. 4—PEORIA COUNTY																			
Blender, William (Blender Mining Co.),	1603	Blender Mine #2..		5	255	250	245	235	230	225	185	165	160	155	155	155	125	115	60

[F. R. Doc. 42-10511; Filed, October 19, 1942; 10:45 a. m.]

**TITLE 32—NATIONAL DEFENSE
Chapter VI—Selective Service System
MASSACHUSETTS**

**WAIVER OF LOCAL BOARD PHYSICAL
EXAMINATION**

Waiving Local Board physical examination in the State of Massachusetts in certain cases.

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885), as amended, and the authority vested in me by the rules and regulations prescribed thereunder, and more particularly the provisions of § 623.35 of the Selective Service Regulations, I hereby waive the requirement that registrants be physically examined by an examining physician in the manner provided in Part 623, Selective Service Regulations, when the cases of such registrants have been appealed to the board of appeal under the provisions of Part 627, Selective Service Regulations, with-

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 § 330.25 (General prices in cents per net ton for shipment into all market areas) is amended by adding thereto Supplement T, which supplement is 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.

Dated: September 30, 1942.

[SEAL] DAN H. WHEELER,
Director.

By virtue of the authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301-318, inclusive; E.O. No. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition; and more particularly §§ 611.13 and 611.36, Selective Service Regulations, Second Edition, I hereby prescribe that:

Each citizen of Mexico who has not declared his intention to become a citizen of the United States and who has entered or hereafter enters the United States for the sole purpose of engaging in agricultural pursuits under conditions prescribed by the Attorney General pursuant to the arrangement of August 4, 1942, between the Governments of the Republic of Mexico and the United States of America, and who has in his personal possession a valid Alien Agricultural Laborer's Identification Card issued by the Immigration and Naturalization Service of the United States Department of Justice, a copy of which is filed herewith, shall not be required to present himself for and submit to registration under the Selective Training and Service Act of 1940, as amended, during the "period of admission" specified on such Alien Agricultural Laborer's Identification Card: *Provided*, That during such "period of admission" he continues in such agricultural pursuits.

LEWIS B. HERSHEY,
Director.

OCTOBER 15, 1942.

[F. R. Doc. 42-10553; Filed, October 19, 1942; 3:05 p. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Suspension Order S-99]

SUN OIL CO.

Sun Oil Company, a Delaware Corporation, is engaged in the marketing of fuel oil. During the months of April, May and June, the Washington District office of the Sun Oil Company made deliveries of motor fuel to fourteen service stations in excess of the amounts permitted to be so delivered in accordance with the provisions of Limitation Order L-70.¹ The total excess of deliveries of motor fuel thus made was 142,730 gallons.

At all times while deliveries of motor fuel were being made, the Sun Oil Company through its Washington District Office was fully aware of the provisions contained in Limitation Order L-70 governing the amount of motor fuel which may be delivered to each service station and, therefore, deliveries of motor fuel in excess of the amounts permitted under the provisions of Limitation Order L-70 constituted a willful violation of that order. However, during the months of July and August, the company decreased deliveries to the aforementioned service stations in an effort to correct the previous excess of deliveries of motor fuel.

¹ Filed as part of the original document.
² 7 F.R. 5552, 6419.

out the registrant having been first physically examined before the classification by the local board and I hereby direct that the classification of such registrants by the board of appeal be completed in the manner provided in § 623.51 (f), Selective Service Regulations, without such physical examination by local board examining physicians.

LEWIS B. HERSHEY,
Director.

OCTOBER 15, 1942.

[F. R. Doc. 42-10554; Filed, October 19, 1942; 3:05 p. m.]

MEXICAN AGRICULTURAL WORKERS

REGISTRATION REQUIREMENT

Order describing a group of individuals not required to present themselves for and submit to registration under the provisions of § 611.13 (a).

These violations of Limitation Order L-70 have impeded and hampered the war effort of the United States by diverting motor fuel to uses unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered*, That:

§ 1010.99 *Suspension Order S-99.* (a) Sun Oil Company shall not deliver or cause to be delivered, directly or indirectly, in any calendar month, to any of the fourteen service stations listed below, any motor fuel, as the same is defined in Limitation Order L-70, in excess of 25 per cent of the Normal Gallonage of such service stations for such month, computed in accordance with the provisions of Limitation Order L-70 without the benefit of any adjustments under paragraph (e) of that order:

Price & Cargill, 3732 Georgia Avenue, NW., Washington, D. C.
 R. J. Vore, 4331 14 Street, NW., Washington, D. C.
 J. L. Moyer, 1700 Bennings Road, NE., Washington, D. C.
 R. D. Miller, 1803 Rhode Island Avenue, NE., Washington, D. C.
 W. L. Clark, 4901 Wisconsin Avenue, NW., Washington, D. C.
 E. K. Walters, 232 Massachusetts Avenue, NW., Washington, D. C.
 S. S. No. 63, 4940 Connecticut Avenue, NW., Washington, D. C.
 W. M. Flinchum, 2643 Virginia Avenue, NW., Washington, D. C.
 J. D. Glick, 3335 Georgia Avenue, NW., Washington, D. C.
 W. W. Barron, 4530 Wisconsin Avenue, NW., Washington, D. C.
 W. M. Flinchum, 424 Rhode Island Avenue, NE., Washington, D. C.
 R. A. Blackburn, 2000 Bladensburg Road, NE., Washington, D. C.
 L. R. Saylor, 140 Florida Avenue, NE., Washington, D. C.
 S. S. No. 78, 3111 Rhode Island Avenue, NE., Washington, D. C.

(b) Nothing contained in this order shall be deemed to relieve Sun Oil Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall remain in effect during the calendar months of November 1942, December 1942, and January 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 19th day of October 1942.

ERNEST KANZLER,
 Director General for Operations.

[F. R. Doc. 42-10550; Filed, October 19, 1942; 2:27 p. m.]

PART 1010—SUSPENSION ORDERS

[Amendment 1 to Suspension Order S-109]

LAUREL OIL CO.

Paragraph (c) of § 1010.109 *Suspension Order S-109*, issued October 9, 1942¹ is hereby amended to read as follows:

¹ 7 F.R. 8180.

(c) This order shall remain in effect during the calendar months of November, 1942, December, 1942 and January, 1943.

This amendment 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 19th day of October 1942.

ERNEST KANZLER,
 Director General for Operations.

[F. R. Doc. 42-10551; Filed, October 19, 1942; 2:27 p. m.]

PART 1010—SUSPENSION ORDERS

[Amendment 1 to Suspension Order S-110]

CONNECTICUT REFINING CO.

Paragraph (c) of § 1010.110 *Suspension Order S-110*, issued October 14, 1942¹ is hereby amended to read as follows:

(c) This order shall remain in effect during the calendar months of November, 1942, December, 1942 and January, 1943.

This amendment 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 19th day of October 1942.

ERNEST KANZLER,
 Director General for Operations.

[F. R. Doc. 42-10552; Filed, October 19, 1942; 2:27 p. m.]

PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[Revocation on Limitation Order L-26²]

Section 1029.1 *Limitation Order L-26 as amended* is hereby revoked as of November 1, 1942.

(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 19th day of October 1942.

ERNEST KANZLER,
 Director General for Operations.

[F. R. Doc. 42-10537; Filed, October 19, 1942; 12:51 p. m.]

¹ 7 F.R. 8349.

² 7 F.R. 5396, 6148.

PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[Revocation of Supplementary Limitation Order L-26-a¹]

Section 1029.2 *Supplementary Limitation Order L-26-a as amended* is hereby revoked as of November 1, 1942.

(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 19th day of October 1942.

ERNEST KANZLER,
 Director General for Operations.

[F. R. Doc. 42-10538; Filed, October 19, 1942; 12:51 p. m.]

PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[Revocation of Supplementary Limitation Order L-26-d²]

Section 1029.5 *Supplementary Limitation Order L-26-d* is hereby revoked as of November 1, 1942.

(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 19th day of October 1942.

ERNEST KANZLER,
 Director General for Operations.

[F. R. Doc. 42-10539; Filed, October 19, 1942; 12:51 p. m.]

PART 1029—FARM MACHINERY AND EQUIPMENT AND ATTACHMENTS AND REPAIR PARTS THEREFOR

[Limitation Order L-170]

The fulfillment of requirements for the defense of the United States has created a shortage of critical materials entering into the manufacture of farm machinery and equipment and attachments and repair parts therefor, 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:

§ 1029.10 *Limitation Order L-170—*

(a) *Applicability of priorities regulations.*

(1) 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.

(2) *Protection of production schedules.*

Producers of any items of farm machinery and equipment and repair parts under the terms of this order may, notwithstanding the provisions of Priorities Regulation No. 1, as amended, schedule

¹ 7 F.R. 1795, 2940.

² 7 F.R. 4331.

their production of such items as if the orders therefor bore a rating of AA-3.

(b) *Definitions.* For the purpose of this order:

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

(2) "Producer" means any person, other than a supplier, engaged in the manufacture of farm machinery and equipment or of repair parts for farm machinery and equipment, whose aggregate quota therefor, as determined by paragraphs (c) and (d) hereof, will exceed \$10,000 in terms of anticipated net sales for the period November 1, 1942, to October 31, 1943, inclusive: *Provided*, That,

(i) No person who did not manufacture any farm machinery and equipment or repair parts in 1940 or 1941, shall manufacture any such products of an aggregate value exceeding \$2,500, and

(ii) No state prison institution shall engage in the manufacture of any such products until such time as it has received a specific quota from the Director General for Operations.

(3) "Class A producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 exceeded \$10,000,000 in value (including domestic sales and exports).

(4) "Class B producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 exceeded \$750,000 but did not exceed \$10,000,000 in value (including domestic sales and exports).

(5) "Class C producer" means any producer whose total net sales (including sales of all affiliates of such producer) of all products during the calendar year 1941 did not exceed \$750,000 in value (including domestic sales and exports).

(6) "Affiliate" of a producer means any subsidiary thereof, any subsidiary of such a subsidiary, any parent company, and any subsidiary of such a parent company.

(7) "Supplier" means any person engaged in the manufacture (for sale to a producer) of materials, parts, assemblies or sub-assemblies to be physically incorporated into farm machinery and equipment or repair parts manufactured by such producer, or to be resold by such producer as repair parts.

(8) "Distributor" means any person not a producer whose business consists, in whole or in part, of the sale of farm machinery and equipment or attachments and repair parts from inventory, and includes wholesalers, jobbers, retailers and other persons performing similar functions.

(9) "Farm machinery and equipment" means agricultural machinery, mechanical equipment and implements (including all attachments used in conjunction therewith) used for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry), including irrigation and drainage equipment (excluding tile), horseshoes (including muleshoes), horseshoe nails, harness hard-

ware and water well casing; but excluding repair parts, and also excluding all of the following: tracklaying type tractors, equipment ordered by the United States Department of Agriculture or other United States Government agencies, buildings and repairs thereto, fencing, poultry nettings and wire, wire fencing, bale ties or straps, oil well casing and water pipe, nails (other than horseshoe nails) and sundry hardware.

(10) "Attachment" for farm machinery and equipment means a supplementary appliance which may be added to an otherwise complete machine to extend the utility of such machine.

(11) "Repair parts" means all types of replacement parts considered separately or as assemblies which are manufactured for use and used in the repair and maintenance of farm machinery and equipment, and shall include plow shares and shapes.

(12) "Base production" means the weight of a producer's total production of any item of farm machinery and equipment during either the calendar year 1940 or 1941, in whichever year such weight was the greater; except that, as to items which are bracketed together in Schedule A, the base production shall be the weight of the total production of each group of items so bracketed.

(13) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind, which will be physically incorporated into any item of farm machinery and equipment or repair parts.

(14) "Weight" means the net shipping weight of any item of farm machinery and equipment which is completely manufactured, or completely fabricated and ready for shipment in knock-down form.

(15) "Schedule A" means the schedule of quota percentages attached hereto and made a part hereof, as amended from time to time. If any item of farm machinery and equipment or repair parts is not specifically listed or otherwise provided for in such schedule, the quota percentage therefor shall be deemed to be 0%.

(16) "Lend-lease order" means any order for farm machinery and equipment or repair parts placed by any agency of the United States Government in response to a requisition filed pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(c) *General restrictions on production for domestic use (including "concentration of production").* (1) Except as provided in paragraph (g) hereof, and subject to the provisions of paragraphs (c) (2), (c) (3) and (e) hereof, during the period November 1, 1942, to October 31, 1943, inclusive, no producer shall:

(i) Manufacture, for sale in the continental United States, a total quantity by weight of any item of farm machinery and equipment listed in Schedule A in excess of that quantity obtained by multiplying the applicable quota percentage (designated in the appropriate column of said Schedule A for Class A producers, Class B producers and Class C producers respectively) for such item by his base production of such item for such sale;

except that wherever, in said Schedule A, two or more items are bracketed together and only one quota percentage assigned thereto, such percentage shall be applied to such producer's total base production of all such bracketed items, and the total permissible weight thus determined may be distributed among all or any one or more of such bracketed items at his election;

(ii) Manufacture, for sale in the continental United States, a total quantity of repair parts of a value (manufacturer's current selling price at the factory) in excess of an aggregate of 130% of one-half the total value (manufacturer's selling price at the factory during 1940 and 1941) of his entire net sales of repair parts during the calendar years 1940 and 1941 combined;

(iii) Manufacture, for sale in the continental United States, any farm machinery and equipment requiring rubber tires;

(iv) Sell in the continental United States any quantity of farm machinery and equipment or repair parts which is in excess of the quantity thereof authorized to be manufactured for such sale by the provisions of this order.

(2) The Director General for Operations may, by specific directions issued to any one or more producers, increase or decrease any such producer's quotas as to all or any one or more items authorized to be produced by him by this paragraph (c), and may transfer any portion of such quotas between any such producers (including the transfer thereof from producers located in critical areas as the same may be designated from time to time by the War Manpower Commission).

(3) As to any portion of any such producer's quota as so established which he may decide not to produce at any time after November 1, 1942, he shall immediately notify the War Production Board, so that appropriate action can be taken to transfer such portion of his quota.

(d) *General restrictions on production for export.* (1) Except as provided in paragraph (g) hereof, and subject to the provisions of paragraphs (d) (2), (d) (3) and (e) hereof, during the period November 1, 1942, to October 31, 1943, inclusive, no producer shall manufacture for shipment, or ship:

(i) To all foreign countries within any group of countries listed respectively on Schedules B-1, B-2, B-3, B-4, B-5, and B-6, attached hereto and made a part hereof, as amended from time to time, a quantity of farm machinery and equipment and repair parts in the aggregate in excess of a designated percentage (listed respectively on each such schedule) of one-half the net shipping weight of the total quantity thereof exported by said producer during the calendar years 1940 and 1941 in the aggregate to all such countries within the particular group;

(ii) To Canada a quantity of any item of farm machinery and equipment or attachments and repair parts (as listed in Schedule B-7, attached hereto and made a part hereof, as amended from time to time) in excess of that quantity obtained by multiplying the quota percentage des-

igned in said Schedule B-7 for such item by the quantity thereof shipped by said producer to Canada during the calendar year 1940;

(iii) To any foreign country (including Canada and territories and possessions of the United States) any farm machinery and equipment requiring rubber tires.

(2) Except as to items destined for Canada (Schedule B-7) and for territories and possessions of the United States (Schedule B-6), no producer shall fabricate or process any material to be physically incorporated into any item of farm machinery and equipment which may be authorized to be manufactured for export by paragraph (d) (1) above, unless and until he has received a direct purchase order:

(i) Covered by an export license issued by the Board of Economic Warfare, or

(ii) Covered by a lend-lease order, or

(iii) Approved by the Office of Lend-Lease Administration.

To the extent that any such producer decides not to accept any such order for items within his authorized export quota, or intends not to produce any such items, he shall immediately notify the War Production Board, so that appropriate action can be taken to transfer the quota for such items.

(3) The Director General for Operations may, by specific directions issued to any one or more producers, increase or decrease any such producer's quotas as established by paragraph (d) (1) above, and may transfer any portion of such quotas between any such producers (including the transfer thereof from producers located in critical areas as the same may be designated from time to time by the War Manpower Commission).

(e) *Further restrictions on production*—(1) *Restrictions on production for specific periods.* The Director General for Operations may from time to time issue supplementary orders (or specific directions to any one or more producers) governing the production of all or any one or more items of farm machinery and equipment or repair parts for specified monthly, bi-monthly or quarterly periods. On and after the effective date of any such supplementary order or specific direction, no producer affected thereby shall, notwithstanding the provisions of this Order L-170, manufacture any such item during the period specified except in accordance with the terms of such supplementary order or specific direction.

(2) *Items containing iron and steel.* On and after November 1, 1942, no producer shall put into process any iron or steel (excluding screws, nails, rivets, bolts, or wire, strapping or small hardware for joining or other similar essential purpose) to make any of the following items of farm machinery and equipment:

Barnyard stock tanks.	Hog troughs.
Bee hives.	Laying nests.
Butter churns.	Livestock feeders.
Butter molds.	Marking poles.
Canopies for electric brooders.	Milk stools.
Cattle stalls.	Nick yokes.
Corn cribs.	Poultry feeders.
Doubletrees.	Singletrees.
Farm gates.	Stanchions.
Grain bins.	Stock pens.
Grit boxes.	Thills.
Guide handles.	Tongues.
Hobbles (all types).	Weaners.

(f) *Overproduction under Order L-26.* Any items of farm machinery and equipment or attachments and repair parts which have been manufactured and/or sold by any producer prior to November 1, 1942, and which are in excess of such producer's authorized quota under Limitation Order L-26 (including all amendments thereto and appeals granted thereunder), shall be deducted from such quotas as may be authorized for such producer by the provisions of this order or subsequent orders: *Provided*, That no such deduction shall constitute a condonation of any violation of any order or regulation of the War Production Board.

(g) *Exceptions.* (1) To the extent that the weight of any item or items of a producer's quota as established by paragraph (c) (1) hereof has been or will be increased by his substituting for more critical materials entering into such item or items any one or more of the following materials: glass or other ceramic products, plain concrete, fibre board, wood fibre products, plywood (unrestricted binder), gum and other hardwood lumber, softwood lumber (subject to the restrictions of order M-208 and all other M and L orders),

such increased weight shall not operate to reduce the number of units which he could have otherwise manufactured pursuant to paragraph (c) (1) above. In addition, if any such producer has made, or shows that he can make, in any item or items of his quota as established by paragraphs (c) and (d) hereof, a substitution of any of the materials listed above for more critical materials entering into such item or items, he may apply by letter to the Director General for Operations for reconsideration of his quota, based on such substitution.

(2) Any item of farm machinery and equipment or attachments and repair parts which was manufactured for sale within the continental United States by a producer within his authorized quota under Limitation Order L-26 (including all amendments thereto and appeals granted thereunder), and which is, prior to November 1, 1942, completely manufactured, or completely fabricated and ready for shipment in knock-down form, may be sold on and after such date without reference to the provisions of this order.

(3) Nothing in paragraph (d) of this order shall be deemed to prohibit or control the shipment of any item of farm machinery and equipment or attachments and repair parts which:

(i) Was manufactured for export by a producer within his authorized quota under paragraph (c) (1) (iii) of Limitation Order L-26 (including all amendments thereto and appeals granted thereunder), and

(ii) Is covered by either an export license issued by the Board of Economic Warfare or by a lend-lease order, dated prior to November 1, 1942, (except as to items destined for Canada and territories and possessions of the United States), and

(iii) Is, prior to such date, completely manufactured or completely fabricated

and ready for shipment in knock-down form.

Any such items for export which, prior to November 1, 1942, are in production or on order but not completely manufactured or ready for shipment in knock-down form, shall be deducted from such export quotas as may be authorized for such producer by the provisions of this order or subsequent orders, and shall not be manufactured on and after such date except in accordance with the provisions of paragraph (d) above.

(h) *Restrictions on sales for domestic use.* Subject to such directions as may be issued from time to time as to rationing control, by, or pursuant to delegations from, the Director General for Operations,

(1) On and after November 1, 1942, no person shall sell any item of new farm machinery and equipment (except horseshoes, muleshoes and horseshoe nails) which he knows or has reason to know will not be used in the hands of the ultimate consumer for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry), except to fill a contract or purchase order bearing a preference rating of A-9 or higher;

(2) On and after November 1, 1942, no distributor shall sell or deliver to a consumer any new repair part which he knows or has reason to know will not be incorporated reasonably promptly into farm machinery and equipment in the possession of such consumer.

(i) *Inventory provisions.* (1) On and after November 1, 1942, no distributor shall:

(i) Keep in his inventory, in his possession or under his control, for a period of more than thirty days, any used, traded-in, imperfect or non-usable item of farm machinery and equipment or repair parts which cannot be reconditioned, but must dispose of the same through the customary disposal or scrap channels; or

(ii) During any consecutive three months period (or four months period as to distributors not located in either the Eastern or Central War Time Zones), place regular stock orders for a quantity of any item of repair parts in excess of his estimated requirements of such item for that period, taking into consideration inventory of like parts on hand. The restrictions of this paragraph (i) (1) (ii) shall not apply to emergency orders for any item of repair parts to be used in the current three (or four) months period: *Provided*, That the distributor shall file with his order to the producer for any such emergency item a certificate in substantially the following form:

CERTIFICATE FOR EMERGENCY ORDER

I hereby certify that the repair part(s) specified in the attached order is(are) essential for the emergency repair of farm machinery and equipment.

(Signed) _____
Firm, partnership, or corporation

By: _____
Title of individual

Address of firm, partnership,
or corporation

A copy of each such certificate shall be retained by the distributor as a part of his records.

(2) On and after November 1, 1942, any producer may sell to any other producer any material in his inventory which is in excess of his requirements for the items of farm machinery and equipment and repair parts permitted to be manufactured by the provisions of this order. Such sales shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13 as amended.

(j) *Standardization, simplification, substitution, and conservation of critical materials.* (1) In the manufacture of any item of farm machinery and equipment or repair parts, no producer shall use any alloy steel, stainless steel, aluminum, magnesium, copper, brass, bronze, zinc, nickel, tin, cadmium or fabricated rubber products for any purpose where the use of other less critical materials will not impair the efficiency of operation of such item.

(2) The Director General for Operations may from time to time issue supplementary orders or schedules establishing required specifications with respect to the production of any item or items of farm machinery and equipment and repair parts. "Required specifications" may include requirements to standardize or simplify the types, sizes or models of, or the specifications for, any such item or items; to eliminate, reduce or conserve the use of critical materials in the production thereof; and to substitute less critical for more critical materials in the production thereof. On and after the effective date of any such supplementary order or schedule, no farm machinery and equipment and repair parts affected thereby shall be produced, fabricated, assembled, or delivered, if such production, fabrication, assembly, or delivery is prohibited by the terms thereof.

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

(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.* (1) 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 request.

(2) Each producer shall file not later than thirty days after the issuance date of this order a report of his production quotas on Form PD-629.

(3) Each producer shall file by the 10th day of each month a report on Form PD-630 of his production during the preceding month, the first report to be made on or before December 10, 1942.

(4) Each producer affected by paragraph (d) hereof shall file by the 10th day of each month a report on Form PD-387 (revised) of his shipments during the preceding month (starting with November, 1942) to all foreign countries (including all countries listed on Schedules B-1, B-2, B-3, B-4, B-5, B-6, and B-7).

(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.

(o) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him in comparison with others similarly situated, may appeal to the War Production Board, 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 as he deems appropriate.

(p) *Communications.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Farm Machinery and Equipment Branch, Washington, D. C. Ref.: L-170.

(q) *Inconsistent orders.* This order supersedes as of November 1, 1942, Limitation Order L-26, and Supplementary Limitation Orders L-26-a² and L-26-d,³

² 7 F.R. 1795, 2940.
³ 7 F.R. 4331.

and all amendments thereto and appeals granted thereunder.

Issued this 19th day of October 1942.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

SCHEDULE OF QUOTAS COVERING THE DOMESTIC PRODUCTION OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS THEREFOR FOR THE PERIOD NOVEMBER 1, 1942, TO OCTOBER 31, 1943

Quotas for repair parts are expressed as a percentage of the average dollar value of all repair parts sold during the years 1940 and 1941. Quotas for new machinery and equipment including attachments are expressed as a percentage of the weight of each item produced during 1940 or 1941, whichever was higher. Producers of these items must use the percentages set forth in the respective columns, depending upon whether they are Class A, Class B, or Class C producers. Production of "bracketed items" may be distributed among all or any one or more items included in the particular bracket so long as the total weight of material used does not exceed that determined by the quota percentage assigned to the particular bracket.

Any item of farm machinery and equipment not provided for in this Schedule A shall not be manufactured, unless specifically exempted by Order L-170.

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY

Item	Class of producer		
	"A"	"B"	"C"
DIVISION 1: PLANTERS (HORSE AND TRACTOR DRAWN)			
1	One row, one horse corn planters.....	0	44
2	One row, one horse corn and cotton planters.....	0	25
3	One row, two horse corn and cotton planters.....	0	0
4	Two row, corn planters.....	3	75
5	Two row, corn and cotton planters.....	0	75
6	Three row and over, corn planters.....	11	75
7	Three row and over, corn and cotton planters.....	0	0
DIVISION 2: PLANTERS (TRACTOR MOUNTED)			
8	One row, corn planters.....	11	11
9	One row, corn and cotton planters.....		
10	Two row, corn planters.....		
11	Two row, corn and cotton planters.....		
12	Three row and over, corn planters.....		
13	Three row and over, corn and cotton planters.....		
DIVISION 3: POTATO PLANTERS			
14	Horse or tractor drawn.....	0	75
DIVISION 4: TRANSPLANTERS			
15	Horse or tractor drawn.....	0	34
16	Hand.....		
DIVISION 5: LISTERS WITH PLANTING ATTACHMENTS (HORSE OR TRACTOR DRAWN)			
17	One row.....	8	75
18	Two row.....		
19	Three row and over.....		
DIVISION 6: LISTERS WITH PLANTING ATTACHMENTS (TRACTOR MOUNTED)			
20	One row.....	9	9
21	Two row.....		
22	Three row and over.....		
DIVISION 7: BEET DRILLS			
23	Horse or tractor drawn.....	13	75
DIVISION 8: GRAIN DRILLS			
24	One horse, 3 or 5 disc drills.....	0	22
25	Fertilizer drills, horse or tractor drawn.....	3	75
26	Plain drills, horse or tractor drawn.....		

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY—Continued

Item	Description	Class of producer		
		"A" Percent	"B" Percent	"C" Percent
27	Wheeled, horse or tractor	0	0	0
28	Endgate	0	32	75
29	Hand, wheelbarrow and other	0	0	8
DIVISION 9: BROADCAST SEEDERS				
30	Hand	0	0	14
31	Horse or tractor drawn	0	0	15
32	Horse or tractor drawn	0	0	15
DIVISION 10: GARDEN PLANTERS				
33	Wheeled type horse or tractor drawn	0	0	17
34	Endgate type	0	0	8
35	Truck body type	0	0	8
DIVISION 11: FERTILIZER DISTRIBUTORS				
36	Four wheeled, horse or tractor drawn	0	19	75
37	Two wheeled, tractor drawn	0	0	0
DIVISION 12: LIME SPREADERS (SOWERS)				
38	Other planting, seeding and fertilizing machinery including, but not limited to, potato seed cutters, farm lime-spreaders, manure loaders, vegetable planters. (List each item separately.)	0	0	9
39		0	0	9
40		0	0	9
DIVISION 13: MANURE SPREADERS				
41	Attachments for all items in Group 1 expressed in terms of net shipping weight in pounds	(0)	(0)	(0)

GROUP 2: PLOW AND LISTERS

Item	Description	Class of producer		
		"A" Percent	"B" Percent	"C" Percent
DIVISION 1: MOLDBOARD PLOWS (HORSE DRAWN)				
42	Walking, one horse, steel bottom	0	0	11
43	Walking, one horse, chilled bottom	0	0	12
44	Walking, two horse and larger	0	0	28
45	Sulky	0	0	0
46	Gang, two bottom and larger	0	0	0
DIVISION 2: MOLDBOARD PLOWS (TRACTOR DRAWN OR MOUNTED)				
47	One bottom, tractor drawn	9	75	75
48	Two bottom, tractor drawn	0	0	0
49	Three bottom, tractor drawn	0	0	0
50	Four bottom, tractor drawn	0	0	0
51	Five bottom, and larger, tractor drawn	10	10	10
52	One bottom, tractor mounted	0	0	0
53	Two bottom, tractor mounted	0	0	0
DIVISION 3: DISC PLOWS (HORSE DRAWN)				
54	Single disc and larger	0	0	0
DIVISION 4: DISC PLOWS (TRACTOR DRAWN OR MOUNTED)				
55	One disc, tractor drawn	0	0	17
56	Two disc, tractor drawn	6	6	6
57	Three disc, tractor drawn	0	0	0
58	One disc, tractor mounted	0	0	0
59	Two disc, tractor mounted	0	0	0
60	Four disc, tractor mounted	0	0	0
61	Five disc, tractor drawn	0	0	0
62	Six disc and larger, tractor drawn	0	0	0

1 Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 2: PLOW AND LISTERS—Continued

Item	Description	Class of producer		
		"A" Percent	"B" Percent	"C" Percent
DIVISION 5: ONE WAY DISC PLOWS OR TILLERS				
63	One way plows	0	0	75
DIVISION 6: LISTERS (HORSE OR TRACTOR DRAWN) (Middlebusters without planting attach.)				
64	One row, horse or tractor drawn	0	0	19
65	Two row, horse or tractor drawn	0	0	0
66	Three row and larger horse or tractor drawn	0	0	0
DIVISION 7: LISTERS (TRACTOR MOUNTED) (Middlebusters without planting attach.)				
67	One row, tractor mounted	14	14	14
68	Two row, tractor mounted	0	0	0
69	Three row and larger, tractor mounted	0	0	0
DIVISION 8: SUBSOIL PLOWS				
70	Horse drawn	0	0	0
71	Tractor drawn	0	0	0
72	Tractor mounted	0	0	0
DIVISION 9: PLOW STOCKS				
73	Singles or double stocks	0	0	12
DIVISION 10: OTHER PLOWS AND LISTERS (List each item separately)				
74		0	0	34
75		0	0	34
76		0	0	34
DIVISION 11: ATTACHMENTS				
77	Attachments for all items in Group 2 expressed in terms of net shipping weight in pounds	(0)	(0)	(0)

GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS

Item	Description	Class of producer		
		"A" Percent	"B" Percent	"C" Percent
DIVISION 1: HARROWS				
78	Spike tooth harrow sections, horse or tractor drawn	0	0	24
79	Spring tooth harrow sections, horse or tractor drawn	0	34	75
80	Disc harrows, horse or tractor drawn	2	75	75
81	Disc harrows, tractor mounted	17	17	17
DIVISION 2: SMOOTH LAND ROLLERS				
82	Smooth land rollers, not including lawn rollers	0	0	0
DIVISION 3: SOIL PULVERIZERS AND PACKERS				
83	Soil pulverizers and packers	0	0	19
DIVISION 4: STALK CUTTERS				
84	Stalk cutters	0	0	35
DIVISION 5: RIDGE BUSTERS				
85	Ridge busters, horse or tractor drawn	0	0	14
86	Ridge busters, tractor mounted	0	0	0

GROUP 5: SPRAYERS, DUSTERS AND ORCHARD HEATERS—Continued

Item	Description	Class of producer		
		"A"	"B"	"C"
117	DIVISION 3: SPRAYERS, WITH TANK, BARREL, KNAPSACK, ETC., WITH COMPLETE EQUIPMENT (CAP. 5 GALS. OR MORE)	Percent	Percent	Percent
118	Barrel pump type with complete equipment	0	0	14
	Wheelbarrow type with complete equipment	0	0	14
119	DIVISION 4: SPRAY PUMPS (POWER)	Percent	Percent	Percent
	Spray pumps, power	0	0	23
120	DIVISION 5: WEED AND PEAR BURNERS	Percent	Percent	Percent
	Weed and pear burners	0	0	23
121	DIVISION 6: DUSTERS	Percent	Percent	Percent
	Power dusters with tractor mounted dusters	0	0	19
122	Traction dusters	0	0	23
123	Hand dusters (agricultural only)	0	0	56
124	DIVISION 7: ORCHARD HEATERS	Percent	Percent	Percent
	Orchard heaters	0	0	M
125	DIVISION 8: ATTACHMENTS	Percent	Percent	Percent
	Attachments for all items in Group 5 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS—Continued

Item	Description	Class of producer		
		"A"	"B"	"C"
87	DIVISION 6: OTHER HARROW AND ROLLERS (List each item separately)	Percent	Percent	Percent
88	One row, walking, two horse	0	0	14
89	Two row and over, riding	0	0	14
90	DIVISION 7: ATTACHMENTS	Percent	Percent	Percent
	Attachments for all items in Group 3 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 4: CULTIVATORS AND WEEDERS

Item	Description	Class of producer		
		"A"	"B"	"C"
94	DIVISION 1: CULTIVATORS (HORSE AND TRACTOR DRAWN)	Percent	Percent	Percent
95	One horse, all types	0	0	15
96	One row, walking, two horse	0	0	65
97	Two row and over, riding	2	75	75
98	Beet cultivator	12	75	75
99	Field cultivator	0	0	62
100	Hand cultivator, not including blades and lined hoes, rakes and similar equipment	0	0	15
101	DIVISION 2: CULTIVATORS (TRACTOR MOUNTED)	Percent	Percent	Percent
102	One row	15	15	15
103	Two row	0	0	32
104	Three and four row	0	0	30
105	Five row and over	0	0	32
106	DIVISION 3: ROTARY HOES	Percent	Percent	Percent
	Rotary hoes, horse or tractor drawn	0	0	0
107	DIVISION 4: WEEDERS	Percent	Percent	Percent
	Rod weeders, horse or tractor drawn	0	0	0
	Tooth weeders, horse or tractor drawn	0	0	0
108	DIVISION 5: OTHER CULTIVATORS AND WEEDERS (List each item separately)	Percent	Percent	Percent
	Attachments for all items in Group 4 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 6: HARVESTING MACHINERY

Item	Description	Class of producer		
		"A"	"B"	"C"
126	DIVISION 1: COMBINES (HARVESTER-THRESHERS)	Percent	Percent	Percent
127	Width of cut, 6 feet and under	18	18	88
128	Width of cut, over 6 feet, including 10 feet	0	0	0
129	Width of cut, over 10 feet	0	0	0
130	NOTE: Out of his total quota for combines, no Class "A" producer may manufacture Items 127 and 128 in excess of 10% of his 1940-1941 average production of these items.	9	75	75
131	DIVISION 2: GRAIN AND RICE BINDERS	Percent	Percent	Percent
	Grain binders (ground drive)	43	73	73
	Grain binders (power take-off drive)	13	75	75
	Rice binders	25	25	25
132	DIVISION 3: CORN BINDERS	Percent	Percent	Percent
	Corn binders (row binder) horse or tractor drawn	0	0	0
133	DIVISION 4: CORN PICKERS	Percent	Percent	Percent
134	One row, mounted type	14	75	75
135	Two row, mounted type	0	0	0
136	One row, pull type	0	0	0
137	Two row, pull type	0	0	0
138	DIVISION 5: FIELD ENSILAGE HARVESTERS (ROW TYPE)	Percent	Percent	Percent
	Field ensilage harvesters, row type	0	0	0
139	DIVISION 6: POTATO DIGGERS	Percent	Percent	Percent
	Walking plow type	0	0	0
	Horse or tractor	0	0	0
140	DIVISION 7: PEA AND BEAN HARVESTERS (ROW TYPE)	Percent	Percent	Percent
	Horse or tractor, row type	0	0	0
141	DIVISION 8: BEET LIFTERS	Percent	Percent	Percent
	Horse or tractor	16	76	76

† Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 6: HARVESTING MACHINERY—Continued

Item	Description	Class of producer		
		"A"	"B"	"C"
	DIVISION 9: OTHER HARVESTING MACHINERY			
	Other harvesting machinery including, but not limited to, windrowers grain type, seed harvesters and strippers, potato pickers, cane harvesters, hop pickers, beet loaders, peanut diggers, cotton harvesters. (List each item separately.)	Percent	Percent	Percent
142	.....	0	0	51
143	.....	0	0	51
144	.....	0	0	51
	DIVISION 10: ATTACHMENTS			
145	Attachments for all items in Group 6 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)
	GROUP 7: HAYING MACHINERY			
	DIVISION 1: MOWERS (GROUND-DRIVE)			
146	Horse or tractor drawn (ground drive).....	8	75	75
	DIVISION 2: MOWERS (POWER TAKE-OFF DRIVE)			
147	Tractor mtd. or semi-mtd. (power take-off drive).....	21	21	21
	DIVISION 3: RAKES			
148	Sulky, dump.....	9	75	75
149	Side delivery, incl. comb. side rakes and tedders.....	17	75	75
150	Sweep.....	0	0	47
	DIVISION 4: HAY LOADERS			
151	Hay loaders.....	9	75	75
	DIVISION 5: STACKERS			
152	Stackers (incl. comb. sweep stackers).....	0	0	19
	DIVISION 6: PICK-UP BALERS			
153	Pick-up hay balers.....	0	45	75
	DIVISION 7: OTHER HAYING MACHINERY			
154	Other haying machinery, including, but not limited to, field bale loaders, field hay choppers. (List each item separately):	0	0	41
155	.....	0	0	41
156	.....	0	0	41
	DIVISION 8: ATTACHMENTS			
157	Attachments for all items in Group 7 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)
	GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE			
	DIVISION 1: STATIONARY THRESHERS (GRAIN, RICE AND ALFALFA)			
158	Threshers, width of cylinder under 28 inches.....	0	0	48
159	Threshers, width of cylinder 28 inches and over.....	0	0	48
	DIVISION 2: STATIONARY PEA AND BEAN THRESHERS			
160	Stationary pea and bean threshers.....	0	0	25
	DIVISION 3: PEANUT PICKERS			
161	Peanut pickers.....	0	0	75

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE—Continued

Item	Description	Class of producer		
		"A"	"B"	"C"
	DIVISION 4: ENSILAGE CUTTERS (SILO FILLERS)			
162	Ensilage cutters (silo fillers).....	0	0	65
	DIVISION 5: FEED CUTTERS (HAND AND POWER)			
163	Feed cutters, hand and power.....	0	0	30
	DIVISION 6: CORN SHELLERS			
164	Corn shellers, hand.....	0	0	19
165	Power corn shellers, spring (2, 4, 6 and 8 hole).....	0	0	0
166	Power corn shellers, cylinder (150 bu. & under).....	0	0	22
167	Power corn shellers, cylinder (over 150 bu.).....	0	75	75
	DIVISION 7: CORN HUSKERS AND SHREDDERS			
168	Combination corn husker-shredders.....	0	0	23
169	Corn huskers.....	0	0	23
170	Corn shredders.....	0	0	23
	DIVISION 8: STATIONARY HAY BALERS			
171	Horse.....	0	0	0
172	Engine or belt power.....	0	0	75
	DIVISION 9: FEED GRINDERS AND CRUSHERS			
173	Hand.....	0	0	13
174	Power, burr type.....	0	0	51
175	Hammer and roughage mills.....	0	8	75
	DIVISION 10: CLEANERS AND GRADERS (CORN AND GRAIN)			
176	Cleaners and graders (corn and grain).....	0	0	12
	DIVISION 11: POTATO SORTERS AND GRADERS			
177	Potato sorters and graders.....	0	0	23
	DIVISION 12: MAPLE SIRUP EVAPORATORS			
178	Complete sets of pans, not including furnace.....	0	0	53
179	Furnaces.....	0	0	20
	DIVISION 13: CANE SIRUP EVAPORATORS			
180	Complete sets of pans, not including furnaces.....	0	0	53
181	Furnaces.....	0	0	20
	DIVISION 14: CANE MILLS (FARM SIZE)			
182	Cane Mills (farm size).....	0	0	32
	DIVISION 15: CIDER MILLS AND FRUIT PRESSES			
183	Cider mills and fruit presses.....	0	0	12
	DIVISION 16: OTHER MACHINES FOR PREPARING CROPS FOR MARKET OR USE			
	Other machines for preparing crops for market or use, including but not limited to, broom corn shredders, feed mixers, fruit, nut and vegetable graders, sorters, washers and sackers. (List each item separately.)	0	0	13
184	.....	0	0	13
185	.....	0	0	13
186	.....	0	0	13
	DIVISION 17: ATTACHMENTS			
187	Attachments for all items in Group 8 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)
	GROUP 9: FARM ELEVATORS AND BLOWERS			
	DIVISION 1: ELEVATORS (PORTABLE)			
188	Elevators, portable.....	0	0	35

1 Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 9: FARM ELEVATORS AND BLOWERS—Continued

Item	Description	Class of producer		
		"A"	"B"	"C"
189	Elevators, stationary DIVISION 2: ELEVATORS (STATIONARY)	0	0	21
190	Blowers (grain and forage) DIVISION 3: BLOWERS (GRAIN AND FORAGE)	0	0	35
191	Attachments for all items in Group 9 expressed in terms of net shipping weight in pounds. DIVISION 4: ATTACHMENTS	(1)	(1)	(1)

GROUP 10: TRACTORS

Item	Description	Class of producer		
		"A"	"B"	"C"
192	Tractors, wheel, special purpose, under 30 h. p.	11	11	11
193	Tractors, wheel, special purpose, 30 & over h. p.	0	0	27
194	Tractors, wheel, all purpose, under 30 h. p.	(1)	(1)	(1)
195	Tractors, wheel, all purpose, 30 & over h. p.	(1)	(1)	(1)
196	Garden tractors (including motor tillers) DIVISION 2: GARDEN TRACTORS (INCLUDING MOTOR TILLERS)	0	0	0
197	Attachments for all items in Group 10 expressed in terms of net shipping weight in pounds. DIVISION 3: ATTACHMENTS	(1)	(1)	(1)

GROUP 11: ENGINES

Item	Description	Class of producer		
		"A"	"B"	"C"
198	Air cooled DIVISION 1: ENGINES (UNDER 1 H. P.)	0	0	0
199	Air cooled	0	2	75
200	Water cooled DIVISION 2: ENGINES (ONE OR MORE BUT UNDER 5 H. P.)	4	75	75
201	Air cooled	0	24	75
202	Water cooled DIVISION 3: ENGINES (FIVE OR MORE BUT UNDER 10 H. P.)	0	0	0
203	Water cooled DIVISION 4: ENGINES (TEN OR MORE BUT UNDER 20 H. P.)	0	0	0
204	Attachments for all items in Group 11 expressed in terms of net shipping weight in pounds. DIVISION 5: ATTACHMENTS	(1)	(1)	(1)

GROUP 12: FARM WAGONS AND TRUCKS

Item	Description	Class of producer		
		"A"	"B"	"C"
205	Wagons, farm, without boxes DIVISION 1: WAGONS	0	0	32
206	Trucks, farm (not motortrucks) DIVISION 2: TRUCKS	0	30	75
207	Wagon and truck boxes, farm DIVISION 3: WAGON BODIES	0	0	29

GROUP 12: FARM WAGONS AND TRUCKS—Continued

Item	Description	Class of producer		
		"A"	"B"	"C"
208	Sleighs and bob-sleds DIVISION 4: FARM SLEIGHS	0	0	25
209	Trailers, farm DIVISION 5: TRAILERS (FARM)	0	0	0
210	Attachments for all items in Group 12 expressed in terms of net shipping weight in pounds. DIVISION 6: OTHER TRANSPORTING EQUIPMENT (Not motortrucks—list each item separately)	0	0	25
211	Attachments for all items in Group 12 expressed in terms of net shipping weight in pounds. DIVISION 7: ATTACHMENTS	0	0	25

GROUP 13: DOMESTIC WATER SYSTEMS

Item	Description	Class of producer		
		"A"	"B"	"C"
213	Deep well, reciprocating DIVISION 1: DEEP WELL	0	0	45
214	Deep well, jet pumps	0	0	36
215	250-499 gals. per hour DIVISION 2: SHALLOW WELL	0	0	33
216	500 gals. per hour and over	0	0	35
217	Horizontal type, up to and including 75 gals. per minute, 100 lb. pressure DIVISION 3: POWER PUMPS	0	0	75
218	Storage tanks, other than stock tanks, farm DIVISION 4: WATER STORAGE TANKS	(1)	(1)	(1)
219	Attachments for all items in Group 13, expressed in terms of net shipping weight in pounds. DIVISION 5: ATTACHMENTS	(1)	(1)	(1)

GROUP 14: FARM PUMPS AND WINDMILLS

Item	Description	Class of producer		
		"A"	"B"	"C"
220	Pitcher pumps DIVISION 1: PUMPS, WATER	0	18	75
221	Hand and windmill pumps	0	16	75
222	Windmill heads DIVISION 2: WINDMILLS	0	0	56
223	Windmill towers	0	0	59
224	Pump jacks DIVISION 3: PUMP JACKS	0	0	30
225	Cylinders for sale separately DIVISION 4: CYLINDERS	0	37	75
226	Attachments for all items in Group 14 expressed in terms of net shipping weight in pounds. DIVISION 5: ATTACHMENTS	(1)	(1)	(1)

1 Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 17: BARN AND BARNYARD EQUIPMENT

Item	Description	Class of producer			Item	Description	Class of producer		
		"A"	"B"	"C"			"A"	"B"	"C"
227	DIVISION 1: IRRIGATION PUMPS	Percent	Percent	Percent	250	DIVISION 1: FEED CARRIERS, LITTER CARRIERS, AND FEED TRUCKS	Percent	Percent	Percent
228	Turbine pumps, 0 to 1,200 GPM.	0	0	31	251	Feed carriers.	0	0	25
229	"Turbine pumps 1,200 GPM and up, belt driven.	0	0	13	252	Litter carriers.	0	0	25
230	Centrifugal pumps.	0	0	26	253	Truck for feed and litter carriers.	0	0	71
	Hydraulic rams.	0	0	0	253	Feed trucks.	0	0	33
231	DIVISION 2: DISTRIBUTION EQUIPMENT					DIVISION 2: HAY UNLOADING EQUIPMENT			
232	Land leveling equipment, ditchers, corrugators and scrapers (excluding power ditchers, draglines and other self-powered machines).	0	0	18	254	Hay carriers.	0	0	72
233	Portable pipe and extensions, sprinklers, valves and gates, expressed in terms of net shipping weight in pounds.	0	0	18	255	Truck for hay carriers.	0	0	71
234		0	0	18	256	Hay forks, barnoon and grapple.	0	0	35
235		0	0	18	257	Pulleys and fittings.	0	0	71
236	DIVISION 3: OTHER FARM IRRIGATION EQUIPMENT					DIVISION 3: CATTLE STALLS AND PEN EQUIPMENT			
	(List each item separately)	0	0	18	258	Cattle stalls and fittings (See Paragraph (e) (2) of L-170).	0	8	75
		0	0	18	259	Livestock pens (See Paragraph (e) (2) of L-170).	0	27	75
		0	0	18		DIVISION 4: CATTLE STANCHIONS			
	DIVISION 4: ATTACHMENTS				260	Cattle stanchions and fittings (See Paragraph (e) (2) of L-170).	0	0	59
	Attachments for all items in Group 15, expressed in terms of net shipping weight in pounds.	(1)	(1)	(1)		DIVISION 5: LIVESTOCK DRINKING CUPS AND WATERING BOWLS			
		(1)	(1)	(1)	261	Livestock drinking cups.	0	0	49
		(1)	(1)	(1)	262	Outside livestock watering bowls.	0	0	16
		(1)	(1)	(1)		DIVISION 6: BARNYARD STOCK TANKS AND HOG TROUGHS			
		(1)	(1)	(1)	263	Barnyard stock tanks (See Paragraph (e) (2) of L-170).	0	0	49
		(1)	(1)	(1)	264	Hog troughs (See Paragraph (e) (2) of L-170).	0	0	58
		(1)	(1)	(1)		DIVISION 7: FEEDERS, FEED COOFSERS, AND TANK HEATERS			
		(1)	(1)	(1)	265	Livestock feeders (See Paragraph (e) (2) of L-170).	0	0	45
		(1)	(1)	(1)	266	Feed cookers.	0	0	15
		(1)	(1)	(1)	267	Tank heaters.	0	0	37
		(1)	(1)	(1)		DIVISION 8: BARN DOOR TRACT AND HANGERS			
		(1)	(1)	(1)	268	Barn door track.	0	9	75
		(1)	(1)	(1)	269	Barn door hangers.	0	0	
		(1)	(1)	(1)		DIVISION 9: OTHER BARN AND BARNYARD EQUIPMENT			
		(1)	(1)	(1)		Including but not limited to ventilating equipment, livestock dipping tanks, hog washers, dairy scales, cattle and horse clippers, and bull stiffs. (List each item separately.)			
		(1)	(1)	(1)	270				
		(1)	(1)	(1)	271				
		(1)	(1)	(1)	272				
		(1)	(1)	(1)		DIVISION 10: ATTACHMENT			
		(1)	(1)	(1)	273	Attachments for all items in group 17 expressed in terms of net shipping weight in pounds.	(1)	(1)	(1)

GROUP 18: FARM POULTRY EQUIPMENT

Item	Description	Class of producer			Item	Description	Class of producer		
		"A"	"B"	"C"			"A"	"B"	"C"
274	DIVISION 1: INCUBATORS	Percent	Percent	Percent	274	DIVISION 1: INCUBATORS	Percent	Percent	Percent
275	Incubators, 1,000-egg capacity and smaller.	0	0	36	275	Incubators, 1,000-egg capacity and smaller.	0	0	31
	Incubators, over 1,000-egg capacity.	0	0	0		DIVISION 2: FLOOR BROODERS			
276	Oil.	0	0	0	276	Oil.	0	8	75
277	Coal.	0	0	0	277	Coal.	0	21	75
278	Gas.	0	0	0	278	Gas.	0	0	40
279	Wood.	0	0	0	279	Wood.	0	21	75
280	Electric.	0	0	0	280	Electric.	0	6	72

1 Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

GROUP 18: FARM POULTRY EQUIPMENT—Continued

Item	Class of producer			
	"A"	"B"	"C"	
DIVISION 3: BATTERY BROODERS (HEATED)				
281	Three deck and smaller (heated)	0	0	26
282	Four deck (heated)	0	0	26
283	Five deck (heated)	0	0	26
DIVISION 4: GROWING AND LAYING BATTERIES				
284	Growing	0	0	21
285	Laying	0	0	0
DIVISION 5: POULTRY FEEDERS				
286	Poultry feeders (see par. (e) (2) of L-170)	0	0	36
DIVISION 6: POULTRY WATERERS				
287	Poultry waterers	0	0	53
DIVISION 7: LAYING NESTS AND GRIT BOXES				
288	Laying nests (see par. (e) (2) of L-170)	0	0	38
289	Grit boxes (see par. (e) (2) of L-170)	0	0	38
DIVISION 8: OTHER FARM POULTRY EQUIPMENT				
Including but not limited to, egg scales, egg baskets, egg graders, and leg bands. (List each item separately).				
290		0	0	18
291		0	0	18
292		0	0	18
DIVISION 9: ATTACHMENTS				
293	Attachments for all items in Group 18 expressed in terms of net shipping weight in pounds	(1)	(1)	(1)

GROUP 19: MISCELLANEOUS FARM EQUIPMENT

DIVISION 1: BEEKEEPERS' SUPPLIES				
294	Beekeepers' supplies (except bee hives)	0	0	38
295	Bee hives. (See paragraph (e) (2) of L-170)	0	0	57
DIVISION 2: SILOS				
296	Silos	0	0	12
DIVISION 3: HORSE SHOES (INCLUDING MULE SHOES)				
297	Horse shoes (including mule shoes). (NOTE.—Calks and nails are considered as repairs.)	0	45	75
DIVISION 4: HARNESS HARDWARE				
298	Harness hardware	23	23	23
DIVISION 5: POWER SHEEP SHEARING MACHINES				
299	Power sheep shearing machines	75	75	75
DIVISION 6: ELECTRIC FENCE CONTROLLERS				
300	Electric fence controllers	0	0	46
301	Electric fence accessories	0	0	46
DIVISION 7: FARM HAND TOOLS, INCLUDING BUT NOT LIMITED TO HOES, RAKES, FORKS, SCYTHES, SHOVELS				
302		32	32	32
303		32	32	32
304		32	32	32
305		32	32	32
306		32	32	32
307		32	32	32
308		32	32	32
DIVISION 8: FARM WOOD-SAWING MACHINES				
309	Farm wood-sawing machines	0	0	16
DIVISION 9: FARM GATES				
310	Farm gates (See paragraph (e) (2) of L-170)	0	0	40
DIVISION 10: FARM LIGHTING PLANTS				
311	Farm lighting plants	0	0	0
DIVISION 11: ATTACHMENTS				
312	Attachments for all items in group 19 expressed in terms of net shipping weight in pounds. ¹	(1)	(1)	(1)

¹ Percentage quota is the same as that listed in the proper column for the machine with which the attachment is used.

EXPORT SCHEDULES

SCHEDULE OF EXPORT QUOTAS BY GROUPS OF COUNTRIES AND QUOTA PERCENTAGES COVERING THE SHIPMENT OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS FOR THE PERIOD OF NOVEMBER 1, 1942, TO OCTOBER 31, 1943

(Quotas shown are expressed as a percentage of one half the total weight of shipments made to all the countries in the particular group during the calendar years 1940 and 1941.)

Schedule B-1

Quota Percentage=111%

United Kingdom:

Great Britain Scotland
Northern Ireland Wales

Schedule B-2

Quota Percentage=118%

Australia	Belgian Congo
Union of South Africa	Madagascar
Egypt	French Cameroun
British India	Ethiopia
Palestine	Syria
Liberia	Gozo
Iran	Ceylon
Turkey	Other British So. Africa
French Oceania	Nigeria
Free French Areas	Iraq
Thereof	China
British East Africa	Iceland
Other British West Africa	British Oceania
New Zealand	Other French Africa
No. & So. Rhodesia	Cyprus
Gold Coast	Malta
Arabia	Falkland Islands
Russia	

Schedule B-3

Quota Percentage=39%

Argentina	Haiti
Chile	Nicaragua
Dominican Republic	Peru
Guatemala	Venezuela
Mexico	Brazil
Paraguay	Costa Rica
Uruguay	Ecuador
Bolivia	Honduras
Colombia	Panama Republic
Cuba	Salvador

Schedule B-4

Quota Percentage=61%

Mozambique	Angola
Portugal	Labrador
Switzerland	French West Indies
Newfoundland	Sweden
Eire	Greenland
Spain	

Schedule B-5

Quota Percentage=34%

British Guiana	Curacao
Bermuda	British Honduras
Barbados	Bahamas
Trinidad	Other British W. Indies
Surinam	
Jamaica	

Schedule B-6

Quota Percentage=37%

Alaska	Hawaii
Virgin Islands	Puerto Rico

Schedule B-7

SCHEDULE OF QUOTAS BY ITEMS COVERING THE SHIPMENT TO CANADA OF FARM MACHINERY AND EQUIPMENT AND REPAIR PARTS THEREFOR AND THE PERIOD NOVEMBER 1, 1942, TO OCTOBER 31, 1943

(Quotas shown are expressed as a percentage of the number of units of each item shipped to Canada during the calendar year 1940. Items not listed are not to be manufactured for shipment to Canada.)

Group I—Seeding and Fertilizing Machinery:	Quota percentage
Grain Drill (Plain).....	2
Grain Drill (Press).....	0
Corn Planter and Drill.....	25
Potato Planter.....	20
Manure Spreader.....	30
Other Planting and Seeding (including Beet Drills and Transplanter).....	20
Group II—Plows:	
Walking Plow—1 furrow.....	33
Tractor Plow.....	22
Disc Plow.....	0
Harrow Plow—One Way Disc—Tiller.....	32
All other Plows (including Integral).....	31
Group III—Tillage and Cultivating Machinery:	
Scuffers and Horse Hoes.....	25
Corn Cultivators.....	25
Field Cultivators.....	30
All other Cultivators (including Beet, Tobacco, and Integral).....	20
Drag Harrow Sections.....	7
Spring Tooth Harrows.....	23
Disc Harrows.....	25
Group IV—Haying Machinery:	
Mower.....	30
Hayloader.....	35
Side Rake and Tedder.....	25
Dump Rake.....	25
Pick-up Baler and Hay.....	100
All other Haying Machines (including Hay forks, knives, etc.).....	25
Group V—Harvesting Machinery:	
Horse Drawn Grain Binder.....	0
Tractor Grain Binder.....	0
Corn Binder.....	25
Combine—Reaper, Thresher.....	33
Swather.....	20
Stationary Thresher.....	0
Potato Digger.....	25
Corn Sheller.....	25
Corn Picker (150 units Mgr. designated later).....	25
Other Harvesting Equipment, including Beet Lifters).....	25
Group VI—Sundry Machines for Preparing Crops for Market or Use:	
Grinder, Feed Cutter, Roller, Pulper, Ensilage Cutter.....	50
Hammer Mill.....	35
Grain Loader or Elevator.....	7
Group VII—Farm Power:	
Wheel Tractor.....	24
Stationary Engine.....	50
Group VIII—Wagons, Trucks, Sleighs:	
Wagon Gears.....	60
Farm Truck.....	60
Group IX—Dairy Equipment:	
Milking Machine Complete.....	100
Cream Separator.....	84
Churn.....	100
Group X—Sprayers and Dusters:	
Potato and Orchard Sprayer and Duster.....	50
Sprayer Pump.....	54

Group XI—Domestic Water System:	Quota percentage
Well or Cistern Pump.....	50
Pump Jack.....	50
Windmill Head.....	50
Domestic Water Pressure System.....	25
Group XII—Barn and Barnyard Equipment.....	0
Group XIII—Miscellaneous Equipment:	
Incubator.....	40
Brooder (Floor Type).....	40
Wheel Barrow (Wood Only).....	53
Sheep Shearers and Animal Clippers.....	239
Attachments and Repair Parts.....	150

[F. R. Doc. 42-10540; Filed, October 19, 1942; 12:51 p. m.]

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

[Priorities Regulation 1, § 944.18, Interpretation 1]

The following official interpretation is hereby issued with respect to § 944.18 of Priorities Regulation No. 1, as amended:

The impression has arisen that orders and regulations of the War Production Board which restrict the sale, transfer or delivery of materials, products or equipment, need not be observed in the case of sales made by auctioneers, receivers, trustees in bankruptcy, and other cases where the assets of a business are being liquidated. This impression is erroneous.

All orders and regulations of the War Production Board which control the sale, transfer or delivery of any material, product or equipment, apply to sales made by any person, whether for his own account or for the account of others, and all restrictions upon accepting delivery apply to acceptance of delivery at any type of sale, except as otherwise provided in Priorities Regulation No. 13 with respect to "special sales" or as otherwise provided in any other applicable regulation or order. Any sale made in violation of any order or regulation or any delivery accepted in violation of any order or regulation, subjects parties to all penalties provided by law, including liability for prosecution under Title III of the Second War Powers Act, which specifies penalties up to \$10,000 or imprisonment for one year or both.

(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 20th day of October 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-10578; Filed, October 20, 1942; 11:11 a. m.]

PART 1054—LEAD AND TIN SCRAP

[Supplementary Order M-72-a, as Amended October 20, 1942]

TINNED AND DETINNED SCRAP

Section 1054.2 *Supplementary Order M-72-a* is hereby amended to read as follows:

(a) *Additional definitions.* For the purposes of this order:

(1) "Tinned scrap" means scrap consisting of tin plate, whether clippings, used tin cans, or in any other form.

(2) "Detinned scrap" means tinned scrap which has been treated by a chemical or electro-chemical detinning process so that it contains not more than $\frac{1}{2}$ % of one percent of tin by weight.

(3) "Tin plate clippings" means tinned scrap consisting of new or reclaimed tin plate, generated in the manufacture of cans, closures, or other articles.

(b) *Restrictions on tinned scrap andterne plate scrap.* Except with specific permission of the Director General for Operations:

(1) *Iron and steel producers.* No person shall deliver tinned scrap or used cans made of terne plate (as terne plate is defined in Supplementary Order M-21-e, as amended) to a producer of steel or iron products (as defined in Order M-21, as amended), and no such producer shall accept delivery of tinned scrap or used cans made of terne plate.

(2) *Tin plate clippings.* No person shall deliver or accept delivery of tin plate clippings except where delivery is made to a broker or dealer or a detinning plant. Subject to the restrictions of Order M-21-e, and other applicable orders, the provisions of this paragraph (b) (2) do not prohibit a manufacturer from using himself, in further manufacturing operations, tin plate clippings generated in the course of his operations.

(3) *Tinned scrap.* No person shall deliver or accept delivery of tinned scrap except where delivery is made to or for the account of a broker or dealer for sale or resale by him in the form received, a municipal department or agency, a shredding or detinning plant, a plant engaged in the precipitation of copper, or if the scrap is in the form of used tin cans, a person regularly engaged in the collection of rubbish or trash.

The restrictions of this paragraph (b) (3) shall not apply to deliveries of used tin cans to or for the account of any person for reuse by him in packing any product which is permitted to be packed in tin cans by existing or future orders of the War Production Board; nor shall any of the provisions of this paragraph (b) (3) apply to tinned scrap in the form of crown or screw caps or similar closures for tin cans or other containers.

(4) *General permission to acquire used tin cans.* In appropriate cases general permission to acquire used tin cans will be granted, upon such terms and conditions as the Director General for Operations may impose, to persons other than those permitted to accept delivery under paragraphs (b) (3), (b) (5) or (b) (6) of this order, who should make application for such permission by letter addressed to the War Production Board, Washington, D. C., Reference: M-72-a. If the applicant for such permission is a manufacturer of crown caps or is engaged in the business of bottling or distributing beverages, he shall execute and file with his letter of application a certificate substantially in the form of Exhibit 1 annexed to this order, and when

authorized shall be held responsible for using his best efforts, in cooperation with official local collecting agencies to collect for such agencies all cans smaller than size No. 10.

(5) *Collection, segregation and disposal of used tin cans in counties on Schedule A.* On and after November 4, 1942, no person (including a municipal department or agency) in any of the counties listed in Schedule A, who is regularly engaged in collecting rubbish or trash shall:

(i) Reject any used tin cans offered him in the usual course of his collection of rubbish or trash;

(ii) Mingle any used tin cans, collected by him, with any other refuse, rubbish, or trash;

(iii) Dispose of any used tin cans, collected by him in any manner other than by delivering such cans;

(a) Directly to a shredding or detinning plant or a plant engaged in the precipitation of copper, or to a duly authorized agent of any such plant; or

(b) To a municipal department or agency for delivery by such department or agency to a shredding or detinning plant or a plant engaged in the precipitation of copper, or a duly authorized agent of any such plant.

(6) *Collection, segregation and disposal of prepared used tin cans in areas on Schedule B.* On and after November 17, 1942, no person (including a municipal department or agency) who is regularly engaged in collecting rubbish or trash, within any municipality having a population of 25,000 or more located in any of the areas listed on Schedule B, shall:

(i) Reject any prepared used tin cans offered him in the usual course of his collection of rubbish or trash;

(ii) Mingle any prepared used tin cans which were segregated at the time of their collection, with any other refuse, rubbish or trash;

(iii) Dispose of any such segregated and prepared used tin cans in any manner other than by delivering such cans:

(a) Directly to a shredding or detinning plant or a plant engaged in the precipitation of copper, or to a duly authorized agent of any such plant; or

(b) To a municipal department or agency for delivery by such department or agency to a shredding or detinning plant or a plant engaged in the precipitation of copper, or a duly authorized agent of any such plant.

For the purpose of this paragraph (b) (6), the term "prepared used tin cans" means tin cans from which the contents have been emptied and the labels and ends removed; which have been thoroughly cleaned so as to remove all organic matter, and have had their sides flattened.

(c) *Restrictions on sales of detinned scrap.* Except with specific permission of the Director General for Operations, no person producing detinned scrap at a detinning plant located in any of the counties listed in Schedule A hereto shall deliver detinned scrap produced at such plant except to a plant engaged in the precipitation of copper.

(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 20th day of October 1942.

ERNEST KANZLER,
Director General for Operations.

EXHIBIT 1

CERTIFICATE OF MANUFACTURER OF CROWN CAPS, BOTTLER OR DISTRIBUTOR UNDER PARAGRAPH (b) (4) OF SUPPLEMENTARY ORDER M-72-a

Note.—This form may be reproduced for use by an applicant for permission to acquire used tin cans under the provisions of paragraph (b) (4) of the foregoing Supplementary Order M-72-a.

The undersigned hereby certifies to the War Production Board that in the event that the undersigned is granted permission to acquire used tin cans pursuant to the accompanying letter of application therefor, the following terms and conditions with respect to the handling and disposition of such cans by the undersigned, and all other terms and conditions which may be imposed by the War Production Board will be strictly complied with:

1. *No. 10 and larger cans.* The bodies of such cans may be used for the manufacture of crown caps: *Provided*, That in the preparation of the cans before use for the manufacture of crown caps the cans shall be cleaned; both ends shall be removed and delivered to shredding or detinning plants; the side seams and end rings shall also be removed and may be delivered to shredding plants, but must not be delivered to detinning plants; all residual scrap remaining after the manufacture of crown caps from the bodies of the cans shall be delivered to shredding or detinning plants; with the result that at least 50% by weight of the detinnable scrap represented by all such used cans when acquired will be finally received by shredding or detinning plants.

2. *All other cans.* All cans other than those of the size of No. 10 or larger are to be delivered to shredding or detinning plants. Such cans as are to be delivered to detinning plants are to be cleaned, both ends are to be removed and the bodies flattened.

----- (Name of company) -----	----- (Name of authorized official) -----
----- (Date) -----	----- (Title of authorized official) -----

SCHEDULE A

California: Alameda, Contra Costa, Fresno, Imperial, Kern, Los Angeles, Marin, Merced, Monterey, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Francisco, San Joaquin, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Ventura, Yolo, Yuba.

Kansas: Atchison, Brown, Brown, Doniphan, Douglas, Franklin, Jefferson, Johnson, Leavenworth, Miami, Osage, Shawnee, Wyandotte.

Missouri: Buchanan, Caldwell, Carroll, Cass, Clay, Clinton, Henry, Jackson, Johnson, Lafayette, Livingston, Pettis, Platte, Ray, Saline.

Texas: Anderson, Austin, Basque, Brazoria, Brazos, Burleson, Chambers, Cherokee, Collin, Colorado, Cooke, Dallas, Delta, Denton, Ellis, Erath, Falls, Fannin, Fayette, Fort Bend, Freestone, Galveston, Grayson, Grimes, Hardin, Harris, Henderson, Hill, Hood, Hopkins, Hunt, Jack, Jasper, Jefferson, Johnson, Kaufman, Lamar, Liberty, Limestone, Madison, McLennan, Matagorda, Montague, Montgom-

ery, Navarro, Orange, Palopinto, Parker, Polk, Rains, San Jacinto, Smith, Somervell, Tarrant, Trinity, Tyler, Van Zandt, Walker, Waller, Washington, Wharton, Wise, Wood.

SCHEDULE B

Minnesota (only the cities of Minneapolis, St. Paul and Duluth); Missouri, (only the city of St. Louis); Illinois, Indiana, Michigan, Ohio, Kentucky, West Virginia, Pennsylvania, Virginia, New York, Massachusetts, Rhode Island, Maryland, Connecticut, New Jersey, Delaware, District of Columbia.

[F. R. Doc. 42-10579; Filed, October 20, 1942; 11:11 a. m.]

PART 1068—CANS MADE OF TINPLATE OR TERNEPLATE

[Amendment 4 to Conservation Order M-81, as Amended June 27, 1942]

Section 1068.1 *Conservation Order M-81, as amended June 27, 1942* is hereby amended as follows:

1. The following sentences are hereby deleted from paragraph (c) (3):

If cans are opened for repacking the contents thereof, every can larger than No. 12 (603 x 812) shall be thoroughly cleaned and reused as long as the tin coating permits, and then sent to a detinning plant for salvage of the tin and scrap steel; and every can sized No. 12 (603 x 812) or smaller shall be reused or sent to a detinning plant for salvage of the tin and scrap steel. Such cans shall be sent to a detinning plant in carload lots, or in less than carload lots whenever shipping costs render shipment practical.

2. Item No. 1 of Exhibit B, entitled "Apples, including Crabapples and Applesauce," is hereby deleted.

3. Item No. 7 of Meats in Table II is hereby amended to read as follows:

Bulk sausage meat, containing, by weight, not to exceed 3½ percent cereal and not to exceed 3 percent added water; and only when packed without casings and cooked entirely in the can. 125 percent of 1940 Pack.

4. Item No. 7 of Table III, entitled "Insecticides," is hereby deleted.

(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 20th day of October 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-10580; Filed, October 20, 1942; 11:12 a. m.]

PART 1117—GAS MASKS AND ANTI-GAS DEVICES

[General Limitation Order L-57, Amendment 1]

Part 1117—Gas Masks, is amended to read:

Part 1117—Gas Masks and Anti-Gas Devices

Paragraphs (a) (3), (b) (2), and (b) (3) respectively, of § 1117.1 *General Limitation Order L-57*¹ hereby are amended to read as follows:

(a) * * *

(3) "Anti-gas device" means any device, equipment, ointment, preparation, instrument, clothing or other material, except a gas mask, claimed or purported to be adapted for use by civilians for protection against, or warning or detection of, enemy gas attack or held or advertised for sale for any such use.

(b) * * *

(2) No person shall accept delivery of any material to be physically incorporated in any unapproved gas mask or unapproved anti-gas device.

(3) No person shall sell or deliver any material which he knows or has reason to believe will be used in the manufacture of any unapproved gas mask or unapproved anti-gas device.

(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 20th day of October 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-10581; Filed, October 20, 1942;
11:13 a. m.]

PART 1160—COAL STOKERS

[General Limitation Order L-75, as Amended
October 20, 1942]

Section 1160.1 *General Limitation Order L-75* is hereby amended to read as follows:

§ 1160.1 *General Limitation Order L-75*—(a) *Definitions*. For the purposes of this order,

(1) "Coal stoker" means any device designed and produced for the purpose of feeding coal as a fuel to a combustion chamber; including, but not limited to, any feed screw, ram, spreader, or moving grate. Coal stokers shall not include any device designed and produced for the purpose of feeding coal as a fuel to a locomotive.

(2) "Class A coal stoker" means any coal stoker which has a grate area of 36 square feet or less, and a coal feeding capacity in excess of 60 pounds per hour.

(3) "Class B coal stoker" means any coal stoker which has a maximum coal feeding capacity not in excess of 60 pounds per hour.

(b) *General restrictions*—(1) *Restrictions on orders for Class A coal stokers*. No person shall place an order for the manufacture of a Class A coal stoker unless such order is accompanied by the authorization of the Director General for Operations on PD 668. Any order so authorized by the Director General for Operations shall be deemed a "rated order" for the purposes of § 944.2 of Priorities Regulation No. 1.

(2) *Restrictions on delivery*. On and after the 4th day of November, 1942, not-

withstanding any contract or preference rating, no manufacturer of a Class A coal stoker shall deliver or transfer any such stoker except:

(i) In accordance with specific authorization given by the Director General for Operations.

(ii) Such Class A stokers as are listed as unfilled orders in the schedule required to be filed with the War Production Board by paragraph (b) (3) of this order.

The Director General for Operations may, in his discretion, at any time before delivery of a Class A stoker by a manufacturer, revoke or modify any authorization for the delivery of a Class A stoker granted under the provisions of this paragraph (b).

(3) *Filing of schedule of production and delivery by manufacturers of Class A coal stokers*. On the 4th day of November, 1942, each manufacturer of Class A coal stokers shall file, by registered mail, a schedule of production and delivery with the War Production Board, Plumbing and Heating Branch, Washington, D. C., setting forth the following information:

All unfilled orders for Class A coal stokers received on or before the 4th day of November, 1942; a brief description of each stoker (including feeding capacity in pounds per hour and extent of completion); the schedule date of each delivery and the name and address of the person ordering each stoker, together with any preference rating applied or extended to such delivery.

No manufacturer shall change the date of any delivery as so scheduled to a later date without specific authorization from the Director General for Operations.

(4) *Specific exemptions*. Until the 23rd day of November, 1942, the provisions of this paragraph (b) shall not apply to any order for Class A coal stoker to be used by the Army, Navy, Maritime Commission or War Shipping Administration of the United States.

(5) *Restriction on manufacture of Class B stokers*. No person shall manufacture a Class B stoker.

(c) *Manufacture of replacement parts*. Nothing in this order shall be construed to prohibit or restrict the manufacture of replacement parts for any type of coal stoker.

(d) *Avoidance of excessive inventories*. No person shall accumulate inventories of any materials (whether raw, semi-processed or processed) for manufacture into coal stokers in excess of the minimum amount necessary to maintain production of coal stokers to the extent permitted by this order.

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

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

(g) *Reports*. Each manufacturer 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 request.

(h) *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.

(i) *Appeals*. Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may apply for relief by addressing a letter to the War Production Board 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 as he deems appropriate.

(j) *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.

(k) *Applicability of other orders*. Insofar as any other order issued by the Director General for Operations, or to be issued by him hereafter, limits the use of any material to a greater extent than the limits imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(l) *Routing of correspondence*. Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Plumbing and Heating Branch, Washington, D. C., Ref: L-75.

(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 20th day of October 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-10582; Filed, October 20, 1942;
11:11 a. m.]

PART 1246—CHEMICAL COTTON PULP

[Conservation Order M-157, as Amended
October 20, 1942]

Section 1246.1 is hereby amended to read as follows:

§ 1246.1 *Conservation Order No. M-157*—(a) *Definitions*. For the purpose of this order:

(1) "Chemical cotton pulp" means pulp manufactured by chemically purifying raw cotton fibres, sometimes described as "cotton linter pulp" or "cottonseed hull shavings pulp."

¹ 7 F.R. 1674.

(2) "Producer" means any person producing chemical cotton pulp.

(3) "Consumer" means any person who purchases or accepts delivery of chemical cotton pulp for use or resale.

(b) *Restrictions on deliveries of chemical cotton pulp.* (1) No producer shall deliver chemical cotton pulp, and no person shall accept delivery of chemical cotton pulp from a producer, except as specifically authorized by the Director General for Operations upon application pursuant to paragraph (d), or as provided in paragraph (c).

(2) Each person specifically authorized to accept delivery of chemical cotton pulp shall use such chemical cotton pulp for the purpose authorized, except as otherwise specifically directed by the Director General for Operations.

(3) The Director General for Operations in his discretion may at any time issue special directions to any person with respect to the use or delivery of chemical cotton pulp by such person, notwithstanding the provisions of paragraph (c) hereof, or special directions to any producer with respect to the kinds of chemical cotton pulp which he may or must manufacture, the amount of his monthly production which he shall withhold as a reserve, and the disposition of such production reserve.

(c) *Exemptions.* Specific authorization of the Director General for Operations shall not be required with respect to deliveries by a producer (which may be made without regard to preference ratings) of two thousand (2,000) pounds or less of chemical cotton pulp in any one month (in lots of not more than five hundred (500) pounds to any one consumer in any one month), and the acceptance by a consumer of delivery of five hundred (500) pounds or less of chemical cotton pulp in any one month.

(d) *Applications and reports.* (1) Each consumer seeking authorization to accept delivery of chemical cotton pulp during any calendar month shall file application on or before the 5th day of the month preceding the month for which authorization for use or delivery is requested. Such application shall be made on Form PD-600 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form PD-600 may be obtained at local offices of the War Production Board.

(ii) Five copies shall be prepared, of which three certified copies shall be sent to the War Production Board, Chemicals Branch, Washington, D. C., Ref: M-157, and one (with Tables II, III and IV blank) shall be forwarded to the supplier. A separate set of forms shall be prepared for each plant location of the applicants, and for each supplier from whom pulp is requested.

(iii) In the heading, under name of chemical, specify chemical cotton pulp; under War Production Board order number, specify M-157; under unit of measure, specify short tons (2,000 lbs.); under name of company, specify name and mailing address; under delivery destination, show plant location; fill in supplier's name and his shipping point; and

specify the month and year for which authorization for acceptance of delivery is sought.

(iv) In Columns 1, 11 and 19, specify "loose" or "sheeted".

(v) In Column 2, specify quantity of chemical cotton pulp requested for each use listed in Column 4.

(vi) In Column 3, specify primary product in terms of the following:

Viscose products.
Cellulose acetate products.
Cellulose nitrate products.
Cupra-ammonium products.
Acetate propionate.
Acetate butyrate.
Ethyl cellulose.
Methyl cellulose.
Other (specify).

(vii) In Column 4, specify product use in terms of the following:

Rayon filament yarn (other than high-tenacity).
Rayon staple fibre.
Rayon high-tenacity yarn.
Plastics (molding compounds).
Plastics (sheets, rods and tubes).
Film (photographic).
Film (other than photographic).
Surface coatings (lacquers, paints, etc.).
Explosives (military propellants).
Explosives (other than military propellants).
Meat casings.
Other (specify).

(viii) In columns 12 and 15 show separately, amounts on hand and amounts in transit directed to the applicant and subject to a bill of lading.

(ix) Leave Table IV blank on all copies, and Tables II and III blank on supplier's copy.

(2) Each consumer who has not filed an application on Form PD-600 pursuant to paragraph (d) (1) above during any month and who on the first of such month had on hand one ton (2,000 lbs.) or more of chemical cotton pulp, shall file a report on or before the 5th day of such month. Such report shall be made on Form PD-600, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form PD-600 may be obtained at local offices of the War Production Board.

(ii) Two copies shall be prepared, of which one certified copy shall be sent to the War Production Board, Chemicals Branch, Washington, D. C., Ref: M-157. A separate set of forms shall be prepared for each plant location.

(iii) In the heading, under name of chemical, specify chemical cotton pulp; under War Production Board order number, specify M-157; under unit of measure, specify short tons (2,000 lbs.); under name of company, specify name and mailing address; and leave delivery destination, supplier and his shipping point blank.

(iv) Leave Tables I, III and IV blank, filling in only Table II.

(v) State "last month" in heading of table II (the month preceding the month in which report is filed).

(vi) In column 11, specify "loose" or "sheeted".

(vii) In columns 12 and 15 show separately amounts on hand and amounts

in transit directed to the reporting consumer and subject to a bill of lading.

(3) Each producer shall, on or before the 15th day of each month, file a report and apply for authorization to make deliveries during the next month. Such application and report shall be made on Form PD-601, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form PD-601 may be obtained at local offices of the War Production Board.

(ii) Prepare five copies, of which four certified copies shall be forwarded to the War Production Board, Chemicals Branch, Washington, D. C., Ref: M-157. A separate set of forms shall be prepared for each plant location.

(iii) Suppliers who have filed application on Form PD-600, specifying themselves as their suppliers, shall list their own names as customers on Form PD-601, and shall list their request for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical, specify chemical cotton pulp; under War Production Board order Number, specify M-157; under name of company, state name and mailing address; state plant location and check producer box; state the month and year during which deliveries covered by the application are to be made; and under unit of measure, specify short tons (2,000 lbs.).

(v) Fill in Tables I and II, leaving only Columns 6 and 7 blank.

(vi) In Column 1 group customers by grade ("loose" first, and "sheeted" second), and list customers alphabetically in each group.

(vii) In Column 3, specify "loose" or "sheeted" grades as stated in customer's Form PD-600.

(viii) The supplier may, if he wishes, leave Column 5 blank.

(ix) In Column 8, specify "loose" or "sheeted".

(x) Stocks shown in Columns 10 and 13 should be the actual stock on hand at the time stated, excluding chemical cotton pulp in process or subject to a bill of lading, directed to a consumer.

(xi) If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(e) *Special provisions governing applications and reports.* (1) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

(2) Each producer who consumes all or part of his production of chemical cotton pulp shall treat the production and consumption parts of his operations as separate divisions within the meaning of paragraph (f) (3) hereof, and in his separate capacity as a consumer and as a producer shall file all the applications and reports required by paragraph (d).

(3) Each producer shall notify the War Production Board of the cancellation of any authorized delivery or of inability to make any authorized delivery

as soon as possible after he has notice of such fact.

(f) *Miscellaneous provisions*—(1) *Applicability of priorities regulations*. This order and all transactions affected thereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Records*. In addition to the records required to be kept by Priorities Regulation No. 1, as amended, each producer and each consumer shall retain for a period of not less than two years copies of all purchase orders for chemical cotton pulp, whether accepted or rejected, segregated from all other purchase orders or filed in such manner that they can readily be produced for inspection by representatives of the War Production Board.

(3) *Intra-company deliveries*. The prohibitions and restrictions of this order with respect to deliveries of chemical cotton pulp 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.

(4) *Violations*. Any person who willfully violates any provision of this order or who in connection with this order willfully conceals a material fact or willfully 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 by the Director General for Operations.

(5) *Communications*. 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-157.

(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 20th day of October 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-10583; Filed, October 20, 1942; 11:13 a. m.]

PART 1284—BALSA

[Amendment 1 to General Conservation Order M-177]

Section 1284.1 *General Conservation Order M-177*¹ is hereby amended in the following respects:

1. By amending paragraph (a) to read as follows:

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

(1) "Balsa" means the wood of the several species of the genus *Ochroma* in the form of logs, hewn timbers, blocks or lumber, including boards, planks, dimension, squares, cants, flitches, timbers and other sawed forms, whether rough or dressed, but does not include scrap balsa.

(2) "Scrap balsa" means balsa waste unavoidably accumulated as the result of breakage of balsa while in transit or in the process of handling; or as the result of trimming defective portions from defective boards; or in processing boards in the course of manufacturing any of the products specified in paragraph (c) of this order.

2. By adding to paragraph (d) a new subparagraph (3) as follows:

(3) The restrictions of this order shall not apply to the sale, delivery or use of any balsa which on August 3, 1942 had been manufactured into any length and width but not exceeding $\frac{3}{8}$ inch in thickness, or into any length and thickness but not exceeding 2½ inches in width, or into any width and thickness but not exceeding 10 inches in length.

(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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ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-10573; Filed, October 20, 1942; 11:12 a. m.]

PART 1293—HAND TOOLS SIMPLIFICATION

[Limitation Order L-157, Schedule I, Amendment 3]

Section 1293.2 *Schedule I to Limitation Order L-157* is hereby amended in the following respects:

Paragraph (c) *Effective date of simplified practices* is hereby amended by striking out said paragraph (c) and substituting the following:

(c) *Effective date of simplified practices*. (1) On and after September 1, 1942, no hand shovels, spades, scoops or telegraph spoons which do not conform to the sizes and standards established by paragraph (b) hereof (and set forth in the Appendix hereto) shall be produced or delivered by any producer or accepted by any person from any such producer except:

(i) Hand shovels, spades, scoops and telegraph spoons, not so conforming may be produced by a producer from any material in the hands of such producer on August 10, 1942, and delivery of any such shovels, spades, scoops and telegraph spoons may be accepted; or

(ii) With the express permission of the Director General for Operations.

(2) On and after August 10, 1942, no material for the manufacturing of hand shovels, spades, scoops or telegraph spoons shall be accepted by any producer which does not conform to the sizes and standards set forth in Appendix A attached hereto.

Amendment No. 1 to Appendix A to Schedule I issued August 4, 1942, is hereby amended by striking out the first three lines thereof reading as follows:

Appendix A to § 1293.1 (Schedule I to Limitation Order L-157) is hereby amended in the following respects:

and substituting therefor the following:

Appendix A to § 1293.2 (Schedule I to Limitation Order L-157) is hereby amended in the following respects:

(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 20th day of October 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-10574; Filed, October 20, 1942; 11:13 a. m.]

PART 3049—SOFTWOOD LUMBER

[Conservation Order M-208, Amendment 4]

Subparagraph (a) (6) of § 3049.1 *Conservation Order M-208* is hereby amended to read as follows:

(6) "Producer" means any plant which processes, by sawing, edging, planing or other comparable method, 25% or more of the total volume of logs and lumber purchased or received by it, and which sells as lumber the product of such processing.

(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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ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-10575; Filed, October 20, 1942; 11:13 a. m.]

PART 3088—MOBILE HOUSING

[Limitation Order L-205]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metal 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 war effort:

§ 3088.1 *Limitation Order L-205*—(a) *Definitions*. For the purposes of this order:

(1) "Mobile housing unit" means a mobile house or an expansible mobile house.

(2) "Mobile house" means a portable shelter designed and constructed to be used as a human habitation and to be towed or transported without being dismantled or substantially changed in form.

¹ 7 F.R. 5985.

(3) "Expansible mobile house" means a mobile house so constructed that an overall dimension thereof may be enlarged by mechanical operation to increase the cubic content, or such dimension may be reduced by the same operation in reverse.

(4) "Running gear" means any undercarriage used for the transportation of a mobile housing unit, including wheels, axle and springs or any part thereof.

(5) "Copper" means unalloyed copper metal including unalloyed copper metal produced from scrap.

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

(b) *Restrictions on manufacture of mobile housing units.* (1) On and after the 27th day of October 1942, notwithstanding any agreement, contract or preference rating to the contrary, no person shall manufacture any mobile housing unit except to fill a specific order which:

(i) Has been placed with him prior to the 27th day of October 1942, by the National Housing Agency or a person authorized by the National Housing Agency; or

(ii) Is placed with him on or subsequent to the 27th day of October 1942, by the National Housing Agency or by a person authorized in writing by the National Housing Agency to order a mobile housing unit, such order bearing a rating of AA-5 or better.

(2) On and after the 27th day of October 1942, notwithstanding any contract, agreement or preference rating to the contrary, no person shall manufacture a mobile house except a mobile house:

(i) Containing, exclusive of any running gear, heater, stove, icebox, water bucket and unattached or movable furniture, iron and steel not to exceed two hundred and seventy-five (275) pounds; and

(ii) Containing, inclusive of the drop cord, copper or copper base alloy as permitted by the limitations established under General Conservation Order M-9-c, but in no case to exceed more than three (3) pounds; and

(iii) Having a maximum interior body length of twenty-two (22) feet and six (6) inches; and

(iv) Constructed and built in accordance with specifications approved by the National Housing Agency or a person authorized in writing by the National Housing Agency to purchase or receive delivery of such a mobile housing unit.

(3) On and after the 27th day of October 1942, notwithstanding any agreement, contract or preference rating to the contrary, no person shall manufacture an expansible mobile house except an expansible mobile house:

(i) Containing, exclusive of any running gear, plumbing equipment, heater, stove, icebox, water bucket and unattached or movable furniture, iron and steel not to exceed three hundred and ten (310) pounds; and

(ii) Containing inclusive of the drop cord, copper or copper base alloy as per-

mitted by the limitations established under General Conservation Order M-9-c, but in no case to exceed more than five (5) pounds; and

(iii) Constructed and built in accordance with specifications approved by the National Housing Agency or a person authorized in writing by the National Housing Agency to purchase or receive delivery of such a mobile housing unit.

(4) Notwithstanding any contract, agreement or preference rating to the contrary, no person shall construct more than one hundred and fifty (150) mobile housing units during the period from the 20th day of October 1942, to the 1st day of November 1942, and any calendar month thereafter.

(c) *Restrictions on sale of mobile housing unit.* No manufacturer of a mobile housing unit shall sell or deliver any such unit manufactured or assembled subsequent to the 27th day of October 1942, except to the National Housing Agency or a person authorized by the National Housing Agency to purchase or receive such mobile housing unit, provided any such order received by him subsequent to the 27th day of October 1942, shall bear a preference rating of AA-5 or better.

(d) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales (including sale or delivery of scrap).

(e) *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.

(f) *Reports and communications.* (1) Each person affected by this order shall execute and file with the War Production Board such reports and questionnaires as may be requested by the Board from time to time.

(2) All reports required hereunder, and all communications concerning the order shall be addressed to: War Production Board, Lumber and Lumber Products Branch, Washington, D. C., Reference: L-205.

(g) *Violations and false statements.* 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.

(h) *Appeals.* Any person affected by this order, who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, may apply for relief by addressing a letter in triplicate to the War Production Board, Lumber and Lumber Products Branch, Washington, D. C., Ref.: L-205, 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 as he deems appropriate.

(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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ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-10576; Filed, October 20, 1942;
11:13 a. m.]

PART 3090—X-RAY EQUIPMENT

[General Limitation Order—L-206]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of the materials entering into the manufacture of x-ray equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the war effort:

§ 3090.1 *General Limitation Order L-206—(a) Definitions.* For the purposes of this order:

(1) "X-ray equipment" means the following radiographic equipment (including non-medical industrial radiographic equipment), fluoroscopic equipment and therapy equipment: power units; radiographic, fluoroscopic, and therapy tables; photo-fluorographic units; cassette changers; tube stands; stationary grids; and bucky diaphragms. The term shall not include used or rebuilt equipment, nor any parts, accessories or appliances used in connection with radiography, fluoroscopy or therapy, other than the items specifically named above.

(2) "Power unit" means a high-voltage transformer (with or without rectifying tubes) and control for x-ray use.

(3) "Radiographic, fluoroscopic or therapy table" means a table adapted for placing a patient in a position for radiography, fluoroscopy or therapy, and may be either stationary or tilting.

(4) "Photo-fluorographic unit" means an instrument for photographing the image cast by x-rays through a patient on a fluoroscopic screen. It includes a camera, supporting stand, and fluoroscopic screen. It is also known as a "photo-roentgen unit" or a "photo-fluorograph."

(5) "Cassette changer" means equipment designed to hold two cassettes (one protected from x-rays by a lead shield, and one in the radiographic field) which is constructed to interchange the position of the cassettes.

(6) "Tube stand" means a tubular or frame support (mounted on a base which is either mobile or stationary) which is designed to hold the carriage of an x-ray tube head and allow its vertical movement.

(7) "Stationary grid" means a flat plate made of strips of material which offer little resistance to x-rays and which serve as spacers for strips of lead foil.

It is used in radiography and fluoroscopy to reduce secondary radiation. It is also known as a "wafer grid".

(8) "Bucky diaphragm" means a mechanism incorporating a stationary grid in a movable carriage which is designed to eliminate secondary radiation and grid shadows from the x-ray film.

(9) "Manufacturer" means any person engaged in the manufacturing, fabricating or assembling of x-ray equipment.

(b) *Restrictions on the manufacture of x-ray equipment.* No manufacturer shall manufacture, continue the manufacture of, or assemble any models or types of x-ray equipment other than the permitted number of models of the types set forth and described in Schedule A, attached hereto.

(c) *Restrictions on the sale and delivery of x-ray equipment.*

(1) No person shall sell, transfer, or deliver any x-ray equipment except:

(i) To the Army or Navy of the United States, the United States Maritime Commission and the War Shipping Administration, or

(ii) To persons (such as hospitals, medical departments of industrial concerns, and other persons desiring to receive x-ray equipment) who have filed Form PD-556 pursuant to paragraph (d) of this order, and have been specifically authorized on such form by the Director General for Operations to receive x-ray equipment.

(2) No person shall receive or accept transfer or delivery of any x-ray equipment if he knows or has reason to believe that the transfer or delivery of such x-ray equipment is prohibited by the terms of paragraph (c) (1) of this order.

(d) *Applications on Form PD-556.* Each person seeking authorization, as permitted by paragraph (c) (1) (ii) of this order, to receive x-ray equipment shall prepare Form PD-556 (copies of which form may be obtained at the local offices of the War Production Board) in the manner prescribed therein, subject to the following instructions:

(1) The form should be filed only by the person (transferee) desiring to receive x-ray equipment and not by the person (transferor) desiring to make delivery of such equipment.

(2) Applicants are not required to fill in section (6).

(3) Under section (5) give the following information:

(i) State whether or not you have in use any X-ray equipment, as defined in paragraph (a) (1) of this order. If so, (1) describe such equipment, (2) state the average number of patients per week on which such equipment is now used, and (3) state whether the equipment applied for would be used to replace existing equipment or is needed for expansion of existing facilities.

(ii) State how you now accomplish the work for which the equipment applied for would be used.

(iii) State what attempts you have made to obtain used or rebuilt equipment.

(iv) Give any other pertinent information which bears on the question of

your need for the equipment for which application is made.

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

(f) *Reports.* All persons affected by this order shall file such reports as may be required from time to time by the War Production Board.

(g) *Appeals.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board (Ref: L-206) setting forth the 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.

(h) *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.

(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) *Communications to War Production Board.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Health, Safety and Technical Supplies Branch, Washington, D. C., Ref.: L-206.

(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 871, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of October 1942.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

Permitted number of models	Permitted types	Description of permitted types
1	Power unit.....	Not to exceed 100 milliamperes at 90 KVP. Self-rectifying, with mobile control.
1	Power unit.....	Not to exceed 200 milliamperes at 100 KVP. Full wave rectification, of a 2-tube design; either mobile or stationary control, or both.
1	Power unit.....	1/2 Microfarad condenser discharge.
1	Power unit.....	Therapy unit, not to exceed 160 KVP.
1	Power unit.....	Therapy unit, not to exceed 250 KVP.

SCHEDULE A—continued

Permitted number of models	Permitted types	Description of permitted types
1	Dental x-ray unit.	Wall model, not to exceed 15 milliamperes at 80 KVP.
1	Dental x-ray unit.	Floor model, not to exceed 15 milliamperes at 80 KVP.
1	Vertical fluoroscope.	Power unit not to exceed 15 milliamperes at 90 KVP.
1	Portable unit....	Power unit not to exceed 15 milliamperes at 85 KVP. A portable unit is one that is easily disassembled and transported. It may be equipped with or without casters, and with either a collapsible or non-collapsible stand.
1	Mobile or bedside unit.	Power unit not to exceed 30 milliamperes at 90 KVP. It is specially designed for moving on its own casters.
1	Army field unit.	Light duty, with a power unit not to exceed 15 milliamperes, manufactured in accordance with the specifications of the Army of the United States.
1	Army field unit..	Power unit not to exceed 30 milliamperes, manufactured in accordance with the specifications of the Army of the United States.
1	Army tilting fluoroscopic unit.	Light weight table, containing power unit not to exceed 15 milliamperes at 90 KVP, manufactured in accordance with the specifications of the Army of the United States.
1	Army field table.	Manufactured in accordance with the specifications of the Army of the United States.
1	Tilting table....	Radiographic and fluoroscopic table, with or without mounting for fluoroscopic tube. The model may be hand-operated (hand crank or rocker) or motor driven, or both.
1	Stationary table.	Horizontal bucky table.
1	Tube stand.....	Radiographic, with single column.
1	Tube stand.....	Superficial therapy, with single column.
1	Tube stand, or other support.	Deep therapy. (The manufacturer may choose either a tube stand or any other type of support, but not both.)
2	Cassette changer.	Vertical or horizontal, with or without bucky diaphragm.
1	Stationary grid.	Size 14" x 17"; either flat or curved, with focal film distance of 36" if flat, or 43" (plus or minus 1 inch) if curved; grid ratio 5 to 1; 50 lead strips per inch.
1	Stationary grid.	Size 17" x 17"; with focal film distance of 36"; grid ratio 5 to 1; 50 lead strips per inch.
1	Stationary grid.	Size 12" x 16"; with focal film distance of 30"; grid ratio 5 to 1; 50 lead strips per inch.
1	Bucky diaphragm.	Size 17" x 17"; with focal film distance of 36"; grid ratio 5 to 1; 50 lead strips per inch. May be constructed for either portable or table mounting.
2	Photo-fluorographic unit.	

[F. R. Doc. 42-10572; Filed, October 20, 1942; 11:11 a. m.]

PART 3099—ACETIC ANHYDRIDE

[General Preference Order M-243]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of acetic anhydride, as hereinafter defined, 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:

§ 3099.1 *General Preference Order M-243*—(a) *Definitions.* (1) "Acetic anhydride" means acetic anhydride, ethanoic anhydride, acetyl oxide or acetic oxide of any grade and from whatever source derived.

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

(3) "Distributor" means any person who has purchased or purchases acetic anhydride for purposes of resale.

(b) *Restrictions on delivery and use.* (1) Subject to paragraph (c) hereof, on and after November 1, 1942, no producer or distributor shall deliver or use acetic anhydride, and no person shall accept delivery of acetic anhydride from a producer or distributor, except as specifically authorized or directed by the Director General for Operations.

(2) Authorizations or directions with respect to deliveries to be made or accepted in each month, beginning with November, 1942, will so far as practicable be issued by the Director General for Operations prior to the commencement of such month, but the Director General for Operations may at any time (including the period prior to November 1, 1942), at his discretion and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted or with respect to the use or uses which shall or shall not be made of the material to be delivered or then on hand.

(3) Each person specifically authorized to accept delivery of acetic anhydride shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed.

(c) *Small order exemption.* (1) Any person may accept delivery of, and any producer may use, 54 gallons or less of acetic anhydride in the aggregate during any one calendar month without specific authorization provided that such person has not been specifically authorized to use or accept delivery of any quantity of acetic anhydride during such month; and

(2) Any producer or distributor may deliver acetic anhydride without specific authorization to any person who shall certify to him in writing that he is entitled pursuant to paragraph (c) (1) hereof to accept delivery, provided that:

(i) No producer shall deliver in the aggregate in any month pursuant to this paragraph (c) an amount in excess of one per cent (1%) of his estimated production of acetic anhydride for such month; and

(ii) No producer or distributor shall make deliveries during any month pursuant to this paragraph (c) if such deliveries will prevent completion of any deliveries which have been specifically authorized for such month.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of acetic anhydride during any calendar month, beginning with

December, 1942 (except as provided in paragraph (c) hereof), whether for his own consumption or resale, shall file application therefor on or before the 15th day of the month preceding the month for which authorization for delivery is requested. Where delivery or use is to be in November, 1942, such application may be filed at any time. In either case, such application shall be made on Form PD-600, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which one shall be forwarded to supplier and three forwarded to the War Production Board, Chemicals Branch, Washington, D. C., Ref.: M-243.

(iii) In the heading, under name of chemical, specify acetic anhydride; under WPB Order No., specify M-243; under unit of measure, specify pounds; under name of your company, specify name and mailing address; and specify the month and year for which authorization for acceptance of delivery is sought.

(iv) Leave blank Columns 1, 11 and 19.

(v) In Columns 3, 20 and 22, specify primary product in terms of the following:

Aspirin.
Synthetic vitamins.
Other pharmaceuticals.
Explosives.
Cellulose acetate.
Cellulose acetate butyrate.
Cellulose acetate propionate.
Synthetic fibers.

and in the event that your purchases are for resale, specify "resale".

(vi) In Column 4, specify ultimate use of product (as, for example, "rayon yarn", as opposed to "cellulose acetate" which would be the primary product called for in Columns 3, 20 and 22), and also specify in each case whether your customer is Army, Navy, other government agency, Lend-Lease, or commercial customer.

(2) Each producer or distributor seeking authorization to make delivery of acetic anhydride during any calendar month, beginning with December, 1942, shall file application on or before the 20th day of the month preceding the month for which authorization is requested. For deliveries in November, 1942, application shall be made as soon as practicable after the issuance hereof. In either case, such application shall be made on Form PD-601, in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

(ii) Prepare four copies and forward three certified copies to the War Production Board, Chemicals Branch, Washington, D. C., Ref.: M-243.

(iii) Producers and distributors who have filed application on Form PD-600, specifying themselves as their suppliers, shall list their own names as customers on Form PD-601, and shall list their requests for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical, specify acetic anhydride; under name of company, state your name and mailing address; under unit of measure, specify pounds; and state the month and year during which deliveries covered by the application are to be made.

(v) In listing customers in Column 1, group customers according to the preference ratings applicable to the material they are ordering, thus:

Group I—Orders with AAA to A-1-k ratings.

Group II—Orders with A-2 to A-10 ratings.

Group III—Orders with B-1 to B-8 ratings.

Group IV—Orders without preference ratings.

and list all customers in each group alphabetically. The names of customers to whom small order deliveries are to be made during the next month pursuant to paragraph (c) of this order need not be given, but insert in Column 1 "Total small order deliveries (estimated)", and in Column 4 specify the estimated quantity. If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(vi) Leave blank Columns 3, 6 and 8.

(vii) Column 5 may, at your discretion, be left blank.

(3) The Director General for Operations may require each person affected by this order to file such other reports as may be prescribed, and may issue other and further directions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

(e) *Notification of customers.* Each supplier shall notify his regular customers, as soon as possible, of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions.* (1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of priorities regulations of the War Production Board, as amended from time to time.

(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-243.

(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 20th day of October 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-10577; Filed, October 20, 1942;
11:12 a. m.]

Chapter XI—Office of Price
Administration

PART 1305—ADMINISTRATION

[Supplementary Order 23]

REMOVAL OF REQUIREMENT OF NOTARIZATION
OF REPORTS

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

§ 1305.27 *Removal of requirement of notarization of reports.* (a) On and after the effective date hereof no report filed pursuant to any price regulation heretofore issued by the Office of Price Administration need be sworn to or affirmed.

(b) "Price regulation," as in this supplementary order, means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any amendment or supplement thereto or order issued thereunder.

(c) This Supplementary Order No. 23 (§ 1305.27) shall become effective October 24, 1942.

(Pub. Laws 421 and 729; E.O. 9250, 7 F.R. 7871.)

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10547; Filed, October 19, 1942;
2:18 p. m.]

PART 1340—FUEL

[RPS 83, Amendment 34]

PETROLEUM AND PETROLEUM PRODUCTS

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 (8) is added to § 1340.159 (b) as set forth below:

§ 1340.159 *Appendix A: Maximum prices for petroleum and petroleum products.* * * *

(b) *Petroleum products.* * * *

(8) Notwithstanding the provisions of other subparagraphs of this paragraph

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 1107, 1371, 1798, 1799, 1836, 2132, 2304, 2352, 2634, 3116, 3482, 3524, 3576, 3895, 3963, 4484, 4653, 4654, 4857, 5481, 5867, 5868.

and § 1340.159 (c), where a seller of fuel oil of Grade No.5 or lighter, was giving free oil burner service to purchasers located in the corporate limits of Baltimore City and the counties immediately bordering on Baltimore City, including Baltimore County, Anne Arundel County, Howard County, Harford County, and Carroll County, such seller may make additional charges for servicing such purchaser's oil burner on the following basis:

(i) Each call one dollar and fifty cents (\$1.50).

(ii) In addition to the basic charge for a call authorized under subdivision (i) a charge of one dollar and fifty cents (\$1.50) may be made for performance of a vacuum cleaning job once in any single twelve-month period, and a charge of one dollar (\$1.00) may be made for performance of an Orsat or other instrument analysis of flue gases or products of combustion once in a single twelve-month period.

§ 1340.158a *Effective dates of amendments.* * * *

(hh) Amendment No. 34 (§ 1340.159 (b) (8) to Revised Price Schedule No. 88 shall become effective October 24, 1942: *Provided, however,* That buyers who have already made contracts with sellers to pay for service rendered at a certain rate in the event that such a charge would be authorized by the Office of Price Administration may be charged therefore in accordance with the terms of such contract if such charges do not exceed what could be charged under the terms of subparagraph (8).

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10535; Filed, October 19, 1942;
12:16 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 243]

PITTED AND MACERATED DOMESTIC DATES AND
DOMESTIC DATE PRODUCTS

In the judgment of the Price Administrator, the maximum prices established by this regulation for pitted and macerated domestic dates and domestic date products are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, the Act of Congress approved October 2, 1942, entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation and for other purposes" and the Executive Order No. 9250, dated October 3, 1942.

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

The maximum prices established herein are not below prices which will reflect to the producers of domestic dates prices for their products equal to the higher of the prices required by the provisions of

the Emergency Price Control Act of 1942, as amended and the said Executive Order No. 9250.

Therefore, under the authority vested in the Price Administrator by the aforesaid Acts and Executive Order, and in accordance with the provisions of Procedural Regulation No. 1, Maximum Price Regulation No. 243 is hereby issued.

AUTHORITY: §§ 1351.901 to 1351.913, inclusive, issued under Pub. Law 421, and 729, 77th Cong.; E.O. 9250.

§ 1351.901 *Prohibition against dealing in pitted domestic dates, macerated domestic dates and domestic date products above maximum prices.* (a) On and after October 24, 1942, regardless of any contract or other obligation, no processor or primary distributor shall sell or deliver any pitted domestic dates, macerated domestic dates or domestic date products at a price higher than the maximum price established pursuant to this Maximum Price Regulation No. 243.

(b) No person in the course of trade or business shall buy or receive any pitted domestic dates, macerated domestic dates or domestic date products from a processor or primary distributor at a price higher than the maximum price established by this Maximum Price Regulation No. 243; and

(c) No processor, primary distributor or other person shall agree, offer, solicit, or attempt to do any of the foregoing.

§ 1351.902 *Maximum prices of processors for packaged pitted domestic dates, macerated domestic dates and domestic date products.* (a) The maximum price, f. o. b. plant, for sales of packaged pitted domestic dates by a processor shall be three cents per ounce.

(b) The maximum price, f. o. b. plant, for sales of macerated domestic dates by a processor shall be fifteen cents per pound.

(c) The maximum price, f. o. b. plant, for sales of domestic date products by a processor shall be twenty-eight and one-half cents per pound when sold in bulk or in packages containing more than one pound, and thirty-one cents per pound when sold in packages containing one pound or less.

(d) The maximum prices established herein include brokerage. The seller shall maintain his customary cash discounts and his quantity discounts to different classes of purchasers.

§ 1351.903 *Maximum prices of primary distributors for pitted domestic dates, macerated domestic dates and domestic date products.* (a) The maximum price, f. o. b. primary distributor's warehouse, for sales of packaged pitted domestic dates, macerated domestic dates or domestic date products by a primary distributor shall be the actual cost to the primary distributor plus seven per cent of such cost.

(b) The actual cost to the primary distributor shall be the cost of the item plus freight less any discount or allowance to the primary distributor.

(c) For the purposes of this Maximum Price Regulation No. 243 a primary distributor means a person who refrigerates and warehouses pitted domestic dates,

¹ 7 F.R. 971, 3663, 6967.

macerated domestic dates or domestic date products and makes sales thereof to wholesalers, institutional or commercial users.

(d) In the event that any other maximum price regulation heretofore or hereafter issued by the Office of Price Administration establishing maximum prices for sales of packaged pitted domestic dates, macerated domestic dates or domestic date products at wholesale, shall define a wholesaler in such manner as to include a primary distributor as defined in this section, such primary distributor, when making sales of such items to wholesalers, institutional or commercial users, shall compute his maximum price solely pursuant to the provisions of this section and not pursuant to the provisions of such other maximum price regulation.

(e) The primary distributor shall maintain his customary cash discounts and his quantity discounts to different classes of purchasers.

§ 1351.904 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 243 may be charged, demanded, paid or offered.

§ 1351.905 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 243 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 pitted domestic dates, macerated domestic dates and domestic date products, 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.

§ 1351.906 *Records.* (a) Every processor who makes sales of packaged pitted domestic dates, macerated domestic dates or domestic date products after the effective date of this Maximum Price Regulation No. 243 shall make and preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, all records of the same kind as he has customarily kept, relating to the prices which he charged for any of such items sold after the effective date of this regulation.

(b) Every primary distributor who makes sales of packaged pitted domestic dates, macerated domestic dates or domestic date products after the effective date of this Maximum Price Regulation No. 243 shall make and preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 as amended, remains in effect, all his records, bills, invoices or other documents which are used as the basis of computing his maximum prices hereunder and all records of the same kind as he has customarily kept, relating to the prices which he charged for any of such items sold after the effective date of this regulation.

§ 1351.907 *Enforcement.* Persons violating any provisions of this Maximum Price Regulation No. 243, are subject to

the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

§ 1351.908 *Petitions for amendment.* Persons seeking a modification of this Maximum Price Regulation No. 243, may file a petition therefor in accordance with the provisions of Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1351.909 *Applicability.* The provisions of this Maximum Price Regulation No. 243 shall be applicable only in the United States and the District of Columbia.

§ 1351.910 *Export sales.* The maximum price at which a person may export pitted domestic dates, macerated domestic dates and domestic date products shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation² issued by the Office of Price Administration.

§ 1351.911 *Applicability of the General Maximum Price Regulation.* This Maximum Price Regulation No. 243 supersedes the provisions of the General Maximum Price Regulation with respect to sales or deliveries of packaged pitted domestic dates, macerated domestic dates and domestic date products by processors or primary distributors, for which maximum prices are established by this regulation.

§ 1351.912 *Definitions.* (a) When used in this Maximum Price Regulation No. 243 the term:

(1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successors or representatives of any of the foregoing and includes the United States, or any agency thereof, any other government, or any of its political subdivisions and any agency of any of the foregoing.

(2) "Processor" means a person who pits, macerates or grinds domestic dates.

(3) "Pitted domestic dates" means domestic dates from which the pits have been removed, but which otherwise remain whole.

(4) "Macerated domestic dates" means domestic dates from which the pits have been removed and which have been cut into two or more pieces or have been chopped, sliced or ground.

(5) "Domestic date products" means any product containing ninety per cent or more by weight of macerated domestic dates combined with other ingredients.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1351.913 *Effective date.* This Maximum Price Regulation No. 243 (§§ 1351.901 to 1351.913, inclusive) shall become effective October 24, 1942.

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10548; Filed, October 19, 1942;
2:18 p. m.]

* 7 F.R. 5059.

PART 1388—DEFENSE-RENTAL AREAS

[Supplementary Amendment 4A to Maximum Rent Regulations]

HOTELS AND ROOMING HOUSES

Sections 1388.1507, 1388.1557, 1388.1607, 1388.1857, 1388.1907, 1388.1957, 1388.2007, 1388.3007, 1388.4007, 1388.5007, 1388.6007, 1388.7007, 1388.8007, 1388.9007, 1388.87, and 1388.187 of Maximum Rent Regulations No. 21A, 22A, 23A, 29A, 30A, 31A, 32A, 34A, 36A, 38A, 40A, 42A, 44A, 46A, 48A, and 50A, respectively, are amended by changing the titles and by adding paragraph (e) to such sections, as follows:

Registration and records. * * *

(e) Every landlord of a room rented or offered for rent shall preserve, and make available for examination by the Administrator, all his existing records showing or relating to (1) the rent for each term and number of occupants for which such room was rented or regularly offered for rent during the thirty-day period determining the maximum rent for such room and (2) the rent on any date determining a maximum rent for such room for a particular term and number of occupants under section 4 (c).

On and after October 19th, 1942, every landlord of an establishment containing more than 200 rooms rented or offered for rent shall keep, preserve, and make available for examination by the Administrator, records showing the rents received for each room, the particular term and number of occupants for which such rents were charged, and the name and permanent address of each occupant; every other landlord shall keep, preserve, and make available for examination by the Administrator, records of the same kind as he has customarily kept relating to the rents received for rooms.

This Supplementary Amendment No. 4A to Maximum Rent Regulations for Hotels and Rooming Houses shall become effective October 19th, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10549; Filed, October 19, 1942;
2:18 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended, Amendment 32]

MACHINES AND PARTS AND MACHINERY SERVICES

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 § 1390.2 new paragraph (k) is added, as set forth below:

§ 1390.2 *Exclusions.* * * *

*Copies may be obtained from the Office of Price Administration.

(k) Any sale or delivery of second-hand snowplows to the United States Army.

§ 1390.31a *Effective dates of amendments.*

(ff) This Amendment No. 32 (§ 1390.2 (k)) shall become effective October 24, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10534; Filed, October 19, 1942; 12:15 p. m.]

PART 1394—FUEL OIL

[Ration Order 11]

FUEL OIL RATIONING REGULATIONS

Preamble. The shortage of fuel oil and other petroleum products in the eastern states has become one of the most critical problems confronting the nation. Prior to 1941, approximately 95% of the fuel oil used in the East was shipped by oil tanker from other areas. The diversion of tankers to other routes, since the outbreak of the war, has caused a sharp reduction in shipments and a consequent supply shortage of serious proportions.

It is essential to guarantee the continued availability of adequate supplies of fuel oil for military and naval use and for industrial and agricultural operations. At the same time, provision must be made for the scarcely less critical domestic uses upon which civilian life has become dependent. Intensive efforts have therefore been made to increase shipments by railroad tank car and other transportation facilities. Tank cars have been withdrawn from other routes, to serve the Eastern states. Oil stocks in adjacent mid-western areas have been and are being drawn upon, in order to reduce the shortage and alleviate the hardships in the East. As a result of these efforts, tank car shipments to the East coast have been increased to an extent not previously thought possible. However, the shortage remains acute. Furthermore, the withdrawal of stocks and of transportation facilities from adjacent areas has already produced a shortage in other localities. The area of shortage is thus moving westward, and an acceleration of that movement is an almost inevitable consequence of the measures taken to avoid a shortage of disastrous proportions in the East.

In order to provide for equitable distribution of fuel oil in the areas of shortage, a system of rationing control must be adopted. Accordingly, the War Production Board has directed the Office of Price Administration to ration fuel oil in thirty eastern and midwestern states, and in the District of Columbia.

Ration Order No. 11 is issued pursuant to that directive. It makes provision for an unrestricted supply of fuel oil for military and naval uses and for existing industrial, commercial and agricultural operations which, in a war economy, cannot generally be curtailed. The reduction of

demand to the available supply is sought to be achieved largely by a curtailment of the use of fuel oil for heating premises and for hot water, virtually the only classes of uses which can be uniformly reduced without directly impeding the war effort. In order to avoid the unnecessary use of fuel oil, rations are denied altogether where equipment using non-scarce fuels is available, or where oil burning equipment furnishing heat or hot water to premises other than private dwellings can be converted to the use of a non-scarce fuel. To that end, Ration Order No. 11 is integrated with the conversion program of the Office of the Petroleum Coordinator.

For the purpose of determining heat and hot water rations, private dwellings and premises other than private dwellings receive significantly different treatment.

In the case of private dwellings, the heat ration is limited by a range reflected in tables computed on the basis of a heat loss formula. The formula was devised to determine normal fuel oil requirements of a private dwelling in a given area. By appropriate adjustments, it can be used to determine the requirements of an average house or of a well insulated house with high oil burner efficiency. Such adjustments, reflected in the tables, are used to fix the maximum and minimum of the range within which the heat ration is determined. The maximum of the range represents, roughly, the requirements of a home of slightly less than average efficiency. The minimum represents the requirements of a well-insulated home, with an efficient burner. The heat ration is then determined on the basis of 66 $\frac{2}{3}$ % of past consumption, within the limits of the range described above. The ration may not, in any event, exceed the maximum of the range, nor may it be less than either the minimum of the range or 85% of past consumption (whichever is less).

The domestic hot water ration for private dwellings is determined on the basis of occupancy.

In the case of premises other than private dwellings, both heat and hot water rations are determined on the basis of 66 $\frac{2}{3}$ % of past consumption, with no limiting range.

Since heating requirements vary according to weather conditions, the rationed area is divided into thermal zones and subzones. The figures used for computing heat rations differ in each subzone, in order to reflect varying weather conditions. Moreover, the coupons issued for heat rations are of an indefinite gallonage value, thus permitting adjustments to weather conditions during the coming winter. Additional flexibility is provided by using differently colored coupons in each thermal zone, so that different values can be assigned to correspond to temperature variations in the different zones.

Auxiliary heat and hot water rations are made available in special cases, where an additional supply of oil is required for reasons of health or for the performance of certain commercial or industrial operations.

In order to control distribution, transfers of fuel oil may be made only in ex-

change for coupons or other tokens authorized by Ration Order No. 11. All members of the trade are required to register with their Local Board, to state their initial inventory, and to keep records of their transactions. Primary suppliers, to whom coupons and other evidences ultimately flow, are required to make periodic reports to the Office of Price Administration.

Accordingly, pursuant to the authority vested in the Administrator by Executive Order No. 9125, issued by the President on April 7, 1942, and Directive No. 1 and Supplementary Directive No. 1-O of the War Production Board, issued on January 24 and October 16, 1942, respectively. *It is hereby ordered, That:*

Sec.	DEFINITIONS
1394.5001	Definitions.
SCOPE OF RATION ORDER NO. 11	
1394.5051	Territorial limitations.
1394.5052	Scope of restrictions.
JURISDICTION OF BOARDS	
1394.5101	Jurisdiction of Boards over issuance of rations.
RESTRICTIONS ON ISSUANCE OF RATIONS	
1394.5151	Restrictions on issuance of rations.
COUPON SHEETS	
1394.5201	Class 1 and Class 2 coupon sheets.
1394.5202	Class 3, 4, 5 and 6 coupon sheets.
HEAT AND HOT WATER RATIONS	
1394.5251	Persons entitled to rations for heat and hot water.
1394.5252	Applications for rations for heat and hot water; general provisions.
1394.5253	Same; establishment of fuel oil consumption during base period; certifications as to purchases.
1394.5254	Same; determination of fuel oil consumption for heat and hot water during base period.
1394.5255	Application for ration for heat or domestic hot water in private dwellings.
1394.5256	Determination of allowable ration for heating private dwelling.
1394.5257	Same; determination of adjusted fuel oil consumption during base period.
1394.5258	Same; determination of range.
1394.5259	Determination of ration for domestic hot water in private dwelling.
1394.5260	Application for ration for heat or hot water in premises other than private dwellings.
1394.5261	Determination of allowable ration for heat or hot water in premises other than private dwellings.
1394.5262	Same; determination of adjusted fuel oil consumption during the base period.
1394.5263	Issuance of rations for heat or hot water for entire heating year.
1394.5264	Same; heat or both heat and hot water.
1394.5265	Same; hot water only.
1394.5266	Same; applications made on and after November 1, 1942; heat or both heat and hot water.
1394.5267	Same; applications made on and after November 1, 1942 for hot water only.
1394.5268	Hot water rations; special cases.
1394.5269	Rations for vendors of heat and hot water.

AUXILIARY RATIONS

Sec.
1394.5301 Persons entitled to auxiliary rations.
1394.5302 Applications for auxiliary rations.
1394.5303 Auxiliary rations for heating premises.
1394.5304 Same; determination of allowable auxiliary ration.
1394.5305 Same; issuance of auxiliary heat ration.
1394.5306 Auxiliary rations for hot water.
1394.5307 Same; determination of allowable ration.
1394.5308 Same; issuance of auxiliary hot water ration.
1394.5309 Unavoidable loss of fuel oil.

DOMESTIC COOKING AND LIGHTING RATIONS

1394.5351 Persons entitled to rations for domestic cooking and lighting.
1394.5352 Application for ration for domestic cooking and lighting.
1394.5353 Determination of allowable ration for domestic cooking.
1394.5354 Determination of allowable ration for domestic lighting.
1394.5355 Issuance of rations for domestic cooking or lighting.

COMMERCIAL MOTOR VEHICLES

1394.5401 Rations for commercial motor vehicles.

MISCELLANEOUS USES

1394.5402 Rations for miscellaneous uses.

GENERAL PROVISIONS WITH RESPECT TO ISSUANCE OF RATIONS

1394.5451 Determination of fuel oil inventory.
1394.5452 Notations on coupon sheets; validating stamp.
1394.5453 Issuance of delivery receipts.
1394.5454 Acknowledgments of delivery.
1394.5455 Insertion of serial numbers on coupons; signature on coupon sheet.
1394.5456 Lost or destroyed coupon sheets or delivery receipts.
1394.5457 Disposition of found coupon sheet or delivery receipt.
1394.5458 Exchange for currently valid coupons.
1394.5459 Same; where ration insufficient for current period.
1394.5460 Exchange of indefinite value for definite value coupons.

EXPIRATION AND REVOCATION OF RATIONS

1394.5501 Expiration of rations.
1394.5502 Same; cessation of use or change in ownership, control, or use.
1394.5503 Surrender of expired coupon sheets and delivery receipts.
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DEFINITIONS

§ 1394.5001 *Definitions.* (a) When used in this Ration Order No. 11:

(1) "Additional facilities" means any equipment designed to use fuel oil, other than internal combustion engines or equipment used for domestic cooking or lighting purposes, which was installed subsequent to July 31, 1942.

(2) "Allowable ration" means the number of gallons of fuel oil used as a base for determining the number and value of fuel oil coupons to be issued to an applicant.

(3) "Alternate fuel" means any fuel other than a petroleum product, electricity, natural gas, manufactured gas, or mixed natural and manufactured gas.

(4) "Base period" means the period from June 1, 1941 to May 31, 1942, inclusive.

(5) "Board" means a War Price and Rationing Board established by the Office of Price Administration.

(6) "Coal spraying equipment" means any equipment designed to use or using fuel oil or any other petroleum product for the purpose of applying such fuel oil or other petroleum product to coal.

(7) "Consumer" means any person acquiring fuel oil for use, including use as a component part of any manufactured article, material, or compound other than fuel oil. The term includes dealers and suppliers to the extent that they use fuel oil, or acquire fuel oil for use rather than for transfer.

(8) "Converted facilities" means any fuel oil burning equipment which was designed to use an alternate fuel and which has been converted to the use of fuel oil.

(9) "Convertible facilities" means any fuel oil burning equipment which can be converted to the use of an alternate fuel: *Provided*, That such equipment shall be deemed convertible only if the materials necessary for such conversion are on hand and the required labor is available or if such materials and labor can be obtained without unreasonable difficulty or expense, and only if an alternate fuel is available.

(10) "Dealer" means any person, including a supplier, who operates a regular place of business at or from which fuel oil is regularly transferred to consumers. The term also includes any person who operates a tank truck or tank wagon for the transfer of fuel oil directly to consumers and who does not maintain stationary fuel oil storage tanks.

(11) "Domestic," as applied to cooking or lighting, means cooking or lighting in a household for the benefit of the family occupying such household, and not for profit.

(12) "Domestic hot water" means hot water used in a private dwelling for household and lavatory purposes and for cleaning premises; it does not include hot water used as an integral part of any commercial, industrial, agricultural, or extractive process.

(13) "Evidence" means a token designed by the Office of Price Administration to represent a right to receive a transfer of fuel oil, and exchangeable for such fuel oil. The term includes coupons, acknowledgments of delivery, inventory coupons, exchange certificates and export certificates. The term does not include Delivery Receipts on Form OPA R-1125.

(14) "Family" means either one person maintaining a household or two or more persons maintaining a common household.

(15) "Fuel oil" means any liquid petroleum product commonly known as fuel oil, including grades Nos. 1, 2, 3, 4, 5, and 6, whether or not blended or rebranded, such as Bunker C, Diesel oil, kerosene, range oil and gas oil. The term also includes any other liquid petroleum product having the same specifications as the above designated grades used for the same purposes as such grades.

(16) "Heating year" means the period from October 1, 1942, to September 30, 1943, inclusive.

(17) "Inventory coupon" means a one-gallon or one hundred-gallon coupon so designated by the Office of Price Administration representing unfilled storage capacity of a dealer or secondary supplier, or used for such other purpose as may be provided in Ration Order No. 11.

(18) "Issuing Board" means the War Price and Rationing Board which issued a specified ration.

(19) "Limitation area" means the states of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, West Virginia, Wisconsin and the District of Columbia.

(20) "Non-occupational use" means use for a purpose other than carrying on a business, gainful work, or work which contributes to the war effort or to the public welfare.

(21) "Person" means any individual, partnership, corporation, association, government or government agency, or any other organized group or enterprise.

(22) "Primary supplier" means:

(i) Any person who refines fuel oil within the limitation area; or

(ii) Any person who makes a first transfer of fuel oil within the limitation area from stationary storage facilities within the limitation area; or

(iii) Any consumer who maintains an establishment within the limitation area

at which delivery of fuel oil for his own use is taken by pipeline, barge, tank ship, or railroad tank car, on direct shipment from without the limitation area; or

(iv) Any person, whether within or without the limitation area, who does not maintain stationary storage facilities within the limitation area, and who sends or brings fuel oil into the limitation area and transfers it to a person other than a primary supplier as defined in subdivisions (i), (ii) or (iii) of this subparagraph.

A person shall be deemed to be a primary supplier only with respect to the establishments or facilities maintained by him at or from which operations described in subdivisions (i), (ii), (iii) or (iv) of this subparagraph are carried on, and with respect to establishments which are replenished solely on a stock transfer basis, rather than on a sales basis, from establishments at or from which operations described in subdivision (i), (ii), (iii) or (iv) of this subparagraph are carried on: *Provided*, That if such person does not maintain stationary storage facilities, he shall be deemed to be a primary supplier with respect to all the mobile facilities operated by him within the limitation area.

(23) "Private dwelling" means a building or structure designed for the occupancy of fewer than four (4) families, but does not include a rooming house, boarding house, dormitory, lodging house or hotel in which four (4) or more rooms are regularly rented or available for rental, nor does it include a building in which less than seventy percent (70%) of the total floor space is used for residential purposes.

(24) "Ration," as the context requires, means either a right to acquire and use fuel oil, evidenced by coupons or Delivery Receipts issued by a Board, or the amount of fuel oil acquired in exchange for such coupons or Delivery Receipts.

(25) "Residual oil" means fuel oil commonly known as residual oil (as opposed to distillate oil), including grades No. 5 and 6, and all blended or rebranded fuel oils having the same specifications as commercial standard grades No. 5 and 6. The term also includes all fuel oils having a viscosity of more than 85 seconds (Saybolt Universal at 100 degrees F.).

(26) "Secondary supplier" means any person, other than a primary supplier, who is engaged in the business of transferring fuel oil for resale: *Provided*, That any person who receives fuel oil on consignment from a primary supplier, title to the fuel oil remaining in the primary supplier until the time of transfer by the consignee, shall not with respect to such fuel oil be deemed to be a secondary supplier, but shall, for all the purposes of this Ration Order No. 11, be deemed to be an agent of such primary supplier with respect thereto.

(27) "Space heater" means any oil burning equipment (including portable heaters) designed to heat the space adjacent to such equipment, without the use of pipes or ducts for conveying heat to such space.

(28) "Standby facilities" means equipment (other than fireplaces) in service-

able operating condition designed to use an alternate fuel, for the operation of which a supply of such fuel is available.

(29) "State" includes the District of Columbia.

(30) "Supplier" means a primary supplier, a secondary supplier, or both.

(31) "Thermal Zone A" means the states of Maine, New Hampshire, Vermont, Michigan, Wisconsin, Minnesota, North Dakota and South Dakota; that part of the State of New York north of, and including, the counties of Washington, Saratoga, Montgomery, Otsego, Herkimer, Oneida, Lewis and Jefferson; and that part of the State of Iowa north of, and including, the counties of Allamakee, Winneshiek, Chickasaw, Floyd, Cerro Gordo, Hancock, Kossuth, Palo Alto, Clay, O'Brien and Sioux.

(32) "Thermal Zone B" means the states of Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania and Nebraska; that part of the State of New York south of, and including, the counties of Rensselaer, Albany, Schenectady, Schoharie, Delaware, Chenango, Madison, Onondaga, Oswego, Cayuga, Wayne, Monroe, Orleans and Niagara; that part of the State of Ohio north of, and including, the counties of Columbiana, Jefferson, Belmont, Noble, Morgan, Perry, Hocking, Pickaway, Fayette, Clinton, Greene, Montgomery and Preble; that part of the State of Indiana north of, and including, the counties of Union, Fayette, Rush, Hancock, Marion, Hendricks, Putnam, Parke and Vermillion; that part of the State of Illinois north of, and including, the counties of Edgar, Coles, Shelby, Christian, Sangamon, Morgan, Scott and Pike; that part of the State of Missouri north of, and including, the counties of Pike, Ralls, Monroe, Randolph, Chariton, Livingston, Caldwell, Clinton and Buchanan; that part of the State of Iowa south of, and including, the counties of Clayton, Fayette, Bremer, Butler, Franklin, Wright, Humboldt, Pocahontas, Buena Vista, Cherokee and Plymouth; and that part of the State of Kansas north of, and including, the counties of Atchison, Jackson, Shawnee, Pottawatomie, Riley, Clay, Cloud, Mitchell, Osborne, Rooks, Ellis, Trego, Gove, Lane, Scott, Wichita and Greeley.

(33) "Thermal Zone C" means the states of Delaware, Maryland, District of Columbia, Virginia, West Virginia and Kentucky; that part of the State of Ohio south of, and including, the counties of Monroe, Washington, Athens, Vinton, Ross, Highland, Brown, Clermont, Warren and Butler; that part of the State of Indiana south of, and including, the counties of Franklin, Decatur, Shelby, Johnson, Morgan, Owen, Clay and Vigo; that part of the State of Illinois south of, and including, the counties of Clark, Cumberland, Effingham, Fayette, Montgomery, Macoupin, Greene and Calhoun; that part of the State of Missouri south of, and including, the counties of Lincoln, Montgomery, Audrain, Boone, Howard, Saline, Carroll, Ray, Clay and Platte; and that part of the State of Kansas south of, and including, the counties of Wyandotte, Leavenworth, Jefferson, Douglas, Osage, Wabaunsee, Geary, Dickinson, Ottawa, Lincoln, Barton, Russell,

Hodgeman, Rush, Ness, Finney, Kearny and Hamilton.

(34) "Thermal Zone D" means the states of North Carolina, South Carolina, Georgia and that part of the State of Florida lying east of the Apalachicola River.

(35) "Transfer" means to sell, give, exchange, lease, lend, deliver, receive, supply or furnish, and includes the acquisition of title by legal process or operation of law, such as, but not limited to, the acquisition of title by will, inheritance or foreclosure; it also includes the use by any dealer or supplier of fuel oil held by him; 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 the course of or in completion of shipment, shall not be deemed a transfer to or by such carrier.

(36) "Unit," as applied to a coupon, means the amount of fuel oil, as fixed from time to time, by order or direction of the Office of Price Administration, for which a coupon bearing the imprint "one unit" may be exchanged.

(37) "Washington Office" means the Office of Price Administration in Washington, D. C.

(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 include the feminine and neuter.

SCOPE OF RATION ORDER NO. 11

§ 1394.5051 *Territorial limitations.* Except as otherwise expressly provided, Ration Order No. 11 shall apply only within the limitation area as defined in subparagraph (19) of paragraph (a) of § 1394.5001.

§ 1394.5052 *Scope of restrictions.* Nothing in Ration Order No. 11 shall be construed to limit the quantity of fuel oil which may be acquired:

(a) By or for the account of the Army, Navy, Marine Corps, Coast Guard, War Shipping Administration, or Maritime Commission, of the United States; or

(b) By any person, for export to and consumption or use in any foreign country.

JURISDICTION OF BOARDS

§ 1394.5101 *Jurisdiction of Boards over issuance of rations.* For the purposes of Ration Order No. 11, a Board shall have jurisdiction over:

(a) Persons who have applied to such Board for a ration, or who have registered with it; and

(b) The issuance of rations:

(1) For the operation of any stationary oil burning machinery or equipment in the area assigned to such Board;

(2) For the operation of any mobile oil burning equipment, including vehicles and watercraft, customarily garaged, stationed or kept in the area assigned to such Board;

(3) For any use, not specified in subparagraphs (1) and (2) of this paragraph, in the area assigned to such Board;

(4) For the operation of any stationary or mobile oil burning machinery or equipment, customarily used outside the

limitation area; or for any other use outside the limitation area;

(5) To any person who shows good cause for failure to make application to the Board having jurisdiction pursuant to the provisions of subparagraphs (1), (2) or (3) of this paragraph; any person applying for a ration pursuant to this subparagraph shall furnish to the Board with which he files his application the address of the Board having jurisdiction pursuant to the provisions of such subparagraphs (1), (2), or (3); and

(c) Other matters specifically provided for in Ration Order No. 11.

RESTRICTIONS ON ISSUANCE OF RATIONS

§ 1394.5151 *Restrictions on issuance of rations.* (a) No ration shall be issued or used:

(1) For the operation of additional facilities or converted facilities unless:

(i) In the case of new construction, the additional facilities were specified in the construction contract and the foundation under the main part of the structure in which the additional facilities were to be installed was completed prior to July 31, 1942; or

(ii) In the case of converted facilities, the conversion was completed prior to July 31, 1942; or

(iii) In the case of either additional or converted facilities, the person using them cannot use and alternate fuel either because it is unavailable or because technical utilization factors prevent its use;

(2) For the operation of fuel oil burning equipment if standby facilities are available and can be used as a substitute for such equipment, unless such standby facilities are operated in such manner as to take the place of such equipment to the maximum extent and to effect the maximum reduction in fuel oil requirements; the allowable ration for the operation of such equipment shall be reduced by the amount of fuel oil which can be saved by maximum utilization of such standby facilities;

(3) For the operation of convertible facilities for furnishing heat or hot water, or both, to premises other than private dwellings, except to the extent necessary to operate such facilities until the earliest date when conversion can be completed;

(4) For the operation of oil burning equipment for the purpose of cooling space (other than hospital space) for human occupancy;

(5) For furnishing heat or hot water to premises to the extent that such premises are supplied with heat or hot water as a by-product of an industrial process or of the production of power;

(6) For the operation of any space heater in premises adequately served by central heating facilities, except as otherwise provided in Ration Order No. 11;

(7) For the operation of a passenger automobile, as defined in Ration Order No. 5A or 5C of the Office of Price Administration;

(8) For the operation of coal spraying equipment.

(b) The provisions of this section shall not apply to equipment with respect to which an exception has been granted by

the War Production Board pursuant to Limitation Order L-56, as amended.

(c) Any dealer or supplier who has made a transfer of fuel oil to a consumer in exchange for a coupon note in accordance with Limitation Order L-56, as amended, of the War Production Board, for the operation of convertible facilities for which a ration may not be obtained pursuant to subparagraph (3) of paragraph (a) of this section, may obtain inventory coupons representing the amount so transferred, by applying to the Board which denied such ration. The Board shall issue to such dealer or supplier, in exchange for such note, inventory coupons equal in gallonage value to the amount so transferred, less any amount which may have been returned to such dealer or supplier by such consumer. Upon issuance of such coupons, the Board shall require the cancellation and surrender of such coupon note.

COUPON SHEETS

§ 1394.5201 *Class 1 and Class 2 coupon sheets.* (a) Class 1 and Class 2 coupon sheets (Form OPA R-1105 and Form OPA R-1106, respectively) shall contain coupons with a value of one (1) and ten (10) units, respectively. Such coupon sheets shall also contain coupons of a definite gallonage value.

(b) Unit value coupons on Class 1 and Class 2 coupon sheets shall be valid, for the transfer of fuel oil to a consumer, only in the thermal zone designated thereon and only during the valid periods indicated below:

(1) In Thermal Zone A:

Coupons Numbered	Valid Period
1	Up to and including December 13, 1942.
2	From November 30, 1942, to January 20, 1943, inclusive.
3	From January 7, 1943, to February 22, 1943, inclusive.
4	From February 9, 1943, to March 31, 1943, inclusive.
5	From March 18, 1943, to September 30, 1943, inclusive.

(2) In Thermal Zone B:

Coupons Numbered	Valid Period
1	Up to and including December 16, 1942.
2	From December 3, 1942, to January 19, 1943, inclusive.
3	From January 6, 1943, to February 20, 1943, inclusive.
4	From February 7, 1943, to March 26, 1943, inclusive.
5	From March 13, 1943, to September 30, 1943, inclusive.

(3) In Thermal Zone C:

Coupons Numbered	Valid Period
1	Up to and including December 17, 1942.
2	From December 4, 1942, to January 18, 1943, inclusive.
3	From January 5, 1943, to February 16, 1943, inclusive.
4	From February 3, 1943, to March 20, 1943, inclusive.
5	From March 7, 1943, to September 30, 1943, inclusive.

(4) In Thermal Zone D:

Coupons Numbered	Valid Period
1	Up to and including December 19, 1942.
2	From December 6, 1942, to January 16, 1943, inclusive.
3	From January 3, 1943, to February 19, 1943, inclusive.
4	From February 6, 1943, to March 20, 1943, inclusive.
5	From March 7, 1943, to September 30, 1943, inclusive.

(c) Definite value coupons on Class 1 and Class 2 coupon sheets shall be valid for the transfer of fuel oil to a consumer only during the period of validity of the coupon sheet, as noted thereon by the issuing Board.

(d) Class 1 and Class 2 coupon sheets shall be issued as rations for heat or both heat and hot water in any premises.

§ 1394.5202 *Class 3, 4, 5 and 6 coupon sheets.* (a) Class 3, 4, 5 and 6 coupon sheets (Forms OPA R-1107, 1108, 1109, and 1110, respectively) shall contain coupons of a definite gallonage value of one (1), five (5), twenty-five (25) and one hundred (100) gallons, respectively. Coupons on such coupon sheets shall be valid for the transfer of fuel oil to a consumer only during the period of validity of the coupon sheets, as noted thereon by the issuing Board.

(b) Class 3, 4, 5 and 6 coupon sheets shall be issued as rations for any purposes authorized by Ration Order No. 11 other than those specified in paragraph (d) of § 1394.5201.

HEAT AND HOT WATER RATIONS

§ 1394.5251 *Persons entitled to rations for heat and hot water.* The owner of the premises served by, or the person controlling the use of, oil burning equipment designed for, and furnishing, heat or hot water, or both, to all or part of any premises, may obtain a ration for the operation of such equipment for such purpose during the heating year.

§ 1394.5252 *Applications for rations for heat and hot water; general provision.* (a) Application for a ration for heat or hot water, or both, may be made to a Board, on or after October 22, 1942. Application may be made either by the owner of the premises served by the equipment, or by the person controlling the use of the equipment, or by the agent of either of them.

(b) A separate application shall be made for each unit of oil burning equipment serving the premises and such application shall cover only the part of the premises served by such unit, except that if two or more units of oil burning equipment serving a single building are under common ownership or control, a single application may be made for all such units.

(c) If two or more persons are entitled to apply for a ration for the same unit of oil burning equipment, application may be made by either of such persons, or by all jointly.

§ 1394.5253 *Same; establishment of fuel oil consumption during base period; certifications as to purchases.* An application for a ration for heat or for heat and

hot water in any premises or for hot water in premises other than a private dwelling, shall establish fuel oil consumption in the premises for such purpose during the base period. He shall, except for good cause shown, obtain from each dealer or supplier from whom fuel oil was purchased for such use during the base period, a certification showing the total amount of fuel oil purchased from such dealer or supplier during the base period for the equipment for which the application is made. A certification from each such dealer or supplier shall be annexed to and submitted with the application.

§ 1394.5254 *Same; determination of fuel oil consumption for heat and hot water during base period.* (a) The amount of fuel oil (if any) actually consumed during the base period in furnishing heat or hot water, or both, to the premises for which the application is made, shall be determined by the Board. Such determination shall be made subject to the following requirements:

(1) The amount claimed by the applicant to have been consumed must be supported by or reconciled with the total purchases shown in the certifications furnished pursuant to § 1394.5253.

(2) If the certifications so furnished cannot be reconciled with the amount claimed to have been consumed, consumption during the base period shall be deemed not to have exceeded (and may in any event be found to have been less than) the amount evidenced by such certifications plus the capacity of any storage tank or other container maintained for supplying the equipment for which the application is made.

(3) The applicant may establish that the amount stated in any such certification is incorrect. If the Board finds that the amount stated in any certification is incorrect, it shall, in determining consumption, take into account the amount actually purchased.

(b) If the applicant fails to obtain or to furnish the required certification from any dealer or supplier, but shows good cause for such failure, fuel oil consumption during the base period shall be deemed not to have been established. In such case the allowable ration shall be determined in accordance with the provisions of paragraph (a) (3) of § 1394.5256, or paragraph (c) of § 1394.5261, whichever is applicable. If no good cause is shown for such failure, no ration may be issued.

§ 1394.5255 *Application for ration for heat or domestic hot water in private dwellings.* (a) Application for a ration for the operation of oil burning equipment furnishing heat or domestic hot water, or both, to all or part of a private dwelling shall be made on Form OPA R-1100. The applicant shall supply the information required by that form.

(b) If application is made by a person other than the owner of the premises, a certification by the owner or his agent as to the accuracy of the statements made with respect to the premises and the oil burning equipment used therein, shall be annexed to the application: *Provided, however,* That such certification shall not

be required if the applicant shows good cause for his failure to obtain it.

§ 1394.5256 *Determination of allowable ration for heating private dwelling.* (a) The allowable ration for heating private dwelling premises during the heating year shall be 66 $\frac{2}{3}$ % of the amount of fuel oil consumed (as adjusted for temperature variations from the norm, pursuant to § 1394.5257) in heating such premises during the base period, except that:

(1) If 66 $\frac{2}{3}$ % of such adjusted consumption exceeds the maximum of the range established pursuant to § 1394.5258, the allowable ration shall be such maximum;

(2) If 66 $\frac{2}{3}$ % of such adjusted consumption is less than the minimum of such range, the allowable ration shall be either such minimum or 85% of such adjusted consumption, whichever is less;

(3) If consumption during the base period cannot be determined or is deemed not to have been established (as provided in paragraph (b) of § 1394.5254), or if such consumption is, for any reason (other than weather conditions), not representative of normal fuel oil requirements for heating the premises during the heating year, the allowable ration shall be the midpoint of such range.

(b) If one or more children less than four (4) years of age regularly occupy the premises, the allowable ration for the operation of the oil burning equipment heating such premises shall be increased by:

- (1) 125 gallons, in Thermal Zone A.
- (2) 100 gallons, in Thermal Zone B.
- (3) 75 gallons, in Thermal Zone C.
- (4) 50 gallons, in Thermal Zone D.

§ 1394.5257 *Same; determination of adjusted fuel oil consumption during base period.* Fuel oil consumption in heating private dwelling premises during the base period shall be determined and adjusted, for the purposes of § 1394.5256, in the following manner:

(a) The total amount of fuel oil used in the premises during the base period for heat or for both heat and hot water shall be determined pursuant to § 1394.5254;

(b) The amount of fuel oil (if any) used for hot water shall be deducted from such total. If fuel oil was used, during all or part of the base period, for supplying domestic hot water, the amount so used shall, in the absence of proof to the contrary, be deemed to have been twenty (20) gallons per month for the first person, plus five (5) gallons per month for each additional person, regularly occupying the premises while fuel oil was used for such purpose;

(c) The amount of fuel oil used during the base period for heating the premises shall be multiplied by the percentage specified in Column 1 of Table I for the thermal sub-zone in which the premises are located. The product shall, for the purposes of paragraph (a) of § 1394.5256, be deemed to be the amount of fuel oil consumed during the base period as adjusted for temperature variations from the norm.

§ 1394.5258 *Same; determination of range.* (a) The maximum and minimum

of the range within which the allowable ration for heating private dwelling premises shall be determined, for the purposes of paragraph (a) of § 1394.5256, shall be obtained by multiplying the floor area of the premises, computed pursuant to paragraph (b) of this section by:

(1) The maximum and minimum number of gallons per square foot of floor area, as shown in subcolumn (a) of Column 2 of Table I for the thermal sub-zone in which the premises are located, if the application is made for a ration for the operation of central heating equipment; or

(2) The maximum and minimum number of gallons per square foot of floor area, as shown in subcolumn (b) of Column 2 of Table I for the thermal sub-zone in which the premises are located, if the application is made for a ration for the operation of space heaters, except that if application is made both for space and central heating equipment used for heating the same premises at different times, the maximum and minimum for both types of equipment shall be determined pursuant to subcolumn (a).

(b) In computing the floor area of the premises for the purposes of paragraph (a) of this section, only necessary living and sleeping quarters and space used for occupational purposes shall be included: *Provided*, That in no event shall a total area in excess of 2,000 square feet for the first person, plus 600 square feet for the second person and 300 square feet for each additional person, regularly occupying the premises covered by the application, be included in determining the range.

§ 1394.5259 *Determination of ration for domestic hot water in private dwelling.* The allowable ration for supplying domestic hot water to private dwelling premises shall be 66 $\frac{2}{3}$ % of the figure obtained by adding twenty (20) gallons for the first person plus five (5) gallons for each additional person, regularly occupying such premises, and multiplying the sum by the number of months during the heating year in which a ration for hot water is required.

§ 1394.5260 *Application for ration for heat or hot water in premises other than private dwellings.* (a) Application for a ration for the operation of oil burning equipment designed for, and furnishing, heat or hot water, or both, to all or part of any premises other than a private dwelling shall, except as provided in paragraph (a) of § 1394.5268 be made on Form OPA R-1101. The applicant shall supply the information required by that form.

(b) In the cases specified in paragraph (c) of this section, the applicant shall annex to his application a certification by a qualified plumber, architect or heating engineer showing the amount of fuel oil needed during the heating year to meet the normal heating requirements or the normal hot water requirement (or both, as the case may be) of the premises for which the application is made. Such certification shall be based on an examination of the application and an inspection of the premises; the engineer, architect or plumber furnishing such

certification shall take into consideration the construction of the premises, the purposes for which the premises are used and the weather conditions in the locality in which the premises are situated, and shall base his estimate on the standards established in and recommended by the Manual of the American Society of Heating and Ventilating Engineers (1942 ed.).

(c) The certification described in paragraph (b) of this section shall be required in the following cases:

(1) If fuel oil was not used during the base period for the purpose for which the application is made, or if consumption during the base period was, for any reason (other than weather conditions), not representative of normal fuel oil requirements during the heating year; or

(2) If the certifications required by § 1394.5253 cannot be obtained, or if such certifications cannot be reconciled with the amount of fuel oil claimed by the applicant to have been used during the base period for heat, or hot water, or both (as the case may be).

§ 1394.5261 *Determination of allowable ration for heat or hot water in premise other than private dwellings.*

(a) The allowable ration for heating premises other than private dwellings during the heating year shall be 66 $\frac{2}{3}$ % of the amount of fuel oil consumed (as adjusted for temperature variations from the norm, pursuant to § 1394.5262) in heating such premises during the base period.

(b) The allowable ration for supplying hot water to premises other than private dwellings during the heating year shall be 66 $\frac{2}{3}$ % of the amount of fuel oil consumed in supplying hot water to the premises during the base period, subject to such adjustment as may result from the operation of paragraph (c) of § 1394.5262.

(c) If consumption during the base period cannot be determined or is deemed not to have been established (as provided in paragraph (b) of § 1394.5254), or if such consumption is, for any reason (other than weather conditions), not representative of normal fuel oil requirements during the heating year, the allowable ration for heat, or hot water, or both, shall be 66 $\frac{2}{3}$ % of the normal fuel oil requirements of the premises for such purpose or purposes, as determined by the Board.

(d) If application is made for a ration for the operation of space heaters in premises other than private dwellings and if the premises heated thereby are regularly occupied by one or more children under four (4) years of age, the allowable ration for the operation of such space heaters for heating such premises shall be increased by the amount specified in paragraph (b) of § 1394.5256, for the thermal zone in which the premises are located.

§ 1394.5262 *Same; determination of adjusted fuel oil consumption during the base period.* Fuel oil consumption during the base period in heating premises other than private dwellings (and, to the extent provided in paragraph (b)

of this section, in supplying hot water to such premises) shall be determined and adjusted for the purposes of § 1394.5261, in the following manner:

(a) The total amount of fuel oil used for heating the premises during the base period shall be determined pursuant to § 1394.5254; or

(b) If fuel oil was consumed and a ration is required, both for heat and for hot water, the total amount used for both purposes shall be determined pursuant to § 1394.5254. If fuel oil was consumed both for heat and for hot water, and a ration is required for heat only, the amount used for hot water during the base period shall be deducted from the total consumed.

(c) The amount of fuel oil used during the base period for heat, or for both heat and hot water (as determined in accordance with paragraph (a) or (b) of this section) shall be multiplied by the percentage specified in Column 1 of Table I for the thermal sub-zone in which the premises are located. The product shall, for the purposes of paragraphs (a) and (b) of § 1394.5261, be deemed to be the amount of fuel oil consumed during the base period, adjusted for temperature variations from the norm.

§ 1394.5263 *Issuance of rations for heat or hot water for entire heating year.* (a) After determining the allowable ration for heat or hot water, or both, the Board shall issue Class 1 or Class 2 Coupon Sheets containing coupons representing the allowable ration less the amount of fuel oil on hand for the operation of the equipment for which the application is made. Such amount on hand shall be determined in accordance with the provisions of § 1394.5451, except as provided in paragraph (b) of this section.

(b) Where application is made prior to November 1, 1942:

(i) If the capacity of the fuel tank or tanks maintained for supplying the equipment is two hundred and fifty (250) gallons or more, the Board may assume, in the absence of satisfactory proof of actual inventory, that the amount of fuel oil on hand as of October 1, 1942, was not less than two hundred and fifty (250) gallons; or

(ii) If the capacity of such tank or tanks is less than two hundred and fifty (250) gallons, the Board may assume, in the absence of satisfactory proof of actual inventory, that the amount of fuel oil on hand as of October 1, 1942 was not less than the capacity of such tank or tanks.

§ 1394.5264 *Same; heat or both heat and hot water.* Where a ration is allowed for heat or both heat and hot water, the Board shall issue Class 1 or Class 2 coupon sheets containing coupons in the amount provided in § 1394.5263, in accordance with following provisions:

(a) All unit value coupons shall be issued on the basis of ten (10) gallons per unit;

(b) The coupons shall be divided equally, insofar as possible, among all

the valid periods described in paragraph (b) of § 1394.5201;

(c) If the gallonage for which coupons are to be issued is not a multiple of ten (10), the coupons shall be issued to the next higher multiple of ten (10).

§ 1394.5265 *Same; hot water only.* Where a ration is allowed for hot water (but not for heat) the Board shall issue Class 3, 4, 5 or 6 coupon sheets containing coupons in the amount provided in § 1394.5263. Such coupons shall be issued for use until the end of the heating year, except as provided in § 1394.5268.

§ 1394.5266 *Same; applications made on or after November 1, 1942; heat or both heat and hot water.* (a) If application is made on or after November 1, 1942, for a ration for heat or both heat and hot water, the allowable ration shall be determined in accordance with § 1394.5256 or § 1394.5261, whichever is applicable. One-fifth of the allowable ration shall be deemed allocable to each thermal period specified in paragraph (c) of this section. The Board shall deduct from the allowable ration:

(1) The amount allocable to any expired thermal period; and

(2) The percentage of the amount allocable to the current thermal period shown by Table II for the number of days elapsed between the beginning of such period and the date of application.

(b) The Board shall issue Class 1 or Class 2 coupon sheets containing coupons equal in gallonage value to the allowable ration (after all deductions pursuant to paragraph (a) of this section) less the amount of fuel oil on hand on the date of the application for the operation of such equipment, in accordance with the following provisions:

(1) All currently valid unit value coupons shall be issued on the basis of their current unit value and all subsequent coupons on the basis of ten (10) gallons per unit;

(2) The coupons to be issued shall be divided proportionately, insofar as possible, among all unexpired thermal periods.

(c) The thermal periods referred to in paragraphs (a) and (b) of this section shall be:

(1) In Thermal Zone A:

Thermal Period No. 1. Up to and including November 29, 1942.

Thermal Period No. 2. From November 30, 1942, to January 6, 1943, inclusive.

Thermal Period No. 3. From January 7, 1943, to February 8, 1943, inclusive.

Thermal Period No. 4. From February 9, 1943, to March 17, 1943, inclusive.

Thermal Period No. 5. From March 18, 1943, to September 30, 1943, inclusive.

(2) In Thermal Zone B:

Thermal Period No. 1. Up to and including December 2, 1942.

Thermal Period No. 2. From December 3, 1942, to January 5, 1943, inclusive.

Thermal Period No. 3. From January 6, 1943, to February 6, 1943, inclusive.

Thermal Period No. 4. From February 7, 1943, to March 12, 1943, inclusive.

Thermal Period No. 5. From March 13, 1943, to September 30, 1943, inclusive.

(3) In Thermal Zone C:

Thermal Period No. 1. Up to and including December 3, 1942.

Thermal Period No. 2. From December 4, 1942, to January 4, 1943, inclusive.

Thermal Period No. 3. From January 5, 1943, to February 2, 1943, inclusive.

Thermal Period No. 4. From February 3, 1943, to March 6, 1943, inclusive.

Thermal Period No. 5. From March 7, 1943, to September 30, 1943, inclusive.

(4) In Thermal Zone D:

Thermal Period No. 1. Up to and including December 5, 1942.

Thermal Period No. 2. From December 6, 1942, to January 2, 1943, inclusive.

Thermal Period No. 3. From January 3, 1943, to February 5, 1943, inclusive.

Thermal Period No. 4. From February 6, 1943, to March 6, 1943, inclusive.

Thermal Period No. 5. From March 7, 1943, to September 30, 1943, inclusive.

(d) Where application is made for a ration for equipment furnishing both heat and domestic hot water to a private dwelling, the apportionment and deduction required by paragraph (a) of this section shall not be applicable to the allowable ration for domestic hot water, which shall be determined solely in accordance with § 1394.5259, regardless of the date of application.

§ 1394.5267 *Same; applications made on or after November 1, 1942, for hot water only.* If application is made on or after November 1, 1942, for a ration for hot water (but not for heat) in premises other than private dwellings, the allowable ration shall be determined in the manner provided in paragraph (b) of § 1394.5261. The Board shall deduct from the allowable ration, the part thereof corresponding to the part of the heating year which has elapsed between October 1, 1942, and the date of application. The Board shall issue Class 3, 4, 5 or 6 coupon sheets containing coupons equal in gallonage value to the allowable ration (after the deduction hereinabove required) less the amount of fuel oil on hand for the operation of such equipment on the date of application.

§ 1394.5268 *Hot water rations: special cases.* (a) The owner, or the person controlling the use of, oil burning equipment designed for, and furnishing, hot water for a purpose directly related to the public health or safety, or as an integral part of a commercial, industrial, agricultural or extractive process (if such equipment is not used for furnishing heat or for furnishing hot water for any other purpose), may obtain a ration for such purpose by applying on form OPA R-1102. No such ration may be obtained for use during the period of validity of any ration issued for the operation of such equipment pursuant to an application made on Form OPA R-1100 or Form OPA R-1101. Such ration may be obtained for three (3) month periods.

(b) The allowable ration for the operation of such equipment shall, in such case, be the amount of fuel oil needed for such purpose for the three (3) month period beginning with the date on which the ration is required, or, in the case of an application made prior to November 1,

1942, for the three (3) month period beginning October 1, 1942.

(c) After determining the allowable ration, the Board shall issue Class 3, 4, 5 or 6 coupon sheets containing coupons equal in gallonage value to the allowable ration less the amount of fuel oil on hand for the operation of such equipment. Such amount shall be determined in accordance with the provisions of § 1394.5451.

§ 1394.5269 *Rations for vendors of heat and hot water.* (a) The owner, or the person controlling the use of, oil burning equipment designed for, and furnishing, heat or hot water, or both (by means of live steam, or otherwise) to a building or structure (other than the one in which such equipment is located) which is not owned or controlled by him, may obtain a ration for the operation of such equipment for such purpose during the heating year.

(b) Application for a ration for such purpose shall be made to a Board, on or after October 22, 1942, on Form OPA R-1102, by the owner or by the person controlling the use of the equipment, or by the agent of either of them. The applicant shall supply the information required by the form.

(c) The allowable ration for the heating year for such purpose shall be 66% of the amount of fuel oil consumed (as adjusted in the manner provided in paragraph (c) of § 1394.5262) for that purpose during the base period.

(d) After determining the allowable ration, the Board shall issue coupons in accordance with the provisions of § 1394.5264, or § 1394.5265, whichever is applicable.

(e) If application is made on or after November 1, 1942, for a ration for heat or both heat and hot water, the Board shall make the deductions from the allowable ration required by paragraph (a) of § 1394.5266 and shall issue coupons in accordance with the provisions of paragraph (b) of that section.

(f) If application is made on or after November 1, 1942, for a ration for hot water only, the Board shall make the deductions from the allowable ration required by, and shall issue coupons in accordance with, the provisions of § 1394.5267.

AUXILIARY RATIOS

§ 1394.5301 *Persons entitled to auxiliary rations.* (a) The owner, or the person controlling the use of, oil burning equipment designed and used for furnishing heat or hot water, or both, to all or part of any premises, who during the period of validity of a heat or hot water ration for such equipment, requires, or who has used, fuel oil for the operation thereof for one or more of the purposes specified in § 1394.5303 or § 1394.5306, and who finds that due to such requirements or use, the ration issued for furnishing heat or hot water to such premises is insufficient, may obtain an auxiliary ration: *Provided*, That no auxiliary ration may be obtained for the operation of convertible facilities.

(b) Such ration may be allowed only if the applicant has taken all possible

steps (within the limits of his financial ability) to secure maximum heating efficiency of the equipment and to eliminate loss of heat due to the condition of the premises.

§ 1394.5302 *Applications for auxiliary rations.* (a) Application for an auxiliary ration may be made to a Board, on or after November 2, 1942, on Form OPA R-1104. The applicant shall supply the information required by that form and such other information as the Board may require. He shall specify the period (not to exceed the balance of the heating year) during which such auxiliary ration is required.

(b) The applicant shall annex to his application a certification by a qualified plumber, architect or heating engineer, showing the minimum number of gallons of fuel oil (over and above the ration previously issued) needed for the purpose for which the application is made, during the period for which the auxiliary ration is required and the improvements and adjustments (if any) which have been made or which are required to secure maximum heating efficiency and minimum loss of heat.

§ 1394.5303 *Auxiliary rations for heating premises.* Auxiliary rations for heating premises may be allowed for any of the following purposes, under the conditions specified, if a higher temperature is required for such purposes than that which can be maintained in the premises by use of the heat ration previously issued:

(a) For conducting an industrial, agricultural or extractive process, or a research or experimental operation, depending upon temperature control: *Provided*, That the applicant must submit with his application a certification by a qualified expert, who is familiar with such process or operation, as to the temperature required therefor;

(b) For the performance of work essential to the war effort, if the work is of such a nature that the worker performing it can operate efficiently only at a higher temperature: *Provided*, That the applicant must submit with his application a certification by a qualified expert, who is familiar with such work, as to the minimum temperature required for the efficient performance thereof;

(c) For the care and treatment of patients in a hospital or sanatorium: *Provided*, That the applicant must submit with his application a certification by the medical director of such establishment as to the minimum temperature required for such purpose;

(d) For the care and maintenance of exhibits in an aquarium, zoological or botanical garden, art gallery, museum or similar establishment, to which the public is admitted, and which is maintained by an educational or eleemosynary institution, or by a government agency: *Provided*, That the applicant must submit with his application a certification by a qualified expert as to the temperature required for the care and maintenance of such exhibits;

(e) For the care, in premises other than those specified in paragraph (c) of this section, of a person who is ill or

infirm: *Provided*, That the applicant must submit with his application a certification by a duly licensed physician or surgeon, or by a public health nurse, as to the temperature required for the care and treatment of such person and as to the period during which such temperature is required: *Provided further*, That in the case of premises other than a private dwelling, an auxiliary ration for the purpose specified in this paragraph may be obtained only for use in a space heater;

(f) For the examination or treatment of the sick in premises (other than those specified in paragraph (c) of this section) regularly used by a duly licensed physician or surgeon: *Provided*, That the applicant must submit with his application a certification by such physician or surgeon as to the temperature required for such purpose: *Provided further*, That, in the case of a building other than a private dwelling, an auxiliary ration for the purpose specified in this subparagraph may be obtained only for use in a space heater, unless such building is used primarily for such purpose;

(g) For the care of children under 4 years of age, or of aged persons, in a building used primarily as an orphanage, school, or home for the aged: *Provided*, That the applicant must submit with his application a certification by a duly licensed physician or surgeon as to the temperature required for such establishment.

§ 1394.5304 *Same; determination of allowable auxiliary ration.* The allowable auxiliary ration for heating premises shall be the amount of additional fuel oil required for the purpose, and during the period, for which the auxiliary ration is needed. Such allowable ration shall not exceed the amount required for obtaining the necessary additional heat in the portion of the premises in which such additional heat is needed.

§ 1394.5305 *Same; issuance of auxiliary heat ration.* After determining the allowable auxiliary ration for heating premises, the Board shall issue Class 1 or Class 2 coupon sheets containing coupons equal in gallonage value to the allowable ration, subject to the following provisions:

(a) All currently valid coupons shall be issued on the basis of their current unit value and all subsequent coupons on the basis of ten (10) gallons per unit;

(b) If the period for which an auxiliary ration is allowed covers more than one of the thermal periods specified in paragraph (c) of § 1394.5266, the coupons to be issued shall be divided proportionately, insofar as possible, among all thermal periods in which the ration is to be used;

(c) If the auxiliary ration is allowed for replacing fuel oil previously used by the applicant, currently valid coupons only shall be issued.

§ 1394.5306 *Auxiliary rations for hot water.* Auxiliary rations for hot water may be allowed for any of the following purposes, under the conditions specified, if more hot water is required for such

purpose than can be obtained by use of the hot water ration previously issued:

(a) For a purpose directly related to the public health or safety, or for use as an integral part of a commercial, industrial, agricultural or extractive process: *Provided*, That the applicant must submit with his application a certification by a qualified expert, who is familiar with the hot water requirement for such purpose, showing the additional amount of hot water required therefor: *Provided further*, That no such auxiliary ration may be obtained during the period of validity of a hot water ration issued pursuant to § 1394.5268;

(b) For the care and maintenance of exhibits in an aquarium, zoological garden or similar establishment, to which the public is admitted, and which is maintained by an educational or eleemosynary institution, or by a government agency: *Provided*, That the applicant must submit with his application a certification by a qualified expert as to the additional amount of hot water required for the care and maintenance of such exhibits.

(c) For the care and treatment of a sick person in a private dwelling: *Provided*, That the applicant must submit with his application a certification by a duly licensed physician or surgeon, or by a public health nurse, as to the amount of hot water required for the care and treatment of such person and as to the period during which such hot water is required.

§ 1394.5307 *Same; determination of allowable ration.* The allowable auxiliary ration for hot water shall be the amount of additional fuel oil required for the purpose and during the period for which the auxiliary ration is allowed.

§ 1394.5308 *Same; issuance of auxiliary hot water ration.* After determining the allowable auxiliary ration for hot water, the Board shall issue Class 3, 4, 5 or 6 coupon sheets containing coupons equal in gallonage value to the allowable ration.

§ 1394.5309 *Unavoidable loss of fuel oil.* (a) A consumer who sustains an unavoidable loss, by theft, fire, or accident, of fuel oil acquired in accordance with the provisions of Ration Order No. 11, may apply immediately after the loss occurs, in writing, to the Board which issued a ration to such consumer pursuant to which such fuel oil was acquired, for coupons equal in gallonage value to amount of the fuel oil so lost. The applicant shall state:

- (1) The time, manner and circumstances of such loss;
- (2) The steps taken to prevent further loss;
- (3) The number of gallons of fuel oil so lost.

(b) If the Board is satisfied that the applicant has sustained an unavoidable loss of fuel oil, by theft, fire or accident, and that the applicant has taken all possible steps (within the limits of his financial ability) to prevent such further loss, it may, in its discretion, issue Class 3, 4, 5 or 6 coupon sheets containing coupons equal in gallonage value to the amount of

fuel oil so lost. The Board shall make the entries required by § 1394.5452 on the coupon sheet issued and shall affix a validating stamp thereto. A coupon sheet issued pursuant to this section shall be valid for a three (3) month period.

DOMESTIC COOKING AND LIGHTING RATIONS

§ 1394.5351 *Persons entitled to rations for domestic cooking and lighting.* The owner, or the person controlling the use of, oil burning equipment designed and used for domestic cooking or lighting may obtain a ration for such purpose. Such rations may be obtained for three (3) month periods, except as provided in § 1394.5355.

§ 1394.5352 *Application for ration for domestic cooking and lighting.* (a) Application for a ration for the operation of equipment used for domestic cooking or lighting may be made to a Board, on or after October 22, 1942, on Form OPA R-1103. The applicant shall supply the information required by that form.

(b) A separate application shall be made for each unit of oil burning equipment, except that if two or more units of oil burning equipment serve a single family, a single application shall be made for all such units.

(c) Application may be made by the owner of the equipment, by the person controlling the use of such equipment, or by the agent of either of them. If two or more persons are entitled to apply for a ration for the same unit of oil burning equipment, application may be made by either of such persons or by all jointly.

§ 1394.5353 *Determination of allowable ration for domestic cooking.* (a) Subject to the provisions of paragraph (b) of this section, the allowable ration for all units of cooking equipment used for domestic cooking for a single family shall be the amount of fuel oil needed for such purpose during the three (3) month period beginning with the date on which the ration is required, or, in the case of an application made prior to November 1, 1942, during the three (3) month period beginning October 1, 1942.

(b) The maximum allowable ration for domestic cooking shall be twenty (20) gallons per month, if fewer than six (6) persons are regularly served by the equipment; or twenty-four (24) gallons per month, if six (6) or seven (7) persons are regularly served. If more than seven (7) persons are regularly served, the maximum shall be increased by one (1) gallon per month for each additional person.

§ 1394.5354 *Determination of allowable ration for domestic lighting.* (a) Subject to the provisions of paragraph (b) of this section, the allowable ration for all units of lighting equipment providing domestic lighting for a single family, shall be the amount of fuel oil needed for such purpose during the three (3) month period beginning with the date on which the ration is required, or in case of an application made prior to November 1, 1942, during the three (3) month period beginning October 1, 1942.

(b) The maximum allowable ration for domestic lighting shall be:

(1) For the months of October to March, inclusive: Four (4) gallons per month per person for the first three (3) persons regularly using the equipment, and two (2) gallons per month for each additional person up to seven (7); if more than seven (7) persons regularly use the equipment the maximum shall be increased by one (1) gallon per month for each additional person over seven (7);

(2) For the months of April to September, inclusive: Three (3) gallons per month per person for the first three (3) persons regularly using the equipment, and one (1) gallon per month for each additional person up to seven (7); if more than seven (7) persons regularly use the equipment, the maximum shall be increased by one-half (½) gallon per month for each additional person over seven (7).

§ 1394.5355 *Issuance of rations for domestic cooking or lighting.* After determining the allowable ration for domestic cooking or lighting, the Board shall issue Class 3, 4, 5 or 6 coupon sheets containing coupons equal in gallonage value to the allowable ration less the amount of fuel oil on hand for the operation of such equipment, determined in accordance with the provisions of § 1394.5451: *Provided*, That if the allowable ration less the amount of fuel oil on hand is less than fifty (50) gallons, the Board shall determine the allowable ration for the remainder of the heating year and shall issue coupons for that entire period.

COMMERCIAL MOTOR VEHICLES

§ 1394.5401 *Rations for commercial motor vehicles.* (a) The owner or the person controlling the use of a commercial motor vehicle (as defined in General Order No. 21 of the Office of Defense Transportation) may obtain a ration for the operation of such vehicle. Such rations may be obtained for three (3) month periods, except as provided in paragraphs (f) and (h) of this section.

(b) Application for a ration for the operation of a commercial motor vehicle shall be made to a Board, on or after October 22, 1942, on Form OPA R-1102 (or, in the case of a farm vehicle, on Form OPA R-1103) by the owner, or by the person controlling the use, of the vehicle, or by the agent of either of them. The applicant shall supply the information required by the form. A single application may be made for all commercial motor vehicles for which the applicant requires a ration.

(c) Application for a ration for the operation of a commercial motor vehicle which is subject to the jurisdiction of the Interstate Commerce Commission and which is operated both within and without the limitation area may, at the option of the applicant, be made by completing Form OPA R-1102, in the manner prescribed by paragraph (b) of this section, and by forwarding such application to the Washington Office which will issue a ration in accordance with the provisions of this section. The Washington Office will, in its discretion, designate a

special board to pass upon such applications.

(d) No ration may be obtained or used for the operation of a commercial motor vehicle after the date when the operation of such vehicle without a Certificate of War Necessity is prohibited by General Order No. 21 of the Office of Defense Transportation, unless such certificate has been issued and is outstanding for such vehicle.

(e) Except as provided in paragraph (f) of this section, the allowable ration for the operation of such vehicle shall be the number of gallons approved in the Certificate of War Necessity issued for such vehicle for the quarterly period during which the ration is to be used.

(f) In the case of an application for a ration for use prior to December 31, 1942, the allowable ration shall be the amount of fuel oil needed for the operation of such vehicle:

(1) From October 1, 1942, to December 31, 1942, inclusive, if the application is made prior to November 1, 1942; or

(2) From the date the ration is required through December 31, 1942, if the application is made on or after November 1, 1942:

Provided, That the allowable ration shall not exceed the amount used for the operation of such vehicle during the corresponding period of the preceding year, unless the applicant shows good cause for the increased requirements.

(g) After determining the allowable ration, the Board shall issue Class 3, 4, 5 or 6 coupon sheets containing coupons equal in gallonage value to the allowable ration less the amount of fuel oil on hand for the operation of such vehicle. Such amount shall be determined in accordance with the provisions of § 1394.5451.

(h) If application is made before December 31, 1942, but after a Certificate of War Necessity has been issued for the vehicle, the applicant may obtain, on one application, both the ration for the balance of 1942 and the ration for the first quarter of 1943.

MISCELLANEOUS USES

§ 1394.5402 *Rations for miscellaneous uses.* (a) The owner, or the person controlling the use, of any oil-burning equipment used for a necessary purpose not otherwise specified in this Ration Order No. 11 (or any person requiring fuel oil for any necessary purpose other than the operation of oil-burning equipment) may obtain a ration for such purpose. Such rations may be obtained for three (3) month periods.

(b) Application for a ration for a necessary purpose not otherwise specified in this Ration Order No. 11, shall be made to a Board on or after October 22, 1942. Application shall be made:

(1) On Form OPA R-1102, if the ration is required for any commercial, industrial or governmental purpose; or

(2) On Form OPA R-1103, if the ration is required for any domestic, institutional or agricultural purpose. The applicant shall supply the information required by the form.

(c) The allowable ration shall, except as provided in paragraph (d) of this section, be the amount of fuel oil needed

for such purpose during the three (3) month period beginning with the date on which the ration is required, or, in the case of an application made prior to November 1, 1942, during the three (3) month period beginning October 1, 1942: *Provided*, That the allowable ration shall not exceed the amount used for such purpose during the corresponding period of the preceding year, unless the applicant shows good cause for the increased requirements.

(d) The allowable ration for non-occupational use of a boat, for the three (3) month period referred to in paragraph (c) of this section, shall not exceed the number of gallons equal to four (4) times the manufacturer's rated horsepower of the motor or motors propelling such boat, or one hundred and twenty-five (125) gallons, whichever is less.

(e) After determining the allowable ration, the Board shall issue Class 3, 4, 5 or 6 coupon sheets containing coupons equal in gallonage value to the allowable ration less the amount of fuel oil on hand for the purpose for which the ration is required. Such amount shall be determined in accordance with the provisions of § 1394.5451.

GENERAL PROVISIONS WITH RESPECT TO
ISSUANCE OR RATIONS

§ 1394.5451 *Determination of fuel oil inventory.* Before issuing a ration, the Board shall determine the amount of fuel oil on hand for the use for which the ration is required. The date as of which such amount is to be determined shall be:

(a) October 1, 1942, in the case of an application made prior to November 1, 1942; or

(b) The date of application, in the case of an application made on or after November 1, 1942.

§ 1394.5452 *Notations on coupon sheets; validating stamp.* (a) At the time of issuing a coupon sheet, the Board shall enter thereon the name and address of the person to whom it is issued and the number and kind of coupons issued therewith. The Board shall also enter on such coupon sheet the date on which it becomes valid (or October 1, 1942, in the case of an application made prior to November 1, 1942) and the date on which it expires. Such dates shall be, respectively, the first and last day of the period for which the ration is issued.

(b) The Board shall affix a validating stamp to each coupon sheet issued and shall inscribe on such stamp the serial number of such coupon sheet. No coupon sheet and no coupons thereon shall be valid for any purpose unless it bears a validating stamp, so affixed.

§ 1394.5453 *Issuance of delivery receipts.* (a) Where an applicant requires residual oil for purposes other than the operation of equipment furnishing heat or hot water, he may request the Board to issue to him Delivery Receipts, on Form OPA R-1125, instead of coupons. The Board may, in such case, issue Delivery Receipts in lieu of coupons.

(b) At the time of issuing a Delivery Receipt, the Board shall enter on the stub attached thereto, the number and

address of the issuing Board, the name and address of the person to whom the Delivery Receipt is issued and the amount of residual oil which may be transferred in exchange therefor (which shall be equal to the value of the coupons in lieu of which such Delivery Receipt is issued). The Board shall affix a validating stamp to the Delivery Receipt stub, in the manner required by paragraph (b) of § 1394.5452, and shall enter on such stub the period of validity of the Delivery Receipt, in accordance with the provisions of paragraph (a) of § 1394.5452.

(c) The Board may issue as many Delivery Receipts as the applicant requires. When more than one Delivery Receipt is required, the Board shall fasten together and issue Delivery Receipts bearing consecutive serial numbers, placing the one bearing the lowest serial number on top. It shall make the entries required by paragraph (b) of this section on the stub of the Delivery Receipt bearing the lowest serial number and shall affix the validating stamp thereto. It shall also enter thereon the serial numbers of all Delivery Receipts so issued.

§ 1394.5454 *Acknowledgments of delivery.* (a) Acknowledgments of delivery, on Form OPA R-544 (Revised), to be used for the acquisition of fuel oil by or for the account of the Army, Navy, Marine Corps, War Shipping Administration, Coast Guard and Maritime Commission, of the United States, will be issued by the Washington office to the Washington headquarters of such agencies. Any such form bearing the signature of an authorized officer, agent or employee of any of such agencies shall be valid as an authorization of transfer of fuel oil to or for the account of such agency by any person to whom it is presented, to the extent of the gallonage thereon stated. In the event that an acknowledgment form is not available, a receipt on an official letterhead of such agency, bearing such authorized signature, and supplying the information required by Form OPA R-544 (Revised), may be used in lieu of such acknowledgment form. Such form or receipt may be used as an evidence for purposes of replenishment.

(b) If any of the information required by Form OPA R-544 (Revised) is military or naval information of a secret character, such information may be omitted.

(c) A Board to which an Acknowledgment of Delivery, or a receipt on an official letterhead, executed in accordance with paragraph (a) of this section, is delivered pursuant to § 1394.5723, shall cancel such acknowledgment or receipt and forward it to the agency, or in the case of the Army or Navy, to the activity, if any, named thereon.

§ 1394.5455 *Insertion of serial numbers on coupons; signature on coupon sheet.* An applicant shall sign each coupon sheet issued to him, and shall insert on each coupon the serial number of the coupon sheet to which such coupon is attached. No coupon shall be valid until the coupon sheet to which it is attached has been signed as required, and

the serial number of such coupon sheet has been inserted on the coupon.

§ 1394.5456 *Lost or destroyed coupon sheets or delivery receipts.* (a) In the event of the loss, destruction or mutilation of any coupon sheet or delivery receipt, the person to whom such coupon sheet or delivery receipt was issued may apply to the issuing Board for replacement thereof.

(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 date and place of issuance, and, if possible, the expiration date and the serial number of such coupon sheet or receipt;

(3) A description of the premises, vehicle, boat, equipment or process for which the coupon sheet or receipt was issued;

(4) A statement of the number and value of unused and unexpired coupons attached to the coupon sheet, or of the amount of residual oil acquired in exchange for receipts (if any) which were issued together with the receipts 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 coupon sheet or delivery receipt has been lost or destroyed, or so damaged or mutilated as to be rendered unfit for use, it may, in its discretion, issue a coupon sheet of the same gallonage value (or a delivery receipt limited to the same gallonage value) as that sought to be replaced; it shall enter on any coupon sheet (or delivery receipt) issued, the expiration date that appeared on the coupon sheet (or delivery receipt) replaced.

(d) No person receiving a coupon sheet or delivery receipt under paragraph (c) of this section shall use, attempt to use, or permit the use of the original coupon sheet or receipt. A damaged or mutilated coupon sheet or receipt shall be surrendered to the Board.

§ 1394.5457 *Disposition of found coupon sheet or delivery receipts.* (a) Any person who finds a coupon sheet, coupon or other evidence, or a Delivery Receipt, shall within five (5) days surrender it to any Board.

(b) The Board to which a coupon sheet, coupon or other evidence, or delivery receipt is surrendered pursuant to paragraph (a) of this section shall forward it through the State Director to the issuing Board.

§ 1394.5458 *Exchange for currently valid coupons.* (a) A person to whom a Class 1 or Class 2 coupon sheet has been issued, who, because of transportation difficulties, must acquire fuel oil in excess of the amount obtainable by the use of his currently valid coupons, may apply, in writing, to the issuing Board for currently valid coupons in exchange for coupons of the series which will next become valid.

(b) If the Board finds that, due to transportation difficulties, it is necessary for the applicant to take delivery of fuel

oil in excess of the amount obtainable by the use of his currently valid coupons, it may, in its discretion, issue a coupon sheet containing currently valid coupons to the extent required. It shall detach from the applicant's coupon sheet, coupons not yet valid, equal in number and unit value, to the currently valid coupons issued.

(c) The Board shall make the entries required by § 1394.5452 on the new coupon sheet and shall affix a validating stamp thereto.

§ 1394.5459 *Same; where ration insufficient for current period.* (a) A person to whom a Class 1 or Class 2 coupon sheet has been issued, who finds that his fuel oil on hand and his currently valid coupons are insufficient to meet his minimum heating requirements, may apply to the issuing Board for currently valid coupons in exchange for coupons of the series which will next become valid.

(b) Such application may be granted only if the applicant:

(1) Has maintained a temperature not in excess of sixty-five (65) degrees Fahrenheit in the premises for which the ration was issued (except for a purpose specified in § 1394.5303); and

(2) Has taken all possible steps (within the limits of his financial ability) to secure maximum heating efficiency of the oil burning equipment and to eliminate loss of heat due to the condition of the premises.

(c) Such application may be made to a Board, on or after November 16, 1942, on Form OPA R-1104. The applicant shall supply the information required by that form and such other information as the Board may require.

(d) The applicant shall submit with his application a certification by a qualified plumber, architect or heating engineer showing the improvements and adjustments (if any) which have been made, or which are required, to secure maximum heating efficiency and minimum loss of heat.

(e) If the Board finds that the applicant has satisfied the requirements of paragraph (b) of this section, it shall determine the number of gallons of additional fuel oil required for use in heating the premises until the valid date of the next series of coupons. It shall then issue a coupon sheet containing currently valid coupons, to the extent required, in accordance with the procedure set forth in paragraphs (b) and (c) of § 1394.5458.

§ 1394.5460 *Exchange of indefinite value for definite value coupons.* (a) Any consumer may exchange, at the issuing Board, currently valid unit value coupons for definite value coupons, on the basis of the current value of the unit value coupons exchanged.

(b) The Board shall issue a Class 3, 4, 5, or 6 coupon sheet containing coupons to the extent required.

(c) The Board shall make the entries required by § 1394.5452 on the new coupon sheet and shall affix a validating stamp thereto. The Board shall enter, as the expiration date of such coupon sheet, the last date, specified in § 1394.5201, on which the unit value coupons

exchanged would be valid for the transfer of fuel oil to a consumer.

EXPIRATION AND REVOCATION OF RATIONS

§ 1394.5501 *Expiration of rations.* All rations shall expire at midnight on the date entered by the issuing Board on the coupon sheets (or on the stub of the Delivery Receipt) issued therefor.

§ 1394.5502 *Same: Cessation of use or change in ownership, control or use.* A ration shall expire:

(a) Upon cessation of use for the purpose for which it was issued; or

(b) Upon cessation of use of the oil burning equipment for which it was issued, by the person to whom it was issued; or

(c) Upon change in ownership of, or control over, such equipment: *Provided*, That a ration issued to any person for the operation of oil burning equipment furnishing heat, or hot water, or both, to any premises, shall not expire upon a change in ownership of such premises, if there is no change in the occupancy thereof and if such person retains control over such equipment.

§ 1394.5503 *Surrender of expired coupon sheets and delivery receipts.* (a) No ration may be used and no coupon sheet or delivery receipt shall be valid, after the expiration thereof, for the transfer of fuel oil to a consumer.

(b) Within five (5) days after the expiration of any ration, the person to whom it was issued shall, except as provided in paragraph (e) of this section, surrender to the issuing Board all coupon sheets (and all delivery receipts and stubs) representing such ration.

(c) Within five (5) days after all coupons on a coupon sheet have been detached, the person to whom such coupon sheet was issued shall surrender it to the issuing Board.

(d) Within five (5) days after all delivery receipts issued to any person have been used, such person shall surrender to the issuing Board the stubs from which they were detached.

(e) In the following cases, a coupon sheet issued as a ration for heat, or hot water, or both, in private dwellings shall, upon expiration of the ration, be surrendered in the manner provided:

(1) Where a ration issued to a person other than the owner of the premises has expired by reason of the cessation of use of such equipment by such person or by reason of a change in control over such equipment, such person shall, immediately after such cessation of use or change in control, surrender the coupon sheet to the owner of the premises; the owner shall demand the coupon sheet from such person.

(2) Where a ration issued to the owner of the premises has expired by reason of a change in ownership, he shall, at the time of such change in ownership, surrender the coupon sheet to the new owner; the new owner shall demand such coupon sheet from such former owner.

(f) Both the person who surrenders a coupon sheet pursuant to paragraph (e) of this section and the person to whom it is surrendered, shall execute the

certificate of surrender appearing on the coupon sheet. Upon the request of the person surrendering such coupon sheet, a duplicate of the certificate of surrender shall be prepared and furnished to him. Within five (5) days after such surrender of a coupon sheet, the person to whom it was surrendered shall forward it, together with the certificate of surrender, to the issuing Board.

(g) If a person is unable to surrender a coupon sheet as required in paragraph (e) of this section, he shall surrender it to the issuing Board within five (5) days after such expiration. If the person required by paragraph (e) of this section to demand a coupon sheet is unable to obtain it from the person required to surrender it, he shall immediately notify the issuing Board.

§ 1394.5504 *Application for reissuance of expired rations.* (a) If a ration has expired by reason of a change in ownership of, or control over, oil burning equipment furnishing heat, or hot water, or both, to any premises, but such change in ownership or control involves no change in the occupancy of such premises, the person acquiring ownership or control (or his agent) may apply to the issuing Board for reissuance of such ration. Such person may not obtain a ration (other than an auxiliary ration) for the operation of such equipment during the balance of the period of which such expired ration was issued, except in the manner provided in this section.

(b) An application pursuant to paragraph (a) of this section shall be made in writing and shall set forth:

(1) The name and address of the applicant;

(2) The address of the premises served by such equipment;

(3) The date on which the applicant acquired ownership of, or control over, such equipment;

(4) The name of the person from whom he acquired such ownership or control;

(5) A certification that such change of ownership or control did not involve a change in the occupancy of the premises; and

(6) A request for reissuance of the expired ration to him.

§ 1394.5505 *Reissuance of expired rations.* (a) Upon application for reissuance of a ration pursuant to § 1394.5504, the Board shall issue to the applicant coupon sheets containing the same number and kind of coupons as were contained on the expired coupon sheets.

(b) After such reissuance, the applicant may use any fuel oil in the fuel supply tank of such equipment, or in a storage tank or other container maintained for supplying such equipment, without any further surrender of coupons.

§ 1394.5506 *Issuance of new rations.* Except as otherwise provided in this Ration Order No. 11, a transferee of any oil burning equipment shall be required to make a new application for a ration therefor, on his own behalf, in accordance with the provisions of § 1394.5551:

Provided, That such transferee may not obtain a ration unless a *bona fide* transfer is involved.

§ 1394.5507 *Suspension and revocation of rations.* (a) All coupon sheets, coupons, acknowledgments of delivery, inventory coupons, exchange certificates, export certificates, and delivery receipts shall be and remain when issued the property of the Office of Price Administration. Such Office may refuse to issue, and may suspend, cancel, revoke, or recall any ration and may require the surrender and return of any coupon sheet, coupon, acknowledgment of delivery, inventory coupons, exchange certificate, export certificate, or delivery receipt during suspension or pursuant to cancellation, whenever it deems it to be in the public interest to do so.

(b) Upon certification by the Office of Defense Transportation that any person to whom a ration has been issued has been found by it to have violated an order of such Office, and upon recommendation by such Office that a ration or any part thereof, issued to such person, be revoked, the Office of Price Administration will revoke such ration, or such part thereof.

(c) Upon recommendation of the Office of Petroleum Coordinator of War, approved by the Director General for Operations, that fuel oil be denied to a person who owns, or controls the use of, convertible facilities used for purposes other than furnishing heat or hot water to any building or structure, the Office of Price Administration will revoke any ration issued to such person for such use.

(d) Any ration issued to a person not entitled thereto on the basis of the facts stated in the application, may be revoked by the issuing Board, and the Board may order that any coupon sheets or delivery receipts issued therefor be surrendered. The Board may, in its discretion, issue such ration as it find him entitled to receive, pursuant to the provisions of Ration Order No. 11, in place of the ration revoked.

§ 1394.5508 *Authority of regional administrators, state directors and district managers to suspend and revoke rations and require the surrender of coupon sheets and coupons.* (a) The several Regional Administrators of the Office of Price Administration within their respective Regions, and such State Directors or District Managers as may be designated by the Regional Administrators for such purpose, are authorized to determine whether any ration, coupon sheet, Delivery Receipt, inventory coupon, or other coupon (whether or not issued) should be suspended, cancelled, revoked, recalled, or surrendered, and may, after a hearing held in accordance with the provisions of this section, suspend, cancel, revoke, recall, or require the surrender of any such ration, coupon sheet, delivery receipt, or coupon in any case in which the Regional Administrator, State Director or District Manager, as the case may be, finds either:

- (1) That a ration holder was not entitled to receive the ration issued; or
- (2) That a person has transferred, assigned, received or accepted, or has in his possession any coupon sheet, coupon

or delivery receipt (whether or not such coupon sheet or Delivery Receipt was issued as a ration and whether or not such coupon was issued as a ration or as part of a coupon sheet) otherwise than in accordance with the provisions of Ration Order No. 11.

(b) The hearing shall be conducted by a presiding officer who shall be appointed or designated by the Regional Administrator or such person as he may authorize to make such an appointment or designation. The presiding officer shall preside at the hearing, administer oaths and affirmations, and rule on the admission and exclusion of evidence.

(1) Notice of any hearing to be held pursuant to this section shall be served on the respondent not less than five (5) days prior to such hearing. The notice shall state the time and place of the hearing, the charges against the respondent, and the purpose for which the hearing is to be held.

(2) The hearing shall be conducted by the presiding officer in such manner as will permit the respondent to present evidence and argument to the fullest extent compatible with fair and expeditious determination of the issues raised in the hearing. To this end:

(i) The respondent shall have the right to be represented by counsel of his choosing;

(ii) The rules of evidence prevailing in courts of law or equity shall not be controlling;

(iii) The presiding officer, having due regard to the need for expeditious decision, shall afford reasonable opportunity for cross-examination of witnesses.

(3) A stenographic transcript of the hearing shall be made, a copy of which shall be made available to the respondent at his request upon the payment of a reasonable fee.

(4) A copy of any order issued pursuant to this section shall promptly be served on the respondent.

(c) Any person against whom an order is issued pursuant to the provisions of this section on the ground that the ration holder to whom a ration was issued was not entitled to such ration on the basis of the facts appearing in his application may appeal to the Regional Administrator from an order of a District Manager or from an order of a State Director, and to the Deputy Administrator in Charge of Rationing from an order or decision on appeal of the Regional Administrator. In making any such appeal, the appealing party shall file with the official who issued the order appealed from a statement in writing setting forth his objections to the decision and the grounds for the appeal. The statement must be filed not later than thirty (30) days after receipt of notice of the decision. Within five (5) days after receipt of the statement, such official shall send it to the official appealed to together with the entire record. The official appealed to may request the appealing party to appear before him or to furnish such additional information as he may deem pertinent and shall render his decision on the appeal within five (5) days after receipt of the statement and rec-

ord, and, in cases of apparent emergency, within twenty-four (24) hours, if possible. He shall promptly notify the appealing party, in writing, of his decision.

(d) Any person against whom an order is issued pursuant to the provisions of this section on any ground other than that set forth in paragraph (c) of this section may file in the Office of the Secretary, Office of Price Administration, Washington, D. C., a petition for reconsideration of such order. Such petition may be accompanied by any affidavits or briefs which the person filing such petition desires to submit. Within a reasonable time after the filing of a petition for reconsideration, the Administrator, or such person as he may designate for such purpose, shall affirm, modify, rescind, or stay such order, or direct that a further hearing be held thereon.

RENEWAL OF RATIONS AND ISSUANCE OF FURTHER RATIONS

§ 1394.5551 *Renewal of rations.* (a) At any time within thirty (30) days prior to the expiration of any ration, or at any time thereafter, application for a further ration may be made.

(b) An application for a further ration, for use upon or after expiration of the current ration, shall be made and passed upon in the same manner as an original application.

(c) Except as provided in § 1394.5552, no further ration may be issued for use, or used, prior to the expiration of the current ration.

§ 1394.5552 *Further rations for use prior to expiration date of current rations.* (a) A further ration may be obtained for use prior to the original expiration date of the current ration:

(1) Where the current ration has expired pursuant to § 1394.5502; or

(2) Where a current ration for domestic cooking or lighting issued pursuant to § 1394.5355 is insufficient due to an increase in the number of persons served by or using the equipment for which such ration was issued; or

(3) Where, due to a change in circumstances or miscalculation of needs, a current ration issued pursuant to §§ 1394.5268, 1394.5401 or 1394.5402, fails to meet the applicant's requirements.

(b) Application for such further ration shall be made in the same manner as an application for an original ration. The applicant shall annex to the application a statement showing:

(1) That the current ration is insufficient to meet his needs for more than thirty (30) days from the date of the application; and

(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 finds that, for one of the reasons specified in paragraph (a) of this section, the current ration is insufficient to meet the applicant's requirements, it may grant a further ration for use prior to the expiration date of the current ration.

(d) All of the provisions of Ration Order No. 11 applicable to the determination and issuance of an original ration shall apply to the determination and issuance of a further ration pursuant to this section, except as provided in paragraph (e) of this section.

(e) No further ration shall be granted under this section which would permit the applicant to obtain fuel oil in excess of the maximum gallonage to which he would be entitled for any three (3) month period under §§ 1394.5353, 1394.5354 or paragraph (d) of § 1394.5402.

(f) When granting a further ration for use prior to the original expiration date of an unexpired current ration, the Board shall redetermine the expiration date of such current ration. Such redetermination shall be based on the Board's estimate of the date on which such current ration will be exhausted. The Board shall thereupon note such redetermined expiration date on the application for such current ration and on the coupon sheet (or on the stub of the delivery receipt) issued therefor. The redetermined date shall be deemed to be the expiration date of such current ration for all the purposes of Ration Order No. 11. The further ration shall then become valid on the day following such redetermined expiration date.

RESTRICTIONS ON USE OF RATIONS AND FUEL OIL

§ 1394.5601 *Restrictions as to purpose.* No person shall use a ration, or permit the use of a ration issued to him, for any purpose other than that for which it was issued.

§ 1394.5602 *Rations not transferable.* No ration shall be transferred or assigned and no person shall accept such transfer or assignment. A ration may, however, be used by any person entitled to the use of the equipment for which it was issued, if such use is for the purpose for which the ration was issued and if there has been no change in the ownership of or control over such equipment.

§ 1394.5603 *Restrictions on consumption of fuel oil.* On or after November 1, 1942, except as provided in §§ 1394.5602, 1394.5658, and paragraph (b) of § 1394.5505, no person shall consume fuel oil unless such fuel oil was acquired by him or on his behalf in exchange for valid coupons or other evidences, or delivery receipts: *Provided*, That fuel oil included in a consumer's inventory pursuant to § 1394.5451, with respect to which a deduction has been made, or with respect to which coupons or other evidences, or delivery receipts, have been surrendered to a Board pursuant to paragraph (b) (2) of § 1394.5659, shall be deemed to have been acquired in exchange therefor.

§ 1394.5604 *Redemption of coupon notes.* (a) Any person may transfer coupons or other evidences, or delivery receipts, acquired by him in accordance with the provisions of Ration Order No. 11:

(1) To the lawful holder of a coupon note issued by him pursuant to Limitation Order L-56, as amended, for the purposes of redeeming such note; or

(2) To a person to whom he was required to issue such a note.

(b) Within fifteen (15) days after the effective date of this Ration Order No. 11, every person who executed a coupon note pursuant to Limitation Order L-56, as amended (or who was required to execute such a note by the provisions of that Order), shall surrender to the person to whom the note was given (or was required to be given) coupons or other evidences, or delivery receipts, acquired by such person in accordance with the provisions of Ration Order No. 11, equal in gallonage value to the number of gallons for which such notes were executed (or required).

RESTRICTIONS ON TRANSFERS TO AND BY CONSUMERS

§ 1394.5651 *Restrictions on transfers to consumers.* Except as provided in § 1394.5664, on and after November 1, 1942, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no person other than a dealer or supplier shall transfer or offer to transfer fuel oil to a consumer and no consumer shall accept a transfer of fuel oil from any person other than a dealer or supplier.

§ 1394.5652 *Transfers to consumers.* (a) On and after November 1, 1942, notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no dealer or supplier shall transfer fuel oil from within or without the limitation area to a consumer within the limitation area, or from within the limitation area to a consumer without the limitation area, and no consumer shall accept such transfer except in exchange for valid coupons or other evidences, or delivery receipts, authorized by this Ration Order No. 11.

(b) No consumer who is a primary supplier shall accept a transfer of fuel oil for his own use in excess of the amount for which a ration has been issued to him.

§ 1394.5653 *Transfers to consumers in exchange for coupons.* Fuel oil may be transferred to consumers (and consumers may accept such transfers) in exchange for coupons attached to Class 1, 2, 3, 4, 5 and 6 coupon sheets under the following conditions:

(a) Transfer may be made only to the person named on the coupon sheet, or to his agent.

(b) The transferor must require presentation of the coupon sheet at the time of the transfer and must, at such time, detach therefrom coupons equal in gallonage value to the amount of fuel oil transferred, except that if the transfer is made in the absence of the transferee or his agent, the transferee shall, within twenty-four (24) hours after such transfer, forward the coupon sheet to the transferor and the transferor shall detach therefrom coupons equal in gallonage value to the amount of fuel oil transferred. After detaching such coupons, the transferor shall return the coupon sheet to the transferee.

(c) Transfer may be made only during the period of validity noted on the coupon sheet (or in the case of Class 1 and Class 2 coupon sheets, only during the valid period of the coupon in exchange for

which the transfer is to be made) and only in exchange for coupons valid in the thermal zone in which the transfer is made.

(d) At the time of detaching coupons from a coupon sheet, the transferor (or his agent) shall sign a certification on such coupon sheet, showing the name and address of the transferor, the date of the transfer, the amount of fuel oil transferred and the number and kind of coupons detached by the transferor.

(e) No transfer of fuel oil may be made in exchange for a coupon if:

(1) Such coupon was detached from the coupon sheet prior to the transfer; or

(2) Such coupon does not bear a serial number (inscribed pursuant to § 1394.5455) corresponding to the serial number of the coupon sheet to which it is attached; or

(3) The coupon sheet to which such coupon is attached does not bear a validating stamp affixed by a Board pursuant to paragraph (b) of § 1394.5452.

§ 1394.5654 *Deposit of coupon sheets.*

(a) A consumer may, at his option, deposit his coupon sheet with the dealer or supplier from whom he intends to acquire fuel oil. Transfer against a coupon sheet so deposited may be made only in accordance with the provisions of § 1394.5653.

(b) Within forty-eight (48) hours after the expiration of a coupon sheet so deposited (or within forty-eight (48) hours after all coupons on such sheet have been detached in accordance with the provisions of § 1394.5653), the dealer or supplier with whom it was deposited shall return such coupon sheet to the consumer who deposited it with him. Within forty-eight (48) hours after the return of such coupon sheet, such consumer shall inspect the record of deliveries appearing thereon and shall certify that he has made such an inspection by writing across the face of such coupon sheet the date of inspection and his name. He shall thereupon surrender the coupon sheet to the issuing Board. If the record of deliveries contains any inaccurate statement with respect to the date or amount of any delivery, or if the gallonage value of the coupons detached from such coupon sheet does not correspond to the total amount of fuel oil transferred to him in exchange for such coupons, the consumer shall, when surrendering such coupon sheet, report such fact in writing to the issuing Board.

(c) A dealer or supplier shall return a coupon sheet deposited with him, within forty-eight (48) hours after a request for such return made by the consumer who deposited it.

§ 1394.5655 *Transfers to consumers in exchange for acknowledgments of delivery and delivery receipts.* (a) Transfer may be made to or for the account of any agency specified in paragraph (a) of § 1394.5454, in exchange for an acknowledgment of delivery, on Form OPA R-544 (Revised), bearing the signature of an authorized officer, agent, or employee of such agency, or in exchange for a receipt issued in lieu of such acknowledgment in accordance with the

provisions of paragraph (a) of § 1394.5454.

(b) Transfer (of residual oil only) may be made to a consumer (and a consumer may accept such transfer) in exchange for a delivery receipt (Form OPA R-1125) under the following conditions:

(1) Transfer may be made only if the stub to which such delivery receipt is attached (or a stub with a lower serial number attached thereto) bears a validating stamp affixed by a Board pursuant to § 1394.5453.

(2) Transfer may be made only to the person (or the agent of the person) named on, and only during the period of validity entered by the Board on, the delivery receipt stub bearing the validating stamp.

(3) Transfer may be made only if the serial number of the delivery receipt corresponds to the serial number of the stub to which it is attached.

(4) Transfer may be made of an amount of fuel oil not in excess of the balance authorized to be delivered, as shown on the delivery receipt stub attached to the receipt against which transfer is being made.

(5) At the time of transfer, both the transferee and the transferor shall sign the delivery receipt, after entering thereon the date of the transfer and the amount of residual oil transferred. The transferor shall then enter such date and amount on the delivery receipt stub; he shall thereupon deduct the amount of the transfer from the balance shown on such stub and shall enter the new balance both on that stub and on the stub attached to the delivery receipt (if any) bearing the next higher serial number. Both the transferor and the transferee shall then certify as to the accuracy of the entries made by signing the stub. The receipt shall then be detached by the transferor and the stub retained by the transferee. Where delivery of residual oil is made in the absence of the transferee or his agent, the transferee shall, within twenty-four (24) hours after such transfer, execute a delivery receipt in the manner required above and forward it to the transferor with its stub and all prior stubs (if any) attached, for the certification and entries hereinabove required; the transferor shall make such entries, detach the receipt and return the stub to the transferee.

§ 1394.5656 *Records to be kept by dealers and suppliers.* Every dealer and supplier shall keep a record of each transfer to a consumer of a quantity of fuel oil in excess of ten (10) gallons. Such record shall show the name and address of the transferee, the date of the transfer, the amount (and, in the case of residual oil, the grade) of fuel oil transferred and the number and serial numbers of coupons (or delivery receipts) detached. Such records shall be preserved for at least one year. No such record need be kept of a *bona fide* separate transfer of ten (10) gallons or less in exchange for coupons on a Class 3 or 4 coupon sheet.

§ 1394.5657 *Transfers for export.* (a) Any person (other than a primary supplier) who desires to obtain fuel oil for

export to any insular or territorial possession of the United States, or to any foreign country, may execute and submit Part A of an export certificate on Form OPA R-560 (Revised), in duplicate, to any Board. Such certificate shall state the amount of fuel oil required for export, the proposed date and port of exportation and the name and address of the person desiring to export the fuel oil. The Board shall retain the duplicate copy of the certificate and shall endorse and return the original copy to such person. The original copy, bearing the endorsement of the Board, shall constitute an evidence to authorize the transfer of the amount of fuel oil stated thereon: *Provided*, That such certificate bearing the endorsement of an authorized official of the Federal government or any agency thereof shall be valid without endorsement by a Board, as an evidence to authorize the transfer of fuel oil to such government or agency, for the purpose of export or for the purpose of retransfer by such government or agency for export. If any of the information required by Form OPA R-560 (Revised) is military or naval information of a secret character, it may be omitted.

(b) Within thirty (30) days after submission to, and endorsement of, an export certificate by a Board, the person who procured such endorsement and acquired fuel oil pursuant to such certificate shall submit to the Board which endorsed the certificate, a copy of a shipper's export declaration (Commerce Form 7525) bearing a notation of an authorized customs official to the effect that to the best of his knowledge and belief the amount of fuel oil therein stated has been exported by such person. The Board shall attach the copy of the declaration submitted to the copy of the certificate on file. If the Board is not satisfied with the authenticity of the copy of the declaration or in the event that none has been presented to the Board within thirty (30) days after endorsement of the certificate, the Board shall send the file of the case to the Washington Office for investigation.

(c) Any dealer or secondary supplier who has, after September 30, 1942, exported fuel oil to an insular or territorial possession of the United States or to a foreign country, and who has not acquired such fuel oil pursuant to the provisions of paragraph (a) of this section, may obtain replenishment for the amount of fuel oil so exported by executing and presenting to a Board Part B of an export certificate on Form OPA R-560 (Revised) and submitting therewith a copy of a shipper's export declaration (Commerce Form 7525) bearing the notation of an authorized customs official to the effect that to the best of his knowledge and belief the amount of fuel oil thereon stated was so exported by such dealer or secondary supplier. The Board, if it is satisfied that fuel oil in the amount stated in such certificate was exported by such dealer or supplier, shall endorse such certificate and return it to him and shall retain a copy of the declaration for its files. Such certificate, bearing the endorsement of a Board, shall constitute an evidence to authorize

a transfer of the amount of fuel oil stated thereon.

(d) No person acquiring fuel oil pursuant to the provisions of paragraph (a) of this section may use such fuel oil for any purpose other than for export to an insular or territorial possession of the United States or to a foreign country.

(e) Nothing in this section shall be construed to authorize the export of fuel oil other than in accordance with the laws of the United States and the rules and regulations of the Board of Economic Warfare or of any other department or agency of the United States.

(f) Any person who has exported fuel oil which he acquired in exchange for a coupon note pursuant to Limitation Order L-56, as amended, of the War Production Board, may obtain coupons for redemption of such note by applying to a Board in accordance with the procedure set forth in paragraph (c) of this section and stating the purpose of his application.

§ 1394.5658 *Transfer of vehicle, boat or equipment.* Nothing in Ration Order No. 11 shall be deemed to forbid the transfer of fuel oil actually in the fuel supply tank of a vehicle or boat, or of equipment used for purposes other than furnishing heat or hot water to buildings or structures, in conjunction with a lawful and bona fide transfer of such vehicle, boat or equipment itself; or the consumption by the transferee, in such vehicle, boat or equipment, of fuel oil actually in the fuel supply tank thereof at the time of transfer.

§ 1394.5659 *Transfers without exchange of coupons.* (a) Subject to the provisions of paragraph (b) of this section, nothing in Ration Order No. 11 shall be deemed to forbid:

(1) Transfers of fuel oil by legal process or by operation of law; or

(2) Transfers of fuel oil in a storage tank or other container maintained by a consumer as part of an enterprise or establishment, or in the fuel supply tank of equipment furnishing heat or hot water to buildings or structures, in conjunction with a lawful and *bona fide* transfer of such enterprise, establishment or equipment.

(b) Any person to whom a transfer of the character described in paragraph (a) of this section is made, shall forthwith report such transfer and the amount of fuel oil transferred in connection therewith, to the Board having jurisdiction over the area in which such fuel oil is located. Such person, if a dealer or supplier, shall surrender to the Board, together with such report, coupons or other evidences, or delivery receipts, equal in gallonage value to the amount of fuel oil transferred. Such person, if not a dealer or supplier, may either:

(1) Transfer all or any part of such fuel oil in exchange for coupons or other evidences, or delivery receipts, equal in gallonage value to the amount of fuel oil so transferred, and shall immediately surrender such coupons or other evidences, or delivery receipts, to the Board for cancellation; or

(2) Consume such fuel oil to the extent of any ration issued to him, for the purpose for which such ration was is-

sued: *Provided*, That he shall, in such case, surrender to the Board for cancellation, coupons or other evidences, or delivery receipts, equal in gallonage value to the amount of fuel oil consumed or to be consumed: *And provided further*, That if, at the time of transfer, no ration had been issued to such transferee, he need not surrender such coupons, evidences, or receipts to the Board but shall, before consuming such fuel oil, apply for a ration and, in such application, report to the Board as fuel oil on hand, the fuel oil so acquired.

§ 1394.5660 *Upstream transfers by consumers.* (a) Subject to the provisions of paragraph (b) of this section, nothing in Ration Order No. 11 shall be deemed to forbid transfers of fuel oil by consumers to dealers or suppliers. Any consumer who makes such a transfer shall forthwith report to the Board having jurisdiction over the area in which such fuel oil is located, the date of such transfer, the name and address of the transferor and transferee, and the amount of fuel oil so transferred.

(b) A dealer or supplier to whom a transfer of the character described in paragraph (a) of this section is made, shall forthwith report to such Board the date of such transfer, the name and address of the transferor and transferee, and the amount of fuel oil so transferred. He shall surrender to such Board, together with such report, coupons or other evidences, or Delivery Receipts, equal in gallonage value to the amount of fuel oil transferred.

§ 1394.5661 *Discrimination in transfers to consumers.* On and after November 1, 1942, no dealer or supplier shall discriminate, in the transfer of fuel oil, among consumers entitled to acquire fuel oil under this Ration Order No. 11.

§ 1394.5662 *Rights of parties to contracts for transfer of fuel oil.* If the performance of any contract or agreement for the transfer of fuel oil is prevented by Ration Order No. 11, no party thereto shall be liable for failure to perform such contract or agreement, except that any person who has received or has had the benefit of any deposit or other consideration on account of such contract shall be liable upon demand to return such deposit or other consideration, or to pay the fair value thereof, in the event that the consideration has been materially altered in condition or cannot be returned.

§ 1394.5663 *Transfers of fuel oil from the limitation area to persons outside the limitation area.* (a) Except as provided in paragraphs (b) and (c) of this section, on and after November 1, 1942, notwithstanding the terms of any contract, agreement or commitment, regardless of when made, no person shall transfer or offer to transfer fuel oil from within the limitation area to any point in the continental United States without the limitation area, and no person shall accept such transfer.

(b) A dealer or supplier may transfer fuel oil from within the limitation area to a consumer without the limitation

area, in exchange for coupons or other evidences, or Delivery Receipts.

(c) A primary supplier who has obtained written authorization from the Washington Office may transfer fuel oil from within the limitation area to a person other than a consumer without the limitation area. Application for such authorization shall be made in writing to the Washington Office. Such application shall set forth:

(1) Type and amount of fuel oil to be transferred;

(2) Name and address of the transferor and of the transferee;

(3) Tank car mileage of shipment to be made;

(4) Tank car mileage between point to which fuel oil is to be shipped and the source of fuel oil supply, outside the limitation area, nearest to that point.

The Washington Office may, in its discretion, issue the authorization requested.

§ 1394.5664 *Transfers by Army or Navy.* (a) The Army or Navy of the United States may transfer fuel oil acquired pursuant to § 1394.5655, in exchange for coupons or delivery receipts equal in gallonage value to the amount of fuel oil transferred: *Provided*, That such transfers may not be made to consumers who can obtain fuel oil from dealers or suppliers without unreasonable difficulty. The Army and Navy shall forward to the Control and Audit Unit, Fuel Oil Rationing Branch, Office of Price Administration, Washington, D. C., on or before the 25th day of each month, a statement showing the amount of fuel oil so transferred during the preceding calendar month, and shall submit coupons or delivery receipts, or an exchange certificate representing such coupons or delivery receipts, equal in gallonage value to the amount of fuel oil so transferred.

(b) A transfer of fuel oil made pursuant to paragraph (a) of this section shall not constitute the Army or Navy a dealer or supplier with respect to the establishment from which the transfer is made.

REPLENISHMENT AND AUDIT REGISTRATION

§ 1394.5701 *Registration of suppliers and dealers.* (a) Every primary supplier shall, on October 27 or 28, 1942, register with a Board (on Form OPA R-1116, in duplicate) during the hours provided by the Board, the following matters, together with such other information as may be required by such form:

(1) His name, firm name and business address.

(2) His total fuel oil storage capacity and his total inventory of fuel oil on hand as of 12:01 a. m. on October 1, 1942.

(3) The location of, and the storage capacity and inventory on hand at, each establishment included in the registration, or, if he does not maintain stationary storage facilities, the number of mobile and portable units included in the registration, the capacity of each unit and the vehicle license number of each mobile delivery unit. If more than one establishment or mobile unit is included in the registration, the registrant shall attach a schedule or schedules to Form

OPA R-1116, supplying the information required with respect to each such establishment or mobile unit.

(4) A statement as to whether he:

(i) Refines fuel oil within the limitation area; or

(ii) Makes a first transfer of fuel oil within the limitation area from stationary storage facilities within the limitation area; or

(iii) Maintains a consumer establishment within the limitation area at which delivery of fuel oil is taken for his own use by pipe-line, barge, tank ship, or railroad tank car, directly from without the limitation area; or

(iv) Sends or brings fuel oil into the limitation area (although he does not operate stationary storage facilities within the limitation area) and transfers it to anyone other than a primary supplier as defined in subdivisions (i), (ii), and (iii) of paragraph (a) (22) of § 1394.5001.

A single registration may be made by such primary supplier for all the establishments and mobile facilities with respect to which he is a primary supplier, and may be made at any Board within the limitation area. A primary supplier who maintains more than one accounting and financial office may, at his option, make a separate registration with respect to each such office, and shall include in such registration all establishments which report to such office.

(b) Every dealer and secondary supplier transacting business within the limitation area shall, on October 27 or 28, 1942, register with a Board (on Form OPA R-1116, in duplicate) during the hours provided by the Board, the following matters, together with such other information as may be required:

(1) His name, firm name, business address and type of business.

(2) His total fuel oil storage capacity.

(3) His total inventory of fuel oil on hand as of 12:01 a. m. on October 1, 1942.

Separate registration shall be made by each such dealer and secondary supplier for each place of business within the limitation area where fuel oil is transferred by him, and shall be made at each respective Board having jurisdiction over the area in which such place of business is located: *Provided*, That if such dealer or secondary supplier has no stationary storage facilities, he shall register for all his mobile delivery facilities, with the Board having jurisdiction over the area in which he has his main office: *Provided, further*, That any person, any part of whose operations with respect to a given establishment falls within the definition of a primary supplier, shall register as a primary supplier with respect to such establishment, pursuant to paragraph (a) of this section.

§ 1394.5702 *What constitutes fuel oil on hand.* The registrant shall register all fuel oil on hand, whether in storage tanks, tank trucks, tank cars delivered to railroad sidings, drums, mobile containers, or other containers (but not fuel oil in the fuel supply tank of oil burning equipment). The registrant shall not

register fuel oil in transit which did not arrive at his place of business prior to 12:01 a. m. on October 1, 1942. Fuel oil shipped prior to 12:01 a. m. on October 1, 1942, but received by the transferee after 12:01 a. m. on such day, shall be included in the inventory of the transferor and shall be deemed to have been transferred after 12:01 a. m. on October 1, 1942.

§ 1394.5703 *What constitutes storage capacity.* The registrant shall register the total capacity of all stationary fuel oil storage facilities in use as of 12:01 a. m. on October 1, 1942, but not the capacity of tank trucks, tank wagons, drums, or other mobile containers, except that a dealer or supplier who maintains no stationary fuel oil storage facilities shall register the total capacity of all his mobile or portable facilities.

§ 1394.5704 *Issuance of registration certificates.* Upon determining that the information submitted by the registrant on Form OPA R-1116 is accurate, the Board shall by authorized signature grant application for registration. In the case of a dealer or secondary supplier, the Board shall file the duplicate and return the original to the registrant. In the case of a primary supplier, the Board shall at once mail the original and duplicate to the Control and Audit Unit, Fuel Oil Rationing Branch, Office of Price Administration, Washington, D. C. The Control and Audit Unit shall assign a registration number to the registrant and return the original to him and the duplicate to the issuing Board. Every registrant shall retain the original as a certificate of registration at the establishment or office with respect to which registration was made, and shall present it at any time that it is requested by a Board or by any authorized representative of the Office of Price Administration.

§ 1394.5705 *Issuance of inventory coupons.* (a) The Board shall, at the time of granting the application for registration of a dealer or secondary supplier, issue to the registrant inventory coupons in the amount of the difference between the total registered fuel oil storage capacity and the total amount of fuel oil on hand at the establishment or in the facilities registered.

(b) A one-hundred-gallon inventory coupon, or a Class 1 or Class 2 coupon, may, at any time subsequent to registration, be exchanged by a dealer or secondary supplier, at any Board within the limitation area, for an equivalent amount of one-gallon inventory coupons.

§ 1394.5706 *Restriction on use of inventory coupons.* Every dealer and secondary supplier shall retain all inventory coupons issued to him at the place of business with respect to which they were issued, and shall not exchange his inventory coupons except to the extent that any delivery exceeds the value of consumer coupons or other evidence, available for exchange: *Provided, however,* That one-gallon inventory coupons may be used to make up the difference between the number of gallons in any delivery and the nearest composable sum

of the values of consumer coupons or other evidences.

RESTRICTIONS ON TRANSFERS TO DEALERS AND SUPPLIERS

§ 1394.5707 *Restriction on transfers.* Except as provided in § 1394.5708, on and after November 1, 1942, no primary supplier within or without the limitation area, and no dealer or supplier within the limitation area, shall transfer or offer to transfer fuel oil to any dealer or supplier within the limitation area, and no dealer or supplier within the limitation area shall accept such transfer, except in exchange (made at the time of the actual transfer of fuel oil or in advance thereof) for valid coupons bearing an inscribed serial number, or for other evidences, equal in gallonage value to the amount of the fuel oil transferred, or (where transfer is regularly made on a temperature adjustment basis) equal in gallonage value to the adjusted amount of fuel oil transferred. No exchange of coupons or other evidences shall accompany a transfer of fuel oil directly from without the limitation area to a primary supplier within the limitation area, or a transfer from one primary supplier to another primary supplier.

§ 1394.5708 *Absentee deliveries.* Where a dealer or supplier elects to transfer fuel oil to another dealer or supplier in the absence of the transferee or his agent, or where delivery is made by common or contract carrier or by pipe line, the transferee shall, where the exact amount to be transferred is known, mail or deliver to his transferor, in advance of the transfer, coupons or other evidences of an equal gallonage value, or he may, at the option of the transferor, forward to such transferor, within five (5) days after the transfer, coupons or other evidences equal in gallonage value to the number of gallons transferred.

§ 1394.5709 *Upstream transfers.* Any primary supplier who receives a transfer or return of fuel oil from a dealer or secondary supplier who is within the limitation area, or any secondary supplier who receives a transfer or return of fuel oil from a dealer who is within the limitation area, when the transfer or return is other than in connection with a transfer of the place of business or mobile facilities of such dealer or supplier, shall deliver to the dealer or supplier making the transfer or return, coupons or other evidences equal in gallonage value to the amount of fuel oil so transferred or returned.

§ 1394.5710 *Regulation of other agencies.* Nothing in Ration Order No. 11 shall be construed to authorize any transfer of fuel oil which would be in contravention of any regulation or order of any department or agency of the United States.

USE OF COUPONS AND OTHER EVIDENCES

§ 1394.5721 *Preservation of coupons; coupon sheets.* Each dealer and supplier shall affix the coupons received by him directly from consumers to a coupon sheet (Form OPA R-120), in the manner

directed thereon. Separate coupon sheets shall be maintained for coupons of each type, and only coupons of the same class, gallonage value, and from the same thermal zone, may be attached to any one such sheet.

§ 1394.5722 *Summary of coupons, other evidences, and delivery receipts.* Each dealer and supplier shall, prior to every delivery by him, to his transferor or to a Board, of coupons or other evidences, prepare, in duplicate, on Form OPA R-1117, a summary of coupons, other evidences, and delivery receipts in the manner directed thereon, certifying the number of each type of coupon and other evidence and the number of delivery receipts to be delivered. A separate summary shall be prepared for coupons and other evidences, and delivery receipts, from each thermal zone. No delivery receipt shall be delivered by a dealer or supplier to any person, except to a Board pursuant to paragraph (b) of § 1394.5723. The original of the summary shall be delivered by the dealer or supplier attached to his coupons, or other evidences, and delivery receipts. The copy shall be retained by him at his place of business for a period of not less than one year. All such summaries received by a transferor in connection with a transfer of fuel oil shall be recapitulated in his own summary; such summaries need not be included with coupons and other evidences forwarded by him, but his own summary shall equal the total gallonage represented by all coupons and other evidences forwarded by him.

§ 1394.5723 *Exchange of coupons or acknowledgments.* (a) A supplier may at any time deliver to any Board in the limitation area coupons or other evidences, including exchange certificates, and obtain in return an exchange certificate or certificates (on Form OPA R-1118) equal to the gallonage value of the coupons or other evidences delivered. Such supplier shall attach to such coupons or other evidences the summary required by § 1394.5722. The Board shall furnish him in return an exchange certificate equal in gallonage value to the value of the coupons or other evidences delivered. Exchange certificates shall be prepared in duplicate by the Board and shall be signed both by the supplier and by an authorized agent or member of the Board. The duplicate of such certificate shall be retained for the files of the Board.

(b) A dealer or supplier who has transferred fuel oil to consumers in exchange for delivery receipts (Form OPA R-1125) shall submit such receipts to any Board within the limitation area, attached to a summary as required by § 1394.5722. The Board shall issue to him, in exchange for such receipt, an exchange certificate equal in gallonage value to the amount shown on the receipt. No delivery receipt may be used as an evidence for purposes of replenishment.

§ 1394.5724 *Certification of shortage.* Dealers and secondary suppliers may ap-

ply by certification (Form OPA R-549, Revised) for compensation for unavoidable losses or destruction of fuel oil or coupons, other evidences, or delivery receipts. Application for compensation for losses occurring as the result of normal operations, such as, but not limited to, evaporation and storage tank seam-sweat, may be made only once every three months. Application for compensation for extraordinary losses, such as, but not limited to, any unavoidable loss or destruction of coupons, other evidences, or delivery receipts, or unavoidable losses of fuel oil by theft, fire, or accident, may be made immediately after the loss occurs. The certification of shortage shall be submitted to the Board having jurisdiction over the area in which such dealer or secondary supplier 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 of the reasons therefor. If, on consideration of the certification presented and of such other information as it may require, the Board finds that the applicant has incurred the shortages claimed, that such shortages were not incurred as a result of acts performed in violation of Ration Order No. 11, and that the claimed shortage of fuel oil is reasonable, the Board shall file the certification and issue to the applicant inventory coupons equal to the amount of the established shortage.

RECORDS, AUDITS AND INSPECTIONS

§ 1394.5731 *Reports by primary suppliers.* (a) On or before the twenty-fifth day of each month, commencing with the twenty-fifth day of November 1942, every primary supplier shall forward to the Control and Audit Unit, Fuel Oil Rationing Branch, Office of Price Administration, Washington, D. C., a report, on Form OPA R-1119, showing, in addition to all other information required by the form, the matters set forth below, and every primary supplier shall forward, together with such statement, exchange certificates as required below:

(1) If the primary supplier is in the category described in subdivision (i) or (ii) of paragraph (a) (22) of § 1394.5001, he shall show the total amount of fuel oil transferred by him within (and to consumers without) the limitation area, during the preceding calendar month and shall submit coupons or evidences equal in gallonage value to the amount of such transfers less the amount transferred to primary suppliers.

(2) If the primary supplier is in the category described in subdivision (iii) of paragraph (a) (22) of § 1394.5001, he shall show (and shall submit exchange certificates equal in value to) the total amount of fuel oil transferred to him during the preceding calendar month; and he shall show also the total amount of fuel oil consumed by him during the preceding calendar month.

(3) If the primary supplier is in the category described in subdivision (iv) of paragraph (a) (22) of § 1394.5001, he shall show and shall submit exchange certificates equal in gallonage value to the amount of fuel oil brought or sent

into the limitation area and transferred to persons other than primary suppliers during the preceding calendar month.

(b) A separate report shall be made with respect to each registration certificate issued to such primary supplier, and such report shall cover all places of business included in the registration certificate.

§ 1394.5732 *Records to be kept by certain dealers and suppliers.* Every person, whether within or without the limitation area, who makes a transfer of fuel oil to any dealer or supplier within the limitation area shall furnish to such dealer or supplier an invoice, delivery ticket, or other customary document of transfer, showing the name and address of the transferee and the date and amount of the transfer. Every such transferee shall retain the delivery ticket, or other document so furnished him, at his place of business for a period of at least one year from the date of the transfer.

§ 1394.5733 *Inspection of records and facilities.* All records, reports, forms, accounts, or other documents required by Ration Order No. 11 to be prepared and kept by any person, and the fuel oil facilities of any person, shall be subject to the inspection of the Office of Price Administration and its employees, and by such other personnel as the Office of Price Administration may designate. Such inspection may be made at the establishment or office of any such person during regular business 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.

NEW REGISTRATIONS

§ 1394.5741 *Registration of new or reopened business.* Any person who opens or reopens, as a dealer or supplier, a place of business which is required to be registered under the provisions of § 1394.5701, but which has not been so registered, shall, prior to making or receiving a transfer of fuel oil within the limitation area (or from within to a consumer without the limitation area) register, in the manner provided in §§ 1394.5701 to 1394.5703, inclusive, and shall, if such person is a dealer or secondary supplier,* receive inventory coupons in the manner provided in § 1394.5705.

§ 1394.5742 *Dealer or secondary supplier who becomes primary supplier.* Any dealer or secondary supplier within the limitation area who becomes a primary supplier as to any place of business shall forthwith deliver to the Board having jurisdiction over the area in which such place of business is located, his certificate of registration, and coupons and other evidences (and delivery receipts), equal in gallonage value to the total unfilled capacity of his fuel oil storage facilities, and shall thereupon register as a primary supplier in the manner provided by paragraph (a) of § 1394.5701.

§ 1394.5743 *Transfer of entire business.* (a) If the entire place of business of any primary supplier is transferred,

the transferee may acquire the fuel oil inventory of the transferor without the surrender of coupons or other evidences. The transferee shall obtain, and the transferor shall furnish, the certificate of registration in which such place of business is included, and the transferee shall then endorse such certificate at the office of the Board which issued it, specifying in such endorsement the place of business or facilities transferred and the fuel oil on hand at the time of such transfer. The endorsement shall constitute a certification by the endorser that he has acquired from the transferor the place of business and the amount of fuel oil specified in such endorsement. The Board shall forward such endorsed certificate to the Control and Audit Unit, Fuel Oil Rationing Branch, Office of Price Administration, Washington, D. C. The transferor shall submit to the Control and Audit Unit, together with his monthly report to such Unit for the period during which the transfer of the place of business was made, exchange certificates representing all coupons and other evidences which he is required to submit with respect to such place of business, but has not yet submitted, pursuant to the provisions of § 1394.5731. The transferor shall, if he continues as a primary supplier with respect to any place of business included in the endorsed certificate of registration, re-register such place of business, with any Board, in the manner provided in §§ 1394.5701 to 1394.5703, inclusive.

(b) If the entire place of business of any dealer or secondary supplier is transferred, the transferee of the business may acquire the fuel oil inventory of the transferor without the surrender of coupons or other evidences. The transferee of such place of business shall obtain, and the transferor shall furnish, the certificate of registration of such place of business, and valid coupons or other evidences in an amount equal to the fuel oil storage capacity unfilled at the time of the transfer of such place of business. The transferee shall then endorse, at the office of the Board having jurisdiction over the area in which such place of business is located, the original certificate of registration and the duplicate on file at the Board, and the Board shall retain the original and the duplicate on file. Such endorsement shall constitute a certification by the endorser that he has acquired from the transferor the place of business registered in the certificate and fuel oil stocks, plus coupons or other evidences, together equal in gallonage value to the total fuel oil storage capacity of the place of business transferred. If the transferee registers as a primary supplier with respect to such place of business, he shall surrender to the Board all the coupons and other evidences received from the transferor.

(c) The transferee of a place of business shall, after complying with the requirements of paragraphs (a) and (b) of this section, register, on Form OPA R-1116, in the manner required by § 1394.5701, except that no inventory coupons shall be issued to such transferee: *Provided, however,* That inventory coupons shall be issued, in the manner pro-

vided in § 1394.5705, to a transferee who registers as a dealer or secondary supplier with respect to a place of business transferred to him from a primary supplier.

§ 1394.5744 *Cessation of business as a dealer or secondary supplier.* Any dealer or secondary supplier who disposes of his stocks of fuel oil and terminates his operations as to any place of business without transferring such business to another person for continued operation, shall, at the time of final closing, surrender the original certificate of registration, together with coupons or other evidences equal in gallonage value to the total capacity of the fuel oil storage facilities registered for such place of business, to the Board having jurisdiction over the area where it is located.

§ 1394.5745 *Cessation of business as a primary supplier.* (a) Any primary supplier who ceases to be a primary supplier as to any place of business registered by him shall, immediately after such cessation, advise the Control and Audit Unit, Fuel Oil Rationing Branch, Office of Price Administration, Washington, D. C., and shall surrender, to any Board, the registration certificate in which such place of business was included. He shall, if he continues in business as a primary supplier with respect to any other place of business included in such certificate, execute a new certificate of registration for such other place of business in the manner required by §§ 1394.5701 to 1394.5703, inclusive. If the primary supplier terminates operation as a primary supplier at all places of business included in such certificate, he shall submit to the Control and Audit Unit, together with his monthly report to such Unit for the period in which he terminated operations, exchange certificates representing all coupons and other evidences which he is required to submit with respect to such place of business, but has not yet submitted, pursuant to the provisions of § 1394.5731.

(b) Any primary supplier who ceases to be a primary supplier as to any place of business registered by him, but who continues in the business of transferring fuel oil at such place of business, shall, in addition to complying with the requirements of paragraph (a) of this section, register as a dealer or secondary supplier with respect to such place of business, pursuant to paragraph (b) of § 1394.5701, and shall receive inventory coupons therefor pursuant to § 1394.5705.

(c) The Board shall forward the surrendered registration certificate and the original and duplicate of the new registration certificate (if any), as a primary supplier, to the Control and Audit Unit. The Control and Audit Unit shall cancel the surrendered certificate, and shall return the original of the new certificate, if any, to the registrant, in the manner provided by § 1394.5704.

§ 1394.5746 *Change of storage capacity.* Any dealer or secondary supplier in any manner altering the total capacity of his stationary fuel oil storage facilities, or, if he has no stationary storage facilities, of his mobile facilities, or converting

such facilities to the storage of a product other than fuel oil, shall surrender his original certificate of registration, for cancellation, to the Board by which it was issued, and shall obtain a new certificate of registration in the manner provided by §§ 1394.5701 to 1394.5705 inclusive. The Board shall attach to its duplicate copy of the new certificate the original and the copy of the cancelled certificate. Where the capacity of fuel oil storage facilities is decreased, the dealer or secondary supplier shall surrender to the Board coupons or other evidences equal in gallonage value to the amount of the decrease. Where the capacity of fuel oil storage facilities is increased, the Board shall issue to the dealer or secondary supplier, in the manner described in § 1394.5705, inventory coupons equal in gallonage value to the amount of the increase.

APPEALS

§ 1394.5751 *Who may appeal.* Any person directly affected by the action of a Board, State Director, or Regional Administrator taken with reference to any application, petition, or other matter before such Board, State Director, or Regional Administrator under Ration Order No. 11 may appeal from such action pursuant to the provisions of §§ 1394.5752 to 1394.5757, inclusive.

§ 1394.5752 *Time within which appeal must be brought.* Notice of a Board's action shall be given, either at the Board's office or by mail, to an applicant or petitioner, or to the agent of either. The appeal must be brought within thirty (30) days after such mailing or the giving of such other notice.

§ 1394.5753 *Appeals to state director; how brought.* Appeals from the action of a Board shall be to the State Director and shall be brought by a person entitled to bring such appeal under § 1394.5751, in the following manner:

(a) A statement of appeal shall be filed in duplicate with the Board. The statement of appeal shall state the basis for the appeal, setting forth the specific section or sections of Ration Order No. 11 claimed to be inconsistent with the action appealed from, and any other facts deemed by the applicant to be pertinent. The statement of appeal may be accompanied by documentary evidence supporting the appeal.

(b) Within five (5) days of such filing, the Board shall forward one (1) copy of the statement and an explanation of its reasons for taking the action appealed from, together with all pertinent records of papers, to the State Director, unless the Board shall, within such five (5) day period, upon reconsideration, reverse the action appealed from. If the Board disagrees with the version of the facts contained in the appellant's statement of appeal or in other papers in the record, the Board shall note the respects in which its version of the facts differs.

(c) The Board shall retain the other copy of the statement of appeal and shall keep a record thereon showing the date on which the Board notified the appellant of the action appealed from, the date on which the statement of appeal was filed,

and the date the statement of appeal and other papers were sent to the Director.

§ 1394.5754 *Action by state director.*

(a) The State Director shall maintain an appeals docket. He shall assign a number to each appeal when it reaches him, and shall enter such number, together with the name of the appellant and the name and number of the Board from whose action the appeal is taken, the action taken on appeal, and the date on which a copy of his decision was mailed to the appellant.

(b) The State Director may require the appellant to present additional pertinent information.

(c) Appeals shall be decided by the State Director, who may affirm, modify, or reverse the action of the Board. The decision shall be in writing and one (1) copy shall be mailed to the appellant and one to the Board. The decision shall direct the Board to take such action as may be necessary to give effect thereto.

(d) If no statement of appeal to the Regional Administrator is filed with the State Director within thirty (30) days after the appellant has been notified of the State Director's decision, the record shall be closed and thereafter there shall be no further right of appeal. The record shall remain on file in the State Director's office, except that documents which are necessary to present or future action of the Board shall be returned to the Board.

§ 1394.5755 *Appeals to regional administrator; how brought.* Except as provided in § 1394.5508 an appeal to the Regional Administrator may be made in the following manner from an adverse decision of the State Director, whether such decision is in a matter which came before the State Director on appeal or in a matter which came before him for original decision:

(a) A statement of appeal shall be filed in duplicate with the State Director, who shall retain one copy for his files. The statement of appeal shall state the basis for the appeal, setting forth the specific section or sections of Ration Order No. 11 claimed to be inconsistent with the action appealed from, and any other facts deemed by the appellant to be pertinent. The statement of appeal may be accompanied by documentary evidence supporting the appeal.

(b) Within five (5) days of such filing, the State Director shall forward the other copy, together with his decision and all other pertinent records or papers, to the Regional Administrator, unless the State Director shall, within such five (5) day period, upon reconsideration, reverse his decision.

§ 1394.5756 *Action by regional administrator.*

(a) The Regional Administrator shall maintain an appeals docket and shall assign a number to each appeal when it reaches him, and shall enter such number, together with the name of the appellant, the name of the State Director, the name and number of the Board, the action taken by the Regional Administrator, and the date on which a copy of the Regional Administrator's decision was mailed to the appellant.

(b) The Regional Administrator may require the appellant to present additional pertinent information.

(c) Appeals to the Regional Administrator shall be decided by the Regional Administrator who may affirm, modify, or reverse the decision of the State Director. The decision shall be in writing and copies shall be mailed to the appellant, the Board, if an action of the Board is involved, and to the State Director. The decision shall direct the Board or the State Director to take such action as may be necessary to give effect thereto.

(d) If no statement of appeal to the Washington Office is filed with the Regional Administrator within thirty (30) days after the appellant has been notified of the Regional Administrator's decision, the record shall be closed and shall be returned to the State Director's office, where it shall remain on file, except that documents which are necessary to present or future action of the Board shall be returned to the Board. Thereafter there shall be no further right of appeal.

§ 1394.5757 *Appeal to Washington Office; how brought.* Except as provided in § 1394.5508, an appeal to the Washington Office may be made in the following manner from an adverse decision of the Regional Administrator, whether such decision is in a matter which came before the Regional Administrator on appeal or in a matter which came before him for original decision:

(a) A statement of appeal shall be filed in duplicate with the Regional Administrator, who shall retain one (1) copy for his files. The statement of appeal shall state the basis for the appeal, setting forth the specific section or sections of Ration Order No. 11 claimed to be inconsistent with the action appealed from, and any other facts deemed by the appellant to be pertinent. The statement of appeal may be accompanied by documentary evidence supporting the appeal.

(b) Within five (5) days of such filing, the Regional Administrator shall forward the other copy, together with his decision and all other pertinent records or papers, to the Washington Office, unless the Regional Administrator shall, within such five (5) day period, upon reconsideration, reverse his decision.

(c) It shall be within the discretion of the Washington Office to pass upon or to refuse to pass upon an appeal. The Washington Office may require any appellant to furnish additional pertinent information.

(d) The Washington Office shall notify the appellant, the Regional Administrator, the State Director, and the Board, in writing, either:

(1) Of its refusal to pass upon the appeal; or

(2) Of its decision affirming, modifying, or reversing the decision of the Regional Administrator. The Washington Office shall direct the Board to take such action as may be necessary to give effect thereto.

(e) When the Washington Office has acted upon the appeal or has refused to act upon it, the record of the case shall be returned to the office of the State Director where it is to be filed, except that

documents which are necessary to present or future action of the Board shall be returned to the Board. Thereafter there shall be no further right of appeal.

PERSONNEL AND ADMINISTRATION

§ 1394.5771 *Personnel.* (a) Ration Order No. 11 shall be administered by the Office of Price Administration, its Regional Administrators, State Directors, War Price and Rationing Boards, and such other administrative personnel as it may designate.

(b) No person participating in the administration of Ration Order No. 11 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, marriage, or adoption.

§ 1394.5772 *Powers and duties.* The persons appointed to administer or to assist in the administration of Ration Order No. 11 shall have such powers and duties as are herein described and as the Office of Price Administration has assigned or may from time to time assign to them.

§ 1394.5773 *Records of applications.* (a) Except as provided in paragraph (b) of this section, each Board shall maintain a file of all applications for rations passed upon by it or received by it from any other Board.

(b) A Board, after passing upon an application for a ration pursuant to subparagraph (5) of paragraph (b) of § 1394.5101 shall forward such application through the State Director to the Board having jurisdiction pursuant to subparagraphs (1), (2) or (3) (as the case may be) of that paragraph.

§ 1394.5774 *Appearances before boards.* The Board may require any applicant for a ration to appear before it for examination and to produce such witnesses or evidence as it may deem material.

§ 1394.5775 *Inspections.* The Office of Price Administration or any duly authorized employee, representative or agent thereof may at any reasonable time inspect or require the inspection of any premises or oil burning equipment for which an application for a ration has been made, or of any fuel oil storage facilities.

VALUE OF UNIT; VALID PERIOD OF COUPONS

§ 1394.5781 *Value of unit.* The Washington Office will from time to time, by order, fix the value of a unit. Such order may vary the value of a unit with respect to the area in which or time when a coupon is used.

§ 1394.5782 *Valid period of coupons.* The Washington Office may from time to time, by order, change the valid period of coupons on Class 1 and 2 coupon sheets.

PROHIBITIONS

§ 1394.5801 *Prohibitions.* (a) No person shall transfer, receive a transfer of, or possess or use, fuel oil except in accordance with the provisions of Ration Order No. 11.

(b) No person shall transfer or assign, and no person shall receive a transfer or assignment of any coupon sheet, coupon, acknowledgment of delivery, inventory coupon, exchange certificate, export certificate or Delivery Receipt (whether or not such coupon sheet or Delivery Receipt was issued as a ration and whether or not such coupon was issued as a ration or as part of a coupon sheet) except in accordance with the provisions of Ration Order No. 11.

(c) No person shall have in his possession any coupon sheet, coupon, acknowledgment of delivery, inventory coupon, exchange certificate, export certificate or delivery receipt (whether or not such coupon sheet or delivery receipt was issued as a ration or as part of a coupon sheet) except the person, or the agent of the person, to whom such coupon, coupon sheet, acknowledgment of delivery, inventory coupon, exchange certificate, export certificate or delivery receipt was issued, or by whom it was acquired, in accordance with the provisions of Ration Order No. 11.

(d) No person shall deface, mutilate, alter or destroy any coupon, coupon sheet, other evidence, or delivery receipt.

(e) No person shall counterfeit or forge a coupon, coupon sheet, other evidence, or delivery receipt.

(f) No person shall transfer, receive a transfer of, possess, or use any forged, altered, or counterfeited coupon, coupon sheet, other evidence, or delivery receipt.

(g) The provisions of paragraphs (a), (b), (c), (d), and (f) of this section shall not be applicable to public officials acting in the performance of their official duties.

(h) No person shall wilfully spoil or destroy fuel oil.

(i) No person shall offer, solicit, attempt, or agree to do any act in violation of Ration Order No. 11.

ENFORCEMENT

§ 1394.5802 *Criminal prosecutions.* (a) Any person who knowingly falsifies an application, or any other record, report, or certificate made pursuant to or required by the terms of Ration Order No. 11 or who otherwise knowingly furnishes false information to any Board or any other agent, employee, or officer of the Office of Price Administration, or falsifies, or who conceals or covers up a material fact, by any trick, scheme, or device, or who makes or causes to be made any false or fraudulent statements, or representations, in any matter within the jurisdiction of the Office of Price Administration, may upon conviction be fined not more than \$10,000, or imprisoned for not more than ten years, or both, and shall be subject to such other penalties or action as may be prescribed by law. Any person who conspires with another person to perform any of the foregoing acts or to violate any provision of Ration Order No. 11 may upon conviction be fined not more than \$10,000, or imprisoned for not more than two years, or both, and shall be subject to such other penalties or action as may be prescribed by law.

using or otherwise disposing of, any fuel oil or other rationed product or facility. Such suspension order shall be issued for such period as in the judgment of the Administrator, or such person as he may designate for such purpose, is necessary or appropriate in the public interest and to promote the national security.

§ 1394.585 Tables—(a) Table 1: Percentage adjustment to obtain normal consumption and maximum and minimum ratios per square foot of heated floor area by thermal sub-zones.

(b) Any person who willfully performs any act prohibited, or willfully fails to perform any act required, by any provision of Ration Order No. 11 may upon conviction be fined not more than \$10,000, or imprisoned for not more than one year, or both, and shall be subject to such other penalties or action as may be prescribed by law.

§ 1394.5803 Suspension orders. Any person who violates Ration Order No. 11 may, by administrative suspension order, be prohibited from receiving any transfers or deliveries of, or selling or

Thermal subzone (by states and counties)	(1) Percentage of 1941-42 consumption to obtain normal consumption	(2) Maximum and minimum ratios per square foot of heated floor area			
		(a) Central heating equipment		(b) Space heaters	
		Maximum	Minimum	Maximum	Minimum
<p>North Dakota: Bottineau, Cavalier, Renville, Rolette, and Towner.</p> <p>Minnesota: Beltrami, Clearwater, Cook, Itasca, Kittson, Koochiching, Lake, Lake of the Woods, Mahanomen, Marshall, Norman, Pennington, Polk, Red Lake, Roseau, and St. Louis.</p> <p>North Dakota: Benson, Burke, Divide, Eddy, Grand Forks, McHenry, Mountrail, Nelson, Pembina, Pierce, Ramsey, Walsh, Ward, and Wells.</p> <p>Maine: Aroostock.</p> <p>Michigan: Aitkin, Becker, Carlton, Cass, Clay, Crew, Wing, Hubbard, Otter Tail, Wadena, and Wilkin.</p> <p>North Dakota: Barnes, Cass, Foster, Griggs, Steele, Strutsman, and Traill.</p> <p>Wisconsin: Bayfield and Douglas.</p> <p>Maine: Piscataquis and Somerset.</p> <p>Michigan: Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Lapeer, Mackinac, Marquette, Menominee, Ontonagon, and Schoolcraft.</p> <p>Minnesota: Benton, Douglas, Grant, Kanabec, Miller, Lacs, Morrison, Rice, Todd, and Traverse.</p> <p>New Hampshire: Coe.</p> <p>North Dakota: Golden Valley, Burleigh, Dickey, Dunn, La Motte, Logan, McIntosh, McKenzie, McLean, Mercer, Morton, Oliver, Ransom, Richland, Sargent, Sheridan, Slope, Stark, and Williams.</p> <p>South Dakota: Brown, Campbell, McPherson, Marshall, and Roberts.</p> <p>Vermont: Essex and Orleans.</p> <p>Wisconsin: Ashland, Burnett, Florence, Forest, Iron, Marinette, Oneida, Price, Sawyer, Vilas, and Washburn.</p> <p>Maine: Franklin, Oxford, Penobscot, and Washington.</p> <p>Minnesota: Big Stone, Chicago, Isanti, Pope, Sherburne, Stearns, and Stevens.</p> <p>New Hampshire: Carroll and Grafton.</p> <p>New York: Franklin and Hamilton.</p> <p>North Dakota: Adams, Bowman, and Stout.</p>	110	1.429	1.096	1.715	1.315
<p>South Dakota: Corson, Day, Edmunds, Faulk, Grant, Harding, Perkins, Spink, and Walworth.</p> <p>Vermont: Caldonia, Lamolle, Orange, and Washington.</p> <p>Wisconsin: Barron, Langlade, Oconto, Polk, Rusk, Taylor, and Lincoln.</p> <p>Michigan: Alcona, Alpena, Antrim, Arenac, Charlevoix, Cheboygan, Clare, Crawford, Emmet, Gladwin, Iosco, Kalkaska, Lake, Missaukee, Montmorency, Ogemaw, Osceola, Oscoda, Oshtemo, Presque Isle, Roscommon, and Wexford.</p> <p>Minnesota: Anoka, Blue Earth, Brown, Carver, Chippewa, Cottonwood, Dakota, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Hennepin, Jackson, Kandiyohi, Lac Qui Parle, La Sueur, Lincoln, Lyon, McLeod, Martin, Mower, Murray, Nicollet, Nobles, Olmsted, Pipestone, Ramsey, Redwood, Renville, Rice, Rock, Scott, Sibley, Steele, Swift, Wabasha, Waseca, Washington, Watonwan, Winona, Wright, and Yellow Medicine.</p> <p>New York: Clinton, Essex, Herkimer, Lewis, and St. Lawrence.</p> <p>South Dakota: Beadle, Brookings, Clark, Codington, Deuel, Dewey, Hamlin, Hand, Hyde, Kingsbury, Lake, Miner, Moody, Potter, and Spink.</p> <p>Wisconsin: Barron, Beaver, Chippewa, Clarke, Door, Dunn, Eau Claire, Jackson, Kewaunee, Marathon, Outagamie, Pepin, Pierce, Portage, St. Croix, Shawano, Trempealeau, Waupaca, and Wood.</p> <p>Maine: Androscoggin, Hancock, Kennebec, and Waldo.</p> <p>Vermont: Chittenden, Franklin, and Grand Isle.</p> <p>Iowa: Allamakee, Cerro Gordo, Chickasaw, Clay, Dickinson, Emmet, Floyd, Hancock, Howard, Kossuth, Lyon, Mitchell, O'Brien, Osceola, Palo Alto, Sioux, Winnebago, Winneshiek, and Worth.</p> <p>Michigan: Bay, Benzie, Grand Traverse, Huron, Isabella, Leelanau, Manistee, Mason, Mecosta, Midland, Newaygo, and Tuscola.</p> <p>Minnesota: Houston.</p> <p>New York: Chenango, Delaware, Fulton, Jefferson, Madison, Montgomery, Oneida, Otsego, Saratoga, Schoenectady, Schoharie, Sullivan, and Warren.</p> <p>South Dakota: Armstrong, Aurora, Brule, Buffalo, Butte, Clay, Davison, Douglas, Haakon, Hanson, Hughes, Hutchinson, Jerauld, Lincoln, Lyman, McCook, Meade, Minnehaha, Stanley, Sully, Turner, Union, and Ziebach.</p> <p>Wisconsin: Adams, Calumet, Columbia, Crawford, Dane, Dodge, Fond Du Lac, Green Lake, Juneau, La Crosse, Manitowoc, Marquette, Monroe, Richland, Sauk, Sheboygan, Vernon, Waushara, and Winnebago.</p> <p>Maine: Cumberland, Knox, Lincoln, Sagadahoc, and York.</p> <p>New Hampshire: Belknap, Merrimack, and Sullivan.</p> <p>Vermont: Addison, Rutland, and Windsor.</p>	111	1.875	1.438	2.250	1.726
	111	1.786	1.370	2.143	1.644
	111	1.696	1.301	2.035	1.561
	111	1.607	1.233	1.928	1.480
	111	1.618	1.164	1.822	1.387

(1) Thermal subzone (by states and counties)	(2) Maximum and minimum ration per square foot of heated floor area		(3) Percentage of 1941-42 consumption to obtain normal consumption
	(a) Central heating equipment		
	Maximum	Minimum	
<p>Illinois: Boone, Carroll, De Kalb, Jo Daviess, Kane, Lake, McHenry, Ogle, Stephenson, and Winnebago.</p> <p>Massachusetts: Berkshire, Franklin, and Hampshire.</p> <p>Nebraska: Antelope, Banner, Blaine, Box, Butler, Boyd, Brown, Burt, Cedar, Cherry, Cheyenne, Cuming, Dakota, Dawes, Deuel, Dixon, Garden, Garfield, Grant, Holt, Hooker, Keyapaha, Kimball, Knox, Loup, Madison, Morrill, Pierce, Rock, Scotts Bluff, Sheridan, Sioux, Stanton, Thomas, Thurston, Wayne, and Wheeler.</p> <p>New Hampshire: Cheshire, Hillsborough, Rockingham, and Strafford.</p> <p>New York: Albany, Allegany, Broome, Cattaraugus, Cayuga, Chautauque, Chemung, Columbia, Cortland, Erie, Genesee, Greene, Livingston, Monroe, Niagara, Onondaga, Ontario, Orleans, Oswego, Rensselaer, Schuyler, Seneca, Steuben, Tioga, Tompkins, Ulster, Washington, Wayne, Wyoming, and Yates.</p> <p>Pennsylvania: Erie, McKean, Potter, Tioga, and Warren.</p> <p>South Dakota: Bennett, Bon Homme, Charles Mix, Custer, Fall River, Gregory, Jackson, Jones, Lawrence, Mellette, Pennington, Shannon, Todd, Tripp, Wabasha, Washington, and Yankton.</p> <p>Vermont: Bennington and Windham.</p>	1.250	.950	107
<p>8.....</p> <p>Iowa: Benton, Black Hawk, Boone, Bremer, Buchanan, Buena Vista, Butler, Calhoun, Carroll, Cherokee, Clayton, Crawford, Delaware, Dubuque, Fayette, Franklin, Greene, Grundy, Hamilton, Hardin, Humboldt, Ida, Jackson, Jones, Linn, Marshall, Monona, Plymouth, Pocahontas, Sac, Story, Tama, Webster, Woodbury, and Wright.</p> <p>Michigan: Allegan, Barry, Clinton, Eaton, Genesee, Gratiot, Ingham, Ionia, Kent, Lapeer, Livingston, Macomb, Montcalm, Muskegon, Oakland, Oceana, Ottawa, Saginaw, St. Clair, Sanilac, and Shiawassee.</p> <p>Wisconsin: Grant, Green, Iowa, Jefferson, Kenosha, Lafayette, Milwaukee, Ozaukee, Racine, Rock, Walworth, Washington, and Waukesha.</p>	1.250	.950	112
<p>9.....</p> <p>Illinois: Bureau, Cook, Du Page, Grundy, Henry, Kendall, Laclede, Lee, Mercer, Putnam, Rock Island, Whiteside, and Will.</p> <p>Indiana: De Kalb, Elkhart, Lagrange, Lake, La Porte, Noble, Porter, St. Joseph, and Steuben.</p> <p>Iowa: Adair, Adams, Audubon, Cass, Cedar, Clarke, Clinton, Dallas, Guthrie, Harrison, Iowa, Jasper, Jefferson, Johnson, Keokuk, Louisa, Lucas, Madison, Mahaska, Marion, Mills, Monroe, Montgomery, Muscatine, Polk, Poweshiek, Pottawattamie, Scott, Shelby, Union, Wapello, Warren, and Washington.</p> <p>Michigan: Berrien, Branch, Calhoun, Cass, Hillsdale, Jackson, Kalamazoo, Leisawee, Monroe, St. Joseph, and Van Buren, Washtenaw, and Wayne.</p> <p>New York: Dutchess and Orange.</p> <p>Ohio: Ashland, Cuyahoga, DeKalb, Erie, Fulton, Geauga, Hamilton, Lucas, Licking, Ottawa, Portage, Sandusky, Seneca, Trumbull, Williams, and Wood.</p>	1.161	.800	110
<p>10.....</p> <p>Pennsylvania: Bradford, Cameron, Centre, Clarion, Clearfield, Clinton, Crawford, Elk, Forest, Jefferson, Pike, Susquehanna, Venango, and Wayne.</p> <p>9A.....</p> <p>Connecticut: Litchfield.</p> <p>Massachusetts: Essex, Hampden, Middlesex, and Worcester.</p> <p>Nebraska: Arthur, Boone, Butler, Cass, Colfax, Custer, Dawson, Dodge, Douglas, Greeley, Howard, Keith, Lincoln, Logan, McPherson, Merrick, Nelson, Perkins, Platte, Polk, Sarge, Saunders, Sbertman, Valley, and Washington.</p>	1.151	1.540	1.151
<p>Illinois: Champaign, De Witt, Ford, Fulton, Hancock, Henderson, Iroquois, Kankakee, Knox, Livingston, Logan, McDonough, McLean, Marshall, Mason, Peoria, Platt, Schuyler, Stark, Tazewell, Warren, and Woodford.</p> <p>Indiana: Adams, Allen, Benton, Blackford, Carroll, Cass, Fulton, Grant, Howard, Huntington, Jasper, Jay, Kosciusko, Marshall, Miami, Newton, Pulaski, Starke, Tippecanoe, Wabash, Wells, White, and Whitley.</p> <p>Iowa: Appanoose, Davis, Decatur, Des Moines, Fremont, Henry, Lee, Page, Ringgold, Taylor, Van Buren, and Wayne.</p> <p>Maryland: Garrett.</p> <p>Massachusetts: Barnstable, Bristol, Dukes, Nantucket, Norfolk, Plymouth, and Suffolk.</p> <p>Missouri: Adair, Atchison, Clark, Gentry, Grundy, Harrison, Knox, Mercer, Nodaway, Putnam, Schuyler, Scotland, Sullivan, and Worth.</p> <p>New Jersey: Bergen, Essex, Morris, Passaic, Sussex, and Warren.</p> <p>New York: Putnam, Rockland, and Westchester.</p> <p>Ohio: Allen, Ashland, Augusburg, Carroll, Champaign, Columbiana, Coshocton, Crawford, Darke, Delaware, Hancock, Hardin, Harrison, Holmes, Huron, Jefferson, Knox, Logan, Mahoning, Marion, Medina, Mercer, Morrow, Paulding, Putnam, Richland, Shelby, Stark, Summit, Tuscarawas, Union, Van Wert, Wayne, and Wyandot.</p> <p>Pennsylvania: Adams, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Carbon, Columbus, Cumberland, Franklin, Fulton, Huntingdon, Indiana, Juniata, Lackawanna, Lawrence, Luzerne, Lycoming, Mercer, Millin, Monroe, Montour, Northampton, Northumberland, Perry, Schuylkill, Snyder, Somerset, Sullivan, Union, Westmoreland, and Wyoming.</p> <p>West Virginia: Grant and Mineral.</p>	1.071	.822	110
<p>10A.....</p> <p>Connecticut: Fairfield, Hartford, Middlesex, New Haven, New London, Tolland, and Windham.</p> <p>Nebraska: Adams, Buffalo, Chase, Clay, Dundy, Fillmore, Franklin, Frontier, Furnas, Gage, Gosper, Hall, Hamilton, Harlan, Hayes, Hitchcock, Jefferson, Johnson, Kearney, Lancaster, Nemaha, Nuckolls, Otter, Pawnee, Phelps, Redwillow, Richardson, Saline, Sedgewick, Thayer, Webster, and York.</p> <p>Rhode Island: Bristol, Kent, Newport, Providence, and Washington.</p>	1.071	.822	107

(1) Percent- age of 1941-42 con- sump- tion to obtain normal con- sump- tion	(2) Maximum and minimum ration per square foot of heated floor area		(3) Thermal subzone (by states and countries)	(4) Maximum and minimum ration per square foot of heated floor area		(5) Percent- age of 1941-42 con- sump- tion to obtain normal con- sump- tion
	(a) Central heating equip- ment			(b) Space heaters		
	Maximum	Minimum		Maximum	Minimum	
111	.982	.753	1.178	.904	111	
<p><i>Illinois:</i> Adams, Brown, Cass, Christian, Coles, Douglas, Edgar, Macon, Menard, Morgan, Moultrie, Pike, Sangamon, Scott, Shelby, and Vermilion.</p> <p><i>Indiana:</i> Boone, Clinton, Delaware, Fayette, Fountain, Hamilton, Hancock, Hendricks, Henry, Madison, Marion, Montgomery, Parke, Putnam, Randolph, Rush, Tipton, Union, Vermillion, Warren, and Wayne.</p> <p><i>Maryland:</i> Allegany and Washington.</p> <p><i>Missouri:</i> Andrew, Buchanan, Caldwell, Chariton, Clinton, Daviess, De Kalb, Holt, Lewis, Linn, Livingston, Macon, Marion, Monroe, Pike, Ralls, Randolph, and Shelby.</p> <p><i>New Jersey:</i> Hudson, Hunterdon, Mercer, Middlesex, Somerset, and Union.</p> <p><i>New York:</i> Bronx, Kings, Manhattan, Nassau, Queens, Richmond, and Suffolk.</p> <p><i>Ohio:</i> Belmont, Clark, Clinton, Fairfield, Fayette, Franklin, Greene, Guernsey, Hocking, Licking, Madison, Miami, Montgomery, Morgan, Muskingum, Noble, Perry, Pickaway, and Preble.</p> <p><i>Pennsylvania:</i> Allegheny, Berks, Bucks, Chester, Dauphin, Fayette, Greene, Lancaster, Lebanon, Lehigh, Washington, and York.</p> <p><i>West Virginia:</i> Barbour, Berkeley, Hampshire, Hardy, Harrison, Jefferson, Lewis, Marion, Monongalia, Morgan, Pocahontas, Preston, Randolph, Taylor, Tucker, Upshur, and Weaber.</p>						
108	.982	.753	1.178	.904	108	
<p>11A.....</p> <p><i>Kansas:</i> Atchison, Brown, Cheyenne, Clay, Cloud, Decatur, Dickinson, Ellis, Gove, Grant, Greeley, Jackson, Jewell, Leas, Logan, Marshall, McClain, Nemaha, Norton, Osborne, Phillips, Pottawatomie, Rawlins, Republic, Riley, Rocks, Scott, Shawnee, Sheridan, Sherman, Smith, Thomas, Trego, Wallace, Washington, and Wichita.</p>						
110	.893	.685	1.072	.822	110	
<p>12.....</p> <p><i>Illinois:</i> Bond, Calhoun, Clark, Clay, Clinton, Crawford, Cumberland, Edwards, Effingham, Fayette, Greene, Jasper, Jefferson, Jersey, Lawrence, Macoupin, Madison, Marion, Montgomery, Richland, St. Clair, Wabash, Washington, and Wayne.</p> <p><i>Indiana:</i> Bartholomew, Brown, Clay, Daviess, Dearborn, Decatur, Franklin, Gibson, Greene, Jackson, Jennings, Johnson, Knox, Lawrence, Martin, Monroe, Morgan, Owen, Pike, Ripley, Shelby, Sullivan, and Vigo.</p> <p><i>Kansas:</i> Allen, Anderson, Barton, Butler, Chase, Coffey, Dickinson, Douglas, Edwards, Ellsworth, Finney, Ford, Franklin, Geary, Grant, Gray, Greenwood, Hamilton, Harvey, Haskell, Hodgeman, Jefferson, Johnson, Kearny, Kingman, Kiowa, Leavenworth, Lincoln, Lyon, McPherson, Marion, Miami, Morris, Ness, Osage, Ottawa, Pawnee, Pratt, Reno, Rice, Rush, Russell, Saline, Sedgwick, Stafford, Stanton, Wabaussee, Woodson, and Wyandotte.</p> <p><i>Missouri:</i> Audrain, Boone, Callaway, Carroll, Cass, Clay, Cole, Cooper, Franklin, Gasconade, Howard, Jackson, Johnson, Lafayette, Lincoln, Monticello, Montgomery, Osage, Pettis, Platte, Ray, St. Charles, St. Louis, St. Louis City, Saline, and Warren.</p>						
112	.804	.616	.965	.739	112	
<p>13A.....</p> <p><i>Delaware:</i> Kent and Sussex.</p> <p><i>Illinois:</i> Franklin, Hamilton, Jackson, Monroe, Perry, Randolph, White, and Williamson.</p> <p><i>Indiana:</i> Clark, Craysford, Dubois, Floyd, Harrison, Jefferson, Ohio, Orange, Perry, Posey, Scott, Spencer, Switzerland, Vanderburgh, Warrick, and Washington.</p> <p><i>Missouri:</i> Barton, Bates, Benton, Bollinger, Camden, Cape Girardeau, Carter, Cedar, Christian, Crawford, Dade, Dallas, Dent, Douglas, Greene, Henry, Hickory, Howell, Iron, Jefferson, Laclede, Madison, Maries, Miller, Morgan, Oregon, Perry, Phelps, Polk, Pulaski, Reynolds, St. Clair, St. Francois, Ste. Genevieve, Shannon, Texas, Vernon, Washington, Wayne, Webster, and Wright.</p> <p><i>North Carolina:</i> Alleghany, Ashe, Avery, and Watauga.</p>						
114	.893	.685	1.072	.822	114	
<p>12A.....</p> <p><i>New Jersey:</i> Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Monmouth, Ocean, and Salem.</p> <p><i>Ohio:</i> Adams, Athens, Brown, Butler, Clermont, Hamilton, Highland, Jackson, Meigs, Monroe, Pike, Ross, Vinton, Warren, and Washington.</p> <p><i>Virginia:</i> Allegheny, Bath, Bland, Craig, Frederick, Giles, Highland, Montgomery, Prince William, Pulaski, Shenandoah, and Wythe.</p> <p><i>West Virginia:</i> Braxton, Brooke, Calhoun, Clay, Doddridge, Fayette, Gilmer, Greenbrier, Hancock, Marshall, Mercer, Monroe, Nicholas, Ohio, Pendleton, Pleasants, Raleigh, Ritchie, Roane, Summers, Tyler, Wetzel, Wirt, and Wood.</p>						
116	.804	.616	.965	.739	116	
<p>13.....</p> <p><i>Delaware:</i> New Castle.</p> <p><i>Maryland:</i> Carroll, Frederick, Howard, Montgomery, and Prince Georges.</p> <p><i>Pennsylvania:</i> Delaware, Montgomery, and Philadelphia.</p> <p><i>District of Columbia:</i> (No counties.)</p> <p><i>Maryland:</i> Anne Arundel, Baltimore, Baltimore City, Calvert, Caroline, Cecil, Charles, Dorchester, Harford, Kent, Queen Annes, St. Marys, Somerset, Talbot, Wicomico, and Worcester.</p> <p><i>Virginia:</i> Accomac, Arlington, Augusta, Botetourt, Buchanan, Carroll, Clarke, Culpeper, Dickenson, Fairfax, Fauquier, Floyd, Grayson, Greene, Lee, Loudon, Madison, Northumberland, Orange, Page, Rappahannock, Roanoke, Rockbridge, Rockingham, Russell, Scott, Smyth, Spotsylvania, Stafford, Tazewell, Warren, Washington, and Wise.</p>						
107	.804	.616	.965	.739	107	
<p>13B.....</p> <p><i>Kansas:</i> Barber, Bourbon, Chautauqua, Cherokee, Clark, Comanche, Cowley, Crawford, Elk, Harper, Labette, Linn, Meade, Montgomery, Norton, Neosho, Seward, Stevens, Sumner, and Wilson.</p> <p><i>Kentucky:</i> Anderson, Bath, Boone, Bourbon, Boyd, Bracken, Bullitt, Campbell, Carroll, Carter, Clark, Elliott, Fayette, Fleming, Franklin, Gallatin, Grant, Greenup, Harrison, Henry, Jefferson, Jessamine, Kenton, Lawrence, Lewis, Mason, Menifee, Mercer, Montgomery, Nicholas, Oldham, Owen, Pendleton, Robertson, Rowan, Scott, Shelby, Spencee, Trimble, and Woodford.</p>						

Thermal subzone (by states and counties)	(1) Percent- age of 1941-42 con- sump- tion to obtain normal con- sump- tion	(2) Maximum and minimum ration per square foot of heated floor area		Thermal subzone (by states and counties)	(1) Percent- age of 1941-42 con- sump- tion to obtain normal con- sump- tion	(2) Maximum and minimum ration per square foot of heated floor area																			
		(a) Central heating equip- ment				(b) Space heaters																			
		Maximum	Minimum			Maximum	Minimum																		
<p>Ohio: Gallia, Lawrence, and Scioto.</p> <p>West Virginia: Boone, Cabell, Jackson, Kanawha, Lincoln, Logan, McDowell, Mason, Mingo, Putnam, Wayne, and Wyoming.</p> <p>14.....</p> <p>Virginia: Albemarle, Amherst, Appomattox, Bedford, Buckingham, Campbell, Caroline, Cumberland, Essex, Fluvanna, Franklin, Goodland, Hanover, Henrico, Henry, King and Queen, King George, King William, Lancaster, Louisa, Middlesex, Nelson, Northampton, Patrick, Powhatan, Richmond, and Westmoreland.</p> <p>14A.....</p> <p>North Carolina: Buncombe, Caswell, Haywood, Henderson, Madison, Mitchell, Person, Rockingham, Stokes, Surry, Transylvania, and Yancey.</p> <p>14B.....</p> <p>Illinois: Alexander, Gallatin, Hardin, Johnson, Massac, Pope, Pulaski, Saline, and Union.</p> <p>Kentucky: Adair, Barron, Bell, Boyle, Breathitt, Breckinridge, Butler, Caldwell, Casey, Clay, Crittenden, Daviess, Edmonson, Estill, Floyd, Garrard, Grayson, Green, Hancock, Hardin, Harlan, Hart, Henderson, Hopkins, Jackson, Johnson, Knott, Knox, Lenoir, Laurel, Lee, Leslie, Letcher, Lincoln, Livingston, Lyon, McLean, Madison, Magoffin, Marion, Martin, Meade, Metcalfe, Morgan, Muhlenberg, Nelson, Ohio, Owsley, Perry, Pike, Powell, Pulaski, Rockcastle, Russell, Taylor, Union, Warren, Washington, Webster, Whitley, and Wolfe.</p> <p>Missouri: Barry, Butler, Jasper, Lawrence, McDonald, Newton, Ozark, Ripley, Scott, Stoddard, Stone, and Taney.</p> <p>15.....</p> <p>North Carolina: Almonac, Alexander, Burke, Cabarrus, Caldwell, Camden, Catawba, Chatham, Cherokee, Chowan, Clay, Cleveland, Currituck, Davidson, Davie, Durham, Forsyth, Franklin, Gaston, Gates, Graham, Granville, Guilford, Halifax, Hertford, Iredell, Jackson, Lincoln, McDowell, Macon, Mecklenburg, Montgomery, Northampton, Orange, Pasquotank, Perquimans, Polk, Randolph, Rowan, Rutherford, Stanley, Swain, Vance, Wake, Warren, Wilkes, and Yadkin.</p> <p>South Carolina: Cherokee, Greenville, Oconee, Pickens, and Spartanburg.</p> <p>15A.....</p> <p>Georgia: Fannin, Gilmer, Habersham, Hall, Lumpkin, Murray, Rabun, Stephens, Towns, Union, and White.</p> <p>Kentucky: Allen, Ballard, Calloway, Carlisle, Christian, Clinton, Cumberland, Fulton, Graves, Hickman, Logan, McCracken, McCree, Marshall, Monroe, Simpson, Todd, Trigg, and Wayne.</p> <p>Missouri: Dunklin, Mississippi, New Madrid, and Pemisocot.</p>	112	.714	.548	.857	.658	110	.714	.548	.857	.658	106	.714	.548	.857	.658	110	.625	.479	.750	.675	106	.625	.479	.750	.675
<p>Virginia: Amelia, Brunswick, Charles City, Charlotte, Chesterfield, Dinwiddie, Elizabeth City, Gloucester, Greensville, Halifax, Isle of Wight, James City, Lunenburg, Mathews, Mecklenburg, Nansemond, New Kent, Norfolk, Nottoway, Pittsylvania, Prince Edward, Prince George, Princess Anne, Southampton, Surry, Sussex, Warwick, and York.</p> <p>16.....</p> <p>Georgia: Banks, Barrow, Bartow, Catosa, Chattooga, Cherokee, Clayton, Clarke, Cobb, Dade, Dawson, DeKalb, Douglas, Floyd, Forsyth, Franklin, Fulton, Gordon, Gwinnett, Hart, Jackson, Madison, Newton, Oconee, Paulding, Pickens, Polk, Rockdale, Walker, Walton, and Whitfield.</p> <p>North Carolina: Anson, Bertie, Bladen, Craven, Cumberland, Dare, Duplin, Edgecombe, Greene, Harnett, Hoke, Johnston, Jones, Lee, Lenoir, Martin, Moore, Nash, Pitt, Richmond, Robeson, Sampson, Scotland, Tyrrell, Union, Washington, Wilson and Wayne.</p> <p>South Carolina: Abbeville, Anderson, Chester, Chesterfield, Greenwood, Kershaw, Lancaster, Laurens, Union, and York.</p> <p>17.....</p> <p>Georgia: Baldwin, Butts, Carroll, Columbia, Coweta, Elbert, Fayette, Glascock, Greene, Hancock, Haralson, Heard, Henry, Jasper, Jones, Lamar, Lincoln, McDuffie, Meriwether, Monroe, Morgan, Oglethorpe, Pike, Putnam, Richmond, Spalding, Talbot, Troup, Upson, Warren, and Wilkes.</p> <p>North Carolina: Beaufort, Brunswick, Carteret, Columbus, Hyde, New Hanover, Onslow, Pamlico, and Perimeter.</p> <p>South Carolina: Aiken, Calhoun, Darlington, Dillon, Edgefield, Fairfield, Lee, Lexington, McCormick, Marlboro, Newberry, Richland, Saluda, and Sumter.</p> <p>18.....</p> <p>Georgia: Bibb, Bleckley, Burke, Chattahoochee, Crawford, Crisp, Dodge, Doody, Emmanuel, Harris, Houston, Jefferson, Jenkins, Johnson, Laurens, Macon, Marion, Muscogee, Peach, Pulaski, Quitman, Schley, Screven, Stewart, Sumter, Talbot, Taylor, Trenton, Twiggs, Washington, Webster, Wilcox, and Wilkeson.</p> <p>South Carolina: Allendale, Bamberg, Barnwell, Berkeley, Charleston, Clarendon, Colleton, Dorchester, Florence, Georgetown, Hampton, Horry, Marion, Orangeburg, and Williamsburg.</p> <p>19.....</p> <p>Georgia: Appling, Atkinson, Bacon, Baker, Ben Hill, Berrien, Brantley, Bryan, Bulloch, Calhoun, Candler, Chatham, Clay, Coffee, Colquitt, Cook, Decatur, Dougherty, Early, Effingham, Evans, Grady, Irwin, Jeff Davis, Lee, Liberty, Long, Miller, Mitchell, Montgomery, Pierce, Randolph, Seminole, Tattnall, Terrell, Thomas, Thomas, Tift, Toombs, Turner, Ware, Wayne, Wheeler, and Worth.</p> <p>South Carolina: Beaufort and Jasper.</p>	107	.535	.411	.643	.493	107	.446	.342	.535	.410	100	.357	.274	.428	.329	100	.268	.205	.322	.246					

Thermal subzone (by states and counties)	(1) Percentage of 1941-42 consumption to obtain normal consumption	(2) Maximum and minimum ration per square foot of heated floor area			
		(a) Central heating equipment		(b) Space heaters	
		Maximum	Minimum	Maximum	Minimum
		20.....	100	.179	.137	215.	.164
Florida: Alachua, Baker, Bradford, Citrus, Clay, Columbia, Dixie, Duval, Flagler, Franklin, Gadsden, Gilchrist, Hamilton, Hernando, Jefferson, Lafayette, Lake, Leon, Levy, Liberty, Madison, Marion, Nassau, Putnam, St. Johns, Sumter, Suwannee, Taylor, Union, Volusia, and Wakulla. Georgia: Brooks, Camden, Charlton, Clinch, Echols, Glynn, Lanier, Lowndes, and McIntosh.					
21.....	100	.089	.068	.107	.082
Florida: Brevard, Broward, Charlotte, Collier, De Soto, Glades, Hardee, Hendry, Highlands, Hillsborough, Indian River, Lee, Manatee, Martin, Okaloosa, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, St. Lucie, Sarasota, and Seminole.					
22.....	100	.036	.027	.043	.032
Florida: Dade and Monroe.					

(b) Table II: percentage of fuel oil allocable to thermal periods by thermal zones; to be deducted for late applicants.

Thermal zone A	Dates of application (inclusive)			Percentage of fuel oil
	Thermal zone B	Thermal zone C	Thermal zone D	
Nov. 1-Nov. 3	Nov. 1-Nov. 6	Nov. 1-Nov. 5	Nov. 1-Nov. 4	Period 1
Nov. 4-Nov. 8	Nov. 7-Nov. 11	Nov. 6-Nov. 9	Nov. 5-Nov. 9	30%
Nov. 9-Nov. 13	Nov. 12-Nov. 16	Nov. 10-Nov. 14	Nov. 10-Nov. 14	40%
Nov. 14-Nov. 19	Nov. 17-Nov. 21	Nov. 15-Nov. 19	Nov. 15-Nov. 19	50%
Nov. 20-Nov. 24	Nov. 22-Nov. 26	Nov. 20-Nov. 24	Nov. 20-Nov. 24	60%
Nov. 25-Nov. 29	Nov. 27-Dec. 2	Nov. 25-Nov. 29	Nov. 24-Nov. 28	70%
		Nov. 30-Dec. 3	Nov. 29-Dec. 1	80%
			Dec. 2-Dec. 5	90%
				95%
Nov. 30-Dec. 3	Dec. 3-Dec. 4	Dec. 4-Dec. 6	Dec. 6-Dec. 7	Period 2
Dec. 4-Dec. 7	Dec. 5-Dec. 8	Dec. 7-Dec. 9	Dec. 8-Dec. 10	10%
Dec. 8-Dec. 11	Dec. 9-Dec. 11	Dec. 10-Dec. 12	Dec. 11-Dec. 13	20%
Dec. 12-Dec. 15	Dec. 12-Dec. 15	Dec. 13-Dec. 15	Dec. 14-Dec. 16	30%
Dec. 16-Dec. 18	Dec. 16-Dec. 18	Dec. 16-Dec. 18	Dec. 17-Dec. 19	40%
Dec. 19-Dec. 22	Dec. 19-Dec. 22	Dec. 19-Dec. 22	Dec. 20-Dec. 21	50%
Dec. 23-Dec. 26	Dec. 23-Dec. 25	Dec. 23-Dec. 25	Dec. 22-Dec. 24	60%
Dec. 27-Dec. 30	Dec. 26-Dec. 29	Dec. 26-Dec. 28	Dec. 25-Dec. 27	70%
Dec. 31-Jan. 2	Dec. 30-Jan. 1	Dec. 29-Dec. 31	Dec. 28-Dec. 30	80%
Jan. 3-Jan. 6	Jan. 2-Jan. 5	Jan. 1-Jan. 4	Dec. 31-Jan. 2	90%
				95%
Jan. 7-Jan. 10	Jan. 6-Jan. 7	Jan. 5-Jan. 6	Jan. 3-Jan. 5	Period 3
Jan. 11-Jan. 13	Jan. 8-Jan. 11	Jan. 7-Jan. 9	Jan. 6-Jan. 8	10%
Jan. 14-Jan. 16	Jan. 12-Jan. 14	Jan. 10-Jan. 12	Jan. 9-Jan. 11	20%
Jan. 17-Jan. 20	Jan. 15-Jan. 17	Jan. 13-Jan. 15	Jan. 12-Jan. 15	30%
Jan. 21-Jan. 23	Jan. 18-Jan. 20	Jan. 16-Jan. 17	Jan. 16-Jan. 18	40%
Jan. 24-Jan. 26	Jan. 21-Jan. 23	Jan. 18-Jan. 20	Jan. 19-Jan. 22	50%
Jan. 27-Jan. 29	Jan. 24-Jan. 26	Jan. 21-Jan. 23	Jan. 23-Jan. 26	60%
Jan. 30-Feb. 1	Jan. 27-Jan. 30	Jan. 24-Jan. 26	Jan. 27-Jan. 29	70%
Feb. 2-Feb. 5	Jan. 31-Feb. 2	Jan. 27-Jan. 29	Jan. 30-Feb. 2	80%
Feb. 6-Feb. 8	Feb. 3-Feb. 6	Jan. 30-Feb. 2	Feb. 3-Feb. 6	90%
				95%
Feb. 9-Feb. 11	Feb. 7-Feb. 8	Feb. 3-Feb. 4	Feb. 6-Feb. 8	Period 4
Feb. 12-Feb. 15	Feb. 9-Feb. 11	Feb. 5-Feb. 7	Feb. 9-Feb. 11	10%
Feb. 16-Feb. 18	Feb. 12-Feb. 14	Feb. 8-Feb. 11	Feb. 12-Feb. 14	20%
Feb. 19-Feb. 22	Feb. 15-Feb. 17	Feb. 12-Feb. 14	Feb. 15-Feb. 17	30%
Feb. 23-Feb. 25	Feb. 18-Feb. 20	Feb. 15-Feb. 17	Feb. 18-Feb. 20	40%
Feb. 26-Mar. 1	Feb. 21-Feb. 24	Feb. 18-Feb. 20	Feb. 21-Feb. 23	50%
Mar. 2-Mar. 5	Feb. 25-Feb. 27	Feb. 21-Feb. 23	Feb. 24-Feb. 26	60%
Mar. 6-Mar. 9	Feb. 28-Mar. 3	Feb. 24-Feb. 27	Feb. 27-Feb. 28	70%
Mar. 10-Mar. 14	Mar. 4-Mar. 7	Feb. 28-Mar. 2	Mar. 1-Mar. 3	80%
Mar. 15-Mar. 17	Mar. 8-Mar. 12	Mar. 3-Mar. 6	Mar. 4-Mar. 6	90%
				95%
Mar. 18-Mar. 23	Mar. 13-Mar. 17	Mar. 7-Mar. 11	Mar. 7-Mar. 10	Period 5
Mar. 24-Mar. 27	Mar. 18-Mar. 22	Mar. 12-Mar. 15	Mar. 12-Mar. 14	10%
Mar. 28-Apr. 1	Mar. 23-Mar. 26	Mar. 16-Mar. 19	Mar. 15-Mar. 19	20%
Apr. 2-Apr. 7	Mar. 27-Mar. 31	Mar. 20-Mar. 24	Mar. 20-Mar. 25	30%
Apr. 8-Apr. 13	Apr. 1-Apr. 7	Mar. 25-Mar. 29	Mar. 26-Mar. 29	40%
Apr. 14-Apr. 18	Apr. 8-Apr. 15	Mar. 30-Apr. 4	Mar. 30-Apr. 3	50%
Apr. 19-Apr. 25	Apr. 16-Apr. 22	Apr. 5-Apr. 12	Apr. 4-Apr. 8	60%
Apr. 26-Apr. 30	Apr. 23-Apr. 29	Apr. 13-Apr. 20	Apr. 9-Apr. 16	70%
May 1-Sept. 30	Apr. 30-Sept. 30	Apr. 21-Sept. 30	Apr. 17-Sept. 30	80%
				90%

EFFECTIVE DATE
 § 1394.5901 Effective date. Ration Order No. 11 (§§ 1394.5001 to 1394.5901, inclusive) shall become effective October 22, 1942.

Issued this 19th day of October 1942.
 LEON HENDERSON,
 Administrator.

[F. R. Doc. 42-10536; Filed, October 19, 1942; 12:16 p. m.]

PART 1499—COMMODITIES AND SERVICES
 [Order 3 Under § 1499.29 of GMPR]

AMERICAN RAW HIDES PRODUCTS COMPANY

Order No. 3 under § 1499.29 of the General Maximum Price Regulation—Docket No. GF3-2359.

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered Pursuant to Procedural Regulation No. 6:

§ 1499.403 Adjustment of maximum prices for raw hide hammer heads manufactured by American Raw Hides Products Company. (a) American Raw Hides Products Company, Providence, Rhode Island may sell and deliver to the United States Navy the commodities contracted to be sold by it under Bid-Schedule-900-8178-Ships, Bureau of Supplies and Accounts, Navy Department, Washington, D. C. at prices not higher than those set forth below:

Raw hide, hammer heads, Style No.:	Maximum prices (cents each)
1	23.34
3	33.76
4	40.26

(b) This order is limited to fulfillment of the contract above designated according to the terms thereof.

(c) All prayers of the application not herein granted are denied.

(d) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 3 (§ 1499.403) is hereby incorporated as a section of Supplementary Regulation No. 4, which contains modifications of the maximum prices established by § 1499.2.

(f) This Order No. 3 (§ 1499.403) shall become effective October 19, 1942.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 19th day of October 1942.

LEON HENDERSON,
 Administrator.

[F. R. Doc. 42-10532; Filed, October 19, 1942; 12:14 p. m.]

PART 1499.—COMMODITIES AND SERVICES
 [Order 60 Under § 1499.18 (b) of GMPR]

JANNEY-SEMPLER-HILL & CO.

Order No. 60 under § 1499.18 (b) of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.860 *Denial of application for adjustment of maximum price of harness sold by Janney-Semple-Hill & Company of Minneapolis, Minnesota.* (a) The application of Janney-Semple-Hill & Company of Minneapolis, Minnesota, filed July 15, 1942, and assigned Docket No. GF3-705, requesting permission to increase the maximum price of harness sold by it, is denied.

(b) This Order No. 60 (§ 1499.860) shall become effective October 20, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10533; Filed, October 19, 1942; 12:15 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 84 Under § 1499.18 (c) of GMPR]

BEVERAGE TRANSPORT CORP.

Order No. 84 under § 1499.18 (c) of the General Maximum Price Regulation—Docket No. GF3-1079.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.934 *Adjustment of maximum prices for transportation services sold by the Beverage Transport Corporation of Albany, New York.* (a) The Beverage Transport Corporation of Albany, New York, is hereby authorized to charge as maximum rates the minimum rates on beer, ale, and advertising material from Albany, New York, to Fair Haven, Garfield, Hackensack, Jersey City, and Paterson, New Jersey, and of empty containers from the respective New Jersey points to Albany, New York as published in its schedule of minimum charges, NF-I.C.C. No. 8 filed with the Interstate Commerce Commission May 8, 1942, effective May 26, 1942, for its services as a contract carrier by motor vehicle as described in said schedule.

(b) All prayers of the application not granted herein are denied.

(c) This Order No. 84 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 84 (§ 1499.934) 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. 84 (§ 1499.934) shall become effective October 20, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10531; Filed, October 19, 1942; 12:14 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 101 Under § 1499.3 (b) of GMPR]

AMERICAN METAL COMPANY, LIMITED

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 as amended, and Executive Order No. 9250, and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.965 *Maximum prices at which The American Metal Company, Limited, may sell and deliver gilding metal to brass mills.* (a) The maximum prices at which The American Metal Company, Limited, may sell and deliver gilding metal to any brass mill shall be:

	Maximum Price f. o. b. Carteret, N. J.
Shapes	Cost of metals plus \$22 per net ton.
Cakes and billets.....	Cost of metals.
Gates and ends.....	Cost of metals.

(b) When used in this Order No. 101, the term:

(1) "Gilding metal" shall mean material of the following analysis:

Copper.....	89 to 91%
Iron.....	0.05% maximum.
Lead.....	0.05% maximum.
Zinc.....	Balance.

(2) (i) "Cost of metals" shall mean the purchase price including all delivery charges paid by The American Metal Company, Limited, for the electrolytic copper and special high grade zinc used in manufacturing the gilding metal: *Provided*, That the purchase price paid is not in excess of the maximum price established by the Price Administrator for such metals:

Except that whenever The American Metal Company, Limited, in manufacturing gilding metal, uses metals refined by it, the purchase price of such metals shall be deemed to be the maximum price established by the Price Administrator for such metals.

(ii) The metal cost, as defined above in paragraph (b) (2) (i) of this Order No. 101, shall be apportioned among cakes, billets, gates and ends in direct proportion to the respective weights of such products whenever any two or more of them result from one melting operation.

(3) "Cake" shall mean a casting 4 inches by 13 inches by a length not exceeding 50 inches.

(4) "Billet" shall mean a casting between 4 and 5 inches in diameter and not exceeding 50 inches in length.

(5) "Gates and ends" shall mean the by-products resulting from casting gilding metal into cakes and billets.

(c) This Order No. 101 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 101 (§ 1499.965) shall become effective October 20, 1942.

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10545; Filed, October 19, 1942; 2:17 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 61 Under § 1499.18 (b) of GMPR]

THE GOSMAN COMPANY

Order No. 61 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-86.

For the reasons set forth in an opinion issued simultaneously herewith, *it is ordered:*

§ 1499.861 *Adjustment of maximum prices for cases of 24 bottles, 16 ounce soft drinks, sold by The Gosman Company.* (a) The Gosman Company of Baltimore, Maryland, may sell and deliver, and any person may buy and receive from The Gosman Company cases of 24 bottles 16 ounces soft drinks, at a price not higher than 90 cents per case.

(b) The adjustment granted in paragraph (a) is subject to the condition that The Gosman Company shall not change its customary allowances, discounts or other price differentials unless such change results in a lower price.

(c) All persons who purchased soft drinks in 16 ounce bottles from the Gosman Company shall be notified in writing by the Applicant herein on or before the first delivery after the effective date of this order, as follows:

"The Office of Price Administration has permitted us to raise our maximum price for sales to you of case of 24 bottles of soft drinks, 16 ounce size, from 80 cents to 90 cents per case. This amount represents only that part of cost increases which we were unable to absorb and it was granted with the understanding that retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of our soft drinks, 16 ounce size. In order that we may continue to provide you with this size, it will be necessary for you to accept this reduction in your margin."

(d) All prayers of the application not granted herein are denied.

(e) This Order No. 61 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 61 (§ 1499.861) 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. 61 (§ 1499.861) shall become effective October 20, 1942.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10546; Filed, October 19, 1942; 2:17 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 82 Under § 1499.18 (c) of GMPR]

GEORGE H. SHOOK

Order No. 82 under § 1499.18 (c) of the General Maximum Price Regulation—Docket No. GF3-1633.

For the reasons set forth in an opinion issued simultaneously herewith *It is ordered:*

§ 1499.932 *Adjustment of Maximum Prices for contract carrier services sold by George H. Shook.* (a) George H. Shook of 7868 Cameron Avenue, Detroit, Michigan, may sell and deliver, and the Frankenmuth Brewing Company, Frankenmuth, Michigan, may buy and receive from George H. Shook, contract carrier services at prices not higher than those set forth below:

(1) MAXIMUM PRICES FROM BREWERY AT FRANKENMUTH, MICHIGAN, TO THE FOLLOWING POINTS OF DELIVERY IN MICHIGAN

	Per case	Per ½ bbl.
Detroit	6¢	25¢
Grand Rapids	6¢	30¢
Mount Clemens	6¢	25¢
Benton Harbor	8¢	30¢
Muskegon	6¢	30¢
Ann Arbor	6¢	30¢

(b) George H. Shook shall submit to the Transportation Branch, Office of Price Administration, detailed monthly Profit and Loss statements in duplicate in connection with the transportation of beer for the Frankenmuth Brewing Company.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 82 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 82 (§ 1499.932) 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. 82 (§ 1499.932) shall become effective October 20, 1942.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10544; Filed, October 19, 1942; 2:12 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 83 Under § 1499.18 (c) of GMPR]

CLOVER FARM STORES CORPORATION

Order No. 83 under § 1499.18 (c) of the General Maximum Price Regulation—Docket No. GF3-218.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.933 *Denial of application for adjustment of maximum price of Clover Farm Rice Cartons sold by Clover Farm Stores Corporation, of 4300 Euclid Avenue, Cleveland, Ohio.* (a) The application of Clover Farm Stores, of 4300 Eu-

clid Avenue, Cleveland, Ohio, filed June 10, 1942, and assigned Docket No. GF3-218, requesting permission to increase the maximum price of Clover Farm Rice Cartons is denied.

(b) This Order No. 83 (§ 1499.933) shall become effective October 20, 1942.

(Pub. Laws 421 and 729 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10543; Filed, October 19, 1942; 2:12 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Supplementary Amendment 6 to Maximum Rent Regulations]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

The first sentence of paragraph (a) and paragraph (d) of §§ 1388.16, 1388.66, 1388.116, 1388.166, 1388.216, 1388.266, 1388.316, 1388.366, 1388.416, 1388.466, 1388.516, 1388.566, 1388.616, 1388.666, 1388.716, 1388.766, 1388.816, 1388.866, 1388.916, 1388.966, 1388.1016, 1388.1656, 1388.1706, 1388.1756, 1388.1806, 1388.2056, 1388.3056, 1388.4056, 1388.5056, 1388.6056, 1388.7056, 1388.8056, 1388.36 and 1388.136 of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, 45, 47, and 49, respectively, are amended to read as follows:

(a) So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, and regardless of any contract, lease, agreement or obligation heretofore or hereafter entered into which provides for entry of judgment upon the tenant's confession for breach of the covenants thereof or which otherwise provides contrary hereto, unless:

(d) (1) Every notice to a tenant to vacate or surrender possession of housing accommodations shall state the ground under this section upon which the landlord relies for removal or eviction of the tenant. A written copy of such notice shall be given to the Area Rent Office within 24 hours after the notice is given to the tenant.

No tenant shall be removed or evicted from housing accommodations, by court process or otherwise, unless, at least ten days prior to the time specified for surrender of possession and to the commencement of any action for removal or eviction, the landlord has given written notices of the proposed removal or eviction to the tenant and to the Area Rent Office, stating the ground under this section upon which such removal or eviction is sought and specifying the time

when the tenant is required to surrender possession.

Where the ground for removal or eviction of a tenant is non-payment of rent, every notice under this paragraph (d) (1) shall state the rent for the housing accommodations, the amount of rent due and the rental period or periods for which such rent is due. The provisions of this paragraph (d) (1) shall not apply where a certificate has been issued by the Administrator pursuant to the provisions of paragraph (b) of this section.

(2) At the time of commencing any action to remove or evict a tenant, including an action based upon non-payment of rent, the landlord shall give written notice thereof to the Area Rent Office stating the title of the case, the number of the case where that is possible, the court in which it is filed, the name and address of the tenant, and the ground under this section on which removal or eviction is sought.

This Supplementary Amendment No. 6 to Maximum Rent Regulations for Housing Accommodations other than Hotels and Rooming Houses shall become effective October 20th, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10561; Filed, October 19, 1942; 4:38 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Supplementary Amendment 7 to Maximum Rent Regulations]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Paragraph (a) (6) of §§ 1388.16, 1388.66, 1388.116, 1388.166, 1388.216, 1388.266, 1388.316, 1388.366, 1388.416, 1388.466, 1388.516, 1388.566, 1388.616, 1388.666, 1388.716, 1388.766, 1388.816, 1388.866, 1388.916, 1388.966, 1388.1016, 1388.1656, 1388.1706, 1388.1756, 1388.1806, 1388.2056, 1388.3056, 1388.4056, 1388.5056, 1388.6056, 1388.7056, 1388.8056, 1388.36, and 1388.136, of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, 45, 47, and 49 respectively, is amended to read as follows:

(6) The landlord owned, or acquired an enforceable right to buy or the right to possession of, the housing accommodations prior to October 20, 1942, and seeks in good faith to recover possession of such accommodations for immediate use and occupancy as a dwelling for himself. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, the landlord shall file a written report on a form provided therefor before renting the accommodations or any part thereof during a period of six months after such removal or eviction.

The text of paragraph (b) of §§ 1388.16, 1388.66, 1388.116, 1388.166, 1388.216,

1388.266, 1388.316, 1388.366, 1388.416, 1388.466, 1388.516, 1388.566, 1388.616, 1388.666, 1388.716, 1388.766, 1388.816, 1388.866, 1388.916, 1388.966, 1388.1016, 1388.1656, 1388.1706, 1388.1756, 1388.1806, 1388.2056, 1388.3056, 1388.4056, 1388.5056, 1388.6056, 1388.7056, 1388.8056, 1388.36, and 1388.136 of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, 45, 47, and 49, respectively, is designated as subparagraph (1) of said paragraph (b) and a new subparagraph (2) is added to said paragraph (b) as set forth below:

(2) Removal or eviction of a tenant for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after October 20, 1942 is inconsistent with the purposes of the Act and this Maximum Rent Regulation and would be likely to result in the circumvention or evasion thereof, unless (i) the payment or payments of principal made by the purchaser, excluding any payments made from funds borrowed for the purpose of making such principal payments, aggregate 33 $\frac{1}{3}$ % or more of the purchase price, and (ii) a period of three months has elapsed after the issuance of a certificate by the Administrator as hereinafter provided. For the purposes of this paragraph (b) (2), the payments of principal may be made by the purchaser conditionally or in escrow to the end that they shall be returned to the purchaser in the event the Administrator denies a petition for a certificate. If the Administrator finds that the required payments of principal have been made, he shall, on petition of either the vendor or purchaser, issue a certificate authorizing the purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law at the expiration of three months after the date of issuance of such certificate. In no other case shall the Administrator issue a certificate for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after October 20, 1942, unless he finds that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without removal or eviction of the tenant, or unless he finds that other special hardship would result; under such circumstances the payment by the purchaser of 33 $\frac{1}{3}$ % of the purchase price shall not be a condition to the issuance of a certificate, and the certificate shall authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law.

This Supplementary Amendment No. 7 to Maximum Rent Regulations for Housing Accommodations other than Hotels and Rooming Houses shall become effective October 20, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10560; Filed, October 19, 1942; 4:37 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Supplementary Amendment 8 to Maximum Rent Regulations]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Sections 1388.12, 1388.62, 1388.112, 1388.162, 1388.212, 1388.262, 1388.312, 1388.362, 1388.412, 1388.462, 1388.512, 1388.562, 1388.612, 1388.662, 1388.712, 1388.762, 1388.812, 1388.862, 1388.912, 1388.962, 1388.1012, 1388.1652, 1388.1702, 1388.1752, 1388.1802, 1388.2052, 1388.3052, 1388.4052, 1388.5052, 1388.6052, 1388.7052, 1388.8052, 1388.32 and 1388.132 of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, 45, 47, and 49, respectively are amended by adding the following paragraph (c) to such sections:

(c) Where a lease of housing accommodations was entered into prior to October 20, 1942, and the tenant as a part of such lease or in connection therewith was granted an option to buy the housing accommodations which were the subject of the lease, with the further provision that some or all of the payments made under the lease should be credited toward the purchase price in the event such option is exercised, the landlord, notwithstanding any other provision of this Maximum Rent Regulation, may be authorized to receive payments made by the tenant in accordance with the provisions of such lease and in excess of the maximum rent for such housing accommodations. Such authority may be secured only by a written request of the tenant to the Area Rent Office and shall be granted by order of the Administrator if he finds that such payments in excess of the maximum rent will not be inconsistent with the purposes of the Act or this Maximum Rent Regulation and would not be likely to result in the circumvention or evasion thereof. After entry of such order the landlord shall be authorized to demand, receive and retain payments provided by the lease in excess of the maximum rent for periods commencing on or after

the effective date of this Maximum Rent Regulation. After entry of such order, the provisions of the lease may be enforced in accordance with law, notwithstanding any other provision of this Maximum Rent Regulation: *Provided, however,* That if at the termination of the lease the tenant shall not exercise the option to buy, the landlord may thereafter remove or evict the tenant only in accordance with the provisions of section 6 of this Maximum Rent Regulation. Nothing in this paragraph shall be construed to authorize the landlord to demand or receive payments in excess of the maximum rent in the absence of an order of the Administrator as herein provided. Where a lease of housing accommodations has been entered into on or after October 20, 1942, and the tenant as a part of such lease or in connection therewith has been granted an option to buy the housing accommodations which are the subject of the lease, the landlord, prior to the exercise by the tenant of the option to buy, shall not demand or receive payments in excess of the maximum rent, whether or not such lease allocates some portion or portions of the periodic payments therein provided as payments on or for the option to buy.

Sections 1388.15, 1388.65, 1388.115, 1388.165, 1388.215, 1388.265, 1388.315, 1388.365, 1388.415, 1388.465, 1388.515, 1388.565, 1388.615, 1388.665, 1388.715, 1388.765, 1388.815, 1388.865, 1388.915, 1388.965, 1388.1015, 1388.1655, 1388.1705, 1388.1755, 1388.1805, 1388.2055, 1388.3055, 1388.4055, 1388.5055, 1388.6055, 1388.7055, 1388.8055, 1388.35 and 1388.135 of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 33, 35, 37, 39, 41, 43, 45, 47, and 49, respectively, are amended by adding the following paragraph (g) to such sections:

(g) No adjustment in the maximum rent shall be ordered on the ground that the landlord, since the date or order determining the maximum rent, has, as a part of or in connection with a lease of housing accommodations, granted the tenant an option to buy the accommodations which are the subject of the lease. Where a lease of housing accommodations was in force on the date determining the maximum rent, and the landlord had on that date, as a part of or in connection with such lease, granted the tenant an option to buy the accommodations which are the subject of the lease, the Administrator may, on or after the termination of such lease, on his own initiative or on application of the tenant, enter an order fixing the maximum rent on the basis of the rents which the Ad-

ministrator finds were generally prevailing in the Defense-Rental Area for comparable housing accommodations not subject to an option to buy on _____¹

This Supplementary Amendment No. 8 to Maximum Rent Regulations for Housing Accommodations other than Hotels and Rooming Houses shall become effective October 20th, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10559; Filed, October 19, 1942; 4:37 p. m.]

PART 1388—DEFENSE-RENTAL AREAS
[Designation and Rent Declaration 25, Amendment 7]

DESIGNATION OF 261 DEFENSE-RENTAL AREAS AND RENT DECLARATION RELATING TO SUCH AREAS

The title and item (96) listed in the table in § 1388.1201 of Designation and Rent Declaration No. 25 are amended and item (262) is added to the table in the said section to read as follows:

Designation and Rent Declaration No. 25—Designation of 262 Defense-Rental Areas and Rent Declaration Relating to Such Areas.

§ 1388.1201 Designation. * * *

Name of defense-rental area ¹	In State or States of	Defense-rental area consists of:
(96) Eastern Massachusetts.....	Massachusetts.....	Counties of Barnstable, Bristol, Middlesex, Norfolk, Plymouth and Suffolk.
(262) Essex County, Massachusetts....	Massachusetts.....	County of Essex.

¹ The words "Defense-Rental Area" shall follow the name listed in the table in each case to constitute the full name of a defense-rental area, e. g., "Dothan-Ozark Defense-Rental Area," "Gadsden Defense-Rental Area."

This Amendment No. 7 (§ 1388.1201) shall become effective October 20, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10565; Filed, October 19, 1942; 4:38 p. m.]

(Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F.R. 7871)

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10562; Filed, October 19, 1942; 4:37 p. m.]

PART 1388—DEFENSE-RENTAL AREAS
[MRR 45, Amendment 2]

HOUSING ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

The preamble and the first sentence and subparagraph (19) of paragraph (a) of § 1388.8051 of Maximum Rent Regulation No. 45 are hereby amended to read as follows:

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.8051 (a) of this Maximum Rent Regulation No. 45, as designated in the designations and rent declarations issued by the Administrator on April 28, 1942, as amended, and on May 26, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said Designations and Rent Declarations.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within each such Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined

and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this maximum rent regulation for housing accommodation within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 45 is hereby issued.

§ 1388.8051 Scope of regulation. (a) This Maximum Rent Regulation No. 45 applies to all housing accommodations within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this Maximum Rent Regulation No. 45 as the "Defense-Rental Area"), as designated in the Designations and Rent Declarations (§§ 1388.1201 to 1388.1205 and 1388.1251 to 1388.1255, inclusive) issued by the Administrator on April 28, 1942, as amended, and on May 26, 1942, except as provided in paragraph (b) of this section.

(19) The Essex County, Massachusetts Defense-Rental Area, consisting of the County of Essex, in the State of Massachusetts.

§ 1388.8064a Effective dates of amendments.

(b) Amendment No. 2 (§ 1388.8051 (a)) to Maximum Rent Regulation No. 45 shall become effective October 21, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10564; Filed, October 19, 1942; 4:38 p. m.]

PART 1388—DEFENSE-RENTAL AREAS
[Maximum Rent Regulations, Supplementary Amendment 3A]

HOTELS AND ROOMING HOUSES

Paragraph (a) (5) of § 1388.1506, 1388.1556, 1388.1606, 1388.1856, 1388.1906, 1388.1956, 1388.2006, 1388.3006, 1388.4006, 1388.5006, 1388.6006, 1388.7006, 1388.8006, 1388.9006, 1388.86, and 1388.186 of Maximum Rent Regulations Nos. 21A, 22A, 23A, 29A, 30A, 31A, 32A, 34A, 36A, 38A, 40A, 42A, 44A, 46A, 48A, and 50A, respectively, is amended to read as follows:

(5) The landlord seeks in good faith not to offer the room for rent. If a tenant has been removed or evicted from a room under this paragraph (a) (5), the landlord shall file a written report on a form provided therefor before renting the room during a period of six months after such removal or eviction.

This Supplementary Amendment No. 3A to Maximum Rent Regulations for Hotels and Rooming Houses shall become effective October 20, 1942.

¹ The applicable date is to be inserted for each Maximum Rent Regulation. The respective date to be inserted for each Maximum Rent Regulation is as follows:

Nos. 1, 7, 9, 25, 39, 41, January 1, 1941; Nos. 2, 3, 4, 5, 6, 8, 11, 12, 13, 14, 15, 17, 18, 19, 20, 24, 26, 33, April 1, 1941; Nos. 10, 16, 27, 37, July 1, 1941; No. 47, October 1, 1941; Nos. 28, 35, 43, 45, 49, March 1, 1942.

PART 1388—DEFENSE-RENTAL AREAS

[MRR 46A, Amendment 2]

HOTELS AND ROOMING HOUSES

The preamble and the first sentence and subparagraph (19) of paragraph (a) of § 1388.9001 of Maximum Rent Regulation No. 46A are hereby amended to read as follows:

In the judgment of the Administrator, rents for housing accommodations within each of the Defense-Rental Areas set out in § 1388.9001 (a) of this Maximum Rent Regulation No. 46A, as designated in the designations and rent declarations issued by the Administrator on April 28, 1942, as amended, and on May 26, 1942, have not been reduced and stabilized by State or local regulation, or otherwise, in accordance with the recommendations set forth in the said designations and rent declarations.

It is the judgment of the Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations

within each such Defense-Rental Area inconsistent with the purposes of the Emergency Price Control Act of 1942. The Administrator has therefore ascertained and given due consideration to the rents prevailing for housing accommodations within each such Defense-Rental Area on or about March 1, 1942. The Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability in respect of such housing accommodations, including increases or decreases in property taxes and other costs.

In the judgment of the Administrator, the maximum rents established by this maximum rent regulation for rooms in hotels and rooming-houses within each such Defense-Rental Area will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

Therefore, under the authority vested in the Administrator by the Act, this Maximum Rent Regulation No. 46A is hereby issued.

§ 1388.9001 *Scope of regulation.* (a) This Maximum Rent Regulation No. 46A applies to all rooms in hotels and rooming houses within each of the following Defense-Rental Areas (each of which is referred to hereinafter in this maximum rent regulation as the "Defense-Rental Area"), as designated in the designations and rent declarations (§§ 1388.1201 to 1388.1205 and 1388.1251 to 1388.1255, inclusive) issued by the Administrator on April 28, 1942, as amended, and on May 26, 1942, except as provided in paragraph (b) of this section:

(19) The Essex County, Massachusetts Defense-Rental Area, consisting of the County of Essex, in the State of Massachusetts.

§ 1388.9014a *Effective dates of amendments.*

(b) Amendment No. 2 (§ 1388.9001 (a)) to Maximum Rent Regulation No. 46A shall become effective October 21, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10563; Filed, October 19, 1942;
4:37 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 81 Under § 1499.18 (c) of GMPR]
CONTINENTAL MANUFACTURING COMPANY
Correction

The order appearing on page 8434 of the issue for Tuesday, October 20, 1942,

was incorrectly headed "Order 81 Under § 1499.18 (e) of GMPR."

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

Subchapter N—Explosives or Other Dangerous Articles or Substances, and Combustible Liquids on Board Vessels

PART 146—TRANSPORTATION OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES, AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS

TRANSPORTATION OF MILITARY EXPLOSIVES ON BOARD VESSELS DURING THE PRESENT EMERGENCY

Corrections

In § 146.29-15 (c) appearing on page 7848 of the issue for Saturday, October 3, 1942, the reference in the last line should read "(See § 146.29-29 (f))".

In the twenty-sixth line of § 146.29-18 (b), "ray" should be "tray".

In the fourth line of § 146.29-29 (c) appearing on page 7849 of the same issue, the word "except" should be inserted between "times" and "during".

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1634]

DISTRICT BOARD No. 8

ORDER POSTPONING HEARING AND REDESIGNATING EXAMINER

In the matter of the petition of District Board No. 8 for a change in the price classifications and minimum prices for rail and truck shipments for the coals produced by High Point No. 1 Mine (Mine Index No. 241) of High Point Coal Company, a Code Member in District No. 8.

Petitioner, District Board No. 8, having moved that the hearing in the above-entitled matter, scheduled for October 20, 1942, at 10 o'clock in the forenoon of that day, be postponed to October 29, 1942, because counsel for petitioner will be engaged at other hearings before the Division and

It appearing that good cause for the postponement has been shown;

Now, therefore, It is ordered, That the hearing in the above-entitled matter be and it hereby is postponed from October 20, 1942, until 10 o'clock in the forenoon of October 29, 1942, at the place heretofore designated and before Examiner D. C. McCurtain vice Examiner Edward J. Hayes, heretofore designated.

Dated: October 19, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-10584; Filed October 20, 1942;
11:25 a. m.]

[Docket Nos. A-1645, A-1645 Part II]

DISTRICT BOARD No. 3

MEMORANDUM OPINION AND ORDER, ETC.

Memorandum opinion and order severing Docket No. A-1645 Part II from Docket No. A-1645 and granting temporary relief in Docket No. A-1645 Part II.

In the matter of the petition of District Board No. 3 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 3.

In the matter of the petition of District Board No. 3 for the establishment of price classifications and minimum prices for the coals of the Richard No. 21, Barrackville No. 41 and Dakota No. 42 mines of Bethlehem Steel Company.

The original petition in the above-entitled matter filed with the Division on September 21, 1942, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 prays for the establishment of temporary and permanent price classifications and minimum prices for the coals of certain mines in District No. 3.

As indicated in a separate order entered in Docket No. A-1645, a reasonable showing of necessity has been made for the granting of relief prayed for by the petitioner. However, in connection with the prayer contained in the original petition, it appears that no final determination should be made at this time with respect to the establishment of permanent price classifications and minimum prices for the coals of the Richard No. 21, Barrackville No. 41 and Dakota No. 42 Mines of Bethlehem Steel Company.

It appears that either, or both, Bethlehem Steel Company (F. A. Shick) or Industrial Collieries Corporation (M. L. Jacobs) are producers within the meaning of the Bituminous Coal Act of 1937 and, therefore, entitled to membership in the Bituminous Coal Code with respect to the coals produced at the aforesaid mines.

In view of the foregoing, it is deemed advisable at this time to establish only temporarily the proposed price classifications and minimum prices for the coals of the Richard No. 21, Barrackville No. 41 and Dakota No. 42 Mines of Bethlehem Steel Company.

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;

Now, therefore, It is ordered, That the portion of Docket No. A-1645 relating to the coals of the Richard No. 21, Barrack-

ville No. 41 and Dakota No. 42 Mines of Bethlehem Steel Company be, and it hereby is, severed from the remainder of that docket and designated as Docket No. A-1645 Part II.

It is further ordered, That pending final disposition of the proceedings in Docket No. C-19, which will, among other things, determine whether either, or both, Bethlehem Steel Company (F. A. Shick) or Industrial Collieries Corporation (M. L. Jacobs) are producers within the meaning of the Bituminous Coal Act of 1937 and, therefore, entitled to membership in the Bituminous Coal Code with respect to the coals produced at the aforesaid mines, temporary relief is granted as follows: Commencing forthwith, the Schedules of Effective Minimum Prices for District No. 3 for All Shipments Except Truck and for Truck Shipments are supplemented to include the price classifications and minimum prices set forth in the Schedules marked Supplement "R" and Supplement "T" annexed hereto and 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, or within ten (10) days from the date of the final Order in Docket No. C-19, whichever is sooner, 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.

The price classifications and minimum prices set forth in the Schedules attached are based upon price classifications and minimum prices in effect on October 1, 1942, for comparable and analogous coals and already reflect the charges made in minimum prices by the Acting Director's Order of August 28, 1942, 7 F.R. 6943, in General Docket No. 21. The minimum prices in the attached Schedules do not differ, except in this regard, from the minimum prices proposed by the petitioner.

Dated October 14, 1942.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 42-10585; Filed, October 20, 1942; 11:25 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket 6441]

PENSACOLA BROADCASTING COMPANY
NOTICE DENYING PETITION, ETC.

In re application of Pensacola Broadcasting Company (WCOA), dated October 2, 1941, for Construction permit; class of service, broadcast; class of station, broadcast; location, Pensacola, Fla.; operating assignment specified: Frequency, 1,030 kc.; power, 10 kw. (DA night); hours of operation unlimited.

You are hereby notified that the Commission on September 29, 1942, denied

the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of the application would be consistent with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942.

2. To determine whether in view of the foregoing the granting of this application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Pensacola Broadcasting Company, Radio Station WCOA, San Carlos Hotel, Pensacola, Florida.

Dated at Washington, D. C., October 15, 1942.

By the Commission.
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-10568; Filed, October 20, 1942; 9:28 a. m.]

[Docket 6440]

LOS ANGELES BROADCASTING COMPANY, INC.

NOTICE OF HEARING

In re application of Los Angeles Broadcasting Company, Inc. (KFAC), dated May 27, 1942, for construction permit; class of service, broadcast; class of station, broadcast; location, Los Angeles, California; operating assignment specified: Frequency, 1,330 kc.; power, 5 kw (DA-night); hours of operation, unlimited.

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of the application would be consistent with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942.

2. To determine whether in view of the foregoing the granting of this application would serve public interest, convenience and necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Los Angeles Broadcasting Co., Inc., Radio Station KFAC, Penthouse, 645 South Mariposa Avenue, Los Angeles, California.

Dated at Washington, D. C., October 15, 1942.

By the Commission.
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-10567; Filed, October 20, 1942; 9:28 a. m.]

[Dockets 6191 and 6193]

NASHVILLE BROADCASTING COMPANY AND
TENNESSEE RADIO CORPORATION

ORDER DENYING PETITIONS, ETC.

In re applications of R. O. Hardin and J. C. Buchanan, d/b as Nashville Broadcasting Company, Nashville, Tennessee, for construction permit; and Tennessee Radio Corporation, Nashville, Tennessee, for construction permit.

At a session of the Federal Communications Commission held at its office in Washington, D. C., on the 13th day of October, 1942;

The Commission having under consideration the petitions of R. O. Hardin and J. C. Buchanan, d/b as Nashville Broadcasting Company, and Tennessee Radio Corporation, filed respectively on May 29, 1942 and June 1, 1942, requesting that their above-entitled applications be granted;

It is ordered, That said petitions be, and they are hereby, denied; and

It is further ordered, That the above-entitled applications be, and they are hereby, designated for further hearing upon the following issues:

1. To determine whether the granting of either of the above-entitled applications would be in conformity with the Commission's policy announced by its Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, the granting of either of said applications would serve public interest, convenience, or necessity.

By the Commission.
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 42-10569; Filed, October 20, 1942; 9:28 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4809]

MICHEL LIPMAN, ET AL.

ORDER APPOINTING TRIAL EXAMINER, ETC.

In the matter of Michel Lipman and Jack Silverman, individually and as

copartners trading as Chief Statistician, and J. Silverman & Associates, and William Edgar Spicer, individually.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 19th day of October, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat.; 15 U.S.C.A., section 41).

It is ordered, That Andrew B. Duvall, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, October 26, 1942, at ten o'clock in the forenoon of that day (Eastern Standard Time) in Room 532, Federal Trade Commission Building, 6th and Constitution Avenue, Washington, D. C.

Upon the completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-10571; Filed, October 20, 1942;
11:16 a. m.]

[Docket No. 4829]

ANDREW J. LYTLE, ET AL.

ORDER APPOINTING TRIAL EXAMINER, ETC.

In the matter of Andrew J. Lytle and Richard Carl Lytle, individually and trading as Vocational Placement Bureau, Debtors Finance Bureau, and Bureau of Records of Employment; and William Edgar Spicer, individually.

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 19th day of October, A. D. 1942.

This matter being at issue and ready for the taking of testimony, and pursuant

to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That Andrew B. Duvall, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, October 28, 1942, at ten o'clock in the forenoon of that day (Eastern Standard Time) in Room 532, Federal Trade Commission Building, Washington, D. C.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 42-10570; Filed, October 20, 1942;
11:16 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 146]

FIVE PATENTS OF FOREIGN NATIONALS, AND INTERESTS OF VIKTOR KAPLAN AND J. M. VOITH IN CERTAIN CONTRACTS

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095, as amended,¹ and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to those certain United States patents described as follows:

¹ 7 F.R. 5205.

Patent Nos.	Names	Last known address	Dates	Inventors
1,822,778	Viktor Kaplan.....	Unterach, Austria.....	9-8-31	V. Kaplan.
1,884,881	Carlos Schmitthenner.....	Heidenheim, Germany.....	10-25-32	C. Schmitthenner.
1,939,229	Carlos Schmitthenner.....	Heidenheim, Germany.....	12-12-33	C. Schmitthenner.
1,957,183	J. M. Voith, a copartnership.....	Heidenheim, Germany.....	5-1-34	C. Schmitthenner.
2,055,196	J. M. Voith, a copartnership.....	Heidenheim, Germany.....	9-22-36	C. Fuchs.

is property in which nationals of foreign countries (Germany in regard to the four last named patents, Czechoslovakia in regard to the first named patent) have interests;

(b) That the property described as follows:

All right, title and interest of Viktor Kaplan, who is a citizen of Czechoslovakia, and whose last known address was represented to the undersigned as being Unterach, Austria, and of his assigns, next of kin, heirs and estate, in and to that certain contract dated February 1, 1932, by and between said Viktor

Kaplan, as licensor, and S. Morgan Smith Company, as licensee, granting to the latter a license under United States Patent No. 1,822,778, and all income, profits, royalties and other property heretofore accrued or which may hereafter accrue to or in favor of the aforesaid Viktor Kaplan by virtue of such contract,

is property payable or held with respect to patents, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, a national of a foreign country (Czechoslovakia); and

(c) That the property described as follows:

All right, title and interest of J. N. Voith, Maschinenfabrik, whose last known address was represented to the undersigned as being Heidenheim, Germany, in and to that certain contract executed under date of September 12, 1927 and amended under dates of October 1, 1930, and February 18, 1936, by and between said J. M. Voith, Maschinenfabrik, and S. Morgan Smith Company, and all income, profits, royalties and other property heretofore accrued or which may hereafter accrue to or in favor of the aforesaid J. M. Voith, Maschinenfabrik, by virtue of such contract.

is property payable or held with respect to patents, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of a foreign country (Germany);

and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on September 15, 1942.

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42-10557; Filed, October 19, 1942;
3:51 p. m.]

[Vesting Order 171]

PATENTS OF ENEMY NATIONALS

Under the authority of the Trading with the enemy Act, as amended, and Executive Order No. 9095,¹ as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

¹ 7 F.R. 5205.

EXHIBIT A—Continued

Patent No.	Patent Date	Inventor	Title
2,155,529	5/23/39	H. Laugenwalter et al.	Electron multiplier.
2,156,534	6/26/39	E. Ruska	Cathode ray focusing coil.
2,156,712	5/23/39	L. Schif	Electron ray tube.
2,160,510	5/30/39	R. Moller et al.	Cathode ray tube with photo cell mosaic.
2,160,522	5/30/39	J. Schumack	Method for producing rectangular shaped synchronizing impulses.
2,161,588	6/6/39	R. Moller	Method of recording television images.
2,161,643	6/6/39	H. Strubig	Television picture analyzer.
2,162,391	6/13/39	E. Schwartz et al.	Electron tube with high ohmic wall coatings.
2,163,918	6/27/39	E. Schwartz	Image screen for Braun tubes.
2,163,939	6/27/39	W. Dillenburger	Method of modulation.
2,164,951	7/4/39	E. Schwartz	Electrode holding device.
2,164,961	7/4/39	H. Strubig	Mosaic plate.
2,171,766	7/6/39	E. Ruska	Means for fastening electrode systems in Braun tubes.
2,171,918	9/5/39	W. Dillenburger	Amplifier filter.
2,172,150	9/5/39	H. Bahring	Coupling circuit independent of frequency.
2,172,224	9/5/39	G. Schubert	Modulation circuit using a multigridd photo-electric cell.
2,174,739	10/3/39	E. Ruska	Base structure for electron ray tubes.
2,178,468	10/31/39	E. Ruska	Braun tube.
2,178,772	11/7/39	H. Bahring	Two-tube deflecting circuit.
2,178,775	11/7/39	W. Bunger et al.	Means of eliminating interference caused by induction in electron tubes.
2,180,059	11/21/39	H. Bahring	Multipier voltage divider.
2,183,302	12/12/39	G. Brauer	Method for producing coatings of high ohmic resistance in the interior of vacuum tubes.
2,183,369	12/12/39	W. Flechsig et al.	Electron multiplier.
2,184,922	12/26/39	E. Gunzel et al.	Method of producing sectional coatings in vacuum vessels.
2,185,439	1/2/40	H. Hinderer	Method for optionally altering the after-glow period of phosphorescent screens.
2,186,565	1/9/40	E. Ruska	Deflecting coil.
2,191,600	2/27/40	E. Schwartz et al.	Television apparatus.
2,192,770	3/5/40	W. Flechsig	Multistage electron multiplier.
2,193,863	4/2/40	U. Knick	Scanning device.
2,197,751	4/16/40	H. Bahring	Push-pull amplifier for relaxation oscillations.
2,201,245	5/21/40	E. Ruska et al.	Cathode ray projection tube.
2,203,085	6/4/40	W. Flechsig	Electrical oscillator for generation of high frequencies.
2,204,427	6/11/40	R. Moller	Synchronizing method.
2,204,428	6/11/40	R. Moller et al.	Electron multiplier.
2,204,403	6/11/40	H. Laugenwalter	Electron multiplier.
2,206,125	7/2/50	E. Ruska	Magnetic deflecting system for Braun tubes.
2,206,130	7/2/40	J. Schumack	Means for intermediate modulation in television transmission.
2,208,039	7/23/40	E. Ruska	Magnetic deflecting system for Braun tubes.
2,213,076	8/27/40	J. Schumack et al.	Electron multiplier.
2,213,077	8/27/40	E. Schwartz	Transparent projection screen.
2,213,701	9/3/40	W. Flechsig	Device for reproduction of instantaneous occurrences.
2,213,762	9/3/40	W. Flechsig	Electron discharge tube.
2,213,769	9/3/40	E. Ruska	Electron multiplier.
2,216,297	10/1/40	W. Flechsig	Secondary electron amplifier.
2,216,282	10/1/40	E. Schwartz et al.	Telescope system.
2,218,498	10/15/40	W. Bunger et al.	Electron multiplier.
2,218,744	10/22/40	R. Colberg	Process for making fluorescent screen material for cathode ray tubes.
2,218,750	10/22/40	H. Hinderer	Electron multiplier.
2,221,447	11/12/40	W. Flechsig	Method of operating cathode ray tubes.
2,224,587	12/10/40	H. Bahring	Secondary emitting tube.
2,225,786	12/24/40	H. Laugenwalter et al.	Deflecting device for cathode ray tubes.
2,227,711	1/7/41	J. Gunther	Picture transmitter.
2,228,072	1/14/41	W. Reichel et al.	Deflecting device for cathode ray tubes.
2,230,111	1/28/41	J. Gunther	Multistage amplifier for utilizing secondary emission.
2,230,124	1/28/41	H. Strubig	Image analyzing tube.
2,230,134	1/28/41	R. Moller et al.	Electrode support for cathode ray tubes.
2,231,846	3/11/41	K. Wellmann et al.	Synchronizing impulse generator for interlaced scanning.
2,232,827	3/11/41	F. Below	Projection receiver.
2,233,137	3/11/41	H. Strubig et al.	Method of projecting electrical recordings.
2,238,624	4/15/41	W. Flechsig	Electron discharge tube.
2,239,022	4/22/41	H. Strubig	Control voltage limiter for cathode ray tube receivers.
2,240,289	4/29/41	W. Dillenburger et al.	Scanning method for storage tubes.
2,242,034	5/13/41	U. Knick	Scanning method for television image analyzers.
2,246,631	6/24/41	U. Knick	Means for projecting images.
2,260,228	10/21/41	R. Moller et al.	Television device.
2,260,911	10/28/41	U. Knick et al.	Prism arrangement for producing double images, particularly for television purposes.
2,265,264	12/8/41	W. Bunger et al.	Television synchronization.
2,265,979	12/16/41	F. Below et al.	Television synchronization.

thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on September 24, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Patents the titles to which stand of record in the United States Patent Office in the name of Fernseh A. G., and which are identified respectively as follows:

Patent No.	Patent Date	Inventor	Title
1,490,071	10/10/33	F. Benneitz et al.	Television apparatus.
1,973,385	9/11/34	R. Moller et al.	Television apparatus.
1,993,564	3/5/35	H. Moller et al.	Braun tube.
1,993,565	3/5/35	H. Moller et al.	Braun tube.
1,993,569	3/5/35	G. Schubert	Television system.
2,026,915	5/7/36	G. Schubert	Television system.
2,048,629	8/4/36	R. Moller et al.	Automatic regulation of the amplification in tele-cine transmitting amplifiers.
2,053,694	12/8/36	R. Moller et al.	Television apparatus.
2,075,260	3/30/37	G. Schubert et al.	Television transmission method.
2,078,880	5/11/37	G. Schubert	Modulator.
2,063,729	9/21/37	G. Kravinkel	Method of scanning films.
2,063,817	9/21/37	R. Moller	Combined electric and magnetic deflecting system for cathode ray tubes.
2,119,795	6/7/38	E. Ruska et al.	High-vacuum cathode ray tube.
2,123,636	7/12/38	E. Schwartz	Continuous film treating device.
2,124,085	7/19/38	G. Schubert	Braun tube.
2,128,567	8/30/38	E. Ruska	Braun tube.
2,134,297	10/25/38	E. Schwartz	Braun tube.
2,137,545	11/22/38	J. Schumack	Detector output circuit.
2,139,018	12/13/38	W. Heilmann	Deflection system for Braun tubes.
2,143,580	1/10/39	E. Ruska	Cathode ray tube.
2,143,581	1/10/39	E. Ruska	Electron discharge tube.
2,143,582	1/10/39	G. Schubert et al.	Secondary electron tube.
2,147,756	2/21/39	E. Ruska	Braun tube.
2,151,530	3/21/39	E. Ruska	Wall coating for Braun tubes.
2,151,992	3/28/39	E. Schwartz	Deflecting coil for cathode ray tubes.
2,152,362	3/28/39	E. Ruska	Fluorescent screen for cathode ray tubes.
2,152,363	3/28/39	E. Ruska	Fluorescent screen for cathode ray tubes.
2,155,465	4/25/39	R. Behne et al.	Starting circuit for cathode ray tubes.
2,155,486	4/25/39	J. Gunther	Secondary emitter tube.
2,159,519	5/23/39	G. Brauer et al.	Secondary emitter tube.

All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in the patents the numbers of which are listed in Exhibit A attached hereto and made a part hereof, and the titles to which stand of record in the United States Patent Office in the names of the persons appearing therein,

is property in which nationals of a foreign country or countries have interests, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds

Patents the titles to which stand of record in the United States Patent Office in the name of Fernseh G. m. b. H., and which are identified respectively as follows:

Patent No.	Patent Date	Inventor	Title
2,284,227	5/26/42	H. Pachr.....	Magnetic electron lens.
2,284,337	5/26/42	T. Mulert et al.....	Saw-tooth current generator.

[F. R. Doc. 42-10556; Filed, October 19, 1942; 3:51 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 1 Under MPR 111]

C. L. MORRON

ORDER GRANTING ADJUSTMENT

Order No. 1 under § 1370.9 (b) of Maximum Price Regulation No. 111—New Household Vacuum Cleaners and Attachments.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in me as Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, it is hereby ordered:

(a) C. L. Morron, doing business as Good Housekeeping Store is hereby authorized to sell and deliver, and any person may buy and receive from C. L. Morron, doing business as Good Housekeeping Store, those machines which he had on hand March 30, 1942 at prices no higher than those set forth below:

#200 "Magic Aire", cylinder type, 12-piece attachment set \$66.49 net cash, exclusive of excise tax.

#201 "Magic Aire", cylinder type, 8-piece attachment set \$51.23 net cash, exclusive of excise tax.

#153 Royal, Floor type, motor-driven brush \$41.36 net cash, exclusive of excise tax.

subject to terms no less favorable than those which he had in effect during the period October 1 to 15, 1941.

(b) This order may be revoked or amended by the Administrator at any time.

(c) This Order No. 1 shall become effective October 20, 1942.

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10529; Filed, October 19, 1942; 12:14 p. m.]

[Order 28 Under MPR 122]

CALUMET & HECLA CONSOLIDATED COPPER Co.

ORDER GRANTING ADJUSTMENT

Order No. 28 under Maximum Price Regulation No. 122—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers—Docket No. 3122-20.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator and in accordance with § 1340.257a (c) of Maximum Price Regulation No. 122, *It is hereby ordered:*

(a) Calumet & Hecla Consolidated Copper Company of Calumet, Michigan, may sell and deliver, and any person employed by said company in the counties of Houghton and Keweenaw, Michigan, may buy and receive coal from said company at prices not in excess of \$6.18 per ton;

(b) This Order No. 28 may be revoked or amended at any time;

(c) Unless the context otherwise requires, the definitions set forth in § 1340.258 of Maximum Price Regulation No. 122 shall apply to the terms used herein;

(d) This Order No. 28 shall become effective October 20, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.)

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10528; Filed, October 19, 1942; 12:14 p. m.]

[Order 8 Under MPR 161]

CANYON CREEK LOGGING Co., ET AL.

OVERTIME ADDITIONS

Order 8 under § 1381.160 (e) of Maximum Price Regulation 161—West Coast Logs.

Pursuant to the provisions of § 1381.160 (e) of Maximum Price Regulation 161—West Coast Logs, the following persons have filed with the Office of Price Administration, Washington, D. C., a certified statement that said persons regularly maintain the following hours per week in all of their logging operations. Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1381.160 (e) of Maximum Price Regulation 161, *It is hereby ordered:*

(a) The following persons being on a 48-hour week may add to the maximum prices of all logs produced by them \$1.00 per 1,000 ft., log scale:

- Canyon Creek Logging Company, Everett, Washington.
- Davis & White, Inc., Marysville, Washington.
- South Fork Logging Company, Aberdeen, Washington.
- Picco Logging Co., Inc., Montesano, Washington.
- Yunker & Wiecks, Elsie, Oregon.
- Beaver Logging Co., Portland, Oregon.
- Don H. McKay, Shelton, Washington.
- Whited Lumber Company, Yelm, Washington.
- Drake Logging Company, Bellingham, Washington.

- McMillen Logging Co., Rose Lodge, Oregon.
- Reed Holding Logging Company, Clatskanie, Oregon.
- Timber Logging Company, Aberdeen, Washington.

(b) The following person being on a 54-hour week may add to the maximum prices of all logs produced by him \$1.50 per 1,000 ft., log scale:

Henry A. Larson, Bellingham, Washington.

(c) The following person being on a 60-hour week may add to the maximum prices of all logs produced by it \$2.00 per 1,000 ft., log scale:

Murphy-Nelson Logging Co., Portland, Oregon.

(d) The additions to maximum prices specified in paragraphs (a), (b) and (c) hereof may be made subject to the condition that the persons named comply with all provisions of § 1381.160 (e) of Maximum Price Regulation 161.

(e) This Order No. 8 may be revoked or amended by the Price Administrator at any time by similar publication in the Federal Register for change of status of any of the persons named herein as an overtime company.

(f) This Order No. 8 to Maximum Price Regulation 161 shall become effective this 20th day of October 1942.

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10530; Filed, October 19, 1942; 12:15 p. m.]

[Order 4 Under MPR 169]

ALPERT PACKING COMPANY

ORDER GRANTING PETITION FOR ADJUSTMENT

Order No. 4 under Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts—Docket No. 3169-153.

On September 28, 1942 Alpert Packing Company, 1490 Fairfax Avenue, San Francisco, California, filed a petition for adjustment or exception pursuant to § 1364.60 of Maximum Price Regulation No. 169 as amended. Due consideration has been given to the petition and an opinion in support of this Order No. 4 has been issued simultaneously herewith.

For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250 and in accordance with Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

(a) Alpert Packing Company may sell and deliver and agree, offer, solicit, and attempt to sell and deliver cow carcasses of the grades hereinafter set forth and any person may buy and receive from the Alpert Packing Company such cow carcasses at prices not in excess of those established as follows:

	Per pound
Cow carcasses—commercial grade.....	18¢
Cow carcasses—utility grade.....	17½¢
Cow carcasses—cutter and canner grade.....	16½¢

(b) Alpert Packing Company shall mail or cause to be mailed to all persons who purchase cow carcasses from it for sale at wholesale or retail a notice reading as follows:

The Office of Price Administration, by Order No. 4, effective October 20, 1942, pursuant to § 1364.60 of Maximum Price Regulation No. 169, has permitted us to raise our maximum price for sales to you of cow carcasses, commercial grade, from 17½¢ per pound to 18¢ per pound; cow carcasses, utility grade, from 17¢ per pound to 17½¢ per pound, and cow carcasses, cutter and canner grades, from 14¢ per pound to 16½¢ per pound.

This amount represents only that part of cost increases which we were unable to absorb and it was granted with the understanding that wholesale and retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of cow carcasses. In order that we may continue to provide you with cow carcasses it will be necessary for you to accept reduction in your margin.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 4 may be revoked or amended by the Price Administrator at any time. Unless the context otherwise requires, the definitions set forth in § 1364.62 of Maximum Price Regulation No. 169 shall apply to the terms used herein.

(e) This Order No. 4 shall become effective October 20, 1942.

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10541; Filed, October 19, 1942; 2:13 p. m.]

[Order 5 Under MPR 169]

HEINZ RIVERSIDE ABBATOIR

ORDER GRANTING PETITION FOR ADJUSTMENT

Order No. 5 under Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts—Docket No. 3169-84.

On August 26, 1942, Heinz Riverside Abattoir, 1900 Light Street, Baltimore, Maryland, filed a petition for adjustment pursuant to § 1364.60 of Maximum Price Regulation No. 169, as amended, requesting specific adjustment of its maximum prices established for the sale of certain beef and veal carcasses and wholesale cuts on the ground that such maximum prices caused substantial hardship and were abnormal in relation to the maximum prices established for competitors of similar products. Due consideration has been given to the petition and an opinion in support of this order 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 as amended and Executive Order 9250 and in accordance with Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

The Office of Price Administration by Order No. 5 effective October 20, 1942, pursuant to § 1364.60 of Maximum Price Regulation No. 169 has permitted us to raise our maximum prices for sales to you as follows:

Beef carcasses and sides—choice grade.....	From 22¢ to 23¢ per pound.
Beef loins—choice grade.....	From 28¢ to 32¢ per pound.
Beef briskets—choice grade.....	From 14¢ to 17¢ per pound.
Beef hind quarters—choice grade.....	From 26¢ to 27¢ per pound.
Beef rounds—choice grade.....	From 25¢ to 26¢ per pound.
Beef trimmed short loins—choice grade.....	From 38¢ to 42¢ per pound.
Veal carcasses and sides—choice grade.....	From 23¢ to 25¢ per pound.
Veal hind saddles—choice grade.....	From 28¢ to 30¢ per pound.

This amount represents only that part of cost increase which we were unable to absorb and it was granted with the understanding that wholesale and retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices of beef and veal carcasses. In order that we may continue to provide you with those products it will be necessary for you to accept this reduction in your margin.

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1364.62 of Maximum Price Regulation No. 169 shall apply in terms used herein.

(a) Heinz Riverside Abattoir may sell and deliver and agree, offer, solicit and attempt to sell and deliver beef and veal carcasses and wholesale cuts of the grades hereinafter set forth and any person may buy and receive from the Heinz Riverside Abattoir such beef and veal carcasses and wholesale cuts at prices not in excess of those established as follows:

	Cents
Beef carcasses and sides, choice grade, steer.....	23
Beef loins, choice grade, steer.....	32
Beef briskets, choice grade, steer.....	17
Beef hind quarters, choice grade, steer.....	27
Beef rounds, choice grade, steer.....	26
Beef trimmed short loins, choice grade, steer.....	42
Veal carcasses and sides—choice grade.....	25
Veal hind saddles—choice grade.....	30

(b) Heinz Riverside Abattoir shall mail or cause to be mailed to all persons who purchase beef and veal carcasses and wholesale cuts from it for resale a notice reading as follows:

(f) This Order No. 5 shall become effective October 20, 1942.

Issued this 19th day of October 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-10542; Filed, October 19, 1942; 2:12 p. m.]

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