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Washington, Wednesday, November 4, 1942

The President

EXECUTIVE ORDER 9261

AMENDING REGULATIONS CONCERNING FOREIGN SERVICE PAY ADJUSTMENT

By virtue of the authority vested in me by the act of March 26, 1934, 48 Stat. 466 (U.S.C., Title 5, sec. 118c), the list of basic rates of exchange established by section 4 of Executive Order 7972 of September 15, 1938, as amended, prescribing regulations for the payment of losses sustained by officers, enlisted men, and employees of the United States in foreign countries on account of the appreciation of foreign currencies in their relation to the American dollar, is hereby amended, effective as of April 1, 1942, by inserting therein, between the designation of the countries of Rumania and Spain, the following-designated country, monetary unit, and basic rate:

Saudi Arabia.....Rial.....35.74

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
October 31, 1942.

[F. R. Doc. 42-11247; Filed, November 2, 1942; 2:51 p. m.]

Regulations

TITLE 16—COMMERCIAL PRACTICES

Chapter 1—Federal Trade Commission

[Docket No. 4811]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

VIVIAN S. NASH

§ 3.6 (t) Advertising falsely or misleadingly—Qualities or properties of product or service: § 3.6 (x) Advertising falsely or misleadingly—Results: § 3.96 (a) Using misleading name—Goods—Qualities or properties: § 3.96 (a) Using misleading name—Goods—Results. In connection with offer, etc., of respondent's cosmetic preparations designated "Bee-Dew Special Hair Grower", "Bee-Dew Special U-Gro", "Bee-Dew Scalp Oil", "Bee-Dew Shampoo", "Bee-Dew Pressing Oil", "Bee-Dew U-Gro", and

"Bee-Dew O-No", or any other similar preparations, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondent's said cosmetic preparations, which advertisements (1) represent, directly or by implication, that the preparations designated "Bee-Dew Special Hair Grower", "Bee-Dew Special U-Gro", "Bee-Dew Scalp Oil", "Bee-Dew Shampoo", "Bee-Dew Pressing Oil", and "Bee-Dew U-Gro", either when used alone or in combination with one or more of the others, constitute a cure or remedy for falling hair, baldness, dull hair, scalp irritation, or dandruff, or that any of such preparations will promote the growth of new hair or have any effect upon the growth of hair; or have any therapeutic values in the treatment of falling hair, baldness, dull hair, scalp irritation, or dandruff, in excess of cleansing the hair and scalp, allaying itching due to minor scalp irritations, and facilitating the removal of loose dandruff scales; (2) use the word "grow" or "grower" or any other word which is similar thereto either in spelling or in phonetics, to designate or describe the preparations now designated "Bee-Dew Special Hair Grower", "Bee-Dew Special U-Gro", and "Bee-Dew U-Gro", or otherwise represent that any of said preparations has any effect upon the growth of hair; or (3) represent, directly or by implication, that the preparation "Bee-Dew O-No" will give complete protection from offensive body odors, or that it will have any effect in excess of affording temporary protection from such odors; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Vivian S. Nash, Docket 4811, October 26, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of October, A. D. 1942.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that she waives all intervening procedure and further hearing

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as to said facts, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Vivian S. Nash, individually and trading under the name of Bee-Dew Cosmetic Company, or trading under any other name, and her agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of her cosmetic preparations designated "Bee-Dew Special Hair Grower," "Bee-Dew Special U-Gro," "Bee-Dew Scalp Oil," "Bee-Dew Shampoo," "Bee-Dew Pressing Oil," "Bee-Dew U-Gro," and "Bee-Dew O-No," or any other preparations composed of substantially similar ingredients or possessing substantially similar properties, whether sold under the same names or under any other names, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement

(a) Represents, directly or by implication, that the preparations designated "Bee-Dew Special Hair Grower," "Bee-Dew Special U-Gro," "Bee-Dew Scalp Oil," "Bee-Dew Shampoo," "Bee-Dew Pressing Oil," and "Bee-Dew U-Gro," either when used alone or in combination with one or more of the others, constitute a cure or remedy for falling hair, baldness, dull hair, scalp irritation, or dandruff, or that any of such preparations will promote the growth of new hair or have any effect upon the growth of hair;

(b) Represents, directly or by implication, that said preparations "Bee-Dew Special Hair Grower," "Bee-Dew Special U-Gro," "Bee-Dew Scalp Oil," "Bee-Dew Shampoo," "Bee-Dew Pressing Oil," and "Bee-Dew U-Gro" have any therapeutic values in the treatment of falling hair, baldness, dull hair, scalp irritation, or dandruff, in excess of cleansing the hair and scalp, allaying itching due to minor scalp irritations, and facilitating the removal of loose dandruff scales;

(c) Uses the word "grow" or "grower" or any other word which is similar thereto either in spelling or in phonetics, to designate or describe the preparations now designated "Bee-Dew Special Hair Grower," "Bee-Dew Special U-Gro," and "Bee-Dew U-Gro," or otherwise represents that any of said preparations has any effect upon the growth of hair; or

(d) Represents, directly or by implication, that the preparation "Bee-Dew O-No" will give complete protection from offensive body odors, or that it will have any effect in excess of affording temporary protection from such odors.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of respondent's

cosmetic preparations, which advertisement contains any representation prohibited in paragraph 1 hereof.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F.R. Doc. 42-11324; Filed, November 3, 1942;
11:04 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T.D. 50753]

PART 8—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

INDUSTRIAL ALCOHOL

Importation of ethyl alcohol for non-beverage purposes. Exemption from internal-revenue tax under permit from Bureau of Internal Revenue.

Section 602 (e) of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, provides as follows:

(e) EXEMPTION OF IMPORTED ALCOHOL FOR INDUSTRIAL PURPOSES.

(1) Amendment to Internal Revenue Code. Part II of Subchapter C of Chapter 26 (relating to industrial alcohol) is amended by inserting at the end thereof the following new section:

SEC. 3125. IMPORTATION OF ALCOHOL FOR INDUSTRIAL PURPOSES.

(a) Importation without payment of internal revenue tax. Under regulations to be prescribed by the Commissioner, with the approval of the Secretary, and subject from the time of its withdrawal from customs custody to all the applicable provisions of this part, alcohol of 160 proof, or greater, may be imported into the United States and be withdrawn, in bond, from customs custody, without payment of the internal revenue tax imposed by Section 2800 upon the act of importing such alcohol, for transfer to industrial alcohol plants, alcohol bonded warehouses, and denaturing plants for redistillation or denaturation and withdrawal, or withdrawal without redistillation or denaturation, tax free or tax paid, as the case may be, for all the purposes authorized by this part. If such alcohol is withdrawn from the said industrial alcohol plants, alcohol bonded warehouses, or denaturing plants for beverage purposes, there shall be paid upon such withdrawal an additional tax equal to the duty which would have been paid had such spirits been imported for beverage purposes, less the duty already paid thereon.

(b) Withdrawal tax free for use of United States. Alcohol may be withdrawn from customs custody by the United States or any governmental agency thereof for its own use, free of internal revenue tax, under such regulations as may be prescribed.

(2) Effective date of subsection. Notwithstanding section 601, this subsection shall take effect on the day following the date of enactment of this Act.

Section 3124 of Part II, Subchapter C of Chapter 26, of the Internal Revenue Code, provides that when used in that part the term "alcohol" means that sub-

stance known as ethyl alcohol, hydrated oxide of ethyl, or spirit of wine, from whatever source or whatever processes produced.

Paragraphs 4 and 802 of the Tariff Act of 1930 read, in part, as follows:

PAR. 4. Alcohol: * * * ethyl for non-beverage purposes only, * * *.

PAR. 802. * * * other spirits manufactured or distilled from grain or other materials * * *.

With reference to the foregoing provisions of law, the following regulations are hereby prescribed:

§ 8.107 Importation of ethyl alcohol for nonbeverage purposes. (a) If claim is made for the classification of ethyl alcohol of 160 proof or greater under the last clause of paragraph 4 of the Tariff Act of 1930, there shall be filed in connection with the entry an affidavit of the importer that the alcohol is to be used for nonbeverage purposes only and will be withdrawn under permit issued by the Bureau of Internal Revenue for transfer under internal-revenue bond to industrial alcohol plants, industrial alcohol bonded warehouses, or denaturing plants, or under permit for direct shipment to an agency of the United States Government.

(b) Upon the filing of such affidavit and the presentation of the permit referred to therein, executed on Internal Revenue Form 1436, 1444, or 1463, and an application of the importer on Internal Revenue Form 1440 filed in triplicate, release from customs custody may be permitted upon the deposit of estimated duty, if any, and without the deposit of internal-revenue tax.

(c) Prior to release from customs custody, the alcohol shall be gauged by a customs officer who shall note on each copy of Internal Revenue Form 1440 a report of the gauge, the name of the country of exportation, the rate of customs duty paid on the alcohol, and the rate of customs duty which would have been applicable had such spirits been imported for beverage purposes. When shipments are made in tank cars or tank trucks, the details of gauge of each tank car or tank truck shall be reported separately thereon in accordance with the column headings on Internal Revenue Form 1440. The customs officer shall forward two copies of Form 1440 to the storekeeper-gauger at the industrial alcohol plant, industrial alcohol bonded warehouse, or denaturing plant designated in the application and retain one copy for customs purposes.

(d) When shipments of alcohol from customs custody to the industrial plant, industrial alcohol bonded warehouse, or denaturing plant are made in tank cars or tank trucks, all openings affording access to the tanks shall be sealed by a customs officer with customs seals. When shipments of alcohol from customs custody are made in packages, a customs officer shall gauge and release the alcohol pursuant to appropriate permit on Internal Revenue Form 1436, 1444, or 1463, and application on Internal Revenue Form 1440 in triplicate in the same manner as alcohol shipped in tank cars or tank trucks except that the seal-

ing of the car or truck in which transported shall not be required.

(e) When the industrial alcohol plant, industrial alcohol bonded warehouse, or denaturing plant premises are equipped with suitable dock facilities, the alcohol may, subject to compliance with the customs laws and regulations, be transferred by pipe line from the importing vessel or barge through weighing tanks or other suitable measuring tanks into locked empty storage tanks on the plant or warehouse premises or directly into locked storage tanks thereon, provided such storage tanks are equipped with suitable measuring devices for correctly indicating the actual contents. Such transfer shall be made under customs supervision and the alcohol shall be gauged by a customs officer and released from customs custody upon compliance with the customs laws and presentation of withdrawal permit on Internal Revenue Form 1436 or 1463, and application on Internal Revenue Form 1440 in triplicate.

(f) If the alcohol is withdrawn from customs custody by or for the account of an agency of the United States Government under a permit on Internal Revenue Form 1444, the alcohol, after due entry thereof, shall be gauged by a customs officer who shall prepare a report of gauge on Internal Revenue Form 1440 in triplicate. This form shall be completed in the manner prescribed in paragraph (c) and shall be disposed of as follows: the original shall be retained by the collector of customs, one copy shall be forwarded to the governmental agency to which the alcohol is consigned, and one copy shall be forwarded directly to the Commissioner of Internal Revenue. A customs officer shall state on each copy of Form 1440 the permit number of Form 1444 under which the alcohol is to be withdrawn, and shall prepare Internal Revenue Form 1453 and forward it to the government officer to whom the alcohol is to be delivered at destination. The alcohol may then be released upon the deposit of estimated duty, if any, or in accordance with the provisions of article 314 (d), Customs Regulations of 1937, and without the deposit of internal-revenue tax, for shipment to the United States governmental agency named in the permit on Internal Revenue Form 1444.

(g) Upon the completion of the procedure outlined above, the entry shall be liquidated with the assessment of duty at the appropriate rate, if any, and without the assessment of internal-revenue tax. (R.S. 161, 251, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 19 U.S.C. 66, 1624)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: November 1, 1942.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42-11290; Filed, November 2, 1942;
4:23 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter C—Miscellaneous Excise Taxes

[T.D. 5178]

PART 182—INDUSTRIAL ALCOHOL¹

IMPORTATION FOR INDUSTRIAL PURPOSES; WITHDRAWAL TAX FREE FOR USE OF UNITED STATES

1. Section 602 (e) of the Revenue Act of 1942 (Public Law 753, 77th Congress), provides as follows:

(e) EXEMPTION OF IMPORTED ALCOHOL FOR INDUSTRIAL PURPOSES

(1) *Amendment to Internal Revenue Code.* Part II of Subchapter C of Chapter 26 (relating to industrial alcohol) is amended by inserting at the end thereof the following new section:

SEC. 3125. IMPORTATION OF ALCOHOL FOR INDUSTRIAL PURPOSES.

(a) *Importation without payment of internal revenue tax.* Under regulations to be prescribed by the Commissioner, with the approval of the Secretary, and subject from the time of its withdrawal from customs custody to all the applicable provisions of this part, alcohol of 160 proof, or greater, may be imported into the United States and be withdrawn, in bond, from customs custody, without payment of the internal revenue tax imposed by section 2800 upon the act of importing such alcohol, for transfer to industrial alcohol plants, alcohol bonded warehouses, and denaturing plants for redistillation or denaturation and withdrawal, or withdrawal without redistillation or denaturation, tax free or tax paid, as the case may be, for all the purposes authorized by this part. If such alcohol is withdrawn from the said industrial alcohol plants, alcohol bonded warehouses, or denaturing plants for beverage purposes, there shall be paid upon such withdrawal an additional tax equal to the duty which would have been paid had such spirits been imported for beverage purposes, less the duty already paid thereon.

(b) *Withdrawal tax free for use of United States.* Alcohol may be withdrawn from customs custody by the United States or any governmental agency thereof for its own use, free of internal revenue tax, under such regulations as may be prescribed.

(2) *Effective date of subsection.* Notwithstanding section 601, this subsection shall take effect on the day following the date of enactment of this Act.

2. Pursuant to the foregoing provisions of law and sections 3105, 3124 (a), and 3176 of the Internal Revenue Code, Regulations 3 is hereby amended by adding at the end thereof the following new articles:

Article XLV—Importation of Alcohol for Industrial Purposes

§ 182.989 *General provisions.* Except as hereinafter provided, the provisions of these regulations (Regulations 3, 26 CFR, Part 182), in so far as applicable, shall govern the withdrawal and disposition of alcohol of 160 degrees of proof, or greater,

¹ The asterisk at end of sections refers to sections 3105, 3124 (a) (6), and 3176 of the Internal Revenue Code.

under the provisions of section 602 (e) of the Revenue Act of 1942. (*; Sec. 3125, I.R.C.)

§ 182.990 *Withdrawal.* The proprietor of an industrial alcohol plant, bonded warehouse, or denaturing plant desiring to withdraw imported alcohol from customs custody without payment of tax for transfer to an industrial alcohol plant, bonded warehouse, or denaturing plant for redistillation, or denaturation and withdrawal or withdrawal without redistillation, tax-free or tax-paid, as the case may be, for all the purposes authorized by Part II, Subchapter C, Chapter 26, Internal Revenue Code, shall file application on Part I of Form 1436, as to industrial alcohol plants or bonded warehouses, or on Part I of Form 1463, as to denaturing plants, with the district supervisor of the district in which the plant or warehouse is located for permit to procure such alcohol. The application should be properly modified by the applicant to cover the transfer of alcohol from customs custody, naming the port of entry through which the alcohol is to be withdrawn. If alcohol is to be withdrawn from more than one port of entry, separate applications for each port shall be filed. (*; Sec. 3125 (a), I.R.C.)

§ 182.991 *Consent of surety, Form 1533.* Proprietors of industrial alcohol plants, bonded warehouses, or denaturing plants, in order to withdraw imported alcohol without payment of tax from customs custody, or receive such alcohol in bond after its withdrawal from customs custody shall, prior to, or at the time of, filing application for such withdrawal, or transfer in bond, file consent of surety, Form 1533, on their bonds, Form 1432A, extending the terms thereof to assume liability for payment of the internal revenue tax on such alcohol. The consent of surety, which should be filed and disposed of as provided in Article X, shall be in substantially the following form:

To extend the terms of said bond to assume liability (a) for the payment of the internal revenue tax on all alcohol withdrawn without payment of tax from customs custody for redistillation or denaturation and withdrawal, or withdrawal without redistillation or denaturation, by the principal pursuant to section 3125 (a), Internal Revenue Code, and regulations, and (b) if withdrawn for beverage purposes, for an additional tax equal to the duty which would have been paid had such spirits been imported for beverage purposes, less the duty already paid thereon.

(*; Sec. 3125 (a), I.R.C.)

§ 182.992 *Withdrawal permit.* Upon receipt of application on Part I of Form 1436 or Part I of Form 1463, the district supervisor will, if proper consent of surety on the proprietor's plant or warehouse bond has been filed, issue permit on Part II of Form 1436 or Part II of Form 1463, as the case may be, properly modified pursuant to such application. The district supervisor will retain the duplicate of the permit, Form 1436, or

Form 1463, for his files. (*; Sec. 3125 (a), I.R.C.)

§ 182.993 *Application, Form 1440.* In order to procure a specific quantity of imported alcohol, the proprietor of the industrial alcohol plant, bonded warehouse, or denaturing plant will execute application for withdrawal on Form 1440 in triplicate, properly modified, and forward all copies thereof and the original of the permit, Form 1436, or Form 1463, to the collector of customs at the port of entry named in the permit from whose custody it is proposed to withdraw the alcohol. The collector of customs will not release the alcohol without payment of internal revenue tax until the withdrawal permit, Form 1436, or Form 1463, and the application for withdrawal on Form 1440, in triplicate, properly modified have been received from the proprietor of the industrial alcohol plant, bonded warehouse, or denaturing plant, as the case may be. After the receipt of Form 1436 or Form 1463, covering the initial withdrawal of alcohol, the collector of customs may retain such permit to cover future withdrawals pursuant to application on Form 1440, in triplicate. (*; Sec. 3125 (a), I.R.C.)

§ 182.994 *Customs gauge and release.* Prior to release from customs custody, the alcohol will be gauged by a customs officer who will enter the details of the gauge on all copies of the Form 1440. When shipments are made in tank cars or tank trucks, the details of gauge of each tank car or tank truck will be reported separately thereon in accordance with the column headings on the Form 1440. The customs officer will also show on each copy of Form 1440 the country of exportation of the alcohol. In addition, he will ascertain and state on each copy of the Form 1440 the rate of customs duty paid on the alcohol and the rate of customs duty which would have been applicable had such spirits been imported for beverage purposes. The customs officer will forward two copies of Form 1440 to the storekeeper-gauger at the industrial alcohol plant, bonded warehouse, or denaturing plant designated in the application, and retain one copy for customs purposes. The storekeeper-gauger at the plant or warehouse will, on receipt of the two copies of Form 1440, verify the shipment, note on both copies any discrepancies, forward one copy to the district supervisor of the district in which the plant or warehouse is located, and deliver the remaining copy to the proprietor of the plant or warehouse. (*; Sec. 3125 (a), I.R.C.)

§ 182.995 *Tank car, tank truck, and package shipments—(a) Tank cars or tank trucks to be sealed.* Where shipments of alcohol from customs custody to the industrial alcohol plant, bonded warehouse, or denaturing plant are made in tank cars or tank trucks, all openings affording access to the tanks will be sealed by the customs officer with customs seals.

(b) *Packages.* Where shipments of alcohol from customs custody are made in packages, the customs officer will gauge and release the alcohol pursuant

to appropriate permit. Form 1436 or Form 1463, and application, Form 1440, in triplicate, in the same manner as alcohol shipped in tank cars or tank trucks, except that the sealing of the car or truck in which transported will not be required. (*; Sec. 3125 (a), I.R.C.)

§ 182.996 *Transfer by pipe line at dock.* Where the industrial alcohol plant, bonded warehouse, or denaturing plant premises are equipped with suitable dock facilities, the alcohol may, subject to all requirements of the customs laws and regulations, be transferred by pipe line from the importing vessel or barge through weighing tanks or other suitable measuring tanks into locked empty storage tanks on the plant or warehouse premises or directly into locked storage tanks thereon, provided such storage tanks are equipped with suitable measuring devices for correctly indicating the actual contents. In such case, the alcohol will be transferred under customs supervision, gauged immediately by a customs officer, and thereupon released for deposit in the plant or warehouse pursuant to proper withdrawal permit, Form 1436 or Form 1463, and application for withdrawal on Form 1440 in triplicate. The details of the gauge will be reported on all copies of Form 1440 by the customs officer and the copies of Form 1440 distributed as provided in § 182.994. (*; Sec. 3125 (a), I. R. C.)

§ 182.997 *Gauging.* Upon receipt of the alcohol at the industrial alcohol plant, bonded warehouse, or denaturing plant from customs custody, it will be gauged in accordance with Articles XXI and XXV and the Gauging Manual, provided that where the bonded premises consist of storage tanks only, the spirits may be gauged upon receipt at such premises by any one of the following four methods, preference to be given in the order named:

- (1) Weighed in scale tanks
- (2) Gauged by volume in accurately calibrated storage tanks
- (3) Weighed on railroad car scales located on bonded premises by weighing tank cars or tank trucks before and after filling and emptying, as the case may be
- (4) Gauged by volume in accurately calibrated tank cars or tank trucks. (*; Sec. 3125 (a), I.R.C.)

§ 182.998 *Authorized transactions—*

(a) *Industrial alcohol plant.* Imported alcohol received at an industrial alcohol plant may, after proper gauging and recording, be withdrawn before or after redistillation, free of tax, for any of the purposes authorized by these regulations, or withdrawn upon payment of the internal revenue tax and if withdrawn for beverage purposes, an additional tax equal to the duty which would have been paid had the spirits been imported for beverage purposes, less the duty already paid thereon.

(b) *Bonded warehouse.* Imported alcohol received at a bonded warehouse may, after proper gauging and recording, be withdrawn for redistillation and subsequent withdrawal or without redistillation, as provided in § 182.998 (a) or be

withdrawn for denaturation as provided by these regulations.

(c) *Denaturing plant.* Imported alcohol received at a denaturing plant may, after proper gauging and recording, be withdrawn either denatured or undenatured pursuant to a withdrawal permit as provided by these regulations.

(d) *Imported alcohol to be kept separate.* Since the imported alcohol is eligible for withdrawal for beverage purposes, and is subject when so withdrawn, to an additional tax equal to the duty which would have been applicable had such spirits been imported for beverage purposes, less the duty already paid thereon, it must be kept separate at the industrial alcohol plant or bonded warehouse in which it is redistilled or stored and may not be mixed therein with domestic alcohol or imported alcohol which may be subject to a different rate of additional tax. Such alcohol may be transferred in bond between industrial alcohol plants, bonded warehouses and denaturing plants for the purposes authorized by paragraphs (a), (b) and (c). (*; Sec. 3125 (a), I.R.C.)

§ 182.999 *Taxpayment.* The basic internal revenue tax imposed by section 2800, I. R. C., shall be paid as to the imported alcohol in the manner prescribed by these regulations when withdrawn from an industrial alcohol plant or bonded warehouse for a tax-paid purpose. However, if the alcohol is withdrawn for beverage purposes, there shall be paid an additional tax equal to the duty which would have been applicable had the spirits been imported for beverage purposes, less the duty already paid thereon. Such additional tax shall be referred to as "additional tax—less duty," and shall be paid at the same time as the basic internal revenue tax. Such tax shall be computed at the rate specified on the application, Form 1440, covering withdrawal from customs custody, submitted in accordance with § 182.994. In computing such tax, credit will be taken for the duty already paid on the alcohol. The total taxable quantity in proof gallons to be withdrawn, as reported in Column 7 of the withdrawal application, Form 1440, shall be used as the basis of computation of the tax at the rate indicated. The amount of the "additional tax—less duty" and nature thereof will be stated separately in the application for taxpayment, Form 1440, as to packages or cases, or Forms 1440 and 1594, as to removals in tank cars, etc., as the case may be. Upon receipt of Form 1440, or Forms 1440 and 1594, and the remittance for the total taxes due, the amount of the "additional tax—less duty" will be listed for assessment by the collector on his current Distilled Spirits Tax List. The collector will certify separately on Form 1440 or on Forms 1440, 1594, and 1595 the payment of the "additional tax—less duty." (*; Sec. 3125 (a), I.R.C.)

§ 182.1000 *Records—(a) Industrial alcohol plant.* All imported alcohol requiring redistillation received at an industrial alcohol plant, either direct from customs custody or by transfer from an-

other plant or warehouse, except where received in packages, shall be deposited in closed locked tanks in the alcohol plant. Such alcohol may then be redistilled and withdrawn, or withdrawn without redistillation, in the manner prescribed by these regulations. All transactions involving such alcohol shall be reported on separate Forms 1442, 1452-A and B, 1454, and 1488 where the proprietor does not operate a bonded warehouse. Such reports shall be marked "Imported Alcohol Transactions." Where the alcohol is received direct from customs custody, the country of exportation shall be stated on Form 1442 in the statement of "Materials Received During the Month." All removals of imported alcohol shown on Form 1488 will be reported by the district supervisor in a separate monthly account, Form 1487, appropriately modified where necessary. Such account shall be designated "Imported Alcohol Transactions."

(b) *Bonded warehouse.* Imported alcohol received at a bonded warehouse, either direct from customs custody or by transfer from the alcohol plant or in bond from another plant or warehouse and withdrawn therefrom in the manner provided by these regulations, shall be reported on separate Forms 1443-A or 1443-B. Where the alcohol is received direct from customs custody, the country of exportation shall be stated in the detailed statements of such forms. Such alcohol shall be reported by the district supervisor in the separate report of imported alcohol transactions on Form 1487.

(c) *Denaturing plant.* Imported alcohol received at a denaturing plant, either direct from customs custody or by transfer from an alcohol plant or bonded warehouse, shall be reported on the regular denaturing plant forms in the same manner as alcohol of domestic origin. Where the alcohol is received direct from customs custody, the country of exportation shall be stated in the detailed statement of receipts on Form 1468-A, but thereafter such alcohol need not be separately reported.

(d) *Transfers in bond.* Where imported alcohol is transferred in bond, the transfer papers, Forms 1436, 1439 and 1440, in the case of transfers between warehouses, and Forms 1463, 1439 and 1440, in case of transfers from a warehouse to a denaturing plant, must specify that the alcohol to be transferred is imported alcohol. In each such case the rates of duty specified by § 182.994 shall be transcribed to the Form 1440 covering the transfer. (*; Sec. 3125 (a), I.R.C.)

§ 182.1001 *Losses.* Losses of imported alcohol, which occur in transit from customs custody to industrial alcohol plants, bonded warehouses, or denaturing plants, will be adjusted in accordance with the provisions of § 182.635. Where claims for remission of tax covering such losses are required, such claims will be filed by the proprietor of the plant or warehouse in accordance with § 182.637. Losses of such spirits occurring after receipt at the industrial alcohol plant, bonded warehouse, or denaturing plant, will be adjusted and claims therefor filed where necessary in accordance with the pro-

visions of these regulations pertaining to losses of domestic alcohol. (*; Sec. 3125 (a), I.R.C.)

Article XLVI—Withdrawal of Imported Alcohol Tax Free for Use of the United States

§ 182.1002 *Withdrawal from customs custody.* Upon filing proper customs entry, imported alcohol of 160 degrees of proof, or greater, may be withdrawn direct from customs custody for use by the United States or any governmental agency thereof, under the provisions of this article, or it may be withdrawn from customs custody and be redistilled, warehoused, or denatured and subsequently withdrawn for use of the United States or governmental agency thereof under the provisions of Article XLV. (*; Sec. 3125 (b), I.R.C.)

§ 182.1003 *Form 1444—(a) Application.* Where alcohol is withdrawn direct from customs custody, application on Part 1 of Form 1444, shall be executed in duplicate by the United States or governmental agency thereof, and forwarded direct to the Commissioner of Internal Revenue for issuance of permit. The application shall name the port of entry through which the alcohol is to be withdrawn and each location to which it will be shipped. The provisions of § 182.172 shall apply to the signing of such applications.

(b) *Permit.* Upon receipt of an application on Form 1444, from the United States or governmental agency thereof for permit to withdraw and use imported alcohol free of tax, the Commissioner will, if he approves the application, issue permit on Part II of the Form 1444. Basic permits, Form 1444, shall be numbered serially in the order of issuance. The serial number of permits, Form 1444, shall be preceded by the symbol "US-TFI." The original copy of the Form 1444 shall be forwarded to the department, bureau, office or other agency of the United States making application for the permit. One copy will be retained by the Commissioner for his files.

(c) *Use of permit.* The department, bureau, office or other agency of the United States, in order to procure alcohol from customs custody, shall forward the permit to the collector of customs at the port named therein. The collector of customs may retain such permit to cover future withdrawals pursuant to appropriate customs entry in each case. (*; Sec. 3125 (b), I.R.C.)

§ 182.1004 *Limitation of permit.* Permits on Form 1444 to procure alcohol free of tax from customs custody will not limit the quantity of alcohol authorized to be procured. Such permits, however, shall name the port of entry through which the alcohol is to be withdrawn and each location to which it will be shipped. If it is desired to procure alcohol from more than one port of entry, a separate must be procured authorizing withdrawal from each port. All such permits will remain in force until surrendered or cancelled. (*; Sec. 3125 (b), I.R.C.)

§ 182.1005 *Customs gauge and release.* Upon receipt of customs entry for permit on Form 1444, the alcohol will be gauged

by the customs officer who will prepare a report of gauge on Form 1440, in triplicate. The alcohol may then be released free of tax for shipment to the United States or governmental agency thereof named in the permit, Form 1444, subject to the conditions hereinafter stated. The original of Form 1440 shall be retained by the collector of customs, one copy shall be forwarded to the governmental agency to whom the alcohol is consigned, and one copy shall be forwarded direct to the Commissioner of Internal Revenue. The customs officer will state on each copy of Form 1440 the permit number of Form 1444 under which the alcohol was withdrawn. (*; Sec. 3125 (b), I.R.C.)

§ 182.1006 *Bill of lading and customs seals.* Where the alcohol is transported by common carrier, the person to whom the alcohol was delivered for shipment shall furnish a copy of the bill of lading covering transportation of the alcohol from the port of entry to final destination to the governmental agency of the United States to whom the alcohol is consigned. If the alcohol is shipped in tank cars or tank trucks, all openings affording access to the tanks will be sealed by the customs officer with customs seals. (*; Sec. 3125 (b), I.R.C.)

§ 182.1007 *Notice and receipt of shipment, Form 1453.* At the time of shipping alcohol tax-free to the United States or governmental agency thereof, the collector of customs will prepare Form 1453 and forward it to the government officer to whom the alcohol is to be delivered at destination. Such government officer upon receiving the shipment will execute the certificate of receipt and forward the form to the Commissioner of Internal Revenue. (*; Sec. 3125 (b), I.R.C.)

§ 182.1008 *Transportation by carrier.* The provisions of these regulations and Treasury Decision 5164 (26 CFR, Part 171, Subpart H) respecting the transportation of tax-free alcohol under permit, Form 145, issued by the district supervisor, shall apply, and the forms and bonds shall be modified to apply, to the transportation of alcohol withdrawn free of tax from customs custody by the United States or governmental agency thereof. (*; Sec. 3125 (b), I.R.C.)

[SEAL] NORMAN D. CANN,
Commissioner of Internal Revenue.

Approved: October 31, 1942.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 42-11291; Filed, November 2, 1942;
4:23 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket No. A-1622]

PART 321—MINIMUM PRICE SCHEDULE,
DISTRICT No. 1

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 1
 NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 Alphabetical list of code members—Supplement R-I

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group No.]

Mine Index	Code member	Mine name	Sub. dist. No.	Seam	Shipping point	Railroad	Freight group No.	1	2	3	4	5
3072	Baer Brothers (frwin Baer)	Baer	19	D	Madera, Pa.	PRR	45	(f)	(f)	(f)	(f)	(f)
2142	Burrier, C. P. (Burrier Coal Co)	Moscow #2	43	Big Vein	Barton, Md.	C&F	66	D	(f)	D	D	D
2143	Burrier, C. P. (Burrier Coal Co)	Moscow #3	43	Bak	Barton, Md.	C&F	66	H	(f)	H	H	H
3732	Davis, Charles W. (Receiver Middle Penna. Coal Corporation)	Beitz	13	A	Madera, Pa.	PRR	45	H	(f)	H	(f)	H
3733	Davis, Charles W. (Receiver Middle Penna. Coal Corporation)	Bucher	13	A	Madera, Pa.	PRR	45	H	(f)	H	(f)	H
3734	Davis, Charles W. (Receiver Middle Penna. Coal Corporation)	McDonnald	13	D	Madera, Pa.	PRR	45	(f)	(f)	D	(f)	(f)
3307	Humphrey, Lee B. (The Humphrey Brick & Tile Company)	Black Prince #12	5	D	Fulmer, Pa.	PRR	122	(f)	(f)	(f)	(f)	(f)
3644	Moshannon Falls Mining Co. (H. D. Woodbridge)	Mt. Carmel (d)	9	B	Karthaus, Pa.	NYC	44	(f)	(f)	G	G	G
3546	Moshannon Falls Mining Co. (H. D. Woodbridge)	Mt. Carmel #2(s)	9	C	Karthaus, Pa.	NYC	44	(f)	(f)	E	(f)	(f)
3735	Sutter, J. L.	Sutter #2	6	E	Sprankle Mills, Pa.	F&S	119	(f)	(f)	F	(f)	(f)
2127	Swank Sons, Inc. (Hiram)	Swank #6	15	B	Clymer, Pa.	NYC-PRR	60	(f)	(f)	G	(f)	(f)
3736	Swank Sons, Inc. (Hiram)	Swank #13	18	C'	Dean, Pa.	PRR	52	(f)	(f)	E	(f)	(f)

*When shown under a Size Group Number, this symbol indicates coals previously classified for this Size Group.
 †When shown under a Size Group Number, this symbol indicates no classification effective for this Size Group.

said mines; and commencing forthwith, the Shipping Point appearing in Supplement R-II for the coals of Mine Index No. 2619 shall be as therein shown instead of the Shipping Point heretofore applicable for this mine.

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.

The price classifications and minimum prices set forth in the Schedules attached are based upon the price classifications and minimum prices in effect on October 1, 1942 for comparable and analogous coals and already reflect the changes, if any, made in minimum prices by the Acting Director's Order of August 28, 1942, 7 F.R. 6943, in General Docket No. 21. Except as otherwise stated herein, the minimum prices in the attached Schedules do not differ, except in this regard, from the minimum prices proposed by petitioner.

Dated: October 17, 1942.
 [SEAL] DAN H. WHEELER,
 Director.

Docket No. A-1622 in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and it appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and
 The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (Alphabetical list of code members) is amended by adding thereto Supplement R-I and R-II, and § 321.24 (General prices) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; commencing forthwith, the Shipping Point and Freight Origin Group appearing in the aforesaid Supplement R-II for the coals of Mine Index Nos. 2121 and 3497 shall be as therein shown instead of the Shipping Point and Freight Origin Group heretofore applicable to

§ 321.7 *Alphabetical list of code members—Supplement R-II*
 [Alphabetical listing of Code members having railway loading facilities, showing price classifications by size group numbers]

Code member	Mine name	Sub-district No.	Seam	Shipping point	Railroad	Freight group No.	1	2	3	4	5
3497 Miller Coal Co. (L. J. Heiman)	Millen & Helman #4	29	D	Johnstown, Pa.	J&S.C.	48	(f)	(f)	F	F	F
3519 Stacey, James H.	Stacey Sutter's	6	D	Punxsutawney, Pa.	PRR	50	(f)	(f)	E	E	E
2121 Sutter, J. L.	Sutter's	6	D	Punxsutawney, Pa.	B&O	112	(f)	(f)	E	E	E

†When shown under a Size Group Number, this symbol indicates no classification effective for this Size Group.
 Notes: The above prices are applicable only via the respective Freight Origin Groups, Shipping Points, and Railroads shown for the respective mines. Shipping Points previously assigned to these mines are hereby deleted.

FOR TRUCK SHIPMENTS

§ 321.24 *General prices—Supplement T*

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Sub district No.	County	Seam	All lump coal double screened top size and over	Double screened top size 2' and under	Run of mine mod.	2' and under slack	3' and under slack	4' and under slack	5' and under slack
Blue Valley Coal Co. (J. V. Urmann)	3731	Blue Valley #2	2	Elk	B	(f)	(f)	230	(f)	(f)	(f)	(f)
Burtner, C. P. (Burtner Coal Company)	2142	Moscow #2	43	Allegheny	Big Vein	275	(f)	(*)	240	230	230	230
Burtner, C. B. (Burtner Coal Company)	2143	Moscow #3	45	Allegheny	Bak	285	(f)	(*)	220	210	210	210
Davis, Charles W., Receiver Middle Penna. Coal Corporation	3732	Belz	13	Clearfield	A	255	(f)	230	(f)	210	210	210
Davis, Charles W., Receiver Middle Penna. Coal Corporation	3733	Bucher	13	Clearfield	A	255	(f)	230	(f)	210	210	210
Davis, Charles W., Receiver Middle Penna. Coal Corporation	3734	McDonald	13	Clearfield	D	(f)	(f)	250	(f)	(f)	(f)	(f)
Davis, George W. (The Humphreys Coal & Coke Co.)	3698	Helen Mae #2	36	Somerset	E	(f)	(f)	245	(f)	(f)	(f)	(f)
Davis, George W. (The Humphreys Coal & Coke Co.)	3697	Black Prince #2	5	Jefferson	D	(f)	(f)	(*)	235	(f)	(f)	(f)
McMahon, Falls Mining Co. (H. D. Woodrife)	3644	Mt. Carmel (d)	9	Clearfield	B	(f)	(f)	245	(f)	(f)	(f)	(f)
McMahon, Falls Mining Co. (H. D. Woodrife)	3546	Mt. Carmel #2 (s)	9	Clearfield	C	(f)	(f)	245	(f)	(f)	(f)	(f)
Randall, Burke	3678	Randall's Mine	44	Mineral	Bak	(f)	(f)	230	(f)	(f)	(f)	(f)
Schrock, Lynn	3641	Fortney	42	Garrett	Bak	(f)	(f)	230	(f)	(f)	(f)	(f)
Sutter, J. L.	3735	Sutter #2	6	Jefferson	E	(f)	(f)	240	(f)	(f)	(f)	(f)
Swank, Sorens, Inc., Hiram Winters, Charles	3736	Swank #13	18	Gembris	C	(f)	(f)	245	(f)	(f)	(f)	(f)
Zachert, Coal Co.	3737	K #3	14	Clearfield	C	(f)	(f)	240	(f)	(f)	(f)	(f)
Zachert, Coal Co.	3738	Andrew Stigitz #14	1	Clarion	A	285	240	230	230	230	230	230
Zachert, Coal Co.	3739	Zettler #15	1	Clarion	A	290	235	235	225	225	215	215

†Indicates no classification effective for this Size Group.
 *Indicates coal in this size group previously classified and priced.

[F. R. Doc. 42-11194; Filed, November 2, 1942; 11:04 a. m.]

amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

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

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

The price classifications and minimum prices set forth in the Schedules attached are based upon the price classifications and minimum prices in effect on October 1, 1942, for comparable and analogous coals and already reflect the changes, if any, made in minimum prices by the Acting Director's Order of August 28, 1942, 7 F.R. 6943, in General Docket No. 21. Except as otherwise stated herein, the minimum prices in the attached Schedules do not differ, except in this regard, from the minimum prices proposed by petitioner.

Dated: October 15, 1942.

[SEAL] DAN H. WHEELER,
 Director.

§ 321.7 *Alphabetical list of code members—Supplement R-I*
 [Alphabetical listing of Code members having railway loading facilities, showing price classifications by size group numbers]

ORDER GRANTING RELIEF, ETC.
 Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and

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

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

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

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I and R-II, and § 321.24 (*General prices*) is

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 1

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 321, Minimum Price Schedule for District No. 1 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 Alphabetical list of code members—Supplement R-I

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group numbers]

Mine index No.	Code member	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group No.					
								1	2	3	4	5
3781	Bahorik, Stephen	Bahorik	38	B	Cosgrove, Pa.	PRR	49	(†)	(†)	C	(†)	(†)
3782	Carlson, Ed. E. (Ed. E. Carlson Coal Co.)	Carlson #3	6	D	Punxsutawney, Pa.	PRR	50	(†)	(†)	E	(†)	(†)
3714	Center Hall Coal Mining Co. (Kathryn R. Stine)	Center Hall #1	21	A	Osceola Mills, Pa.	PRR	45	(†)	(†)	H	(†)	(†)
3778	Connacher & Smith (J. L. Smith)	Round Top #2 (D)	9	C	Mowry, Pa.	NYC	44	(†)	(†)	E	E	E
3779	Connacher & Smith (J. L. Smith)	Round Top #3 (S)	9	B	Mowry, Pa.	NYC	44	(†)	(†)	G	G	G
3780	Forsberg, Theodore	Forsberg #3	6	D	Anita, Pa.	PRR	50	(†)	(†)	E	E	E
3712	Knowles, Jonah	Knowles #2	8	C	Smoke Run, Pa.	PRR	45	(†)	(†)	F	(†)	(†)
3551	Limrick, J. L.	Whipcorwill #2	6	D	Hillman Branch (Punxsutawney), Pa.	PRR	50	(†)	(†)	E	(†)	(†)
3747	Moore & Son, W. G. (W. G. Moore)	Moore #3	21	E	Osceola Mills, Pa.	PRR	45	(†)	(†)	(*)	G	G
3776	Moore & Son, W. G. (W. G. Moore)	Moore #4 (S)	21	D	Osceola Mills, Pa.	PRR	45	(†)	(†)	F	F	F
3777	Moore & Son, W. G. (W. G. Moore)	Moore #5	21	A	Osceola Mills, Pa.	PRR	45	(†)	(†)	H	H	H
1844	Fletcher Coal Company, John (John Fletcher)	Nieklow	40	C	Confluence, Pa.	B&O	100	(†)	(†)	H	(†)	(†)

†Indicates no classification effective for these size groups.
*Indicates classifications and prices previously established for these size groups.

§ 321.7 Alphabetical list of code members—Supplement R-II

[Alphabetical listing of code members having railway loading facilities, showing price classifications by size group No.]

Mine index No.	Code member	Mine name	Subdistrict No.	Seam	Shipping point	Railroad	Freight origin group No.					
								1	2	3	4	5
3578	O'Harah, Robert	Kennedy	5	D	Stanton, Pa.	P&S	119	(†)	(†)	E	(†)	(†)
3681	Sommerville Coal Co. (A. O. Sommerville)	Flannigan #1	17	D	Patton, Pa.	PRR-NYC	60	(†)	(†)	E	(†)	(†)

†Indicates no classification effective for these size groups.
NOTE: The above prices are applicable only via the respective Freight Origin Groups, Shipping Points, and railroads shown for the respective mines. Shipping Points previously assigned to these mines are hereby deleted.

FOR TRUCK SHIPMENTS

§ 321.24 General prices—Supplement T

[Prices in cents per net ton for shipment into all market areas]

Code member index	Mine index No.	Mine	Subdistrict No.	County	Seam	All lump coal double screened, top size 2" and over				
						1	2	3	4	5
Bahorik, Stephen	3781	Bahorik	38	Somerset	B	(†)	(†)	255	(†)	(†)
Carlson, Ed. E. (Ed. E. Carlson Coal Co.)	3782	Carlson #3	6	Jefferson	D	(†)	(†)	245	(†)	(†)
Center Hall Coal Mining Co. (Kathryn R. Stine)	3714	Center Hall #1	21	Center	A	(†)	(†)	230	(†)	(†)
Connacher & Smith (J. L. Smith)	3778	Round Top #2 (D)	9	Clearfield	C	(†)	(†)	245	235	225
Connacher & Smith (J. L. Smith)	3779	Round Top #3 (S)	9	Clearfield	B	(†)	(†)	235	225	215
Forsberg, Theodore	3780	Forsberg #3	6	Jefferson	D	(†)	(†)	245	235	225
Knowles, Jonah	3712	Knowles #2	8	Clearfield	C	(†)	(†)	240	(†)	(†)
Limrick, J. L.	3551	Whipcorwill #2	6	Jefferson	D	(†)	(†)	245	(†)	(†)
Moore & Son, W. G. (W. G. Moore)	3747	Moore #3	21	Clearfield	E	(†)	(†)	(*)	225	215
Moore & Son, W. G. (W. G. Moore)	3776	Moore #4 (S)	21	Clearfield	D	(†)	(†)	240	230	220
Moore & Son, W. G. (W. G. Moore)	3777	Moore #5	21	Clearfield	A	(†)	(†)	230	220	210

†Indicates no classification effective for this size group.
*Indicates classification and prices previously established for this size group.

[F. R. Doc. 42-11195; Filed, November 2, 1942; 11:04 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System
[No. 134]

ORDER TO REPORT FOR WORK OF NATIONAL IMPORTANCE

ORDER PRESCRIBING FORM

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

Revision of DSS Form 50, entitled "Order to Report for Work of National Importance," effective immediately upon the filing hereof with the Division of the Federal Register.¹ The original supply of forms will be used until exhausted.

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

LEWIS B. HERSHEY,
Director.

JUNE 20, 1942.

[F. R. Doc. 42-11218; Filed, November 2, 1942; 12:38 p. m.]

[No. 135]

NOTICE OF SELECTION

ORDER PRESCRIBING FORM

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

Revision of DSS Form 148, entitled "Notice of Selection," effective immediately upon the filing hereof with the Division of the Federal Register.¹ The supply of DSS Forms 148 shall be used until exhausted.

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

LEWIS B. HERSHEY,
Director.

JULY 18, 1942.

[F. R. Doc. 42-11219; Filed, November 2, 1942; 12:38 p. m.]

[No. 136]

REPORT OF TRANSMITTAL FORMS D. S. S. 166-167

ORDER PRESCRIBING FORM

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the

¹ Filed as part of the original document.

Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 171 "Report of Transmittal Forms D. S. S. 166-167," effective immediately upon the filing hereof with the Division of the Federal Register.¹ The supply of original DSS Form 171 on hand will be used until exhausted.

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

LEWIS B. HERSHEY,
Director.

AUGUST 25, 1942.

[F. R. Doc. 42-11220; Filed, November 2, 1942; 12:38 p. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Amendment 2 to Suspension Order S-110]

CONNECTICUT REFINING CO.

Paragraph (a) of § 1010.110 *Suspension Order S-110*, issued October 14, 1942,² is hereby amended to read as follows:

(a) The Connecticut Refining Company, its successors and assigns, shall not deliver or cause to be delivered, directly or indirectly, in any calendar month, to any of the 27 service stations listed below, any motor fuel as the same is defined in Limitation Order L-70,³ in excess of 25 per cent of the normal gallonage of such service station 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:

Joseph Aleria, doing business as Joe's Service Station, 189 Morgan Street, Hartford, Connecticut.

Irving Berkowitz, 119 Hartford Avenue, New Britain, Connecticut.

Benvenuto Bighinatti, doing business as Venice Filling Station, Newfield Street, Middletown, Connecticut.

Frank J. D'Amico, 211 Boston Post Road, Milford, Connecticut.

Connecticut Refining Co., Edward Shiner, Treasurer, (DeMute station), 299 Franklin Street, Norwich, Connecticut.

Joseph Cantor, 351 Connecticut Avenue, Bridgeport, Connecticut.

Herman Zamost, doing business as Economy Service Station, Park Road and Fairlawn Street, West Hartford, Connecticut.

George French and Harry French, doing business as French Bros., 626 East Main Street, Meriden, Connecticut.

Joseph Hirsch, 1147 Campbell Avenue, West Haven, Connecticut.

Metro Koclaba, doing business as K & M Service Station, 360 Seymour Avenue, Derby, Connecticut.

N. J. Larrivee, doing business as Nap Larrivee, 234 Forbes Avenue, New Haven, Connecticut.

Fidney Levinson, doing business as Viaduct Super Service, 74 State Street, New Haven, Connecticut.

Conney Pileski, doing business as Maple End Garage, 180 North Street, Bristol, Connecticut.

Jack Marsell, College St. & Crown Street, New Haven, Connecticut.

Ralph C. Miller, doing business as Manor Garage, 356 Savin Avenue, West Haven, Connecticut.

Constantino Racine, doing business as Universal Gas Station, 992 Bank Street, New London, Connecticut.

William A. Richards, doing business as the R & W Tire Company, 215-217 North Main Street, Bristol, Connecticut.

William A. Richards, doing business as Richards Service Station, 22 Main Street, Terryville, Connecticut.

Harold Ritchie, 50 Goffe Street, New Haven, Connecticut.

Henry L. Spieler, doing business as Spieler's Filling Station, Queen Street, Southington, Connecticut.

Robert A. Lalane, doing business as Shady Grove Service Station, Bristol Road, Farmington, Connecticut.

John Simpson, Main Street and Gerrish Avenue, East Haven, Connecticut.

Louis Present et al., doing business as State Street Auto Supply, 1519 State Street, Bridgeport, Connecticut.

Salvatore Bendott, doing business as Sully's Service Station, 428 New Britain Road, Kensington, Connecticut.

Theodore Tessman, doing business as Tessman Service Station, 335 East Main Street, New Britain, Connecticut.

R. E. and Thomas Tomlinson, doing business as Tomlinson Bros., 801 Whalley Avenue, New Haven, Connecticut.

Bessie A. Weinstein, doing business as Park Battery Service, 421 Park Street, Hartford, Connecticut.

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 2d day of November 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-11221; Filed, November 2, 1942; 1:47 p. m.]

PART 1143—RAZORS AND RAZOR BLADES

[General Limitation Order L-72, as Amended November 3, 1942]

§ 1143.1 *General Limitation Order L-72*—(a) *Definitions*. For the purposes of this order:

(1) "Safety razor" means any razor provided with a guard or guards for the blade to prevent cutting of the skin.

(2) "Straight razor" means any razor which is not a safety razor.

(3) "Razor blade" means any single-edged or double-edged blade intended for use in a safety razor.

(4) "Copper" means any copper or copper alloy or any unfinished parts containing any such copper or copper alloy entering into the manufacturing or fabrication or assembly of safety razors.

(5) "Manufacturer" means any person regularly engaged in processing, fabricating, working on or assembling safety razors, straight razors, razor blades or parts made specifically for incorporation into safety razors, straight razors or razor blades regardless of what materials are used for such production.

(6) "Put into process" or "processed" means the first change in the form of iron or steel made by a manufacturer from the form in which such iron or steel is received by him.

(7) "Transfer" means to sell, lease, trade, lend, deliver, ship or transfer razor blades from one person to any other person. For the purposes of this order, the following shall not be regarded as transfers:

(i) To sell, lease, trade, lend, deliver, ship or transfer razor blades 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;

(ii) A transfer of title merely for security purposes;

(iii) Transfers of razor blades to and from warehouses where no substantial change in right, title or ownership to such razor blades is affected;

(iv) Transfers to and from carriers in order to effect the transfers specified in this paragraph.

(b) *Restrictions on production of safety razors*. (1) On and after November 3, 1942, no manufacturer shall use any copper in the production of safety razors except for plating purposes, provided that the copper so used does not exceed an average thickness of .0004 inch in the safety razors produced by him.

(2) On and after November 3, 1942, no manufacturer shall process, fabricate, work on or assemble any safety razors except to or for the account of the Army or Navy of the United States, government agencies or other persons acquiring safety razors for export to and consumption or use in any foreign country, or for the government of any country pursuant to the Act of March 11, 1942, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), and only in accordance with the provisions of paragraph (b) (3) of this order.

(3) On or before the 15th day of November, 1942, and on or before the 15th day of December, 1942, and on or before the 15th day of each third succeeding calendar month thereafter, each manufacturer shall file with the Director General for Operations a statement in writing which shall include:

(i) Such manufacturer's proposed production schedules for safety razors so far as then planned, but in any event for not less than the three calendar months following the filing of the report; and

(ii) His proposed delivery schedules of safety razors so far as then planned, but in any event for not less than the three calendar months following such filing. The production and delivery schedules for the three calendar months following the filing of the report shall be deemed to be authorized by the Director General for Operations upon the receipt of the statement by the War Production Board, unless the Director General for Operations shall otherwise direct. The Director General for Operations may, at any time, change any schedules; direct the cancellation of any order shown on any schedule; prescribe any other schedule for production or deliveries for any

¹ Filed as part of the original document.

² 7 F.R. 8349, 8460.

³ 7 F.R. 5552, 6419.

⁴ 7 F.R. 2297, 4778, 6069.

period, regardless of whether a schedule for such period, or any part thereof, has been reported by the manufacturer or theretofore approved by the Director General for Operations; allocate any order listed on the report to any other manufacturer; or direct the delivery of any safety razors so listed to any other person, at the established price and terms. No manufacturer shall produce or deliver any safety razors except in accordance with schedules approved or prescribed by the Director General for Operations as above provided; and no manufacturer shall alter any such approved or prescribed production or delivery schedules unless authorized or directed to do so by the Director General for Operations.

(c) *Restrictions on production of straight razors.* (1) During the period beginning November 3, 1942, and ending December 31, 1942, inclusive, no manufacturer shall produce straight razors in an amount greater than 8½% of the number of units of straight razors produced by him during 1940.

(2) On and after January 1, 1943, no manufacturer shall process, fabricate, work on or assemble any straight razors.

(d) *Restrictions on production of safety razor blades.* (1) On and after November 3, 1942, no manufacturer shall produce or transfer any razor blades for the account of the Army or Navy of the United States, except in accordance with the provisions of paragraph (e) of this order.

(2) During the three months period beginning October 1, 1942, and ending December 31, 1942, inclusive, and for each three months period thereafter, no manufacturer shall:

(i) Produce or transfer more razor blades for the account of any persons, other than the Army or Navy of the United States, than the greater of the following amounts:

(a) 21% of the number of units of razor blades produced by him during 1940 for sale purposes (including Army and Navy), or

(b) 15½% of the number of units of razor blades produced by him during 1941 for sale purposes (including Army and Navy);

(ii) Put into process more steel in the production of double-edged razor blades for the account of any person, other than the Army or Navy of the United States, than the greater of the following amounts:

(a) 21% of the amount of steel processed by him in the production of double-edged razor blades during 1940 for sale purposes (including Army and Navy), or

(b) 15½% of the amount of steel processed by him in the production of double-edged razor blades during 1941 for sale purposes (including Army and Navy);

(iii) Put into process more high carbon steel in the production of single-edged razor blades for the account of any persons, other than the Army or Navy of the United States, than the greater of the following amounts:

(a) 21% of the amount of high carbon steel processed by him in the production of single-edged razor blades dur-

ing 1940 for sale purposes (including Army and Navy); or

(b) 15½% of the amount of high carbon steel processed by him in the production of single-edged razor blades during 1941 for sale purposes (including Army and Navy).

(3) On and after December 15, 1942, no manufacturer shall process, fabricate, work on or assemble any single-edged razor blade which contains any low carbon steel backing of a thickness greater than .018 inches. The restrictions contained in this paragraph shall apply to all single-edged razor blades whether or not they are produced for the account of the Army or Navy of the United States.

(4) During the period beginning November 3, 1942, and ending December 31, 1942, inclusive, and during the three months period beginning January 1, 1943, and during each three months period thereafter, no manufacturer shall transfer more razor blades produced by him after November 3, 1942, to or for the account of:

(i) Government agencies or other persons acquiring safety razors for export to and consumption or use in any foreign country, or for governments of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), than 18% of the number of units of razor blades produced by him during the period in which the transfer is made, or

(ii) The normal civilian requirements than 84% of the number of units of razor blades produced by him during the period in which the transfer is made.

The restrictions contained in this paragraph shall apply only to those razor blades produced pursuant to paragraph (d) (2) of this order.

(e) *Production of razor blades for the account of the Army or Navy of the United States.* On or before November 15, 1942, and on or before the 15th day of December, 1942, and on or before the 15th day of each third succeeding calendar month thereafter, each manufacturer shall file with the Director General for Operations, a statement in writing which shall include:

(1) Such manufacturer's proposed production schedules for razor blades by types (single and double-edged) which are to be produced by him for the account of the Army or Navy of the United States, so far as then planned, but in any event, for not less than the three calendar months following the filing of the report; and

(2) His proposed delivery schedules of razor blades by types (single and double-edged) for the account of the Army or Navy of the United States so far as then planned, but in any event for not less than the three calendar months following such filing. The production and delivery schedules for the three calendar months following the filing of the report shall be deemed to be authorized by the Director General for Operations upon receipt of the statement by the War Production Board, unless the Director General for Operations shall otherwise direct. The Director General for Operations may, at any time, change any schedules; direct the cancellation of any

order shown on any schedule; prescribe any other schedule for production or deliveries for any period, regardless of whether a schedule for such period, or any part thereof, has been reported by the manufacturer or theretofore approved by the Director General for Operations; allocate any order listed on the report to any other manufacturer; or direct the delivery of any razor blades so listed to any other person, at the established price and terms. No manufacturer shall produce or transfer any razor blades on and after November 15, 1942, to or for the account of the Army or Navy of the United States, except in accordance with schedules approved or prescribed by the Director General for Operations as above provided; and no manufacturer shall alter any such approved or prescribed production or delivery schedules unless authorized or directed to do so by the Director General for Operations.

(f) *Reports.* (1) Every manufacturer affected by this order shall execute and file with the War Production Board, Washington, D. C., Ref: L-72, on or before November 15, 1942, a statement in writing showing:

(i) The number of safety razor blades for sale purposes by type (single-edged or double-edged) produced by him during 1940 and 1941 (including Army and Navy), showing the thickness and type (high or low carbon) of steel used for each type of blade and the total weight in tons of such steel by thickness and type (high or low carbon);

(ii) The base period (1940 or 1941) under which he will operate pursuant to paragraph (d) (2) of this order;

(iii) The number of units of straight razors produced during 1940 (including Army and Navy);

(iv) The number of units of safety razors produced during 1940 and 1941 (including Army and Navy).

(2) Every manufacturer affected by this order shall execute and file with the War Production Board, Washington, D. C., Ref: L-72, on or before the 10th day following the close of each calendar month, Form PD-655.

(g) *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.

(h) *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.

(i) *Avoidance of excessive inventories.* No manufacturer of safety razors, straight razors, and razor blades shall accumulate for use in the manufacture of such safety razors, straight razors, and razor blades, inventories of raw materials, semi-processed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production at the rates permitted by this order.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction

may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(k) *Appeal.* Any person affected by this order who considers that it works an exceptional or unreasonable hardship upon him may apply for relief by forwarding a letter addressed to the War Production Board, Consumers' Durable Goods Branch, Washington, D. C., Ref.: L-72, 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.

(l) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Director of Priorities, the Director of Industry Operations or the Director General for Operations, limits the use of any material in the production of safety razors, straight razors, and razor blades to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(m) *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.

(n) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Washington, D. C., Ref.: L-72.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.L. 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 3d day of November 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-11322; Filed, November 2, 1942; 10:47 a. m.]

Chapter XI—Office of Price Administration

PART 1301—MACHINE TOOLS

[RPS 67, Amendment 18]

NEW MACHINE TOOLS

A statement of the considerations involved in the issuance of this amendment has been prepared and filed with the Division of the Federal Register.*

In subparagraph (7) of § 1301.51 (a) the numbers "100" and "50" appearing in the table therein set forth under the heading "Quantity" are amended to read "85" and "65", respectively.

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

¹⁷ F.R. 1337, 1836, 2000, 2105, 2472, 2473, 2539, 2680, 3996, 3445, 3820, 4176, 5513, 5987, 7239, 7834.

§ 1301.59a *Effective dates of amendments.* * * *

(r) Amendment No. 18 (§ 1301.51 (a) (7)) to Revised Price Schedule No. 67 shall become effective November 7, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11229; Filed, November 2, 1942; 2:27 p. m.]

PART 1334—SUGAR, CONFECTIONERY AND SOFT DRINKS

[RPS 60, Amendment 4]

DIRECT-CONSUMPTION SUGARS

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

A new § 1334.62 is added as set forth below:

§ 1334.62 *Applicability.* The provisions of this Revised Price Schedule No. 60 shall not apply to sales and deliveries of direct-consumption sugars to or in the territories and possessions of the United States.

§ 1334.60a *Effective dates of amendments.* * * *

(d) Amendment No. 4 (§ 1334.62) to Revised Price Schedule No. 60 shall become effective November 7, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11230; Filed, November 2, 1942; 2:25 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS

[MPR 257]

PULPWOOD PRODUCED IN, OR SOLD INTO THE STATES OF MINNESOTA, MICHIGAN AND WISCONSIN

In the judgment of the Price Administrator the price of pulpwood has risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the price of pulpwood prevailing in the states of Minnesota, Michigan and Wisconsin between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. The Price Administrator has advised and consulted with representative members of the industry. In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A

¹⁷ F.R. 1320, 1836, 2132, 2510, 5664, 6787.

statement of the considerations involved in the issuance of this regulation has been prepared and is issued simultaneously herewith.*

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 Revised Procedural Regulation No. 1, issued by the Office of Price Administration, Maximum Price Regulation No. 257 is hereby issued.

Sec.

1347.351 Prohibitions.
1347.352 Less than maximum prices.
1347.353 Adjustable pricing.
1347.354 Evasion.
1347.355 Records and reports.
1347.356 Enforcement.
1347.357 Petitions for amendment.
1347.358 Definitions.
1347.359 Effective date.
1347.360 Appendix A: Maximum prices for pulpwood.

AUTHORITY: §§ 1347.351 to 1347.360, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1347.351 *Prohibitions.* On and after November 7, 1942, in the continental limits of the United States, regardless of any contract, agreement, lease or other obligation, no person shall buy and no person shall sell, deliver or transfer pulpwood cut from the stump in the states of Minnesota, Michigan, or Wisconsin, and no person shall purchase pulpwood cut from the stump within the continental limits of the United States, for consumption in the aforesaid states, at prices in excess of the maximum prices set forth in Appendix A hereof; and no person shall agree, offer, solicit, or attempt to do any of the foregoing: *Provided, however,* That the maximum prices established by this Maximum Price Regulation No. 257 shall not apply to pulpwood cut, peeled and sold or contracted to be sold prior to November 7, 1942.

§ 1347.352 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1347.360) may be charged, demanded, paid or offered.

§ 1347.353 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1347.354 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 257 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 pulpwood produced in or sold into the states of Minnesota, Michigan, and Wisconsin, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other understanding, or otherwise.

§ 1347.355 *Records and reports.* (a) Every person in the United States making a sale of pulpwood to a consumer in the course of trade or business for which a maximum price is established by this regulation and every consumer purchasing such pulpwood or importing pulpwood into the states of Minnesota, Michigan, and Wisconsin from a foreign country after November 6, 1942, shall keep records for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942 remains in effect, which records shall include:

- (1) The name of the buyer or seller and the county and state, or the province in which the wood was cut;
- (2) The quantity of pulpwood bought or sold by species and condition, (i. e., rough, rossed or peeled) or contracted to be bought or sold, in cords;
- (3) The price per cord, and the pricing point;
- (4) The cost and means of delivery to the pricing point, and to the consuming mill, if known to the person keeping the record.

(b) Such persons shall submit such reports to the Office of Price Administration as it may from time to time require.

(c) None of the requirements of paragraph (a) of this section shall apply to any farmer, as hereinafter defined, or other individuals whose primary means of livelihood is any trade, business or profession not connected with the production or marketing of any forest product.

§ 1347.356 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 257 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 257 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1347.357 *Petitions for amendment.* (a) Persons seeking any amendment of this Maximum Price Regulation No. 257 may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1347.358 *Definitions.* (a) When used in this Maximum Price Regulation No. 257, the term:

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

(2) "Pulpwood producer" or "Seller" includes any person who sells pulpwood;

(3) "Consumer" includes any person who purchases pulpwood for its own consumption;

(4) "Pulpwood" means any spruce, balsam fir, hemlock, jack pine, or poplar wood sold for manufacture into wood-pulp;

(5) "Spruce wood" includes Black spruce (*Picea mariana*) and White spruce (*Picea glauca*);

(6) "Balsam fir wood" includes *Abies balsamea*;

(7) "Jack Pine wood" includes Jack pine (*Pinus banksiana*), Pitch pine (*Pinus rigida*), White pine (*Pinus strobus*), and Norway pine (*Pinus resinosa*);

(8) "Hemlock wood" includes *Tsuga canadensis*;

(9) "Poplar wood" includes any commercial species of the genus *Populus*;

(10) "Peeled" pulpwood includes any pulpwood from which the bark has been removed by any manual process prior to its delivery to a consumer;

(11) "Rossed" pulpwood includes any pulpwood from which the bark has been removed by any mechanical process prior to its delivery to a consumer;

(12) "Rough" pulpwood means pulpwood from which the bark has not been removed.

(13) A "cord" of pulpwood means an amount of pulpwood (whether peeled, rossed, or rough) which, when properly stacked, contains not less than 128 nor more than 133 cubic feet.

(14) "Farmer" means any individual producer of pulpwood whose primary means of livelihood is agriculture or dairying, as distinguished from the production or marketing of any forest product;

(15) "Culls" means decayed sticks of wood, or sticks otherwise unsuited for manufacture into woodpulp;

(16) A "shipment" of pulpwood means an amount of pulpwood delivered at a single time to a purchaser, or to a common carrier for delivery to a purchaser, pursuant to the terms of any contract or agreement between a purchaser and a seller;

(17) "Sale" or "sold" includes sales and deliveries, sales, and contracts to sell pulpwood.

(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.

§ 1347.359 *Effective date.* This Maximum Price Regulation No. 257 (§§ 1347.351 to 1347.360, inclusive) shall become effective on November 7, 1942.

§ 1347.360 *Appendix A: Maximum prices for pulpwood.* (a) Prices may not exceed the prices set forth below. The maximum prices set forth below are established per cord, f. o. b. common or contract carrier (or f. o. b. loading point if there is no vehicle at the loading point when the wood is delivered there), f. a. s. vessel, or at streamside, or, in case of delivery to the purchaser by a conveyance owned or controlled by the seller, f. o. b. purchaser's mill.

	Rough	Peeled or rossed
(1) Spruce wood.....	\$14.00	\$17.00
(2) Balsam wood.....	11.00	14.00
(3) Jack pine wood.....	8.00	12.00
(4) Hemlock wood.....	9.00	11.00
(5) Poplar wood.....	6.50	{ 10.00 9.00

¹ For 147 cubic feet of properly piled wood cut in 55' lengths.
² For 133 cubic feet of properly piled wood cut in 100' lengths.

(b) The prices established herein are for sound wood of top quality. All trade practices and customs with respect to allowances for culls, for firekills, or for defective wood of any kind must be observed.

(c) *Mixed shipments.* If a shipment contains a mixture of species, the maximum price per cord shall be ascertained by determining the number of cords of each species in the shipment and then applying the maximum price for each species.

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11208; Filed, November 2, 1942; 12:05 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING
[MPR 225, Amendment 1]

PRINTING AND PRINTED PAPER COMMODITIES

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 § 1347.475, the following undesignated paragraphs are amended to read as set forth below:

§ 1347.475 *Appendix A: Commodities.* * * *

Bound blank books, including but not limited to:

Memorandum books, such as appointment books (except for resales), date books (except for resales), diaries (except for resales), memo books, pass books, telephone-address books, telephone call pads, travelers' expense books.

Greeting cards and related products, as follows:

Greeting cards (except resales of Christmas and New Year's nonpersonalized greeting cards).

Decorated tags, seals, and enclosures (except resales of Christmas and New Year's tags, seals and enclosures).

Printed gift wrapping papers (except resales of Christmas and New Year's printed gift wrapping papers).

Gift money holders (except resales of Christmas and New Year's gift money holders).

Mottoes.

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

¹ 7 F. R. 7593.

Greeting cards and related products—Con.
Printed decorative paper ribbons and tapes (except resales of Christmas and New Year's printed decorative paper ribbons and tapes).
Social calendars (except for resales).
Souvenir post cards.

Commercial supplies, as follows:

Bonds.
Certificates.
Commercial calendars (except separate bases made of materials other than paper and paperboard, and except for resales).
Commercial forms.
Commercial letter heads.
Coupons, checks, and tickets (except pin tickets and marking machine tickets).
Currency.
File folders and dividers.
Guide cards.
Index cards.
Labels, package wraps, and bands.
Legal forms and contracts.
Ruled legal papers.
Blotters.

§ 1347.474a *Effective date of amendments.* (a) Amendment No. 1 (§ 1347.475) to Maximum Price Regulation No. 225 shall become effective November 7, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11231; Filed, November 2, 1942; 2:25 p. m.]

PART 1372—SEASONAL COMMODITIES
[MPR 210, Amendment 5]

RETAIL AND WHOLESALE PRICES FOR FALL AND WINTER SEASONAL COMMODITIES

A statement of the considerations involved in the issuance of this Amendment No. 5 is issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1372.112 changes are made in paragraphs (a) (1), (2), (3), (4), (5), (6), (7), (8), (10), (11), (d) (2), (3), (f) (4), (g) (6), (h) (26), and new subparagraphs are added as follows: (a) (11), (d) (4), (f) (5), (6), (g) (10), (h) (28), (29), (30), and (31):

§ 1372.112 *Appendix A: List of fall and winter seasonal commodities.* * * *

(a) *The following designated types of coats, jackets, vests, pants, shirts, etc.*

(1) Coats, jackets and vests when fully lined or entire body is lined with cotton flannel, cotton suede, cotton blanket or any wool or part wool materials, but not including tailored garments covered by Maximum Price Regulation No. 177² or rainwear garments (men's and boys' only—all sizes except infants' garments);

(2) Mackinaws, swagger and fingertip coats, but not including tailored garments covered by Maximum Price Regulation No. 177² (men's and boys' only—all sizes);

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

¹7 F.R. 6789, 7318, 7173, 7912, 8651.

²7 F.R. 5182, 5475, 6792, 6972, 7100, 7944.

(3) Shirts made of wool, part wool, cotton flannel or cotton suede (men's and boys' only—all sizes except infants' garments);

(4) Jackets, loafer coats and pants made of wool and part-wool kersey, melton, plaid or fleece, weighing 18 ounces or more per yard on 54 inch width basis, excepting tailored garments covered by Maximum Price Regulation No. 177² (men's and boys' only—all sizes);

(5) Jackets and coats made of leather, or of leather combined with wool or part-wool kersey, melton, plaid or fleece weighing 18 ounces or more per yard on 54 inch width basis (men's and boys' only—all sizes, except infants' garments);

(6) Leather coats and jackets when bodies and sleeves are made entirely of leather (women's and girls' only—all sizes except infants' garments);

(7) Corduroy coats, suits, jackets, vests, pants and overalls (men's and boys' only—all sizes except infants' garments);

(8) Water repellent duck clothing and all hunting clothing including coats, vests, pants, caps and hats (men's and boys' only—all sizes);

(9) Smoking jackets;

(10) Ski and skating outerwear clothing including pants, jackets, mittens, caps and hoods, and combinations of these (for both sexes and in all sizes—except women's, girls' and children's jackets, skirts, coats and skating suits covered by Maximum Price Regulation No. 153, as amended³ and except infants' and children's ski pants up to and including size 14);

(11) Knitted wool vests, 9 pounds and over per dozen (men's and boys' only);

(d) *The following designated types of gloves.* (1) Husking gloves and husking mittens;

(2) Fully lined work gloves;

(3) Gloves and mittens made of or fully lined with fur, wool, part wool, brushed rayon or leather, but not including females' unlined leather gloves and unlined leather work gloves;

(4) Single thickness jersey work gloves, made of 9-ounce material or heavier;

(f) *The following designated types of robes, gowns, nightwear, etc.* * * *

(4) Robes made of wool, part wool or cotton blanket material (male and female, all sizes except infants' garments);

(5) Pajamas with knitted top and broadcloth pants (men's and boys' only—all sizes except infants' garments);

(6) Knitted bedsocks (women's and girls' only—all sizes except infants' garments).

(g) *The following designated miscellaneous articles.* * * *

(6) Leather and leatherette helmets, but not including athletic helmets, except as herein provided. * * *

(10) Muff beds.

(h) *The following designated types of appliances, toys and miscellaneous articles.* * * *

³7 F.R. 3901, 4381, 5869, 7010, 7535.

(26) Christmas, New Year's, and Thanksgiving ornaments and decorations including, but not limited to, tree ornaments, tree lights and holders, artificial trees, artificial wreaths and artificial paper fireplaces.

(27) * * *

(28) Fitted travel sets and toilet sets.

(29) Diaries, appointment books and date books.

(30) Social and commercial calendars.

(31) The following articles when specially printed for Christmas, and New Year's use: decorative tags, seals and enclosures, decorative paper ribbons and tapes, gift wrapping papers, non-personalized greeting cards and gift money holders.

§ 1372.111a *Effective dates of amendments.* * * *

(e) Amendment No. 5 (§§ 1372.112 (a) (1), (2), (3), (4), (5), (6), (7), (8), (10) and (11), 1372.112 (d) (2), (3) and (4), 1372.112 (f) (4), (5) and (6), 1372.112 (g) (6) and (10), 1372.112 (h) (26), (28), (29), (30) and (31)) to Maximum Price Regulation 210 shall become effective November 7, 1942.

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11209; Filed, November 2, 1942; 12:05 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Supp. Reg. 1 to GMPR, Amendment 36]

DEFENSE SUPPLIES CORPORATION

Amendment No. 36 to Supplementary Regulation No. 1 to the General Maximum Price Regulation—Exceptions for Certain Commodities and Certain Sales and Deliveries.

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

In § 1499.26 a new subparagraph (9) is added to paragraph (b), as set forth below.

§ 1499.26 *Exceptions for certain commodities and certain sales and deliveries.* * * *

(b) The General Maximum Price Regulation shall not apply to the following sales or deliveries: * * *

(9) Sales and deliveries of ammunition by Defense Supplies Corporation.

(e) *Effective dates.* * * *

(37) Amendment No. 36 (§ 1499.26 (b) (9)) to Supplementary Regulation No. 1 shall become effective November 7, 1942. (Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11228; Filed, November 2, 1942; 2:27 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 75 Under § 1499.18 (b) of GMPR]

SEMME'S HARDWARE COMPANY

Denial of application for adjustment of maximum prices under § 1499.18 (b) of the General Maximum Price Regulation—Order No. 75—Docket No. GF3-1289.

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.875 *Denial of application for adjustment of maximum prices of fifty pound flaring lard cans sold by Semmes Hardware Company, Savannah, Georgia.* (a) The application of Semmes Hardware Company, Savannah, Georgia, filed August 10, 1942, and assigned Docket No. GF3-1289, requesting permission to increase the maximum price of fifty pound flaring lard cans is denied.

(b) This Order No. 75, (§ 1499.875) shall become effective November 3, 1942. (Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11225; Filed, November 2, 1942; 2:28 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 115 Under § 1499.3 (b) of GMPR]

MAXIMUM PRICE FOR SUBSTANDARD
FERROMANGANESE

Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation—Order No. 115.

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, That:*

§ 1499.979 *Authorization to sellers of substandard ferromanganese.* (a) Whenever a seller of substandard ferromanganese cannot determine his maximum price for such commodity under § 1499.2 of the General Maximum Price Regulation, the maximum price for such substandard ferromanganese shall be \$120.00 per gross ton f. o. b. Atlantic Seaboard less \$1.50 for each 1% of manganese contained below 78%.

(b) As used in this Order No. 115:

(1) "Substandard ferromanganese" means any high carbon ferromanganese containing less than 75% metallic manganese by weight.

(c) This Order No. 115 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 115 (§ 1499.979) shall become effective November 3, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11232; Filed, November 2, 1942; 2:25 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 116 Under § 1499.3 (b) of GMPR]

STEIN, HALL MANUFACTURING CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.980 *Approval of maximum price for Mold Inhibitor No. 3 manufactured by Stein, Hall Manufacturing Company.* (a) The maximum price for the sale of Mold Inhibitor No. 3 by Stein, Hall Manufacturing Company, 2841 S. Ashland Avenue, Chicago, Illinois, shall be \$16.00 per hundred pounds.

(b) All discounts, trade practices and practices relating to the payment of shipping charges in effect during March 1942 on the sale of comparable products by the Stein, Hall Manufacturing Company shall apply to the maximum price set forth in paragraph (a).

(c) This Order No. 116 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 116 (§ 1499.980) shall become effective November 3, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11214; Filed, November 2, 1942; 12:03 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 117 Under § 1499.3 (b) of GMPR]

ARNER CO., INC.

Maximum prices authorized under § 1499.3 (b) of the General Maximum Price Regulation—Order No. 117.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.981 *Approval of maximum prices for sales of pharmaceutical and proprietary products by the Arner Company, Inc.* (a) The maximum unit price for sales by the Arner Company, Inc. of Buffalo, New York, of pharmaceutical and proprietary products manufactured by it, for which a maximum price cannot be established under § 1499.2 of the General Maximum Price Regulation, shall be the sum which bears the same percentage relationship to the sum of items (1) and (2) below, as the net sales of the Arner Company, Inc. in March 1942, bore to the sum of raw ma-

terial costs and manufacturing costs for all articles sold in that month, which percentage relationship is established in a statement filed by the Arner Company, Inc.

(1) Raw material costs per unit, computed on the basis of actual prices (not to exceed the applicable maximum prices) paid for raw materials, and in any case not to exceed the highest price charged in March 1942, by the actual supplier to a purchaser of the same class as the Arner Company, Inc.

(2) Manufacturing costs, equal to the sum of the applicable unit costs prevailing during March 1942 for the operations used in making the article to be priced, as specified in a list of unit manufacturing costs filed by the Arner Company, Inc. with the Office of Price Administration, dated September 10, 1942.

(b) All discounts, trade practices, and practices relating to the payment of shipping charges in effect during March 1942, on the sale by this company of pharmaceutical and proprietary products, shall apply to the maximum prices determined under paragraph (a).

(c) On or before the tenth day of each month, beginning with December 10, 1942, the Arner Company, Inc. shall submit to the Office of Price Administration in Washington, D. C. an individual report for each product priced under this Order No. 117 during the preceding month. Each such report shall include a description of the product so priced; a statement showing why the product cannot be priced under § 1499.2 of the General Maximum Price Regulation; the maximum price determined; and a detailed statement of the factors referred to in paragraph (a) of this order which were used in the determination of such maximum price. Each price so reported shall be subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 117 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 117 (§ 1499.981) shall become effective November 3, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11217; Filed, November 2, 1942; 12:05 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 118 Under § 1499.3 (b) of GMPR]

THE UPJOHN COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.982 *Approval of maximum prices for sales of Minicaps B and Minicaps B with C—(a) Sales by The Upjohn*

Company—(1) *Maximum prices.* The maximum prices for sales by The Upjohn Company of Minicaps B or Minicaps B with C are established as set forth below:

	Per package of 30 capsules
Minicaps B.....	\$1.05
Minicaps B with C.....	1.32

(2) *Discounts, allowances, and price differentials.* The Upjohn Company shall apply to the maximum prices set forth in subparagraph (1) of this paragraph for its sales of Minicaps B or Minicaps B with C all quantity differentials, discounts for purchasers of different classes, trade practices, credit terms, practices relating to the payment of transportation costs, and any other customary discounts or allowances which were in effect in March, 1942, on its sales of Torulexin.

(b) *Sales by wholesale drug houses*—(1) *Maximum prices.* The maximum prices for sales by wholesale drug houses of Minicaps B or Minicaps B with C are established as set forth below:

	Per package of 30 capsules
Minicaps B.....	\$1.24
Minicaps B with C.....	1.55

When used in this paragraph the term "wholesale drug house" means any person who sells a full or limited line of drug items to retail drug stores and who buys or receives on consignment or otherwise Minicaps B or Minicaps B with C and sells or resells them, without substantially changing their form, to retail drug establishments.

(2) *Discounts, allowances, and price differentials.* Any wholesale drug house making sales of Minicaps B or Minicaps B with C shall apply to the maximum prices set forth for such sales in subparagraph (1) of this paragraph all quantity differentials, discounts for purchasers of different classes, trade practices, credit terms, practices relating to the payment of shipping charges, and other customary discounts or allowances which were in effect in March, 1942, on sales by the wholesale drug house of Torulexin or on sales of the vitamin B complex product most comparable to Minicaps B or Minicaps B with C if the wholesale drug house did not sell Torulexin in March, 1942.

(c) *Sales by retail drug establishments*—(1) *Maximum prices.* The maximum prices for sales by any retail drug establishment, either on prescription or otherwise, of Minicaps B or Minicaps B with C are established as set forth below:

	Per package of 30 capsules
Minicaps B.....	\$1.58
Minicaps B with C.....	1.97

When used in this paragraph the term "retail drug establishment" means any person who buys Minicaps B or Minicaps B with C either from The Upjohn Company or from a wholesale drug house and resells them, without substantially changing their form, directly to consumers.

(2) *Discounts, allowances, and price differentials.* Any retail drug establishment making sales of Minicaps B or Minicaps B with C shall apply to the

maximum prices set forth for such sales in subparagraph (1) of this paragraph all quantity differentials, discounts for purchasers of different classes, trade practices, credit terms, practices relating to the payment of shipping charges, and other customary discounts or allowances which were in effect in March, 1942, on sales by the retail drug establishment of Torulexin or on sales of the vitamin B complex product most comparable to Minicaps B or Minicaps B with C if the retail drug establishment did not sell Torulexin in March, 1942.

(d) *Marking package with retail ceiling price.* The Upjohn Company shall mark each package of 30 capsules of Minicaps B sold by it with the words "OPA Retail Ceiling Price \$1.58" and each package of 30 capsules of Minicaps B with C sold by it with the words "OPA Retail Ceiling Price \$1.97". These words shall be printed or stamped in letters at least one quarter as large as those words used for the name of the product on the package in which the Minicaps B or Minicaps B with C is customarily sold by the seller at retail to the ultimate consumer when it is not sold on prescription, and the type shall be sufficiently bold and the words shall be printed or stamped in a color which sharply contrasts with the background so that the words are clearly legible. No retail drug establishment, except a person making a sale on prescription, shall make sales of Minicaps B or Minicaps B with C unless the package in which the product is sold is marked with the retail ceiling price as required by this paragraph.

(e) *Notification of maximum prices*—(1) *By The Upjohn Company.* The Upjohn Company shall accompany the first delivery of Minicaps B to each wholesale drug house or retail drug establishment or Minicaps B with C to each wholesale drug house or retail drug establishment with a notification of the maximum prices for sales by wholesale drug houses and the maximum prices for sales by retail drug establishments which are established by this Order No. 118. Such notification shall be effected by accompanying the first delivery of Minicaps B or Minicaps B with C to each wholesale drug house or retail drug establishment with a copy of paragraphs (b), (c), (d), and (e) of this Order No. 118 together with a statement that these maximum prices are established by Order No. 118 issued under § 1499.3 (b) of the General Maximum Price Regulation.

(2) *By a wholesale drug house.* Every wholesale drug house shall accompany the first delivery of Minicaps B or Minicaps B with C to each retail drug establishment with a notification of the maximum prices for sales by retail drug establishments which are established by this Order No. 118. Such notification shall be effected by accompanying the first delivery of Minicaps B or Minicaps B with C to each retail drug establishment with a copy of paragraphs (c) and (d) of this Order No. 118 together with a statement that these maximum prices are established by Order No. 118 issued under § 1499.3 (b) of the General Maximum Price Regulation.

(f) *Definitions.* When used in this order the term:

(1) "Minicaps B" means a vitamin preparation, each capsule of which contains the following amounts of specific vitamin substances:

	Mg.
Vitamin B ₁ (thiamin chloride).....	3.0
Vitamin B ₂ (riboflavin).....	2.0
Nicotinic acid amide.....	25.0
Calcium pantothenate.....	2.0
Vitamin B ₆	2.0

(2) "Minicaps B with C" means a vitamin preparation, each capsule of which contains the following amounts of specific vitamin substances:

	Mg.
Vitamin B ₁ (thiamin chloride).....	3.0
Vitamin B ₂ (riboflavin).....	2.0
Nicotinic acid amide.....	25.0
Calcium pantothenate.....	2.0
Vitamin B ₆	2.0
Vitamin C.....	50.0

(3) "Torulexin" means a vitamin preparation, each capsule of which contains the following amounts of specific vitamin substances:

	Mg.
Vitamin B ₁ (thiamin chloride).....	1.8
Vitamin B ₂ (riboflavin).....	.5
Nicotinic acid amide.....	5.0
Calcium pantothenate.....	.25
Vitamin B ₆.....	.1

(g) This Order No. 118 may be revoked or amended by the Price Administrator at any time.

(h) This Order No. 118 (§ 1499.982) shall become effective on November 3, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11233; Filed, November 2, 1942; 2:24 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 119 Under § 1499.3 (b) of GMPR]

UNION BAY STATE COMPANY

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.983 *Approval of maximum prices for sock lining cement CS-207 manufactured by Union Bay State Company.* (a) Maximum prices for the sale by Union Bay State Company, 50 Harvard Street, Cambridge, Massachusetts, of sock lining cement CS-207 manufactured by that company shall be:

\$2.63 per gallon in 55 gallon drums.
\$2.68 per gallon in 5 gallons cans.

(b) All discounts, trade practices and practices relating to the payment of shipping charges in effect during March 1942 on the sale of comparable products by the Union Bay State Company shall apply to the maximum prices set forth in paragraph (a).

(c) This Order No. 119 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 119 (§ 1499.983) shall become effective November 3, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11226; Filed, November 2, 1942;
2:28 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 120 Under § 1499.3 (b) of GMPR]

CASTANEA PAPER COMPANY

On September 10 and 16, 1942, Castanea Paper Company, 230 Park Avenue, New York, New York, wrote to the Office of Price Administration asking for a determination of the ceiling prices applicable to sales of the printing papers manufactured by the Castanea Paper Company to that company's only customer—the Curtis Publishing Company. These letters have been considered as an application for a maximum price, filed pursuant to § 1499.3 (b) of the General Maximum Price Regulation. Due consideration has been given to the matter 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 in accordance with § 1499.3 (b) of the General Maximum Price Regulation, issued by the Office of Price Administration, *It is hereby ordered:*

§ 1499.985 *Authorization for Castanea Paper Company to determine maximum prices for sales of printing paper to Curtis Publishing Company.* (a) The maximum price which may be charged for printing papers sold by the Castanea Paper Company to the Curtis Publishing Company shall be the price at which deliveries of such papers made during March 1942 were actually and tentatively billed.

(b) The maximum prices as established by this order shall be subject to adjustment at any time by the Office of Price Administration.

(c) This Order No. 120 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 120 (§ 1499.985) shall become effective November 3, 1942, and shall be applicable to all deliveries made by Castanea Paper Company to the Curtis Publishing Company since May 11, 1942, as well as to all future deliveries.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11227; Filed, November 2, 1942;
2:29 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 111 Under § 1499.18 (c) of GMPR]

GOEBEL COMPANY

Order 111 under § 1499.18 (c) of the General Maximum Price Regulation—Docket No. GF3-330.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1111 *Adjustment of maximum prices for Nut-Doh, a fresh coconut paste manufactured by the Goebel Company for the confectionery trade.* (a) Any manufacturing confectioner may buy and receive from the Goebel Company, 1241 Belmont Avenue, Chicago, Illinois, and the Goebel Company may sell and deliver the fresh coconut paste known as Nut-Doh, manufactured by the herein named company, at a price not higher than the following:

22½¢ per pound, terms 2% 10 days net 30 days.

(b) The adjustment granted to the Goebel Company is subject to the condition that purchasers from the Goebel Company shall in no event charge more for products in which they use said coconut paste than their maximum prices as determined under paragraph (a) of § 1499.2 of the General Maximum Price Regulation or as adjusted under paragraph (a) of § 1499.18 of said regulation.

(c) All sellers are required to continue the same discounts, allowances and price differentials as were offered in March 1942, *Provided however,* That sellers may change discounts, allowances, and price differentials in a manner which will not effect an increase in the maximum price fixed herein.

(d) The Goebel Company shall mail, or otherwise supply to each buyer prior to the first delivery to such buyer, a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum price for sales to you of Nut-Doh from 19¢ to 22½¢ per pound, terms 2% ten days, net 30 days. 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 Nut-Doh. In order that we may continue to provide you with Nut-Doh, it will be necessary for you to accept this reduction in your margin.

(e) All prayers of the petition not granted herein are denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 111 (§ 1499.1111) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(h) This Order No. 111 (§ 1499.1111) shall become effective November 2, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11210; Filed November 2, 1942;
12:04 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 112 Under § 1499.18 (c) 7 GMPR]

WEBSTER LUMBER COMPANY

Order 112 under § 1499.18 (c) of the General Maximum Price Regulation—Docket No. GF3-800.

§ 1499.1112 *Adjustment of maximum prices for sales of coal doors by Webster Lumber Company.* (a) On and after November 2, 1942, Webster Lumber Company of 2522 Como Avenue West, St. Paul, Minnesota, may sell and deliver, and offer, agree, solicit and attempt to sell and deliver, and any person may buy from said Webster Lumber Company, coal doors designed for converting railroad box cars into coal carrying cars at a price no higher than that hereinafter set forth:

51 cents each for coal doors 6' x 24"
58 cents each for coal doors 7' x 24"

(b) This Order No. 112 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 112 (§ 1499.1112) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 112 (§ 1499.1112) shall become effective November 2, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11215; Filed, November 2, 1942;
12:02 p. m.]

PART 1499—COMMODITIES & SERVICES
[Order 120 Under § 1499.18 (c) of GMPR]

COMFORT MANUFACTURING COMPANY

Order No. 120 under § 1499.18 (c) of the General Maximum Price Regulation—Docket No. GF3-1558.

For the reasons set forth in an opinion issued simultaneously herewith: *It is ordered:*

§ 1499.1120 *Adjustment of maximum prices for shaving cream, toothpaste, and gum massage, sold by Comfort Manufacturing Company, of Chicago, Illinois.* (a) Comfort Manufacturing Company may sell and deliver to Borun Brothers of Los Angeles, California, and such concern may buy and receive the

following shaving cream, toothpaste, and gum massage, at the following maximum prices:

	<i>Per gross</i>
Shaverite brushless.....	\$18.00
Shaverite shaving cream.....	18.00
Kleenrite tooth paste (peppermint).....	12.00
Kleenrite tooth paste (spearmint).....	12.00
Kleenrite gum massage.....	12.00

(b) All discounts, trade and freight allowances, upon the sale by Comfort Manufacturing Company of the products referred to in paragraph (a) above, during March, 1942, shall apply to the maximum prices set forth in paragraph (a).

(c) Upon issuance of this order, Comfort Manufacturing Company shall cause written notice to be sent to Borun Brothers, as follows:

The Office of Price Administration has permitted us to raise our maximum price for the sales to you of Shaverite and Kleenrite products by Order, a copy of which is enclosed herewith. This price increase has been granted with the understanding that retail prices would not be raised. The OPA has not permitted you or any other seller to raise maximum prices for sales of such products.

(d) This Order No. 120 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 120 (§ 1499.1120) 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. 120 (§ 1499.1120) shall become effective November 2, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11234; Filed, November 2, 1942;
2:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 121 Under § 1499.18 (c) of GMPR]

CELMET PRODUCTS CO.

For reasons set forth in an opinion filed simultaneously herewith with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

§ 1499.1121 *Adjustment of maximum prices for sales of carbon paper by Celmet Products Company.* (a) The Celmet Products Company, 89 Allen Street, Rochester, New York, may sell and deliver #800 Celmet (Kresco) Superior carbon paper to the S. S. Kresge Company of Detroit, Michigan, at prices not exceeding \$8.64 per gross of packages of twelve sheets, freight allowed to warehouse of purchaser in Brooklyn, New York, under terms and conditions of sale no less favorable to the purchaser than prevailed during March, 1942.

(b) This Order No. 121 (§ 1499.1121) is hereby incorporated as a section of Supplementary Regulation No. 14 which

contains modifications of maximum prices established by § 1499.2.

(c) This Order No. 121 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 121 under § 1499.18 (c) of the General Maximum Price Regulation shall become effective November 2, 1942.

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

Issued November 2, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11235; Filed, November 2, 1942;
2:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 122 Under § 1499.18 (c) of GMPR]

PLYMOUTH MANUFACTURING COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1122 *Adjustment of maximum prices for sales by the Plymouth Manufacturing Company, Plymouth, Indiana, of a wirebound packing box designed to carry 40 mm projectiles.* (a) The Plymouth Manufacturing Company, Plymouth, Indiana, may sell and deliver, and any person may purchase from said company, a wirebound packing box designed to carry 40 mm projectiles, at prices not higher than the price which the company would have quoted for delivery of such a box during March 1942, on the basis of material cost and labor rates prevailing in the company's plant during December 1941, which price bears a normal relation to the maximum prices established by the General Maximum Price Regulation for sales by the Plymouth Company of similar sizes and types of wirebound packing boxes.

(b) This Order No. 122 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 122 (§ 1499.1122) is hereby incorporated as a section of Supplementary Regulation No. 19, which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 122 (§ 1499.1122) shall become effective November 2, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11236; Filed, November 2, 1942;
2:23 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 123 Under § 1499.18 (c) of GMPR]

J. F. KIDDER MANUFACTURING CO., INC.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator

by the Emergency Price Control Act of 1942 and § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered, That:*

§ 1499.1123 *Adjustment of maximum price for sale of #24 Little Blacksmith Slitting Shear manufactured by J. F. Kidder Manufacturing Co., Inc., of Burlington, Vermont.* (a) J. F. Kidder Manufacturing Co., Inc., of Burlington, Vermont, is hereby authorized to sell, offer to sell and deliver its #24 Little Blacksmith Slitting Shear and any person may buy, offer to buy, and receive from J. F. Kidder Manufacturing Co., Inc., said slitting shear at a list price of \$200, less a discount of 25% to jobbers.

(b) This Order No. 123 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 123 (§ 1499.1123) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 123 (§ 1499.1123) shall become effective November 2, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11211; Filed, November 2, 1942;
12:04 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 124 Under § 1499.18 (c) of GMPR]

CREAMERY PACKAGE MANUFACTURING CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1124 *Adjustment of maximum prices for certain sales by The Creamery Package Manufacturing Company of matched sets of rough spruce staves, bottoms and covers for 63 pound butter tubs.*

(a) The Creamery Package Manufacturing Company, Chicago, Illinois, may sell and deliver to the Menasha Wooden Ware Corp., Menasha, Wisconsin, and the latter may purchase from said company, two carloads of matched sets of rough spruce staves, bottoms and covers for 63 pound butter tubs at a price not higher than 25 cents per set, f. o. b. Toledo, Oregon.

(b) The Creamery Package Manufacturing Company, Chicago, Illinois, may sell and deliver to the Elgin Butter Tub Company, Elgin, Illinois, and the latter may purchase from said company, six carloads of matched sets of rough spruce staves, bottoms and covers for 63 pound butter tubs at a price not higher than 25 cents per set, f. o. b. Toledo, Oregon.

(c) This Order No. 124 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 124 (§ 1499.1124) 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. 124 (§ 1499.1124) shall become effective November 2, 1942.

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

Issued this 2d day of November 1942,

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11212; Filed, November 2, 1942;
12:04 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 125 Under § 1499.18 (c) of GMFR]

GOODRICH-GAMBLE CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1125 *Adjustment of maximum prices on certain sales by Goodrich-Gamble Company.* (a) The maximum prices for sales of Char-Tex Germicidal Mouth Wash by Goodrich-Gamble Company, St. Paul, Minnesota, to Char-Tex Sales Company, Minneapolis, Minnesota, shall be those prices which were in effect upon such sales from April 1, 1942, to May 10, 1942.

(b) All discounts, allowances, and trade practices in effect with respect to sales of Char-Tex by Goodrich-Gamble Company to Char-Tex Sales Company during March, 1942, shall remain in effect under this Order No. 125.

(c) At the time of the first delivery made at a price determined under this order, Goodrich-Gamble Company shall furnish Char-Tex Sales Company with the following notice:

The Office of Price Administration has permitted us to raise our maximum price to you of Char-Tex from the maximum price established by the General Maximum Price Regulation to the prices which were in effect upon such sales by us to you during April 1, 1942, to May 10, 1942. This amount represents only that part of cost increases which we were unable to absorb, and it was granted with the understanding that prices for resales of this product by you would not be raised. The Office of Price Administration has not permitted you or any seller to raise maximum prices by reason of our increased price to you.

(d) All prayers of the applicant not granted herein are denied.

(e) This Order No. 125 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 125 (§ 1499.1125) 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. 125 (§ 1499.1125) shall become effective on November 2, 1942.

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

Issued this 2d day of November 1942,

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11216; Filed, November 2, 1942;
12:02 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 1 Under § 1499.13 (a) (2) of GMFR]

FIRESTONE TIRE AND RUBBER CO.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1201 *Granting of application to deviate from posting requirements of § 1499.13 (a) (1) by The Firestone Tire and Rubber Company.* (a) The application of The Firestone Tire and Rubber Company, Akron, Ohio, filed September 26, 1942, and assigned File No. N-13 (a) (2)-1, requesting permission to deviate from posting requirements established by § 1499.13 (a) (1) of the General Maximum Price Regulation, with reference to all catalogs prepared by it to be mailed and distributed by or for its retail dealers and distributors, is hereby granted.

(b) In lieu of the requirements of § 1499.13 (a) (1), each catalog prepared by The Firestone Tire and Rubber Company shall carry upon its front cover or upon the first page following its front cover, the following notice:

All prices shown in this catalog are our ceiling prices except as to some articles on which our ceiling may be slightly lower. However, as to any ceiling lower than prices shown for an article, the price charged to the consumer will not exceed the established ceiling.

For all cost-of-living commodities shown in this catalog as designated by the General Maximum Price Regulation the ceiling prices are posted at the place in our stores where these commodities are offered for sale, and the ceiling prices are marked on the commodities. The ceiling prices on all items will be furnished upon request.

(c) This order may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 1 (§ 1499.1201) shall become effective November 3, 1942.

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

Issued this 2d day of November 1942,

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11213; Filed, November 2, 1942;
12:03 p. m.]

PART 1300—PROCEDURE

REVOCATION OF CERTAIN PROCEDURAL REGULATIONS

Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended and Executive Order 9250: *It is hereby ordered:*

(a) Sections 1300.121 to 1300.136, inclusive, Procedural Regulation No. 2, are hereby revoked.

(b) Sections 1300.301 to 1300.316, inclusive, Temporary Procedural Regulation No. 8, are hereby revoked.

(c) This Order of Revocation shall become effective 11:59 P. M., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11266; Filed, November 2, 1942;
3:57 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 25]

CHANGE IN REFERENCE TO CERTAIN PROCEDURAL REGULATIONS

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

It is hereby ordered:

§ 1305.30 *Change in reference to certain procedural regulations.* (a) Any reference to Procedural Regulation No. 1 or to Procedural Regulation No. 2 in any price regulation heretofore issued by the Office of Price Administration shall hereafter be deemed to be to Revised Procedural Regulation No. 1. Applications for adjustment previously required to be filed pursuant to Procedural Regulation No. 1 or Procedural Regulation No. 2 shall hereafter be filed pursuant to Revised Procedural Regulation No. 1.

(b) "Price regulation", as used in this Supplementary Order No. 25 means a price schedule effective in accordance with the provisions of section 206 of the Emergency Price Control Act of 1942, 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. 25 (§ 1305.30) shall become effective 11:59 P. M., November 4, 1942.

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

Issued this 2d day of November 1942,

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11265; Filed, November 2, 1942;
3:55 p. m.]

PART 1306—IRON AND STEEL

[MPR 230, Amendment 1]

REUSABLE IRON AND STEEL PIPE

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

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

¹ 7 F.R. 7731.

Section 1306.460 is amended and a new § 1306.465a, is added, as set forth below:

§ 1306.460 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 230 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1306.465a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1306.460 and 1306.465a) to Maximum Price Regulation No. 230 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11282; Filed, November 2, 1942; 3:57 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 119,¹ Amendment 1]

ORIGINAL EQUIPMENT TIRES AND TUBES

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

Paragraph (a) in § 1315.1458 is amended by adding a new sentence at the end thereof, and a new § 1315.1461 is added, as set forth below.

§ 1315.1458 *Petitions for exceptions or amendment.* (a) * * * No petition for exception filed after November 15, 1942, will be granted under this paragraph (a).

§ 1315.1461 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1315.1458 (a), 1315.1461) to Maximum Price Regulation No. 119 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11259; Filed, November 2, 1942; 3:52 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 220,² Amendment 1]

CERTAIN RUBBER COMMODITIES

A statement of the considerations involved in the issuance of this amend-

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

¹ 7 F.R. 3059.

² 7 F.R. 7282.

ment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1315.1551 is amended; in § 1315.1561 a new sentence is added to paragraph (a) (1) and paragraph (a) (2) is revoked; and a new § 1315.1567 is added, all as set forth below:

§ 1315.1551 *Applicability of the General Maximum Price Regulation.* The provisions of §§ 1499.1 to 1499.3, inclusive, § 1499.18, and §§ 1499.21 to 1499.23, inclusive, of the General Maximum Price Regulation shall not apply to sales or deliveries of rubber commodities (as defined in paragraph (a) (4) of § 1315.1564) by the manufacturers thereof.

§ 1315.1561 *Applications for adjustment, and petitions for amendment—(a) Applications for adjustment.* (1) * * *

No application for adjustment filed after November 15, 1942, will be granted under this paragraph.

§ 1315.1567 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1315.1551; 1315.1561; 1315.1567) to Maximum Price Regulation No. 220 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11283; Filed, November 2, 1942; 3:57 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 229,¹ Amendment 3]

RETAIL AND WHOLESALE PRICES FOR VICTORY LINE WATERPROOF RUBBER FOOTWEAR

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

In § 1315.1707 (a) subparagraph (6) is amended; and § 1315.1714 is amended, as set forth below:

§ 1315.1707 *Relation between Maximum Price Regulation No. 229 and the General Maximum Price Regulation.* (a) * * *

(6) Applications for adjustment (§ 1499.18 (a) and (b)).

§ 1315.1714 *Appendix B: Sections of the General Maximum Price Regulation² incorporated into this Maximum Price Regulation No. 229.* * * *

§ 1499.18 *Adjustment of maximum prices.* The Office of Price Administration, or any

¹ 7 F.R. 7740, 7738, 8701.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4487, 4659, 4738, 5027, 4339, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431.

duly authorized representative thereof, may adjust any maximum price established under this regulation in the following cases:

(a) In the case of any seller at retail who shows:

(1) That such maximum price is abnormally low in relation to the maximum price of the same or similar commodity or service established for other sellers at retail; and

(2) That this abnormality subjects him to substantial hardship.

No application for adjustment filed after November 30, 1942, will be granted under this paragraph (a).

(b) In the case of any seller, other than a seller at retail, who shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities; and

(2) That establishing for him a maximum price, bearing a normal relation to the maximum price established for competitive sellers of the same or similar commodities, will not cause or threaten to cause an increase in the level of retail prices.

No application for adjustment filed after November 15, 1942, will be granted under this paragraph (b).

§ 1315.1712a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§§ 1315.1707 (a); 1315.1714) to Maximum Price Regulation No. 229 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11258; Filed, November 2, 1942; 3:52 p. m.]

PART 1316—COTTON TEXTILES

[RPS 11,¹ Amendment 5]

FINE COTTON GREY GOODS

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 the first sentence of § 1316.13 (e) (3), subdivision (iv) is hereby revoked, and the word "or" is inserted between the last word in subdivision (ii) and subdivision (iii).

§ 1316.12a *Effective dates of amendments.* * * *

(e) Amendment No. 5 (§ 1316.13 (e) (3) (iv)) to Revised Price Schedule No. 11 shall become effective 11:59 p. m. November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11270; Filed, November 2, 1942; 3:59 p. m.]

¹ 7 F.R. 1231, 1836, 2000, 2132, 2737, 3163, 5519, 7434.

PART 1316—COTTON TEXTILES

[RPS 35,¹ Amendment 10]

CARDED GREY AND COLORED-YARN COTTON GOODS

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 the first sentence of § 1316.61 (c) (3), subdivision (iv) is hereby revoked, and the word "or" is inserted between the last word in subdivision (ii) and subdivision (iii).

§ 1316.60a *Effective dates of amendments.* * * *

(j) Amendment No. 10 (§ 1316.61 (e) (3) (iv)) to Revised Price Schedule No. 35 shall become effective 11:59 p. m. November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11250; Filed, November 2, 1942; 3:52 p. m.]

PART 1377—WOODEN CONTAINERS

[MPR 160,² Amendment 4]

SEASONAL WOODEN AGRICULTURAL CONTAINERS

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 § 1377.54, paragraph (b) is amended to read as set forth below:

§ 1377.54 *Relation between Maximum Price Regulation No. 160 and the General Maximum Price Regulation.* * * *

(b) The provisions of §§ 1499.12 and 1499.14 of the General Maximum Price Regulation, relating to records, and of §§ 1499.18 (a), (b), (c) and (d), and 1499.19 relating to adjustment and amendment, shall apply to all sales, the maximum prices for which are established by this Maximum Price Regulation No. 160, and to all persons making such sales.

§ 1377.60 *Effective dates of amendments.* * * *

(d) Amendment No. 4 (§ 1377.54 (b)) to Maximum Price Regulation No. 160 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11253; Filed, November 2, 1942; 3:51 p. m.]

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

¹ 7 F.R. 1270, 1836, 2132, 2738, 2795, 3060, 3164, 3447, 3900, 6640, 7248, 7318, 8201.

² 7 F.R. 4337, 4852, 5462, 5564.

PART 1370—ELECTRICAL APPLIANCES

[MPR 111,² Amendment 6]

NEW HOUSEHOLD VACUUM CLEANERS AND ATTACHMENTS

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

Section 1370.9b is amended to read as follows:

§ 1370.9b *Applications for adjustment.* The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established for any model under § 1370.12 (a), Appendix A, for persons selling to consumers in any case in which the seller shows:

(1) That such maximum price is substantially below the highest net price in effect for such model by the seller's price list or other regular price quotation to the same general class of purchaser during the period October 1, 1941, to October 15, 1941, inclusive; and

(2) That this fact subjects him to substantial hardship. Applications for adjustment under this § 1370.9b shall be filed in accordance with Revised Procedural Regulation No. 1. No application for adjustment filed after November 15, 1942, will be granted under this § 1370.9b.

§ 1370.14 *Effective dates of amendments.* * * *

(g) Amendment No. 6 (§ 1370.9b) to Maximum Price Regulation No. 111 shall become effective 11:59 p. m. November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11261; Filed, November 2, 1942; 3:54 p. m.]

PART 1372—SEASONAL COMMODITIES

[MPR 210,² Amendment 6]

RETAIL AND WHOLESALE PRICES FOR FALL AND WINTER SEASONAL COMMODITIES

The considerations involved in the issuance of this amendment are set forth in the statement of considerations accompanying Amendment No. 33 to the General Maximum Price Regulation which has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1372.106 (a), the words "Applications for adjustment (§ 1499.18)" are deleted, and the words "Adjustment of maximum prices (§ 1499.18 (a) and (b))" are substituted.

§ 1372.111a *Effective dates of amendments.* * * *

(f) Amendment No. 6 (§ 1372.106 (a)) to Maximum Price Regulation No. 210

¹ 7 F.R. 2307, 2794, 3330, 3447, 3776, 4229, 6049, 7839.

² 7 F.R. 6789, 7173, 7381, 7912.

shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11262; Filed, November 2, 1942; 3:52 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 222,¹ Amendment 1]

NORTHERN SOFTWOOD LUMBER

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 § 1381.258, paragraphs (b) and (c) are revoked, and a new paragraph (b) is added; a new § 1381.262a is added, all to read as set forth below:

§ 1381.258 *Petitions for amendment or adjustment.* * * *

(b) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 222 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1381.262a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1381.258 (b) and (c), and 1381.262a) to Maximum Price Regulation No. 222 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11254; Filed, November 2, 1942; 3:51 p. m.]

PART 1316—COTTON TEXTILES

[RPS 89,² Amendment 9]

BED LINENS

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

Section 1316.111 (d) (5) is amended by adding thereto the item set forth below:

§ 1316.111 *Appendix A: Maximum prices for bed linens.* * * *

(d) *Deductions, premiums, and special classes of bed linens.* * * *

(5) * * *

No application for adjustment filed after November 15, 1942, will be granted under this subparagraph (5).

¹ 7 F.R. 7436.

² 7 F.R. 1375, 1839, 2107, 2000, 2132, 2299, 2739, 3163, 3327, 3447, 3962, 4176, 4732.

§ 1316.110a *Effective dates of amendments.* * * *

(i) Amendment No. 9 (§ 1316.111 (d) (5)) to Revised Price Schedule No. 89 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11269; Filed, November 2, 1942;
3:59 p. m.]

PART 1340—FUEL

[MPR 137,¹ Amendment 11]

PETROLEUM PRODUCTS SOLD AT RETAIL

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 § 1340.89, paragraph (a) is amended to read as set forth below and paragraph (c) is revoked:

§ 1340.89 *Procedure for adjustment or amendment.* (a) The Office of Price Administration or any duly authorized representative thereof, may adjust any maximum price established under the Maximum Price Regulation No. 137 in the case of any seller of a petroleum product at a retail establishment who shows:

(1) That such maximum price is abnormally low in relation to the maximum price of such petroleum product established for other sellers thereof at retail establishments; and

(2) That this abnormality subjects him to substantial hardship.

Applications for adjustment under this paragraph (a) shall be filed in accordance with Revised Procedural Regulation No. 1.²

No application for adjustment filed after November 30, 1942 will be granted under this paragraph (a).

§ 1340.93a *Effective dates of amendments.* * * *

(1) Amendment No. 11 (§ 1340.89 (a)) to Revised Price Schedule No. 88 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11252; Filed, November 2, 1942;
3:50 p. m.]

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

¹ 7 F.R. 3165, 3749, 4273, 4653, 4780, 4853, 5363, 5868, 5941, 6057, 6896, 7902, 8353.

² *Infra.*

PART 1340—FUEL

[RPS 88,¹ Amendment 39]

PETROLEUM AND PETROLEUM PRODUCTS

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

In § 1340.156, paragraph (c) is amended to read as set forth below:

§ 1340.156 *Modification of Price Schedule.* * * *

(c) *Applications for adjustment.* The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this Revised Price Schedule No. 88, for any seller subject to the provisions thereof in any case in which such seller shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar crude petroleum and/or petroleum products; and

(2) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive sellers of crude petroleum and/or the same or similar products will not cause or threaten to cause an increase in the level of retail prices.

Applications for adjustment under this paragraph (c) shall be filed in accordance with Revised Procedural Regulation No. 1.

No application for adjustment filed after November 15, 1942 will be granted under this paragraph (c).

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

(mm) Amendment No. 39 (§ 1340.156 (c)) to Revised Price Schedule No. 88 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11284; Filed, November 2, 1942;
3:57 p. m.]

PART 1340—FUEL

[MPR 121,² Amendment 8]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

A statement of considerations involved in the issuance of this amendment has

¹ 7 F.R. 1107, 1371, 1798, 1799, 2182, 2304, 2352, 2634, 2945, 3116, 3166, 3482, 3524, 3552, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5481, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838.

² 7 F.R. 3237, 3898, 4483, 5941, 6002, 6386, 8587, 8521.

been issued simultaneously herewith and filed with the Division of the Federal Register.*

The title and provisions of § 1340.247a are amended to read as set forth below:

§ 1340.247a *Applications for adjustment.* The Office of Price Administration, or any duly authorized representative thereof, may adjust any maximum price established under this Maximum Price Regulation No. 121 in the following cases:

(a) In the case of any seller of miscellaneous solid fuels who shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of miscellaneous solid fuels; and

(2) Establishing for him a maximum price, bearing a normal relationship to the maximum prices established for competitive sellers of miscellaneous solid fuels, will not cause or threaten to cause an increase in the level of retail prices of miscellaneous solid fuels.

No application for adjustment filed after November 15, 1942 will be granted under this paragraph (a).

(b) In the case of any seller of miscellaneous solid fuels when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of a miscellaneous solid fuel which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such miscellaneous solid fuel; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Each regional administrator is authorized to make adjustments or act upon applications for adjustments under this paragraph (b).

Applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.²

§ 1340.250a *Effective dates of amendments.* * * *

(h) Amendment No. 8 (§ 1340.247a) shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11251; Filed, November 2, 1942;
3:50 p. m.]

² *Infra.*

PART 1340—FUEL

[MPR 189, Amendment 2]

BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

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

Section 1340.307 is amended to read as set forth below:

§ 1340.307 *Petitions for amendment and applications for adjustment.* (a) The Office of Price Administration may adjust any maximum price established under this regulation in the following cases:

(1) In the case of any supplier of bunker fuel who shows:

(i) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive suppliers of bunker fuel; and

(ii) That establishing for him a maximum price, bearing a normal relation to the maximum price established for competitive suppliers of bunker fuel, will not cause or threaten to cause an increase in the level of retail prices.

No application for adjustment filed after November 15, 1942 will be granted under this subparagraph (1).

(b) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 189 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

* * * * *
§ 1340.314a *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1340.307) to Maximum Price Regulation No. 189 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11260; Filed, November 2, 1942; 3:53 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 129, Amendment 9]

WAXED PAPER, ETC.

- Waxed paper.
- Envelopes.
- Paper cups, paper containers and liquid tight containers.
- Sanitary closures and milk bottle caps.
- Drinking straws.
- Certain sulphate and certain sulphite papers.
- Certain tissue paper.
- Rope and jute papers.

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

¹ 7 F.R. 5831, 6684.
² 7 F.R. 3178, 3242, 3482, 3554, 4176, 4668, 5712, 5780, 5943, 7974.

- Technical papers.
- Gummed papers.
- Tags, pin tickets and marking machine tickets.
- Glazed and fancy papers.
- Resale book matches.
- Unprinted single weight crepe paper in folds.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register. Section 1347.20 is hereby revoked.

§ 1347.25 *Effective dates of amendments.* * * *

(i) Amendment No. 9 (§ 1347.20) to Maximum Price Regulation No. 129 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11271; Filed, November 2, 1942; 3:59 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 225, Amendment 2]

PRINTING AND PRINTED PAPER COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* Section 1347.469 is amended to read as set forth below:

§ 1347.469 *Adjustment of maximum prices.* The Office of Price Administration, or any duly authorized representative thereof, may adjust any maximum price established under this Maximum Price Regulation No. 225 in the following cases:

(a) In the case of any seller at retail who shows:

(1) That such maximum price is abnormally low in relation to the maximum price of the same or similar commodity or service established for other sellers at retail; and

(2) That this abnormality subjects him to substantial hardship.

No application for adjustment filed after November 30, 1942 will be granted under this paragraph (a).

(b) In the case of any seller, other than a seller at retail, who shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities; and

(2) That establishing for him a maximum price, bearing a normal relation to the maximum price established for competitive sellers of the same or similar commodities, will not cause or threaten to cause an increase in the level of retail prices.

¹ 7 F.R. 7593.

No application for adjustment filed after November 15, 1942 will be granted under this paragraph (b).

* * * * *
§ 1347.474a *Effective date of amendments.* * * *

(b) Amendment No. 2 (§ 1347.469) to Maximum Price Regulation No. 225 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11285; Filed, November 2, 1942; 3:59 p. m.]

PART 1362—CERAMIC PRODUCTS, STRUCTURAL CLAY PRODUCTS AND OTHER MASON MATERIALS

[MPR 116, Amendment 4]

CHINA AND POTTERY

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

Section 1362.59a is amended to read as follows:

§ 1362.59a *Applications for adjustment.* The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this Maximum Price Regulation No. 116 for any seller in any case in which such seller shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar articles; and

(2) That establishing for him a maximum price, bearing a normal relation to the maximum prices established for competitive sellers of the same or similar articles, will not cause or threaten to cause an increase in the level of retail prices.

Applications for adjustment under this § 1362.59a shall be filed in accordance with Revised Procedural Regulation No. 1. No application for adjustment filed after November 15, 1942, will be granted under this § 1362.59a.

* * * * *
§ 1362.63 *Effective dates of amendments.* * * *

(d) Amendment No. 4 (§ 1362.59a) to Maximum Price Regulation No. 116 shall become effective 11:59 p. m. November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11286; Filed, November 2, 1942; 3:58 p. m.]

¹ 7 F.R. 8036, 8858.

PART 1365—HOUSEHOLD FURNITURE

[MPR 213, Amendment 1]

COIL AND FLAT BEDSPRINGS WITH NON-STEEL FRAMES

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

Section 1365.68 *Applications for adjustment* is hereby revoked, and a new § 1365.76 is added.

§ 1365.76 *Effective dates of amendments.* (a) Amendment No. 1 (§ 1365.68) to Maximum Price Regulation No. 213 shall become effective 11:59 p. m. November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11287; Filed, November 2, 1942; 3:58 p. m.]

PART 1389—APPAREL

[MPR 177, Amendment 5]

MEN'S AND BOYS' TAILORED CLOTHING

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

Section 1389.118 is amended as set forth below:

§ 1389.118 *Applications for adjustment or amendment*—(a) *Retail adjustments.* The Office of Price Administration, or any duly authorized representative thereof, may adjust any maximum price established under this regulation in the case of any seller at retail who shows:

(1) That such maximum price is abnormally low in relation to the maximum price of the same or similar commodity or service established by other sellers at retail; and

(2) That this abnormality subjects him to substantial hardship.

No application for adjustment filed after November 30, 1942, will be granted under this paragraph (a).

(b) *Petitions for amendment.* Any person seeking a modification of any provision of this Maximum Price Regulation 177 may file a petition for amendment.

(c) *Adjustment of limitations on highest price lines.* The Office of Price Administration, or any duly authorized representative thereof, may by order adjust the maximum prices of any seller, at retail or otherwise, in any case in which the seller shows:

(1) That because of the rule limiting the highest maximum price which may be determined for any classification of garments, his maximum prices for cer-

tain garments are lower than they would otherwise be;

(2) That in the absence of adjustment, these maximum prices would subject the seller to substantial hardship;

(3) That the garments affected, or the materials used in these garments, were irrevocably purchased by the seller before July 11, 1942, and constitute a substantial proportion of his inventory; and

(4) That establishing higher maximum prices for these garments will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of Maximum Price Regulation 177 to eliminate the danger of inflation.

No application for adjustment filed by a seller at retail after November 30, 1942, or by any other seller after November 15, 1942, will be granted under this paragraph (c).

Applications for adjustment and petitions for amendment shall be filed in accordance with Revised Procedural Regulation No. 1.

§ 1389.120a *Effective dates of corrections and amendments.* * * *

(f) Amendment 5 (§ 1389.118) to Maximum Price Regulation 177 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11289; Filed, November 2, 1942; 3:58 p. m.]

PART 1389—APPAREL

STAPLE WORK CLOTHING

[MPR 208, Amendment 1]

The considerations involved in the issuance of this amendment are set forth in the statement of considerations accompanying Amendment No. 33 to the General Maximum Price Regulation which has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1389.213 is amended and a new § 1389.216a is added as set forth below:

§ 1389.213 *Adjustment of maximum prices.* The Office of Price Administration, or any duly authorized representative thereof, may adjust any maximum price established under this regulation in the case of any seller, other than a seller at retail, who shows:

(a) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities; and

(b) That establishing for him a maximum price, bearing a normal relation to the maximum price established for competitive sellers of the same or similar commodities, will not cause or threaten to cause an increase in the level of retail prices.

* 7 F.R. 6649.

No application for adjustment filed after November 15, 1942, will be granted under this section.

Applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.²

§ 1389.216a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1389.213, 1389.216) to Maximum Price Regulation 208 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11264; Filed, November 2, 1942; 3:52 p. m.]

PART 1393—ICE

[MPR 154 as Amended, Amendment 2]

ICE

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

Paragraph (d) of § 1393.8 is amended and paragraph (d) is added to § 1393.11, as set forth below:

§ 1393.8 *Applications for adjustment.* * * *

(d) No applications for adjustment filed after November 30, 1942 will be granted under paragraph (a) or paragraph (b) and no application for adjustment filed after November 15, 1942 will be granted under paragraph (c).

§ 1393.11 *Effective dates of amendments.* * * *

(d) Amendment No. 2 (§§ 1393.8 (d) and 1393.11 (d)) to Maximum Price Regulation No. 154 as amended, shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11255; Filed, November 2, 1942; 3:51 p. m.]

PART 1440—BREWERY AND DISTILLERY PRODUCTS

[MPR 193, Amendment 1]

DOMESTIC DISTILLED SPIRITS

The considerations involved in the issuance of Amendment No. 1 are set forth in the statement of considerations accompanying Amendment No. 33 to the General Maximum Price Regulation which has been issued simultane-

¹ 7 F.R. 5139, 5276, 5944

² *Infra.*

³ 7 F.R. 6006.

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

¹ 7 F.R. 6988.

² 7 F.R. 5182, 7475, 6792, 6972, 7100, 7944.

ously herewith and filed with the Division of the Federal Register.*

In § 1420.8 the words "the provisions of § 1499.18 relating to applications for adjustment" are deleted and the words "the provisions of § 1499.18 (a), (b) and (d) relating to adjustment of maximum prices" are substituted and a new § 1420.14 is added as set forth below:

§ 1420.14 *Effective date of amendment.* (a) Amendment No. 1 (§ 1420.8) to Maximum Price Regulation No. 193 as amended shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11257; Filed, November 2, 1942; 3:51 p. m.]

PART 1400—WOOL

[RPS 58, as Amended,¹ Amendment 10]

WOOL AND WOOL TOPS AND YARNS

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

Paragraph (b) of § 1410.56 is amended by adding a sentence thereto as set forth below:

§ 1410.56 *Petitions for amendment and adjustment.* * * *

(b) * * * No application for adjustment filed after November 15, 1942, will be granted under this paragraph (b).

§ 1410.60 *Effective dates of amendments.* * * *

(1) Amendment No. 10 (§ 1410.56 (b)) to Revised Price Schedule No. 58, as amended, shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11274; Filed, November 2, 1942; 3:55 p. m.]

PART 1400—TEXTILE FABRICS; COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 118,² Amendment 13]

COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith

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

¹ 7 F.R. 1316, 1648, 1836, 2000, 2132, 2397, 2580, 2543, 3088, 3271, 4117, 4296, 4299, 4428, 5512, 6494, 7602, 7945.

² 7 F.R. 3038, 3211, 3522, 3578, 3824, 3905, 4405, 5224, 5405, 5567, 5836, 6005, 6484, 7451, 8217.

and has been filed with the Division of the Federal Register.*

Section 1400.107 is hereby amended by adding thereto a new paragraph (d) as set forth below:

§ 1400.107 *Adjustment for seasonal goods.* * * *

(d) No application for adjustment filed after November 15, 1942, will be granted under this § 1400.107.

§ 1400.117 *Effective dates of amendments.* * * *

(m) Amendment No. 13 (§ 1400.107 (c)) to Maximum Price Regulation No. 118 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11279; Filed, November 2, 1942; 3:56 p. m.]

PART 1400—WOOL

[MPR 163,¹ Amendment 7]

WOOLEN AND WORSTED CIVILIAN APPAREL FABRICS

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

Section 1410.109 is amended by adding thereto a new paragraph (c), as set forth below:

§ 1410.109 *Adjustment of maximum prices.* * * *

(c) No application for adjustment filed after November 15, 1942, will be granted under this § 1410.109.

§ 1410.117 *Effective dates of amendments.* * * *

(1) Amendment No. 7 (§ 1410.109 (c)) to Maximum Price Regulation No. 163, shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11273; Filed, November 2, 1942; 3:55 p. m.]

PART 1412—SOLVENTS

[MPR 36,² Amendment 3]

ACETONE

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

Section 1412.60 is hereby revoked.

¹ 7 F.R. 4513, 4733, 4734, 5827, 5872, 6887, 6973, 7454, 7603.

² 7 F.R. 6655, 7001, 7910.

§ 1412.65 *Effective dates of amendments.* * * *

(d) This Amendment No. 3 to Maximum Price Regulation No. 36 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11267; Filed, November 2, 1942; 3:59 p. m.]

PART 1412—SOLVENTS

[MPR 37,¹ Amendment 3]

BUTYL ALCOHOL AND ESTERS THEREOF

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

Section 1412.110 is hereby revoked.

§ 1412.115 *Effective dates of amendments.* * * *

(d) This Amendment No. 3 to Maximum Price Regulation No. 37 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11268; Filed, November 2, 1942; 4:00 p. m.]

PART 1421—IRON AND STEEL FOUNDRY PRODUCTS

[MPR 241, Amendment 1]

MALLEABLE IRON CASTINGS

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.*

Paragraphs (b) and (d) of § 1421.107 are revoked, paragraph (a) of § 1421.107 is amended, paragraph (c) of § 1421.107 is redesignated paragraph (b) and is amended, §§ 1421.117 and 1421.118 are revoked, a new § 1421.115a is added, all as set forth below:

§ 1421.107 *Petitions and applications for amendment, adjustment or exception.*

(a) Any person who has entered into or proposes to enter into a contract with the United States or any agency thereof, or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States", or any agency of any such Government, or a subcontract under any such contract, who believes that a maximum price established by

¹ 7 F.R. 6657, 7001, 7910.

this Maximum Price Regulation No. 241 impedes or threatens to impede production of a malleable iron casting which is essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of such maximum price in accordance with Procedural Regulation No. 6 issued by the Office of Price Administration.

(b) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 241 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1421.115a *Effective date of amendments.* (a) Amendment No. 1 (§ 1421.107 (a), (b), (c), (d), §§ 1421.117, 1421.118 and 1421.115a) to Maximum Price Regulation No. 231 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11275; Filed, November 2, 1942; 3:54 p. m.]

PART 1421—IRON AND STEEL FOUNDRY PRODUCTS

[MPR 244, Amendment 1]

GRAY IRON CASTINGS

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.*

Paragraphs (a), (b) and (c) of § 1421.157 are amended, paragraph (d) of § 1421.157 is revoked, §§ 1421.167 and 1421.168 are revoked, a new § 1421.165a is added, all as set forth below:

§ 1421.157 *Petitions and applications for amendment, adjustment or exception.*

(a) Any person who has entered into or proposes to enter into a contract with the United States or any agency thereof, or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States", or any agency of any such Government, or a subcontract under any such contract, who believes that a maximum price established by this Maximum Price Regulation No. 244 impedes or threatens to impede production of a gray iron casting which is essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of such maximum price in accordance with Procedural Regulation No. 6 issued by the Office of Price Administration.

(b) The Office of Price Administration, or any duly authorized representative thereof, may adjust any maximum price established under this regulation in the

case of any seller or group of sellers when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of a gray iron casting which aids directly in the war program; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such gray iron casting; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942.

Each Regional Administrator is authorized to make adjustments or act upon applications for adjustment under this paragraph (b), and such applications shall be filed in accordance with Revised Procedural Regulation No. 1.

(c) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 244 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1421.165a *Effective date of amendments.* (a) Amendment No. 1 (§ 1421.157 (a), (b), (c), (d), §§ 1421.167, 1421.168 and 1421.165a) to Maximum Price Regulation No. 244 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11276; Filed, November 2, 1942; 3:54 p. m.]

PART 1425—LUMBER DISTRIBUTION

[MPR 215, Amendment 2]

DISTRIBUTION YARD SALES OF SOFTWOOD

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 § 1425.10, paragraphs (b) and (c) are revoked, and a new paragraph (b) is added, to read as set forth below:

§ 1425.10 *Petitions for amendment or adjustment.* * * *

(b) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 215 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1425.13a *Effective dates of amendments.* * * *

(c) Amendment No. 2 (§ 1425.10 (b) and (c)) to Maximum Price Regulation No. 215 shall become effective 11:59 p. m., November 4, 1942.

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

* 7 F.R. 7094, 7452, 8402.

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11256; Filed, November 2, 1942; 3:50 p. m.]

PART 1499—COMMODITIES AND SERVICES

[GMPR, Amendment 33]

ADJUSTMENT OF RETAIL SALES, ETC.

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

Section 1499.18 is amended to read as set forth below:

§ 1499.18 *Adjustment of maximum prices.* The Office of Price Administration, or any duly authorized representative thereof, may adjust any maximum price established under this regulation in the following cases:

(a) In the case of any seller at retail who shows:

(1) That such maximum price is abnormally low in relation to the maximum price of the same or similar commodity or service established for other sellers at retail; and

(2) That this abnormality subjects him to substantial hardship.

No application for adjustment filed after November 30, 1942 will be granted under this paragraph (a).

(b) In the case of any seller, other than a seller at retail, who shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities; and

(2) That establishing for him a maximum price, bearing a normal relation to the maximum price established for competitive sellers of the same or similar commodities, will not cause or threaten to cause an increase in the level of retail prices.

No application for adjustment filed after November 15, 1942 will be granted under this paragraph (b).

(c) In the case of any seller or group of sellers when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of a commodity or service which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such commodity or service; and

(3) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

* 17 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431.

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

Each Regional Administrator is authorized to make adjustments or act upon applications for adjustment under this paragraph (c).

(d) In the case of any seller at retail who shows:

(1) That his maximum price for any commodity established under this regulation is less than the minimum price in effect for such commodity during March 1942 pursuant to a contract entered into in accordance with a Fair Trade Act of any state; and

(2) That the commodity was generally sold at retail during March 1942 at such minimum price within the locality in which his selling establishment is located; and

(3) That he has been permanently enjoined by a court from selling the commodity at less than such minimum price. In such a case the maximum price of such seller will be increased to such minimum price.

(e) In such other cases as may be specified by supplementary regulation issued under this section.

Applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.

§ 1499.23a *Effective dates of amendments.* * * *

(hh) Amendment No. 33 (§ 1499.18) to General Maximum Price Regulation shall become effective 11:59 p. m. November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11278; Filed, November 2, 1942; 3:54 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 165 as Amended,¹ Amendment 5]
SERVICES

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

In § 1499.114, a new sentence is added to paragraphs (a) and (b), and new paragraphs (d) and (e) are added, as set forth below:

§ 1499.114 *Applications for adjustment by sellers.* (a) * * *

No application for adjustment filed after January 1, 1943 will be granted under this paragraph (a).

(b) * * *

No application for adjustment filed after January 1, 1943 will be granted under this paragraph (b).

(d) The Office of Price Administration, or any duly authorized representative thereof, may adjust any maximum price established under this regulation in the case of any seller or group of sellers, when it appears:

¹ 7 F.R. 6428, 6966, 8239, 8431, 8795.

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of a service which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such service; and

(3) That such adjustment will not create or tend to create a shortage or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Each Regional Administrator is authorized to make adjustments or act upon applications for adjustment under this paragraph (d).

Applications for adjustment filed under this paragraph (d) shall be filed in accordance with Revised Procedural Regulation No. 1.

(e) The Office of Price Administration, or any duly authorized representative thereof, may also adjust any maximum price established under this regulation in such other cases as may be specified by supplementary regulation issued under this section.

§ 1499.121a *Effective dates of amendments.* * * *

(e) Amendment No. 5 (§ 1499.114) to Maximum Price Regulation No. 165 as amended shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11277; Filed, November 2, 1942; 3:55 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 188,¹ Amendment 2]

MANUFACTURERS' MAXIMUM PRICES FOR SPECIFIED BUILDING MATERIALS AND CONSUMERS' GOODS OTHER THAN APPAREL

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

Sections 1499.151 and 1499.161 (a) are amended to read as set forth below:

§ 1499.151 *Applicability of the General Maximum Price Regulation.* The provisions of §§ 1499.1 to 1499.3, inclusive, and § 1499.18, of the General Maximum Price Regulation shall not apply to sales or deliveries by manufacturers of certain building materials and of certain consumers' goods set forth in § 1499.166, Appendix A, of this Maximum Price Regulation No. 188. All other sections of the General Maximum Price Regulation, together with existing and subsequent amendments and supplementary regulations, shall apply to sales

¹ 7 F.R. 5872, 7967.

and deliveries by such manufacturers, and are hereby incorporated by reference into this Maximum Price Regulation No. 188.

§ 1499.161 *Applications for adjustment and petitions for amendment—(a) Applications for adjustment.* The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this Maximum Price Regulation No. 188 for any manufacturer in any case in which such manufacturer shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities; and

(2) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive sellers of the same or similar commodities, will not cause or threaten to cause an increase in the level of retail prices.

Applications for adjustment under this paragraph (a) shall be filed in accordance with Revised Procedural Regulation No. 1. No application for adjustment filed after November 15, 1942, will be granted under this paragraph (a).

§ 1499.165a *Effective dates of amendments.* * * *

(b) Amendment No. 2 to Maximum Price Regulation No. 188 (§§ 1499.151 and 1499.161(a)) shall become effective 11:59 p. m. November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11280; Filed, Nov. 2, 1942; 3:56 p. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 211,¹ Amendment 4]

COTTON GINNING 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.

Paragraph (a) of § 1499.564 is amended as set forth below:

§ 1499.564 *Petitions for adjustment and amendment.* (a) A petition for adjustment may be filed in accordance with Appendix A, incorporated herein as § 1499.567 by:

(1) Any ginner who can show that the maximum price for cotton ginning services established for him by this Maximum Price Regulation No. 211 is abnormally low in relation to the maximum prices for the same or substantially similar services rendered by gimmers in the same competitive area and that this abnormality subjects him to substantial hardship; and

(2) Any ginner who can show that the maximum prices for cotton ginning services established for him and substantial-

¹ 7 F.R. 6828, 7406, 7332, 7813, 8237.

ly all of the winners in the same competitive area by this Maximum Price Regulation No. 211 are abnormally low in relation to the maximum prices for the same or substantially similar services rendered by substantially all of the winners in the nearest competitive area and that this abnormality subjects him to substantial hardship:

Provided, That no petition for adjustment filed after November 15, 1942, will be granted under this paragraph.

§ 1499.566a *Effective dates of amendments.*

(e) Amendment No. 4 (§§ 1499.564) to Maximum Price Regulation No. 211 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11281; Filed, November 2, 1942;
3:57 p. m.]

PART 1341—CANNED AND PRESERVED FOODS
[MPR 197, Amendment 3]

CANNED FRUITS AND CANNED BERRIES AT
WHOLESALE AND RETAIL

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

Paragraph (c) of § 1341.166 is amended and paragraph (c) is added to § 1341.172.

§ 1341.166 *Petitions for amendment.*

(c) No application for adjustment filed after November 30, 1942 will be granted under paragraph (a) and no application for adjustment filed after November 15, 1942 will be granted under paragraph (b).

§ 1341.172 *Effective dates of amendment.*

(c) Amendment No. 3 (§§ 1341.166 (c) and 1341.172 (c)) to Maximum Price Regulation No. 197 shall become effective 11:59 p. m. November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11299; Filed, November 2, 1942;
4:58 p. m.]

PART 1346—BUILDING MATERIALS
[MPR 206, Amendment 1]

VITRIFIED CLAY SEWER PIPE AND ALLIED
PRODUCTS

A statement of the considerations involved in the issuance of this amendment

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

¹ 7 F.R. 5989, 7403, 7738.

² 7 F.R. 6424.

has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1362.107 *Applications for adjustment*, is hereby revoked and a new § 1362.112a is added.

§ 1362.112a *Effective dates of amendments.* (a) This Amendment No. 1 (§§ 1362.112a and 1362.107) to Maximum Price Regulation No. 206 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11316; Filed, November 2, 1942;
5:03 p. m.]

PART 1346—BUILDING MATERIALS

[MPR 224, Amendment 2]

CEMENT

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

Section 1346.112 is hereby amended to read as set forth below. A new subparagraph (8) is added to § 1346.114 (a), and a new paragraph (b) is added to § 1346.117.

§ 1346.112 *Petition for amendment or application for adjustment*—(a) *Government contracts or subcontracts.* Any person who has entered into or proposes to enter into a government contract or a subcontract under any such contract, who believes that the maximum price impedes or threatens to impede production of cement which is essential to the war program and which is or will be the subject of such contract or subcontract, may file an application for adjustment of the maximum prices established by this Maximum Price Regulation No. 224 in accordance with Procedural Regulation No. 6,² issued by the Office of Price Administration.

(b) *Application for adjustment of maximum prices.* The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established under this Maximum Price Regulation No. 224 for any seller of cement in any case in which such seller shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of cement; and

(2) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive sellers of cement will not cause or threaten to cause an increase in the level of retail prices.

(3) Applications for adjustment under this paragraph (b) shall be filed in accordance with Revised Procedural Regu-

¹ 7 F.R. 7396, 8650.

² 7 F.R. 5087, 5664.

lation No. 1 issued by the Office of Price Administration.

(4) No application for adjustment filed after November 15, 1942 will be granted under this paragraph (b).

(c) *Petition for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 224 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1346.114 *Definitions.* (a) When used in this Maximum Price Regulation No. 224, the term:

(5) "Government contract" means any contract with the United States or any agency thereof or with the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States" or with any agency of any such government.

§ 1346.117 *Effective dates of amendment.*

(b) Amendment No. 2 (§§ 1346.112, 1346.114 (a) (8), and 1346.117 (b)) shall become effective 11:59 p. m., November 4.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11315; Filed, November 2, 1942;
5:03 p. m.]

PART 1346—BUILDING MATERIALS

[MPR 236, Amendment 1]

HEATING BOILER CONVERSION PARTS

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

Section 1346.164 is hereby amended to read as set forth below and a new § 1346.168 is added.

§ 1346.164 *Petition for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 236 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1346.168 *Effective dates of amendment.* (a) Amendment No. 1 (§§ 1346.164 and 1346.168) of Maximum Price Regulation No. 236 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11298; Filed, November 2, 1942;
4:54 p. m.]

¹ 7 F.R. 8195.

PART 1355—LEAD
[MPR 199,¹ Amendment 1]
LEAD BULLET ROD

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

Section 1355.110 is revoked and a new § 1355.113a is added as set forth below.

§ 1355.113a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1355.110 and 1355.113a) to Maximum Price Regulation No. 199 shall become effective 11:59 P. M., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11300; Filed, November 2, 1942; 5:00 p. m.]

PART 1358—TOBACCOS
[MPR 228,² Amendment 1]

FLUE-CURED TOBACCO

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

Section 1358.56 is amended and § 1358.63 is added, as set forth below:

§ 1358.56 *Applications for adjustment.* The Office of Price Administration or any duly authorized officer thereof may by order adjust the maximum prices established under this Maximum Price Regulation for any buyer in any case in which such buyer shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive buyers of flue-cured tobacco; and

(2) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive buyers of flue-cured tobacco will not cause or threaten to cause an increase in the level of retail prices of products manufactured in whole or in part from flue-cured tobacco.

Applications for adjustment under this paragraph shall be filed in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

No application for adjustment filed after November 15, 1942 will be granted under this § 1358.56.

§ 1358.63 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1358.56 and 1358.63) to Maximum Price Regulation No. 228 shall become effective 11:59 p. m. November 4, 1942.

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

¹ 7 F.R. 6219, 6885.

² 7 F.R. 7533.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11294; Filed, November 2, 1942; 4:54 p. m.]

PART 1372—SEASONAL COMMODITIES
[MPR 142,¹ Amendment 4]

RETAIL PRICES FOR SUMMER SEASONAL COMMODITIES

The considerations involved in the issuance of this amendment are set forth in the statement of considerations accompanying Amendment No. 33 to the General Maximum Price Regulation which has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1372.3 (c), the figures "1499.18" are deleted, and the phrase "1499.18 (a) and (b)" is substituted.

§ 1372.8a *Effective dates of amendments.* * * *

(d) Amendment No. 4 (§ 1372.3 (c)) to Maximum Price Regulation No. 142 shall become effective 11:59 p. m. November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11301; Filed, November 2, 1942; 5:00 p. m.]

PART 1377—WOODEN CONTAINERS
[MPR 195,¹ Amendment 1]

INDUSTRIAL WOODEN BOXES

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 § 1377.113, the last sentence of paragraph (b) is amended and a new sentence added, paragraphs (c) and (d) are revoked, and a new paragraph (c) is added; a new § 1377.119 is added, all to read as set forth below:

§ 1377.113 *Petitions for amendment or adjustment.* * * *
(b) * * *

Applications for adjustment under this paragraph (b) shall be filed in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration. No application for adjustment filed after November 15, 1942 will be granted under this paragraph (b).

(c) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 195 may file a petition for amendment in accordance with the provisions of Revised Procedural Regula-

¹ 7 F.R. 3553, 3720, 5520.

² 7 F.R. 6049.

tion No. 1 issued by the Office of Price Administration.

§ 1377.119 *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1377.113 (b), (c), and (d), and 1377.119) to Maximum Price Regulation No. 195 shall become effective 11:59 p. m. November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11302; Filed, November 1942; 4:56 p. m.]

PART 1382—HARDWOOD LUMBER
[MPR 223,¹ Amendment 1]

NORTHERN HARDWOOD LUMBER

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 § 1382.158, paragraphs (b) and (c) are revoked, and a new paragraph (b) is added; a new § 1382.162a is added, all to read as set forth below:

§ 1382.158 *Petitions for amendment or adjustment.* * * *

(b) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 223 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1382.162a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1382.158 (b) and (c), and 1382.162a) to Maximum Price Regulation No. 223 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11263; Filed, November 2, 1942; 3:55 p. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS
[MPR 196,¹ Amendment 3]

TURNED OR SHAPED WOOD PRODUCTS

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 § 1384.65, the last sentence of paragraph (b) is amended and a new sentence added, paragraphs (c) and (d) are revoked, and a new paragraph (c) is added.

¹ 7 F.R. 7445.

² 7 F.R. 6078, 7254, 8016.

§ 1384.65 *Petitions for amendment or adjustment.* * * *

(b) * * *

Application for adjustment under this paragraph (b) shall be filed in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration. No application for adjustment filed after November 15, 1942 will be granted under this paragraph (b).

(c) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 196 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1384.70 *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1384.65 (b), (c), and (d)) to Maximum Price Regulation No. 196 shall become effective 11:59 p. m. November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11303; Filed, November 2, 1942;
4:56 p. m.]

PART 1384—HARDWOOD LUMBER PRODUCTS
[MPR 217,¹ Amendment 1]

WALNUT GUNSTOCK BLANKS

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 § 1384.107, paragraphs (b) and (c) are revoked, and a new paragraph (b) is added; a new § 1384.111a is added, all to read as set forth below:

§ 1384.107 *Petitions for amendment or adjustment.* * * *

(b) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 217 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

§ 1384.111a *Effective dates of amendments.* (a) Amendment No. 1 (§§ 1384.107 (b) and (c), and 1384.111a) to Maximum Price Regulation No. 217 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11288; Filed, November 2, 1942;
3:56 p. m.]

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

¹ 7 F.R. 7244.

PART 1389—APPAREL

[MPR 153, as Amended,¹ Amendment 4]

WOMEN'S, GIRLS, AND CHILDREN'S OUTERWEAR GARMENTS

The considerations involved in the issuance of this amendment are set forth in the statement of considerations accompanying Amendment No. 33 to the General Maximum Price Regulation which has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1389.4, the words "1499.18 Applications for adjustments" are deleted, and the words "1499.18 (a) and (b) Adjustment of maximum prices" are substituted.

§ 1389.11 *Effective dates of amendments.* * * *

(f) Amendment No. 4 (§ 1389.4) to Maximum Price Regulation No. 153 as amended, shall become effective 11:59 p. m. November 4, 1942.

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

Issued this 2d day of November, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11318; Filed, November 2, 1942;
5:02 p. m.]

PART 1389—APPAREL

[MPR 178,² Amendment 3]

WOMEN'S FUR GARMENTS

The considerations involved in the issuance of this amendment are set forth in the statement of considerations accompanying Amendment No. 33 to the General Maximum Price Regulation which has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1389.158 (b), the words "1499.18 Applications for adjustment" are deleted, and the words "1499.18 (a) and (b) Adjustment of maximum prices" are substituted.

§ 1389.166a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1389.158 (b)) to Maximum Price Regulation No. 178 shall become effective 11:59 p. m. November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. 42-11317; Filed, November 2, 1942;
5:02 p. m.]

¹ 7 F.R. 4381, 5869, 7010, 7535.

² 7 F.R. 5277, 6771, 8016.

PART 1400—TEXTILE FABRICS: COTTON WOOL, SILK SYNTHETICS AND ADMIXTURES

[MPR 39,¹ Amendment 3]

WOVEN DECORATIVE FABRICS

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

In § 1400.160, paragraph (b) is amended and in § 1400.161, a new subparagraph (10) is added to paragraph (a) as set forth below:

§ 1400.160 *Petitions for amendment and adjustment.* * * *

(b) The Office of Price Administration may by order adjust the maximum price established under this regulation for any seller of a woven decorative fabric in any case in which such seller shows:

(1) That such maximum price causes him hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar commodities, and

(2) That establishing for him a maximum price bearing a normal relation to the maximum prices established for competitive sellers of the same or similar commodities will not cause or threaten to cause an increase in retail prices.

On and after July 13, 1942, all petitions for adjustment under this paragraph (b) shall be filed in accordance with Revised Procedural Regulation No. 1: *Provided*, That no petition for adjustment filed under this paragraph (b) after November 15, 1942, will be granted.

§ 1400.161 *Definitions.* (a) When used in this Maximum Price Regulation No. 39, the term: * * *

(10) "Sales at retail" means sales to the ultimate consumer: *Provided*, That no manufacturer, purchaser for resale or other commercial user, shall be considered to be an ultimate consumer.

§ 1400.162a *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§§ 1400.160 (b) and 1400.161 (a)) to Maximum Price Regulation No. 39 shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11319; Filed, November 2, 1942;
5:04 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[MPR 183,² Amendment 8]

PUERTO RICO

A statement of the considerations involved in the issuance of this amend-

¹ 7 F.R. 5243, 5512, 6774.

² 7 F.R. 5620, 6744, 6659, 7454, 7843, 7945, 8558.

ment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1418.10 is amended and a new § 1418.10a is added.

§ 1418.10 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 183 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1418.10a *Applications for adjustment.* Any person seeking an adjustment of the maximum prices established by this Maximum Price Regulation No. 183 may file a petition for adjustment in accordance with the provisions of Procedural Regulation No. 7.

§ 1418.13a *Effective dates of amendments.* * * *

(h) Amendment No. 8 (§§ 1418.10 and 1418.10a) to Maximum Price Regulation No. 183 shall become effective 11:59 p. m. November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11306; Filed, November 2, 1942; 4:57 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[MPR 194, Amendment 5]

ALASKA

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

Section 1418.62 is amended and a new § 1418.52a is added.

§ 1418.62 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 194 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1418.62a *Applications for adjustment.* Any person seeking an adjustment of the maximum prices established by this Maximum Price Regulation No. 194 may file a petition for adjustment in accordance with the provisions of Procedural Regulation No. 7.

§ 1418.66 *Effective dates of amendments.* * * *

(e) Amendment No. 5 (§§ 1418.62 and 1418.62a) to Maximum Price Regulation No. 194 shall become effective 11:59 p. m., November 4, 1942.

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

¹ 7 F.R. 5909, 6268, 6744, 8023, 8358.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11304; Filed, November 2, 1942; 4:56 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[MPR 201, Amendment 2]

VIRGIN ISLANDS

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

Section 1418.112 is amended and a new § 1418.112a is added.

§ 1418.112 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 201 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1418.112a *Applications for adjustment.* Any person seeking an adjustment of the maximum prices established by this Maximum Price Regulation No. 183 may file a petition for adjustment in accordance with the provisions of Procedural Regulation No. 7.

§ 1418.116 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§§ 1418.112 and 1418.112a) to Maximum Price Regulation No. 201 shall become effective 11:59 p. m. November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11305; Filed, November 2, 1942; 4:57 p. m.]

PART 1420—BREWERY AND DISTILLERY PRODUCTS

[MPR 193, Amendment 2]

DOMESTIC DISTILLED SPIRITS

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

In § 1420.8, a new phrase "the provisions of § 1499.9 (b) (5) relating to sales by hotels, restaurants, bars, etc.;" is added after the phrase "the provisions of § 1499.7 (a) relating to taxes;" and a new subparagraph (4) is added to paragraph (a) of § 1420.10, subparagraph (3) of paragraph (a) of § 1420.13 is amended

and a new paragraph (d) is added to § 1420.13, as set forth below:

§ 1420.10 *Definitions.* (a) When used in this Maximum Price Regulation No. 193 the term: * * *

(4) "Monopoly states" means the following states of the United States or the appropriate Alcoholic Beverage Control Board or Commission thereof: Alabama, Idaho, Iowa, Maine, Michigan, Montana, New Hampshire, North Carolina, Ohio, Oregon, Pennsylvania, Utah, Vermont, Virginia, Washington, West Virginia, Wyoming.

§ 1420.13 *Appendix A: Maximum prices for domestic distilled spirits—(a) Determination of maximum prices generally.* * * *

(3) *Notification.* On or before August 16, 1942, every seller, other than sellers at retail, shall notify each of its customers in writing of the difference between such seller's maximum price under the General Maximum Price Regulation and such seller's maximum price under this Maximum Price Regulation 193 for each item of domestic distilled spirits ordinarily sold by such seller to such customer. If any adjustment of maximum prices is made in accordance with the provisions of this Maximum Price Regulation No. 193 on or after August 16, 1942, every seller, other than sellers at retail, shall notify each of its customers in writing, as provided above, within 10 days from the date when such adjustment of maximum prices is made. When any modification of maximum prices is made in accordance with the provisions of subparagraph (a) (1) (iii) or subparagraph (a) (2) (ii) of this section relating to new or increased taxes, the separate statement of the amount of the new tax or increase in an existing tax on the invoice of the seller shall be deemed to be a proper notification under this section.

(d) *Automatic adjustments for monopoly states—(1) Permitted increases.* If any seller is permitted to increase his maximum price to any Monopoly state for domestic distilled spirits under the provisions of paragraph (a) (1) (i) or (ii) or under the provisions of paragraph (a) (2) (i) of this section relating to increased costs, such Monopoly state may adjust its maximum prices for such domestic distilled spirits by applying to the gross adjusted price (exclusive of new or increased taxes) charged to it by such seller the statutory or discretionary percentage mark-up in effect in such Monopoly state on March 31, 1942. In applying such percentage mark-up any Monopoly state may follow its practice as of March 31, 1942 with respect to the disposition of fractional and odd cents.

(2) *New or increased taxes.* If any seller is permitted to increase his maximum prices to any Monopoly state for domestic distilled spirits under the provisions of paragraph (a) (1) (iii) or under

¹ 7 F.R. 6269.

the provisions of paragraph (a) (2) (ii) relating to new or increased taxes, such Monopoly state may add to its maximum prices for such domestic distilled spirits as adjusted under subparagraph (1) of this paragraph, the exact amount per case and per container which is furnished to it by its seller pursuant to subparagraph (3) of this paragraph.

(3) Notification to monopoly states. Any seller who sells any domestic distilled spirits to any Monopoly state shall state upon the face of the invoice covering any particular transaction or upon a written notice prior to shipment (i) the gross adjusted price exclusive of any new or increased taxes for each brand, type, quality and container size of domestic distilled spirits included in the particular transaction and (ii) the amount of any new or increased tax with respect to each brand, type, quality and container size of domestic distilled spirits included in the particular transaction: Provided, That no notification shall be required after the first notification to any particular Monopoly state unless the seller's maximum price is further adjusted or other new or increased taxes are imposed. The total amount of any new or increased tax shall be computed on the basis of the number of gallons or fractional gallons of the particular brand, type and quality of domestic distilled spirits contained in the particular case. The total amount of any new or increased tax so computed shall then be divided by the number of containers in the case of the particular brand, type, and quality of domestic distilled spirits. The figures so arrived at per case and per container shall then be adjusted to the next higher even cent if the fraction is 1/2 cent or more, and to the next lower even cent if the fraction is less than 1/2 cent. The final adjusted figures per case and per container shall be the figures stated with respect to new or increased taxes on the invoice or written notice as provided above.

§ 1420.14 Effective dates of amendments.

(b) Amendment No. 2 (§§ 1420.8, 1420.10 (a) (4), 1420.13 (a) (3) and (d) and 1420.14 (b)) shall be effective as of November 1, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON, Administrator.

[F. R. Doc. 42-11312; Filed, November 2, 1942; 5:03 p. m.]

PART 1305—ADMINISTRATION

[Supplementary Order 26]

STANDARD PROVISION FOR PETITIONS FOR AMENDMENT

A statement of the reasons involved in the issuance of this supplementary order is issued simultaneously herewith and filed with the Division of the Federal Register.*

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

§ 1305.31 Amendment of certain revised price schedules and maximum price regulations. (a) The sections, paragraphs or subparagraphs listed below are amended so that the text shall read as follows, the headnotes thereof, if any, remaining unchanged:

Any person seeking an amendment of any provision of this ... may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

Table with 2 columns: Revised Price Schedule or Maximum Price Regulation (General Maximum Price Regulation) and Section, Paragraph or Subparagraph. Lists items 1 through 75 with corresponding values and section references.

* Insert "Revised Price Schedule" or "Maximum Price Regulation" as may be appropriate.

Table with 2 columns: Revised Price Schedule or Maximum Price Regulation—Con. and Section, Paragraph or Subparagraph. Lists items 76 through 165 with corresponding values and section references.

Revised Price Schedule or Maximum Price Regulation—Con.	Section, Paragraph or Sub-paragraph	Amount
166	1303.208	
167	1337.37	
168	1337.58	
169	1364.60 (b)	
170	1412.8	
171	1392.7	
172	1389.58	
173	1363.108	
174	1390.55	
175	1408.7	
176	1384.7	
177	1389.118 (b)	
178	1399.164	
179	1385.9	
180	1415.8	
181	1341.64	
182	1347.309	
184	1364.108	
185	1341.108	
186	1377.108	
187	1347.410	
188	1499.161 (b)	
190	1359.10	
191	1419.9	
192	1416.57	
193	1420.9	
197	1341.165	
198	1387.7	
199	1355.111	
200	1315.1412	
202	1309.160	
203	1396.211	
204	1499.510 (b)	
205	1367.57	
206	1362.108	
207	1341.208	
208	1389.214	
209	1364.208	
210	1372.106 (a) (7)	
211	1499.564	
212	1341.262	
213	1365.69	
214	1421.8 (d)	
216	1426.9	
218	1426.58	
219	1381.307 (b)	
220	1315.1561 (b)	
225	1347.470	
226	1341.310	
227	1341.358	
228	1358.55	
231	1424.7	
232	1341.460	
233	1341.420	
234	1350.5 (a) (3)	
235	1421.58 (c) (First sentence)	
239	1364.160	
240	1367.109	
241	1421.107 (c)	
243	1351.908	
244	1421.157 (c)	
245	1415.108	
246	1361.64 (a)	
246	1364.264	
Temporary Maximum Price Regulation 22	1351.809	

(b) The order issued March 10, 1942, entitled "Order Amending Modification Provisions of Certain Revised Price Schedules" is hereby revoked.

(c) This Supplementary Order No. 26 (§ 1305.31) shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11295; Filed, November 2, 1942; 4:55 p. m.]

* 7 F.R. 1836.

PART 1334—SUGAR, CONFECTIONERY AND SOFT DRINKS

[RPS 60,¹ Amendment 5]

DIRECT CONSUMPTION SUGARS

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

Section 1334.58a is revoked and paragraph (e) of § 1334.52 is amended to read as set forth below:

§ 1334.52 *Maximum prices for sales of direct-consumption sugars at wholesale by persons other than primary distributors.* * * *

(e) The Office of Price Administration, or any duly authorized officer thereof, may by order adjust the maximum price established by this section for any seller at wholesale in any case in which the seller shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of direct-consumption sugars; and

(2) That establishing for him a maximum price, bearing normal relation to the maximum prices established for competitive sellers of direct-consumption sugars, will not cause or threaten to cause an increase in the level of retail prices for direct-consumption sugars.

Application for adjustment under this paragraph (e) shall be filed in accordance with Revised Procedural Regulation No. 1.

No application for adjustment filed after November 15, 1942 will be granted under this paragraph (e).

§ 1334.60a *Effective dates of amendments.* * * *

(e) This Amendment No. 5 (§ 1334.52 (e) and § 1334.58a) to Revised Price Schedule No. 60 shall become effective 11:59 p. m. November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11297; Filed, November 2, 1942; 4:54 p. m.]

PART 1340—FUEL

[MPR 122,² Amendment 10]

SOLID FUELS, DELIVERED FROM FACILITIES OTHER THAN PRODUCING FACILITIES—DEALERS

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

Section 1340.257a is deleted; the title of § 1340.257 is amended; subparagraph (9)

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

¹ 7 F.R. 1820, 1836, 2132, 2510, 5664, 6787.

² 7 F.R. 3239, 3666, 3856, 3940, 3941, 5024, 5567, 5835, 7809.

is added to paragraph (a) of § 1340.257; paragraph (b) of that section is redesignated as paragraph (c) and a new paragraph (b) is added thereto to read as set forth below:

§ 1340.257 *Petitions for amendment and applications for adjustment.* (a) * * *

(9) No application for adjustment filed after November 15, 1942, will be granted under this paragraph (a).

(b) The Office of Price Administration, or any duly authorized representative thereof, may adjust any maximum price established under this Regulation in the following cases:

(1) In the case of any seller at retail who shows:

(i) That such maximum price is abnormally low in relation to the maximum price of the same or similar solid fuel established for other sellers at retail; and

(ii) That this abnormality subjects him to substantial hardship.

No application for adjustment filed after November 30, 1942 will be granted under this subparagraph (1).

(2) In the case of any seller, other than a seller at retail, who shows:

(i) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of the same or similar solid fuel; and

(ii) That establishing for him a maximum price, bearing a normal relation to the maximum price established for competitive sellers of the same or similar solid fuel, will not cause or threaten to cause an increase in the level of retail prices.

No application for adjustment filed after November 15, 1942 will be granted under this subparagraph (2).

(3) In the case of any seller or group of sellers when it appears:

(i) That there exists or threatens to exist in a particular locality a shortage in the supply of any solid fuel which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(ii) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such solid fuel; and

(iii) That such adjustment will not create or tend to create a shortage, or a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Each Regional Administrator is authorized to make adjustments or act upon applications for adjustment under this paragraph (3).

Applications for adjustment shall be filed in accordance with Revised Procedural Regulation No. 1.

§ 1340.260a *Effective dates of amendments.* * * *

(j) Amendment No. 10 (§ 1340.257) to Maximum Price Regulation No. 122 shall become effective 11:59 p. m. November 4, 1942.

247

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11814; Filed, November 2, 1942;
5:04 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Supp. Reg. 14¹ of GMPR,² Amendment 50]

REVOCATION OF CERTAIN PROVISIONS

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.*

Subparagraphs (1) (vi) and (8) of paragraph (a) of § 1499.73 are revoked.

(b) *Effective dates.* * * *

(51) This Amendment No. 50 (§ 1499.73 (a) (1), (a) (8)) to Supplementary Regulation No. 14 shall become effective 11:59 P. M., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11807; Filed, November 2, 1942;
5:00 p. m.]

PART 1420—BREWERY AND DISTILLERY PRODUCTS

[MPR 259]

DOMESTIC MALT BEVERAGES

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of domestic malt beverages by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 259 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended and Executive Order No. 9250. So far as practical, the Price Administrator has advised and consulted with members of the industry which will be affected by the regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as

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

¹ 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431.

amended and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, Maximum Price Regulation No. 259 is hereby issued.

Sec.	
1420.51	Prohibition against sales of domestic malt beverages above maximum prices.
1420.52	Less than maximum price.
1420.53	Applicability of General Maximum Price Regulation.
1420.54	Export sales.
1420.55	Federal and state taxes.
1420.56	Petitions for amendment.
1420.57	Evasion.
1420.58	Licensing.
1420.59	Standards of quality.
1420.60	Enforcement.
1420.61	Container and shipping case deposits.
1420.62	Definitions.
1420.63	Notification of adjustment.
1420.64	Geographical applicability.
1420.65	Effective dates.
1420.66	Appendix A: Maximum prices for domestic malt beverages.

AUTHORITY: §§ 1420.51 to 1420.66 inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1420.51 *Prohibition against sales of domestic malt beverages above maximum prices.* On and after November 1, 1942, regardless of any contract, agreement, lease or other obligation:

(a) No person shall sell or deliver any domestic malt beverages at higher prices than the maximum prices set forth in Appendix A (§ 1420.66) of this Maximum Price Regulation No. 259.

(b) No person shall buy or receive any domestic malt beverages in the course of trade or business at higher prices than the maximum prices set forth in this Maximum Price Regulation No. 259.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That the provisions of this section shall not be applicable to sales or deliveries of domestic malt beverages to a purchaser if prior to November 1, 1942 such domestic malt beverage had been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

§ 1420.52 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 259 may be charged, demanded, paid or offered.

§ 1420.53 *Applicability of the General Maximum Price Regulation.* (a) The provisions of this Maximum Price Regulation No. 259 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of domestic malt beverages for which maximum prices are established by this regulation.

(b) The following sections of the General Maximum Price Regulation as well as amendments thereto, shall be applicable to every manufacturer, seller at wholesale or at retail:

- (1) Special deals (§ 1499.4 (b)).
- (2) Transfers of business or stock in trade (§ 1499.5).
- (3) Commodities excepted (§ 1499.9 (b) (5)).

(4) Base period records (§ 1499.11).

(5) Current records (§ 1499.12).

(6) Sales slips and receipts (§ 1499.14).

(7) Registration (§ 1499.15).

(8) Definitions (§ 1499.20 (a), (c), (d), (e), (g), (h), (i), (k), (m), (n), (o), (p), (r), (s)).

§ 1420.54 *Export sales.* The maximum prices at which a person may export domestic malt beverages shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation¹ issued by the Office of Price Administration.

§ 1420.55 *Federal and state taxes.* Any tax upon, or incident to, the sale or delivery of domestic malt beverages, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such domestic malt beverages and in preparing the records of such seller with respect thereto:

(a) As to a tax in effect prior to the last day of any base period herein provided for the determination of the maximum prices of any seller (1) if the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during the applicable base period the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 259. (2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately, from the purchase price, and the seller does state it separately, the seller may collect in addition to the maximum price, the amount of the tax actually paid by him or an amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 259.

(b) As to any new tax or any increase in an existing tax imposed after the last day of any base period herein provided for the determination of the maximum prices of any seller a manufacturer or wholesaler may collect the amount of such tax or increase in an existing tax imposed upon him or upon any prior vendor by any statute of the United States or statute or ordinance of any state or subdivision thereof with respect to domestic malt beverages to be "sold on draught": *Provided*, That such amount has been paid by the manufacturer or wholesaler or has accrued and is payable by such manufacturer or wholesaler to the appropriate taxing au-

¹ 7 F.R. 5059, 7242, 8829.

thorities or any prior vendor: *Provided*, That the seller at retail of domestic malt beverages "to be sold on draught" shall not adjust his maximum price because of any new tax or increase in an existing tax paid or accrued and payable by the manufacturer, wholesaler or such retailer.

(c) As to any new tax or any increase in an existing tax effective after the last day of any base period herein provided for the determination of the maximum prices of any seller, the manufacturer, wholesaler, or retailer may collect the amount of such tax or increase in an existing tax imposed upon him or any prior vendor by any statute of the United States or statute or ordinance of any state or subdivision thereof with respect to any domestic malt beverage "not to be sold on draught": *Provided*, That such amount has been paid by the manufacturer, wholesaler or retailer or has accrued and is payable by such manufacturer, wholesaler or retailer to the appropriate taxing authorities or any prior vendor.

(d) As to the specific increase in the Federal Excise Tax of \$1.00 per barrel on domestic malt beverages, effective November 1, 1942, the method by which such tax increase may be added to the seller's maximum price is provided in § 1420.66 herein. This does not apply to a seller at retail of domestic malt beverages "to be sold on draught."

§ 1420.56 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 259 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1420.57 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 259 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale or delivery of, or relating to the sale of domestic malt beverages alone or in connection with any other commodity, or by way of commission, service, transportation, or any charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

(b) Specifically, but not exclusively, the following practices are prohibited:

(1) The reduction or elimination of the seller's customary allowances, discounts or other price differentials existing during the applicable base period herein provided for the determination of the maximum prices of any seller;

(2) The depreciation of the quality of a domestic malt beverage other than a normal variation.

§ 1420.58 *Licensing—Applicability of the registration and licensing provisions of the General Maximum Price Regulation.* The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person making sales at wholesale or retail of any domestic malt beverages for which maximum prices are established by this Maximum Price Regulation No. 259. Said registration and licensing provisions became ef-

fective as to persons selling at wholesale on May 11, 1942 and as to persons selling at retail on May 18, 1942.

§ 1420.59 *Standards of quality.* "Quality" of a domestic malt beverage as used in § 1420.57 (b) is determined by the grade and proportion of the ingredients used and by the brewing process employed. The selection of a similar malt beverage in § 1420.66 (f) shall include consideration of "similar quality" which is the quality obtained by reason of a similar brewing process and equivalent types, grades and proportions of ingredients, without substantial variation.

§ 1420.60 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 259 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided by the Emergency Price Control Act of 1942.

(b) Persons who have any evidence of any violation of this Maximum Price Regulation No. 259 or any price schedule, regulation or order, issued by the Office of Price Administration, or any acts or practices which constitute such a violation, are urged to communicate with the nearest district, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1420.61 *Container and shipping case deposits.* If during the applicable base period herein provided for the determination of the maximum prices of any seller, the seller did not require a deposit for domestic malt beverage containers or shipping cases and did not sell the containers with their contents or sell the shipping cases to the purchaser, but required their return, he may impose a deposit charge on such containers or shipping cases: *Provided*, That the deposit charge imposed does not unduly exceed the actual replacement cost of such containers or shipping cases. If the seller has required a container deposit, which does not equal the replacement cost of containers or shipping cases the deposit charge may be increased to an amount which does not unduly exceed the actual replacement cost of such containers or shipping cases. If the seller has achieved the result of a deposit charge by a standing offer to repurchase domestic malt beverage containers or shipping cases at a fixed price which does not equal the replacement cost of containers or shipping cases, he may increase his standing offer for the repurchase of such containers or shipping cases to an amount which does not unduly exceed the replacement cost of each container or shipping case. In such event, he may add to his maximum selling prices the exact amount of the increase in his standing offer to repurchase such containers or shipping cases.

§ 1420.62 *Definitions.* (a) "Domestic malt beverage" shall mean any and all malt beverages produced within the continental United States, or its territories and possessions, made by the alcoholic fermentation of an infusion of decoction, or combinations of both, in potable brewing water, of malted barley with hops,

or their parts, or their products, and with or without other malted cereals, and with or without the addition of unmalted or prepared cereals, other carbohydrates or products prepared therefrom, and with or without the addition of carbon dioxide, and with or without other wholesome products suitable for human food consumption.

(b) "Domestic malt beverages sold on draught" means domestic malt beverages dispensed by a seller at retail from any container of $\frac{1}{8}$ barrel or larger size.

(c) "Barrel" shall mean a container for domestic malt beverages having a capacity of 31 U. S. Standard gallons of 128 fluid ounces each.

(d) "Half barrels" shall mean a container for domestic malt beverages having a capacity of 15½ U. S. Standard gallons of 128 fluid ounces each.

(e) "Quarter barrel" shall mean a container for domestic malt beverages having a capacity of 7¾ U. S. Standard gallons of 128 fluid ounces each.

(f) "Eighth barrel" shall mean a container for domestic malt beverages having a capacity of 3¾ U. S. Standard gallons of 128 fluid ounces each.

(g) "Case" shall mean a container used for shipping or delivery to the wholesaler, retailer or consumer of domestic malt beverages in bottles or cans. When used in connection with the determination of maximum prices, "case" shall mean the container and its contents.

§ 1420.63 *Notification of adjustment; to wholesalers and retailers—*(a) *Where the manufacturer established maximum prices on the October 1 to 15, 1941 base period plus the material cost increase of 50 cents per barrel and excise tax increase of \$1.00 per barrel.* Beginning November 9, 1942 each brewer shall supply to each wholesaler and retailer whom such brewer serves and each wholesaler shall furnish to each retailer whom he supplies before or at the time of his first delivery of the domestic malt beverages to such purchaser, a written statement as follows:

The Office of Price Administration has authorized us to establish a new maximum price on domestic malt beverages based upon the highest price charged each class of purchasers during the period of October 1 to 15, 1941 inclusive (computed in the same manner as the March 1942 maximum price) plus an increase for material cost advances at the rate of 50 cents per barrel and for an excise tax increase at the rate of \$1.00 per barrel. Your new OPA ceiling price for each size of the domestic malt beverage noted below is either the highest price charged by you to each class of purchasers during the period of October 1 to October 15, 1941, inclusive, (computed in the same manner as the March 1942 ceiling price) plus the permitted increase in table 1, or your maximum March 1942 price as determined under the provisions of the General Maximum Price Regulation plus the permitted increase in table 2. No permitted increase is allowed on retail sales of a domestic malt beverage when sold on draught. The Office of Price Administration requires that you keep this notice for examination.

(Table 1 and Table 2 shall be quoted in full or the appropriate figures from both these tables pertaining to the particular

1942 for the territories and possessions of the United States.

§ 1420.66 Appendix A—(a) For manufacturers and wholesalers. The maximum price which a manufacturer or wholesaler may charge for a domestic malt beverage, except in 32-ounce containers, shall be the highest price charged by him for such domestic malt beverage during the period October 1 to 15, 1941 inclusive, plus the "permitted increase" set forth in the schedule of permitted increases in paragraph (c) (1) of this section, or the maximum price now established by such manufacturer or wholesaler under the pricing provisions of the General Maximum Price Regulation, plus the "permitted increase" for excise taxes only as specified in paragraph (c) (2) of this section.

(b) For retailers. (1) The maximum price which a retailer may charge for any domestic malt beverage, except in 32-ounce containers and except "to be sold on draught," shall be the highest price charged by him for such domestic malt beverage during the period October 1 to 15, 1941 inclusive, plus the "permitted increase" set forth in the schedule of permitted increases in paragraph (c) (1) of this section, or the maximum price now established by such retailer under the pricing provisions of the General Maximum Price Regulation plus the "permitted increase" for an increase in excise taxes only as specified in paragraph (c) (2) of this section.

(2) The maximum price which a retailer may charge for any domestic malt beverage "to be sold on draught," shall be the maximum price now established by such retailer under the pricing provisions of the General Maximum Price Regulation, and no increase in such maximum price may be made under §§ 1420.55 or 1420.66 hereof.

(c) Schedules of permitted increases—(1) Schedule of permitted increase for material costs and excise tax increase combined. (See Note A below.)

All permitted increases resulting in a fractional cent shall be raised to the next higher cent if the fraction is $\frac{1}{2}$ cent or more; but if the fraction is less than $\frac{1}{2}$ cent the retailer may not add it to his price.

(d) If any brewer or wholesaler shall make any sale or delivery between November 1 and November 9, 1942 at new maximum prices as provided in this Maximum Price Regulation No. 259, and written notification is not given at the time of delivery as provided in paragraph (a) or (b) of this section, he shall confirm the permitted increases made by him and direct the retailer as to the method of computing his new maximum price by supplying him with a written statement as specified in paragraphs (a) or (b) of this section by November 9, 1942.

(e) On any written notification required under this section the seller is directed to list only those portions of tables 1 and 2 which apply to the size and brands handled by him.

(f) No further notice to any particular buyer shall be required after the first notification to such buyer as to the seller's adjusted maximum price computed under § 1420.66 hereof unless such maximum price is further adjusted in accordance with the provisions under § 1420.55 for any new state tax imposed after the effective date of this regulation.

§ 1420.64 Geographical applicability. The provisions of this Maximum Price Regulation No. 259 shall be applicable to the forty-eight states, District of Columbia, the territories and possessions of the United States.

§ 1420.65 Effective date. This Maximum Price Regulation No. 259 (§§ 1420.51 to 1420.66, inclusive) shall become effective November 1, 1942 for the District of Columbia and the forty-eight states of the United States and shall become effective as of November 1,

1. 1942. Your new OPA ceiling price for each size of the domestic malt beverage specified is either the highest price charged by you to each class of purchasers during the period of October 1 to 15, 1941 inclusive (computed in the same manner as the March 1942 ceiling price) plus the permitted increase in table 1, or your maximum March 1942 price as determined under the provisions of the General Maximum Price Regulation plus the permitted increase in table 2. No permitted increase is allowed on retail sales of domestic malt beverages when sold on draught. The Office of Price Administration requires that you keep this notice for examination.

(Table 1 and Table 2 shall be quoted in full or the appropriate figures from both these tables pertaining to the particular transaction must be made a part of this written statement.)

(c) Tables.

TABLE 1

(You may add the permitted increases shown in this table to your October 1 to 15, 1941 selling price. Do not add these amounts to your March 1942 ceiling prices.)

Brand	Size	Unit of pack	Permitted increase	
			Per case	Per bottle
(Manufacturer or wholesaler shall insert here names of products subject to price adjustment.)	Barrel	Barrel	\$1.50 per barrel	
	$\frac{1}{2}$ barrel	$\frac{1}{2}$ barrel	\$0.75 per $\frac{1}{2}$ barrel	
	$\frac{1}{4}$ barrel	$\frac{1}{4}$ barrel	\$0.38 per $\frac{1}{4}$ barrel	
	$\frac{1}{8}$ barrel	$\frac{1}{8}$ barrel	\$0.19 per $\frac{1}{8}$ barrel	
	64 oz. bottles	Case of 6 bottles	15 cents	2½ cents.
	32 oz. bottles	Case of 12 bottles	11 cents	1 cent.
	16 oz. bottles	Case of 24 bottles	15 cents	1 cent.
	12 oz. bottles	Case of 24 bottles	11 cents	$\frac{1}{2}$ cent.
	11 oz. bottles	Case of 24 bottles	10 cents	$\frac{1}{2}$ cent.
	8 oz. bottles	Case of 48 bottles	15 cents	$\frac{1}{2}$ cent.
	7 oz. bottles	Case of 48 bottles	13 cents	$\frac{1}{4}$ cent.

TABLE 2

(You may add the permitted increases shown in this table to your March 1942 ceiling prices.)

Brand	Size	Unit of pack	Permitted increase	
			Per case	Per bottle
(Manufacturer or wholesaler shall insert here brand names of products subject to price adjustment.)	Barrel	Barrel	\$1.00 per barrel	
	$\frac{1}{2}$ barrel	$\frac{1}{2}$ barrel	\$0.50 per $\frac{1}{2}$ barrel	
	$\frac{1}{4}$ barrel	$\frac{1}{4}$ barrel	\$0.25 per $\frac{1}{4}$ barrel	
	$\frac{1}{8}$ barrel	$\frac{1}{8}$ barrel	\$0.125 per $\frac{1}{8}$ barrel	
	64 oz. bottles	Case of 6 bottles	10 cents	1½ cent.
	32 oz. bottles	Case of 12 bottles	7 cents	1 cent.
	16 oz. bottles	Case of 24 bottles	10 cents	$\frac{1}{2}$ cent.
	12 oz. bottles	Case of 24 bottles	7 cents	$\frac{1}{2}$ cent.
	11 oz. bottles	Case of 24 bottles	7 cents	$\frac{1}{2}$ cent.
	8 oz. bottles	Case of 48 bottles	10 cents	$\frac{1}{2}$ cent.
	7 oz. bottles	Case of 48 bottles	9 cents	1½ cents.

Size	Unit of pack	Permitted increase	
		Per case	Per bottle
Barrel.....	Barrel.....	\$1.50 per barrel.	
1/2 barrel.....	1/2 barrel.....	\$0.75 per 1/2 barrel.	
3/4 barrel.....	3/4 barrel.....	\$0.38 per 3/4 barrel.	
1/8 barrel.....	1/8 barrel.....	\$0.19 per 1/8 barrel.	
64 oz. bottles.....	Case of 6 bottles.....	15 cents.....	2 1/2 cents.
34 oz. bottles.....	Case of 12 bottles.....	15 cents.....	1 cent.
24 oz. bottles.....	Case of 12 bottles.....	11 cents.....	1 cent.
16 oz. bottles.....	Case of 24 bottles.....	15 cents.....	3/4 cent.
12 oz. bottles.....	Case of 24 bottles.....	11 cents.....	3/4 cent.
11 oz. bottles.....	Case of 24 bottles.....	10 cents.....	3/4 cent.
8 oz. bottles.....	Case of 48 bottles.....	15 cents.....	3/4 cent.
7 oz. bottles.....	Case of 48 bottles.....	13 cents.....	3/4 cent.

NOTE A: The permitted increase in this schedule includes the following:
 1. An increase for material costs at the rate of \$0.50 per barrel.
 2. An increase of \$1.00 per barrel to cover the increase in the Federal Excise Tax, effective November 1, 1942. See 1420.55 (d) above.

(2) Schedule of permitted increases for increases in excise tax only.

Size	Unit of pack	Permitted increase for excise tax only	
		Per case	Per bottle
Barrel.....	Barrel.....	\$1.00 per barrel.	
1/2 barrel.....	1/2 barrel.....	\$0.50 per 1/2 barrel.	
3/4 barrel.....	3/4 barrel.....	\$0.25 per 3/4 barrel.	
1/8 barrel.....	1/8 barrel.....	\$0.125 per 1/8 barrel.	
64 oz. bottles.....	Case of 6 bottles.....	10 cents.....	1 1/2 cents.
32 oz. bottles.....	Case of 12 bottles.....	10 cents.....	1 cent.
24 oz. bottles.....	Case of 12 bottles.....	7 cents.....	3/4 cent.
16 oz. bottles.....	Case of 24 bottles.....	10 cents.....	3/4 cent.
12 oz. bottles.....	Case of 24 bottles.....	7 cents.....	3/4 cent.
11 oz. bottles.....	Case of 24 bottles.....	7 cents.....	3/4 cent.
8 oz. bottles.....	Case of 48 bottles.....	10 cents.....	3/4 cent.
7 oz. bottles.....	Case of 48 bottles.....	10 cents.....	3/4 cent.

(d) Each seller must make a final election of the method to be used for the determination of his adjusted maximum price as provided herein not later than thirty days after the effective date of this Maximum Price Regulation No. 259.

(e) If the maximum price is a fractional cent price in the case of either single bottles or quantity sales he shall adjust the price to the next lower cent, if the fraction is less than one-half cent, or to the next higher cent, if the fraction is one-half a cent or greater.

(f) Method of determining maximum prices for domestic malt beverages in 32 ounce containers. The seller's maximum price for a domestic malt beverage in 32 ounce containers shall be the maximum price charged by him for 12 ounce containers during the period October 1 to 15, 1941 inclusive, multiplied by 1.22; *Provided*, That if in accordance with (1) the pricing provisions of the General Maximum Price Regulation, or (2) any order heretofore issued by the Office of Price Administration, the percentage spread between the seller's existing maximum price for 32 ounce and 12 ounce containers (determined by dividing the 32 ounce maximum price by the 12 ounce maximum price, after deducting any state taxes from both prices) is less than 1.22, the seller's maximum price for the 32 ounce container shall be the maximum price for the 12 ounce container during the period of October 1 to 15, 1941 inclusive, multiplied by such percentage spread. The permitted increase specified in paragraph (a) (2) of this section and any state tax may then be added to the result obtained.

(g) The "highest price charged during October 1 to 15, 1941 inclusive" as used in this section shall be:

(1) The highest price which the seller charged for a domestic malt beverage delivered by him during the period October 1 to 15, 1941 inclusive, to a purchaser of the same class; or

(2) If the seller made no such delivery during the period October 1 to 15, 1941 inclusive, his highest offering price for delivery during the period to a purchaser of the same class; or

(3) If the seller made no such delivery and had no such offering price to a purchaser of the same class, the highest price charged by the seller during the period October 1 to 15, 1941 inclusive to a purchaser of a different class, adjusted to reflect the seller's customary differentials between the two classes of purchasers: *Provided, however*, That if during the period October 1 to 15, 1941 inclusive, the seller raised his price for the delivery of a domestic malt beverage to his classes of purchasers generally and if during the period October 1 to 15, 1941 inclusive, he delivered such domestic malt beverage at the higher price to at least one class of purchasers, the highest price charged during the period October 1 to 15, 1941 inclusive for each class of purchasers.

(i) To which no delivery was made during such period at the higher price, and

(ii) To which no delivery was made during such period at a lower price after the price raise unless made pursuant to a firm commitment entered into before such a price raise shall be the seller's highest offering price for delivery to such class of purchasers during such period.

(h) If the seller's maximum price for a domestic malt beverage to be priced cannot be determined under any of the above paragraphs of this Section, the

seller's maximum price for a domestic malt beverage shall be the maximum price established under the provisions of this Maximum Price Regulation No. 259, for the most closely competitive seller of the same class for (1) the same domestic malt beverage or if the same domestic malt beverage is not sold or offered for sale then (2) a similar domestic malt beverage sold or offered for sale, for sales to purchasers of the same class.

(i) If the seller's maximum price for the domestic malt beverage to be priced cannot be determined under any of the above paragraphs of this section, the seller's maximum price shall be determined in accordance with § 1499.3 of the General Maximum Price Regulation.

Issued this 2d day of November 1942.

LEON HENDERSON,
 Administrator.

[F. R. Doc. 42-11309; Filed, November 2, 1942; 5:01 p. m.]

PART 1499—COMMODITIES AND SERVICES
 [Supp. Reg. 14¹ of GMPR, Amendment 52]

DISTILLED SPIRITS AND WINES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new subparagraph (38) is added to paragraph (a) of §1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(38) *Imported distilled spirits and imported wines*—(i) *Maximum prices for imported distilled spirits.* (a) Any seller of imported distilled spirits may add to the maximum price established for him under §1499.2, with respect to any brand, type, quality and container size of imported distilled spirits, the following:

(1) The amount of any new tax or any increase in an existing tax incident to the sale, delivery, processing or use thereof which is imposed upon such seller or any prior vendor after March 31, 1942, with respect to imported distilled spirits by any statute of the United States, or statute or ordinance of any state or subdivision thereof: *Pro-*

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

¹ 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524.

² 7 F.R. 3153, 3030, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5665, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431.

vided, That such tax or increase in such tax shall be a floor-stocks tax and the amount thereof shall have been paid or shall have accrued and be payable by such seller to the proper taxing authorities or to any prior vendor, with respect to the particular quantity of such imported distilled spirits in question.

(2) Subject to the provisions of interior subdivision (b) of subdivision (i), hereinafter set forth, the amount of any such new tax other than a floor-stocks tax, or any increase in any such existing tax other than a floor-stock tax, imposed upon such seller or any prior vendor after March 31, 1942, with respect to imported distilled spirits by any statute of the United States or statute or ordinance of any state or subdivision thereof: *Provided*, That the amount of such tax or increase in such tax shall have been paid or shall have accrued and be payable by such seller to the proper taxing authorities or to any prior vendor, with respect to the particular quantity of such imported distilled spirits in question.

(b) *Liquidation of inventory.* Before selling any quantity of any brand, type, quality and container size of imported distilled spirits at an increased maximum price pursuant to (i) (a) (2) hereof, each and every seller shall first sell a quantity thereof equal to the quantity of his floor-stocks, if any, with respect to which no new or increased tax has been imposed or for which his maximum price has been increased by a lesser amount pursuant to subdivision (i) (a) (1) hereof.

(ii) *Maximum price for imported wines.* (a) Any seller of imported wines may add to the maximum price established for him under § 1499.2 with respect to any brand, type, quality and container size of imported wines the following:

(1) The amount of any new tax or any increase in an existing tax incident to the sale, delivery, processing or use thereof which is imposed upon such seller or any prior vendor after March 31, 1942, with respect to imported wines by any statute of the United States or statute or ordinance of any state or subdivision thereof: *Provided*, That the amount of such tax or increase in such tax shall have been paid or shall have accrued and be payable by such seller to the proper taxing authorities or to any prior vendor, with respect to the particular quantity of such imported wines in question.

(b) *Liquidation of inventory.* Before selling any quantity of any brand, type, quality and container size of imported wines at an increased maximum price pursuant to (ii) (a) (1) hereof, each and every seller shall first sell a quantity thereof equal to the quantity of his floor-stocks, if any, with respect to which no new or increased tax has been imposed.

(iii) *Notification.* When a seller, other than sellers at retail, pursuant to subdivisions (i) or (ii) hereof, sells any brand, type, quality and container size of imported distilled spirits or imported wines at a price in excess of the maximum prices established for him with respect thereto under § 1499.2 such seller shall:

(a) Compute the total permitted tax increase per case authorized under (i) or (ii) hereof on the basis of the number of gallons or fractional gallons of each brand, type, quality and container size of imported distilled spirits or imported wines contained in the particular case.

(b) Divide the total permitted tax increase per case computed under (a) with respect to each brand, type and quality of imported distilled spirits or imported wines within the particular case by the number of individual containers of that brand, type, quality and container size of imported distilled spirits or imported wines within such case.

(c) Adjust the figures arrived at under (b) to the next higher even cent if the fraction is $\frac{1}{2}$ cent or over, and to the next lower even cent if the fraction is less than $\frac{1}{2}$ cent. The resulting figure shall be the permitted tax increase per individual container for each brand, type and quality of imported distilled spirits or imported wines within the particular case.

(d) Notify purchasers in writing as follows:

(1) If the purchaser is a wholesaler, he shall be notified of the total permitted tax increase per case computed under (a) with respect to each brand, type, quality and container size of imported distilled spirits or imported wines within the particular case.

(2) If the purchaser is a retailer he shall be notified of the purchaser's permitted tax increase per case arrived at under (a) and per individual container arrived at under (c) with respect to each brand, type, quality and container size of imported distilled spirits or imported wines within the particular case. Such notification shall be accomplished by a written statement upon or attached to the invoice issued by the seller in connection with the particular transaction. No notification shall be required after the first notification to any particular purchaser with reference to any brand, type, quality and container size of imported distilled spirits or imported wines unless the permitted tax increase is further adjusted pursuant to the provisions hereof.

(iv) *Computation of permitted tax increase per unit served by retailers other than packaged-goods retailers.* If the seller is a retailer, other than a packaged goods retailer, he shall compute the amount of the permitted tax increase per individual unit or drink served by dividing the amount of the permitted tax increase per container size by the number of particular units or drinks of equal quantity customarily derived by such seller from the particular container size. The figures thus arrived at shall be adjusted to the next higher even cent if the fraction is $\frac{1}{2}$ cent or over, and to the next lower even cent if the fraction is less than $\frac{1}{2}$ cent. The resulting figure shall be the permitted tax increase per individual unit or drink served by such sellers of imported distilled spirits or imported wines.

(v) *Definitions.* (a) "Container" when used in connection with imported dis-

tilled spirits shall mean a liquor bottle or other closed receptacle of imported distilled spirits; and when used in connection with imported wines shall mean any bottle, cask or other closed receptacle irrespective of size or of the material from which made.

(b) "Imported distilled spirits" shall mean any alcoholic distillate fit for beverage purposes, such as whiskey, gin, rum, liqueurs, cordials, and bitters; and all compounds, by whatever name called, containing distilled spirits and fit for beverage purposes (but shall not include wine as defined in (c), containing 24 per centum or less of alcohol by volume) produced outside of the continental United States or its territories and possessions and introduced into the continental United States.

(c) "Imported wines" shall mean still wines, including vermouth, artificial or imitation wines or compounds sold as still wines, champagne or sparkling wines, and artificially carbonated wines; and liqueurs, cordials, or similar compounds, by whatever name sold or offered for sale, made with wine containing not over 24 per centum of alcohol by volume and fortified with brandy only; produced outside of the continental United States or its territories and possessions and introduced into the continental United States.

(vi) *Applicability.* The provisions of this subparagraph (38) shall be applicable to the United States and the District of Columbia.

(b) *Effective dates.* * * *

(53) Amendment No. 52 (§ 1499.73 (a) (38)) to Supplementary Regulation No. 14 shall become effective as of November 1, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11310; Filed, November 2, 1942;
5:01 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Supp. Reg. 14¹ of GMPR Amendment 53²]

WINES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new subparagraph (39) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the Gen-*

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

¹ 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6792, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707.

² 7 F.R. 3153, 3030, 3665, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5665, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431.

eral Maximum Price Regulation for certain commodities, services and transactions. (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(39) *Fruit wines, berry wines and grape wines (other than California grape wines).* (i) *Maximum prices; permitted tax increases.* (a) Any seller of fruit wines, berry wines and grape wines (other than California grape wines) may add to the maximum price established for him under § 1499.2, with respect to any brand, type, quality and container size of such wines, the following:

(1) The amount of any new tax or any increase in an existing tax incident to the sale, delivery, processing or use thereof which is imposed upon such seller or any prior vendor after March 31, 1942, with respect to fruit wines, berry wines and grape wines (other than California grape wines) by any statute of the United States or statute or ordinance of any state or subdivision thereof: *Provided*, That the amount of such tax or increase in such tax shall have been paid or shall have accrued and be payable by such seller to the proper taxing authorities or to any prior vendor, with respect to any particular quantity of such fruit wines, berry wines and grape wines (other than California grape wines) in question.

(b) *Liquidation of inventory.* Before selling any quantity of any brand, type, quality and container size of fruit wines, berry wines and grape wines (other than California grape wines) at an increased price pursuant to (i) (a) (1) hereof, each and every seller shall first sell a quantity thereof equal to the quantity of his floor-stocks, if any, upon which no new or increased tax has been imposed.

(ii) *Notification.* When a seller of any class as set forth below, other than sellers at retail, pursuant to subdivision (i) hereof, sells any brand, type, quality and container size of fruit wines, berry wines and grape wines (other than California grape wines) at a price in excess of the maximum prices established for him with respect thereto under § 1499.2, such seller shall:

(a) *Vintner.* (1) The vintner shall compute the total tax increase per gallon authorized under (i) hereof, for each brand, type and quality of fruit wines, berry wines and grape wines (other than California grape wines) sold in any particular transaction.

(b) *Bottlers and wholesalers.* (1) The bottler and wholesaler shall convert the total tax increase per gallon into a permitted tax increase per case on the basis of the number of gallons or fractional gallons of each brand, type and quality of such wine within the particular case.

(2) The bottler and wholesaler shall divide the total permitted tax increase per case computed under (b) (1) with respect to each brand, type and quality of such wine within the particular case by the number of individual containers of that brand, type, quality and container size of such wine within the particular case.

(3) The bottler and wholesaler shall adjust the figure arrived at under (2) to the next higher even cent if the fraction is $\frac{1}{2}$ cent or over and to the next lower even cent if the fraction is less than $\frac{1}{2}$ cent. The resulting figures shall be the permitted tax increase per individual container for each brand, type and quality of such wine within the particular case.

(c) Notify purchasers in writing as follows: (1) If the purchaser is a bottler, he shall be notified of the total tax increase per gallon computed under (a) with respect to each brand, type and quality of such wine sold.

(2) If the purchaser is a wholesaler, he shall be notified of the total permitted tax increase per case computed under (b) (1) with respect to each brand, type and quality of such wine within the particular case.

(3) If the purchaser is a retailer he shall be notified of the permitted tax increase per case arrived at under (b) (2) and per individual container arrived at under (b) (3) with respect to each brand, type, quality and container size of such wine within the particular case.

Such notification shall be accomplished by a written statement upon or attached to the invoice issued by the seller in connection with the particular transaction. No notification shall be required after the first notification to any particular purchaser with reference to any brand, type, quality and container size of fruit wine, berry wine and grape wine (other than California grape wine), unless the permitted tax increase with reference thereto is further adjusted pursuant to the provisions hereof.

(iii) *Definition.* (a) "Berry wines" as used herein shall mean any wines manufactured exclusively from berries in accordance with sections 3032 and 3044 of the Internal Revenue Code.

(b) "Container" as used herein shall mean any cask, bottle or other closed receptacle irrespective of size or of the material from which made.

(c) "Fruit wines" as used herein shall mean any wines manufactured exclusively from fruits other than grapes in accordance with sections 3032 and 3044 of the Internal Revenue Code.

(d) "Grape wines" as used herein shall mean any wines produced from grapes in accordance with sections 3032, 3036 and 3044 of the Internal Revenue Code, and manufactured outside of the state of California.

(iv) *Applicability.* The provisions of this subparagraph (39) shall be applicable to the United States and the District of Columbia.

(b) *Effective dates.* * * *

(54) Amendment No. 53 (§ 1499.73 (a) (39)) to Supplementary Regulation No. 14 shall be effective as of November 1, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11311; Filed, November 2, 1942; 5:03 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Supp. Reg. 14¹ to GMPR Amendment 54²]

CALIFORNIA GRAPE WINE, ETC.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register. A new subparagraph (40) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter set forth:

(40) *California grape wine and California grape spirits—(i) Vintners' maximum prices for California grape wine—(a) Wine in bulk in carload lots.* On and after November 1, 1942, the maximum prices for vintners with respect to California grape wine in bulk in carload lots shall be as follows:

	<i>Cents per gallon, naked, f. o. b. winery</i>
Dessert wine.....	30
Table wine.....	21 $\frac{1}{2}$

Provided, That if the maximum price established for any particular vintner under § 1499.2 with respect to California grape wine in bulk in carload lots is higher than the maximum prices set forth above, such vintner may continue to charge the maximum price established under § 1499.2.

(b) *All wines; permitted increase.* On and after November 1, 1942, any vintner may add to the maximum prices established for him under § 1499.2 or under (a) hereof, with respect to California grape wine, a permitted increase per gallon computed as hereinafter set forth. For the purposes of such computation each vintner shall:

(1) Compute the weighted average price per ton paid by him during the 1941 season for grapes for crushing purposes.

(2) Compute the weighted average price per ton paid or contracted to be paid by him during the 1942 season up to and including October 27, 1942 for grapes to be crushed for wine.

(3) Subtract the amount computed under (1) from the amount computed under (2). The resulting amount so arrived at, or \$8.30, whichever is the lower, shall be the "allowable grape cost increase." In the case of growers' cooperatives operating wineries and in the case of vintners who grow more than 50 percent of the grapes crushed and to be crushed by them, the "allowable grape cost increase" shall be the difference be-

¹ 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6773, 6774, 6775, 6793, 6887, 6992, 6776, 6989, 7011, 7012, 6965, 7250, 7289, 7203, 7385, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7635, 7739, 7671, 7812, 7914, 7946, 8257, 8024, 8199, 8351, 8358, 8524, 8652, 8707.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5776, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6989, 7093, 7322, 7454, 7758, 7913, 8431.

tween the average price paid per ton during the 1941 season for all California grapes crushed for wine and brandy (\$19.90 per ton) and the average price per ton paid or contracted to be paid for all California grapes purchased during the 1942 season up to and including October 27, 1942 for crushing into wine and brandy, as published by the United States Department of Agriculture, or \$8.30, whichever is the lower.

(4) Compute the number of tons of grapes acquired or contracted to be acquired by him during the 1942 season up to and including October 27, 1942 for crushing for wine and make a bona fide estimate of the number of additional tons of grapes which will be acquired by him during the remainder of the 1942 season for crushing for wine. The sum of the number of tons of grapes acquired or contracted to be acquired and of the estimated number of additional tons of grapes to be acquired shall be the "estimated 1942 grape tonnage."

(5) Multiply his "allowable grape cost increase" computed under (3) by his "estimated 1942 grape tonnage" computed under (4).

(6) Convert his "estimated 1942 grape tonnage" into his "estimated 1942 crush" on the basis of 80 gallons of dessert wine per ton of grapes, 160 gallons of table wine per ton of grapes.

(7) Multiply his "estimated 1942 crush" computed under (6) by 1.7 cents per gallon for the gallons of dessert wine and 0.85 cents per gallon for the gallons of table wine.

(8) Divide the dollar amount computed under (5) into two parts proportionately to the gallons of dessert wine and the gallons of table wine in his "estimated 1942 crush" computed under (6).

(9) Add the dollar amount computed under (7) for dessert wine to the dollar amount computed under (8) for dessert wine and add the dollar amount computed under (7) for table wine to the dollar amount computed under (8) for table wine. These sums shall be respectively the vintner's "total dollar allowance" for dessert wine and for table wine.

(10) Compute in gallons his total inventory of dessert wine and of table wine respectively as of October 27, 1942, (including such portion of his 1942 crush, if any, then on hand) and add the remainder of his estimated 1942 crush of dessert wine and of table wine respectively. The remainder of his estimated 1942 crush shall be computed by converting into gallons the portion of his estimated 1942 grape tonnage remaining to be crushed on the basis of 80 gallons of dessert wine per ton of grapes or 160 gallons of table wine per ton of grapes. The sum of his total inventory of dessert wine and of table wine respectively as of October 27, 1942 and the remainder of his estimated 1942 crush of dessert wine and of table wine respectively shall be his "total gallonage" of dessert wine and of table wine respectively.

(11) Divide his "total dollar allowance" for dessert wine and for table wine respectively computed under (9) by his "total gallonage" of dessert wine and of table wine respectively computed under (10). The resulting figure shall be the

"permitted increase per gallon" for dessert wine and for table wine respectively: *Provided*, That in the case of concentrates and condensed grape must, the "permitted increase per gallon" shall be increased in proportion to the ratio of concentration or condensation.

(c) *All wines; taxes.* Any vintner may at any time add to the maximum prices established for him with respect to California grape wine the amount of any new tax or any increase in an existing tax incident to the sale, processing or use thereof imposed upon the vintner after March 31, 1942 by any statute of the United States or any statute or ordinance of any State or subdivision thereof: *Provided*, That such amount has actually been paid or will be payable by the vintner with respect to the particular quantity of California grape wine in question.

(ii) *Bottler's maximum prices for California grape wine—(a) All wines; permitted increase.* On and after November 1, 1942, any bottler may add to the maximum prices established for him under § 1499.2 with respect to any brand, type and quality of California grape wine a permitted increase per case computed as hereinafter set forth. For the purposes of such computation, each bottler shall:

(1) Compute the weighted average cost per gallon to the bottler of the quantity of each brand, type and quality of California grape wine sold by the bottler during March 1942 or during the bottler's customary fiscal month ending nearest to March 31, 1942. Cost per gallon shall be figured on a naked, f. o. b. winery basis.

(2) Compute the weighted average cost per gallon to the bottler of his first purchase of the same brand, type and quality of California grape wine purchased by him at a price adjusted under (i) hereof. Cost per gallon shall be figured on a naked, f. o. b. winery basis in the same containers as those used during March 1942.

(3) Subtract the figure computed under (1) from the figure computed under (2). The resulting figure shall be the permitted increase per gallon with respect to the quantity of each brand, type and quality of California grape wine to be sold by the bottler during November 1942.

(4) Compute the weighted average cost per gallon to the bottler of the quantity of each brand, type and quality of California grape wine purchased by the bottler during each calendar month commencing with November 1942 or during the bottler's customary fiscal month ending nearest to the end of the corresponding calendar month. Cost per gallon shall be figured on a naked, f. o. b. winery basis in the same containers as those used during March 1942.

(5) Subtract the figure computed under (1) from the figure computed for each month or fiscal month under (4). The resulting figure shall be the permitted increase per gallon with respect to the quantity of each brand, type, and quality of California grape wine sold by the bottler during the following calendar month or fiscal month.

(6) No bottler may increase his adjusted maximum price computed under

(3) with respect to any brand, type and quality of California grape wine unless (i) his adjusted maximum price therefore computed under (5) for any subsequent calendar or fiscal month exceeds his adjusted maximum price therefore computed under (3) by two or more cents per gallon and (ii) the quantity of the particular brand, type and quality of California grape wine upon which his adjusted maximum price is computed under (5) is equal to the monthly average of his purchases of that brand, type and quality of California grape wine during the preceding twelve months. No bottler shall be required to decrease his adjusted maximum price computed under (3) with respect to any brand, type and quality of California grape wine unless his adjusted maximum price therefor computed under (5) for any subsequent calendar or fiscal month is less than his adjusted maximum price therefor computed under (3) by two or more cents per gallon: *Provided*, That, in no case, shall the bottler be required to reduce any adjusted maximum price below the maximum price established under § 1499.2.

(7) Convert the permitted increase per gallon into a permitted increase per case on the basis of the number of gallons or fractional gallons of each brand, type and quality of California grape wine contained in the particular case.

(b) *All wines; taxes.* (1) Any bottler may at any time add to the maximum prices established for him with respect to California grape wine the amount of any new tax or any increase in an existing tax incident to the sale, delivery, processing or use thereof imposed upon the bottler after March 31, 1942 by any statute of the United States or any statute or ordinance of any State or subdivision thereof: *Provided*, That such amount has actually been paid or will be payable by the bottler to the proper taxing authorities with respect to the particular quantity of California grape wine in question. After any bottler has adjusted his maximum price under (ii) (a), the provisions of this inferior subdivision (b) shall no longer be applicable to the Federal Floor Stocks Tax imposed in connection with the increases in Federal Excise Taxes which become effective November 1, 1942.

(2) The bottler shall convert the permitted increase with respect to taxes into a permitted increase per case on the basis of the number of gallons or fractional gallons of each brand, type, and quality of California grape wine contained in the particular case.

(c) *Notification.* When any bottler, pursuant to (ii) (a) and/or (ii) (b) hereof, sells any quantity of any brand, type, quality and container size of California grape wine at a price in excess of the maximum prices established with respect thereto under § 1499.2, the bottler shall:

(1) Compute the total permitted increase per case authorized under (ii) (a) and/or (ii) (b) hereof with respect to each brand, type and quality of California grape wine contained in the particular case and adjust the figure or figures arrived at to the next higher even

cent if the fraction is 1/2 cent or over and to the next lower even cent if the fraction is less than 1/2 cent.

(2) Notify purchasers in writing as follows:

(i) If the purchaser is a wholesaler, he shall be notified of the "total permitted increase per case" computed under (1) with respect to each brand, type and quality of California grape wine contained in the particular case.

(ii) If the purchaser is a retailer, commencing November 9, 1942, each bottler shall supply every retailer, on or before his first delivery of each brand, type, quality and container size of California grape wine to such retailer, a written statement as follows, and shall confirm any sales or deliveries of California grape

wine made to any retailer after November 1, 1942, and prior to November 9, 1942, by a written statement as follows:

The Office of Price Administration has authorized us to increase our March 1942 maximum prices for California grape wine to reflect increases in the Federal Excise Taxes effective November 1, 1942 and vintners' permitted increases. Your new OPA ceiling price for each California Dessert Wine noted in Table I is your March 1942 ceiling price plus the "permitted increase" for each respective container size. Your new OPA ceiling price for each California Table Wine noted in Table II is your March ceiling price plus the "permitted increase" for each respective container size. These new "permitted increases" to your ceiling prices include all Federal Excise Taxes; you may add no more. OPA requires you to keep this notice for examination.

amounts per bottle of dessert wine and table wine:

Size	Cents per bottle	
	Dessert wine	Table wine
1/2 pint.....	1	1
3/10 gallon.....	2	1
1 pint.....	3	1
3/8 gallon.....	5	2
1 quart.....	6	2
1/2 gallon.....	12	5
1 gallon.....	23	9

(b) All wines; taxes. Any retailer may at any time add to the maximum price established for him with respect to California grape wines the amount of any new tax or any increase in an existing tax incident to the sale, delivery, processing or use thereof imposed upon the retailer or any prior vendor after March 31, 1942, by any statute of the United States or any statute or ordinance of any state or subdivision thereof: *Provided*, That such amount has actually been paid or will be payable by the retailer to the proper authorities or to any prior vendor with respect to the particular quantity of California grape wine in question. Retailers shall adjust the amount of any new or increased tax per container size to the next higher even cent if the fraction is 1/2 cent or over and to the next lower cent if the fraction is less than 1/2 cent. The provisions of this inferior subdivision (b) shall not apply to the increases in the Federal Excise Taxes which become effective November 1, 1942, as such tax increases are included in the retailers' adjustments provided in (iv) (a).

(v) Distillers' maximum prices for California grape spirits—(a) Permitted increase. On and after November 1, 1942, any distiller may add to the maximum prices established for him under § 1499.2, with respect to California grape spirits, a permitted increase per gallon computed as hereinafter set forth. For the purposes of such computation, each distiller shall:

(1) Compute the weighted average price per ton paid by him during the 1941 season for grapes for crushing purposes.

(2) Compute the weighted average price per ton paid or contracted to be paid by him during the 1942 season up to and including October 27, 1942 for grapes to be crushed for grape spirits.

(3) Subtract the amount computed under (1) from the amount computed under (2). The resulting figure so arrived at, or \$8.30, whichever is the lower, shall be the "allowable grape cost increase." In the case of growers' cooperatives operating distilleries and in the case of distillers who grow more than 50 percent of the grapes crushed and to be crushed by them, the "allowable grape cost increase" shall be the difference between the average price per ton paid during the 1941 season for all California grapes crushed for wine and brandy (\$19.90 per ton) and the average price per ton paid or contracted to be paid for all California grapes purchased during the 1942 season up to and including October 27, 1942, for crushing into wine

TABLE I

California dessert wines			Permitted increase per bottle (amount retailer may add to March ceiling price)
Brand	Type	Container size	
.....	1/2 pt.....	Cents 1
.....	3/10.....	2
.....	1 pint.....	3
.....	3/8.....	5
.....	1 quart.....	6
.....	1/2 gal.....	12
.....	1 gallon.....	23

TABLE II

			Cents
.....	
.....	.....	3/10.....	1
.....	.....	1 pint.....	1
.....	.....	3/8.....	2
.....	.....	Quart.....	2
.....	.....	1/2 gal.....	5
.....	.....	Gallon.....	9

No notification shall be required after the first notification to any particular buyer of the bottlers' adjusted maximum price computed under (ii) (a) (3) and/or (ii) (b) hereof unless such maximum price is further adjusted upward or downward under (ii) (a) (3) and/or (ii) (b) hereof.

(iii) Wholesalers' maximum prices for California grape wine—(a) All wines; permitted increase. On and after November 1, 1942, after notification by the bottler pursuant to (ii) (c) (2) (i), any wholesaler may add to the maximum prices established for him under § 1499.2 with respect to any brand, type, quality and container size of California grape wine, the amounts set forth in the notice from the bottler. If such amounts are subsequently increased or decreased, after notification by the bottler pursuant to (ii) (c) (2) (i), any wholesaler may add the increase and must subtract the decrease from his adjusted maximum price.

(b) All wines; taxes.

(1) Any wholesaler may at any time add to the maximum prices established for him with respect to California grape wine the amount of any new or any increase in an existing tax incident to the sale, delivery, processing or use thereof imposed upon the wholesaler after March 31, 1942, by any statute of the United States or any statute or ordinance of any state or subdivision thereof: *Pro-*

vided, That such amount has actually been paid or will be payable by the wholesaler to the proper taxing authorities with respect to the particular quantity of California grape wine in question.

(2) The wholesaler shall convert the permitted increase with respect to taxes into a permitted increase per case on the basis of the number of gallons or fractional gallons of each brand, type and quality of California grape wine contained in the particular case. The figures so arrived at shall be adjusted to the next higher even cent if the fraction is 1/2 cent or over and to the next lower even cent if the fraction is less than 1/2 cent.

(c) Notification. When any wholesaler, pursuant to (iii) (a) and/or (iii) (b), sells any quantity of any brand, type, quality and container size of California grape wine at a price in excess of the maximum prices established with respect thereto under § 1499.2, the wholesaler shall notify retailers in writing according to the provisions of (ii) (c) (1) (ii) hereof in all respects as if such wholesaler were a bottler.

(iv) Retailers' maximum prices for California grape wine—(a) On and after November 1, 1942, any retailer may add to the maximum prices established for him under § 1499.2 with respect to any brand, type, quality and container size of California grape wine, the following

and brandy, as published by the United States Department of Agriculture, or \$8.30, whichever is the lower.

(4) Compute the number of tons of grapes acquired or contracted to be acquired by him during the 1942 season up to and including October 27, 1942 for crushing for grape spirits and make a bona fide estimate of the number of additional tons of grapes which will be acquired by him during the remainder of the 1942 season for crushing for grape spirits. The sum of the number of tons of grapes acquired or contracted to be acquired and the estimated number of additional tons of grapes to be acquired shall be the "estimated 1942 grape tonnage."

(5) Multiply his "allowable grape cost increase" computed under (3) by his "estimated 1942 grape tonnage" computed under (4).

(6) Convert his "estimated 1942 grape tonnage" into his "estimated 1942 crush" on the basis of 40 gallons of grape spirits per ton of grapes.

(7) Divide the dollar amount computed under (5) by his "estimated 1942 crush" computed under (6). The resulting figure shall be the "permitted increase per gallon."

(b) *Taxes.* Any distiller may, at any time, add to the maximum prices established for him with respect to California grape spirits the amount of any new tax or any increase in an existing tax incident to the sale, delivery, processing or use thereof imposed upon the distiller after March 31, 1942, by any statute of the United States or any statute or ordinance of any state or subdivision thereof; *Provided*, That such amount has actually been paid or will be payable by the distiller with respect to the particular quantity of California grape spirits in question.

(vi) (a) *Records and reports.* Each vintner of California grape wine and each distiller of California grape spirits shall preserve for so long as the Emergency Price Control Act of 1942 remains in effect, all his existing records relating (1) to the number of tons of grapes purchased by him during the 1941 season for crushing purposes and to the prices paid therefor, and (2) to the number of tons of grapes purchased or contracted to be purchased by him during the 1942 season prior to the effective date hereof for crushing respectively for wine and/or grape spirits and to the prices paid or contracted to be paid therefor.

(b) Each vintner of California grape wine and each distiller of California grape spirits shall make and preserve for so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records relating to the number of tons of grapes purchased by him during the 1942 season subsequent to the effective date hereof, for crushing respectively for wine and/or grape spirits and to the prices paid therefor.

(c) On or before November 15, 1942 each vintner of California grape wine and each distiller of California grape spirits shall submit to the Office of Price Administration, Washington, D. C., a statement under oath showing in full the method

by which he computed his permitted increase for all wines under (i) (b) hereof and/or his permitted increase for grape spirits under (v) (a) hereof. Each vintner shall show steps (1) to (11) inclusive, under (i) (b), and each distiller shall show steps (1) to (7) inclusive under (v) (a).

(d) On or before January 15, 1943, each vintner of California grape wine and each distiller of California grape spirits shall submit to the Office of Price Administration, Washington, D. C., a statement under oath showing (1) the number of tons of grapes actually purchased by him during the 1942 season for crushing respectively for wine and/or grape spirits and the total price actually paid therefor, (2) the total number of gallons of unfinished wine purchased by him from November 1, 1942 to December 31, 1942 and the total price paid therefor, and (3) the weighted average selling price per gallon charged by him for dessert wine and for table wine in carload lots, naked, f. o. b. winery from November 1, 1942 to December 31, 1942.

(vii) *Corrections of permitted increases by the Office of Price Administration.* The Office of Price Administration or any duly authorized officer thereof may by order adjust the permitted increase computed by any vintner under (i) (b) hereof or by any distiller under (v) (a) hereof if the statement required to be submitted by such vintner or distiller under (vi) (d) hereof demonstrates that

(a) The weighted average price per ton of grapes computed under (i) (b) (2) or under (v) (a) (2) hereof is substantially above or below the weighted average price per ton actually paid by the vintner or distiller during the 1942 season for grapes for crushing respectively for wine and/or grape spirits or

(b) The "estimated 1942 grape tonnage" computed under (i) (b) (4) or under (v) (a) (4) hereof, is substantially above or below the number of tons of grapes actually purchased by the vintner or distiller during the 1942 season for crushing respectively for wine and/or grape spirits.

(viii) *Determination of maximum prices by reference to maximum prices of most closely competitive seller.* If the seller's maximum price for any brand, type, grade and quality of California grape wine or for California grape spirits cannot be determined under (i) to (v) inclusive hereof, the seller's maximum price therefor shall be the maximum price established under (i) to (v) inclusive hereof for the most closely competitive seller of the same class for the same brand, type, and quality of California grape wine and for the same California grape spirits or for the similar commodities most nearly like them (as such term is defined in § 1499.2) for sales to a purchaser of the same class.

(ix) *Definitions.* (a) "Vintner" means any person who produces or manufactures grape wine in a Federal bonded winery.

(b) "Distiller" means any vintner or other person who produces or manufac-

tures grape spirits in a Federal bonded winery or distillery.

(c) "Bottler" means any person who packages wines for sale in containers of less than 5 gallons each.

(d) "California grape wine" means grape wine produced in the State of California.

(e) "Grape wine" means grape wine produced in accordance with sections 3032, 3036, and 3044 of the Internal Revenue Code.

(f) "Dessert wine" means grape wine having an alcoholic content in excess of 14% by volume but not in excess of 21% by volume to which wine spirits have been added in accordance with section 3032, of the Internal Revenue Code; the term "Dessert wine" shall also include finished blending wine conforming to the definition of dessert wine but having an alcoholic content of over 21% by volume and not over 24% by volume.

(g) "Table wine" means grape wine other than "Dessert wine".

(h) "California grape spirits" means grape spirits produced in the State of California.

(i) "Grape spirits" means wine spirits produced from grapes in accordance with section 3036 of the Internal Revenue Code, but does not include commercial brandy.

(j) "Naked, f. o. b. winery" means a price at the California winery exclusive of California State marketing tax and not including cost of containers or loading charges.

(k) "Weighted average price" means the total purchase price paid for any commodity in any particular period, divided by the total number of units of the commodity purchased during such period.

(l) "Container size" means any weight or unit in which California grape wine in lots of less than 5 gallons is sold to the ultimate consumer.

(m) "1941 season" means the period from September 1, 1942 to August 31, 1942.

(n) "1942 season" means the period from September 1, 1942 to August 31, 1943.

(o) "Concentrates" and "Condensed grape must" mean boiled or condensed grape juices or grape must concentrated to not more than 80° (Ballings).

(p) "Grape must" means the juice of sound, ripe grapes.

(x) *Applicability.* The provisions of this subparagraph (40) shall be applicable to the United States and the District of Columbia.

(b) *Effective dates.* * * *

(55) Amendment No. 54 (§ 1499.73 (a) (40)) to Supplementary Regulation No. 14 shall be effective as of November 1, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F.R. Doc. 42-11296; Filed November 2, 1942; 4:55 p. m.]

[Supp. Reg. 14¹ to GMPR,² Amendment 55]

IMPORTED DISTILLED SPIRITS, ETC.

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.* A new subparagraph (41) is added to paragraph (a) of § 1499.73 as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter set forth:

(41) *Imported distilled spirits and all wines; automatic adjustments for monopoly states*—(i) *Permitted increases.* In the event that any vendor of imported distilled spirits or wines, whether domestic or imported, is permitted to increase his maximum price to any Monopoly State for any imported distilled spirits or wines to cover any increased cost other than new or increased taxes, such Monopoly State may adjust its maximum prices for such imported distilled spirits or wines by applying to the gross adjusted price (exclusive of new or increased taxes) charged to it by such vendor, the statutory or discretionary percentage mark-up in effect in such Monopoly State on March 31, 1943. In applying such percentage mark-up any Monopoly State may follow its practice as of March 31, 1942 with respect to the disposition of fractional and odd cents.

(ii) *New or increased taxes.* In the event that any vendor of imported distilled spirits or wines, whether domestic or imported, is permitted to increase his maximum price to any Monopoly State for any imported distilled spirits or wines to cover new or increased taxes, such Monopoly State may add to its maximum prices for such imported distilled spirits or wines as adjusted under subparagraph (i) above, the exact amount per case and per container which is furnished to it by its vendor pursuant to subparagraph (iii) below.

(iii) *Notification to monopoly states.* Any vendor who sells any imported distilled spirits or wines, whether domestic or foreign, to any monopoly state shall state upon the face of the invoice covering any particular transaction or upon a written notice prior to shipment (a) the gross adjusted price exclusive of any new or increased taxes for each brand, type, quality and container size of imported distilled spirits or wines included in the particular transaction and (b) the amount of any new or increased tax with

respect to each brand, type, quality and container size of imported distilled spirits or wines included in the particular transaction: *Provided*, That no notification shall be required after the first notification to any particular monopoly state unless the vendor's maximum price is further adjusted or other new or increased taxes are imposed. The total amount of any new or increased tax shall be computed on the basis of the number of gallons or fractional gallons of the particular brand, type, and quality of imported distilled spirits or wines contained in the particular case. The total amount of any new or increased tax so computed shall then be divided by the number of containers in the case of the particular brand, type, and quality of imported distilled spirits or wines. The figures so arrived at per case and per container shall then be adjusted to the next higher even cent if the fraction is $\frac{1}{2}$ cent or more, and to the next lower even cent if the fraction is less than $\frac{1}{2}$ cent. The final adjusted figures per case and per container shall be the figures stated with respect to new or increased taxes on the invoice or written notice as provided above.

(iv) *Definitions.* (a) "Imported distilled spirits" means imported distilled spirits as defined in Amendment No. 52 to Supplementary Regulation 14 to the General Maximum Price Regulation.

(b) "Wines" means imported wines as defined in Amendment No. 52 to Supplementary Regulation No. 14 to the General Maximum Price Regulation,³ California grape wine as defined in Amendment No. 54 to Supplementary Regulation 14 to the General Maximum Price Regulation and fruit wine, berry wine and grape wine (other than California grape wine) as defined in Amendment No. 53 to Supplementary Regulation 14 of the General Maximum Price Regulation.

(c) "Monopoly States" means the following states of the United States or the appropriate Alcoholic Beverage Control Board or Commission thereof: Alabama, Idaho, Iowa, Maine, Michigan, Montana, New Hampshire, North Carolina, Ohio, Oregon, Pennsylvania, Utah, Vermont, Virginia, Washington, West Virginia, Wyoming.

(b) *Effective dates.* * * *

(56) Amendment No. 55 (§§ 1499.73(a) (41)) to Supplementary Regulation No. 14 shall be effective as of November 1, 1942.

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

Issued this 2d day of November, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11308; Filed, November 2, 1942;
5:00 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Supp. Reg. 15 to GMPR]

FIREWOOD, ETC.

A statement of the considerations involved in the issuance of this supplementary

regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* For the reasons set forth in that statement, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, an Act to amend the Emergency Price Control Act of 1942, etc., and Executive Order No. 9250, this supplementary regulation is hereby issued.

§1499.75 *Adjustment of maximum prices.* (a) The Office of Price Administration, or any duly authorized representative thereof, may adjust any maximum price established under the General Maximum Price Regulation as hereinafter provided. Applications for adjustment under this Supplementary Regulation No. 15 shall be filed in accordance with Revised Procedural Regulation No. 1.¹

(1) *Firewood.* Whenever any State office of the Office of Price Administration determines that the maximum prices established in §1499.2 of the General Maximum Price Regulation for the sale or delivery of firewood (e. g. cordwood, sawdust, mill ends and shavings and slabwood) are inadequate to insure a sufficient supply of firewood to meet heating requirements in any locality or localities within its jurisdiction, it may adjust such maximum prices to the minimum extent necessary to insure a sufficient supply of firewood therein. Such adjustments shall be made in relation (i) to the increased production costs which sellers of firewood in the locality or localities affected must incur in order to produce such firewood, compared with the costs of production in March 1942 (or the nearest earlier month in which firewood was generally produced in such locality or localities), and/or (ii) the extent of increased transportation costs which must be incurred by sellers of firewood in order to move sufficient supplies thereof to meet the requirements of the locality or localities affected and (iii) such other circumstances as may be pertinent to the procurement of sufficient supplies of firewood to meet the requirements of the locality or localities affected.

(2) *Milk and milk products.* (i) Whenever any Regional Office of the Office of Price Administration determines that (a) the use of March 1942 as the base period for the establishment of maximum prices for fluid milk has eliminated a normal differential or established an abnormal differential between the prices charged for fluid milk in any two or more localities within the region served by such Office, (b) the elimination of such normal differential or the establishment of such abnormal differential has caused or threatens to cause a diversion of a material portion of its normal supply to fluid milk from one such locality to one or more of such other localities, and (c) as the result of such diversion or threatened diversion, a shortage of fluid milk exists or is imminent in such locality, it may, for the

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

¹ *Supra*.

² Note 2, *supra*.

¹ 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7804, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8358, 8524.

² 7 F.R. 3153, 3030, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5865, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6515, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431.

purpose of relieving or preventing such shortage increase or decrease the maximum prices established under § 1499.2 of the General Maximum Price Regulation for the sale or delivery of fluid milk at wholesale and retail in any of such localities to the minimum extent necessary to accomplish such purpose.

(ii) Whenever any Regional Office of the Office of Price Administration determines that (a) the price paid to producers by manufacturers of butter, cheese, condensed and evaporated milk, or milk powder for milk produced within the milk-shed upon which any locality within the region served by such Office depends for its supply of fluid milk has increased 23 cents or more per cwt. since March 1942, (b) distributors of fluid milk in such locality, in order to obtain the supply of milk for fluid use necessary to satisfy the normal requirements of the locality, are paying producers of such milk at least 23 cents more per cwt. than they paid in March 1942, and (c) notwithstanding the savings that have been effected or may be effected as the result of the adoption of all practicable measures designed to reduce distribution costs, such distributors cannot fairly be expected to continue to distribute fluid milk in such locality at the maximum prices established for them under § 1499.2 of the General Maximum Price Regulation, it may increase the maximum prices established under said § 1499.2 for the sale or delivery of fluid milk at wholesale and retail in such locality no more than one-half cent per quart of fluid milk if the prices paid to producers by such manufacturers and such distributors have increased 23 cents to 40 cents per cwt. since March 1942, and no more than one cent per quart of fluid milk if such prices have increased 41 cents or more per cwt. since March 1942: *Provided*, That any order issued pursuant to this subdivision (ii) shall require the distributors affected by such order to file with the Regional Office issuing such order, periodic reports concerning the prices paid by them to producers as such Office may deem necessary and appropriate.

(iii) No order issued pursuant to this subparagraph (2) shall modify the maximum prices established under the General Maximum Price Regulation for the sale or delivery of fluid milk in any city which, according to the Sixteenth Census of the United States, 1940, has a population of 100,000 or more persons, or in any city in which a minimum producer price for milk has been established pursuant to any marketing agreement or order made or issued under the provisions of the Agricultural Marketing Agreement Act of 1937, as amended.

(3) *Services of carrier other than common carrier and storage and terminal services.* The Office of Price Administration, or any Regional Office thereof, may adjust the maximum price established under the General Maximum Price Regulation for any person supplying service as a carrier, other than a common carrier, or for any person supplying storage or terminal service, who shows (i) that

such maximum price subjects him to substantial hardship; and (ii) that the adjustment requested is necessary to permit the continuance of the supply of an essential service for which there is no adequate substitute available at a price equal to or lower than the maximum price requested.

Applications for adjustment under this subparagraph (3) shall contain the following information:

(a) Description of applicant's business, including reference to commodities handled and territories served, and setting forth the names and addresses of companies financially or otherwise affiliated.

(b) Names and addresses of principal customers affected by the maximum price adjustment requested in the application.

(c) Reference to, and explanation of, authority granted by any federal or state regulatory agency to perform the service involved in the application.

(d) Present and requested maximum prices.

(e) Volume of commodity tonnage handled from January 1941 to date of application in service for which adjusted maximum price is requested and gross revenue derived from such service; the relationship between such gross revenue and total gross revenue should be shown if service involved in application is only a part of applicant's business.

(f) Detailed description of all equipment and property used by applicant in his business and in the service involved in the application, including date and cost of acquisition, capacity, and normal and present percentage of utilization of capacity (if applicant is a carrier other than a common carrier, his normal and present load factor should be shown; if applicant supplies warehouse service, percentage of total space occupied should be shown).

(g) Classes of employees, wages for each class and number employed in each class.

(h) All additional or increased expenses incurred since the establishment by the applicant of the price concerning which adjustment is requested.

(i) Detailed annual profit and loss statements, accompanied by balance sheets for past three fiscal or calendar years and detailed profit and loss statements supported by balance sheets, by quarters or months for the period from the termination of the last such year to the date of the application, with an explanation of all items contained in such statements; if the service involved in the application forms only a portion of applicant's business, an allocation of items of revenue and expenses should be made.

(j) Statement showing services supplied by others which are available to applicant's customers, prices of such services and adequacy of such services to meet any specialized needs of applicant's customers.

(b) *Effective dates.* (1) Supplementary Regulation No. 15 (§ 1499.75 (a) (1), (2) and (3)) shall become effective 11:59 p. m., November 4, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11293; Filed, November 2, 1942; 4:58 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 126 Under § 1499.18 (c) of GMPR]

DUNCAN COFFEE COMPANY

Order No. 126 under § 1499.18 (c) of the General Maximum Price Regulation—Docket No. GF3-2111.

For reasons set forth in an opinion issued simultaneously herewith, *It is ordered*:

§ 1499.1126 *Adjustment of maximum prices for Bright and Early Brand coffee sold by Duncan Coffee Company.* (a) Duncan Coffee Company, Post Office Box 2079, Houston, Harris County, Texas, may sell and deliver, and any person may buy and receive from Duncan Coffee Company, the following commodities at prices not higher than those set forth below:

(1) Bright and Early Brand coffee packed in paper bags of one pound each at 24½¢ per pound.

(2) Duncan Coffee Company shall continue the customary allowances, discounts, price differentials, and trade practices existing in March 1942, unless a change results in a lower selling price.

(b) Purchasers from Duncan Coffee Company or from wholesale distributors of Bright and Early Brand Coffee shall in no event charge more for Bright and Early Brand Coffee sold at retail than their maximum prices determined under section 2 (a) of the General Maximum Price Regulation, or as such maximum price may be adjusted under any other regulation issued by the Office of Price Administration.

(c) Before or at the time of the first delivery to any wholesaler or retailer of Bright and Early Brand coffee at the maximum price permitted by this order, Duncan Coffee Company shall supply to each purchaser a written statement as follows:

A price increase of one and one-half cents per pound on Bright and Early Brand coffee has been granted us by the Office of Price Administration. This increase was granted because our March 1942 selling price was abnormally low in relation to our costs of production, and the resulting hardship would have made it impossible to continue production. Our new maximum price of 24½¢ per pound is subject to all allowances, discounts, price differentials and trade practices we had in effect in March 1942 with respect to sales of Bright and Early Brand coffee. Your established ceiling price cannot be increased except that your maximum delivered selling price may be increased to the extent of adjusted mark-ups determined under the provisions of Maximum Price Regulation No. 237 (Adjusted and Fixed Mark-Up Regulation for Sales of Certain Food Products at Wholesale) or Maximum Price Regulation No. 238 (Adjusted and Fixed Mark-up Regulation for Sales of Certain Food Products at Retail).

(d) All prayers of the petition not granted herein are denied.

(e) This Order No. 126 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 126 is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modification of maximum prices established by § 1499.2.

(g) This Order No. 126 (§ 1499.1126) shall become effective November 2, 1942.

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

Issued this 2d day of November 1942.

* LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11813; Filed, November 2, 1942; 5:04 p. m.]

PART 1300—PROCEDURE

[Revised Procedural Regulation 1]

PROCEDURE FOR THE ISSUANCE, ADJUSTMENT, AMENDMENT, PROTEST AND INTERPRETATION OF MAXIMUM PRICE REGULATIONS

Pursuant to the authority of sections 201(d) and 203(a) of the Emergency Price Control Act of 1942, as amended (Pub. Laws 421, and 729, 77th Cong., E.O. 9250, 7 F.R. 7871) Procedural Regulation No. 1¹—Procedure for the Issuance, Protest and Amendment of Maximum Price Regulations, is hereby revoked and the following rules are prescribed for the issuance, adjustment, amendment, protest and interpretation of maximum price regulations:

PURPOSE OF REVISED PROCEDURAL REGULATION NO. 1

Sec.

1300.1 Purposes.

SUBPART A—ISSUANCE OF MAXIMUM PRICE REGULATIONS

- 1300.2 Investigation prior to issuance.
- 1300.3 Price hearing prior to issuance.
- 1300.4 Notice of pre-issuance hearing.
- 1300.5 Conduct of pre-issuance hearing.
- 1300.6 Statement of considerations.
- 1300.7 Notice of provisions of a maximum price regulation.
- 1300.8 Effective date.

SUBPART B—APPLICATION FOR ADJUSTMENT

- 1300.9 Right to apply for adjustment.
- 1300.10 Place of filing.
- 1300.11 Authorized office.
- 1300.12 Form of application.
- 1300.13 Applications must be verified.
- 1300.14 Joint applications.
- 1300.15 Investigation of application.
- 1300.16 Action by the authorized office on application for adjustment.
- 1300.17 Requests for review.
- 1300.18 Action on review.
- 1300.19 Protest of denial of application.

SUBPART C—PETITION FOR AMENDMENT

- 1300.20 Right to file a petition.
- 1300.21 Time and place for filing petitions.
- 1300.22 Joint petitions for amendment.
- 1300.23 Action by the administrator on petition.

SUBPART D—PROTESTS

- 1300.24 Right to protest.
- 1300.25 Action by representative.
- 1300.26 Time and place for filing protests.

- Sec.
- 1300.27 Form of protest.
- 1300.28 Assignment of docket number.
- 1300.29 Contents of protest.
- 1300.30 Affidavits or other written evidence in support of protest.
- 1300.31 Submission of brief by protestant.
- 1300.32 Joint protests.
- 1300.33 Amendment of protest and presentation of supplemental evidence.
- 1300.34 Protest and evidential material not conforming to this regulation.
- 1300.35 Action by the Administrator on protest.
- 1300.36 Statements in support of maximum price regulation.
- 1300.37 Inclusion of material in the record by the Administrator.
- 1300.38 Consolidation of protests.

ORAL HEARINGS ON PROTESTS

- 1300.39 Requests for oral hearing.
- 1300.40 Conference prior to oral hearing.
- 1300.41 Continuance or adjournment of oral hearing.
- 1300.42 Conduct of the oral hearing.
- 1300.43 Filing of briefs.
- 1300.44 Subpoenas.
- 1300.45 Witnesses.
- 1300.46 Contemptuous conduct.
- 1300.47 Stenographic report of oral hearing.

OPINION AND TRANSCRIPT

- 1300.48 Opinion denying protest in whole or in part.
- 1300.49 Treatment of protest as petition for amendment or an application for adjustment or exception.
- 1300.50 Transcript for judicial review.

SUBPART E—INTERPRETATIONS

- 1300.51 Interpretations.
- 1300.52 Requirements governing interpretations.

SUBPART F—MISCELLANEOUS PROVISIONS AND DEFINITIONS

- 1300.53 Service of papers.
- 1300.54 Secretary; office hours.
- 1300.55 Confidential information; inspection of documents filed with Secretary.
- 1300.56 Former employee not to be representative.
- 1300.57 Definitions.
- 1300.58 Amendment of this regulation.
- 1300.59 Effective date of Revised Procedural Regulation No. 1.
- 1300.60 Appendix A: Form OPA-IPR-1.
- 1300.61 Appendix B: Form OPA-IPR-2.

AUTHORITY: §§ 1300.1 to 1300.61 inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

PURPOSE OF REVISED PROCEDURAL REGULATION NO. 1

§ 1300.1 *Purposes.* It is the purpose of this regulation to prescribe and explain the procedure used by the Office of Price Administration in making various kinds of price determinations.

(a) Subpart A deals with the procedure of the Office of Price Administration in issuing price regulations.

(b) Subpart B deals with individual applications for adjustment of maximum prices established by a price regulation. An adjustment ordinarily affects the prices of one particular seller or group of sellers who apply for a change in their prices. An adjustment can be granted only if the applicable price regulation contains specific provision for the granting of an adjustment.

(c) Subpart C deals with petitions for amendment. A petition for amendment is the appropriate document to file when a seller seeks a change of general appli-

cability in the terms of a price regulation itself.

(d) Subpart D deals with protests. A protest is the means provided by the Emergency Price Control Act of 1942 for making a formal claim that a price regulation is in some respect invalid. Only if a protest has been filed and denied may the protestant file a complaint with the Emergency Court of Appeals to have the price regulation enjoined or set aside in whole or in part.

(e) Subpart E explains the way in which interpretations are rendered by officers or employees of the Office of Price Administration.

(f) Subpart F contains miscellaneous provisions and definitions.

SUBPART A—ISSUANCE OF MAXIMUM PRICE REGULATIONS

§ 1300.2 *Investigation prior to issuance.* A maximum price regulation may be issued by the Administrator after such studies and investigations as he deems necessary or proper. Before issuing a maximum price regulation the Administrator shall, so far as is practicable, advise and consult with representative members of the industry which will be affected by such regulation.

§ 1300.3 *Price hearing prior to issuance.* Whenever the Administrator deems it necessary or proper that a price hearing be held prior to the issuance of a maximum price regulation, he may provide for such hearing in accordance with §§ 1300.4 and 1300.5 of this revised procedural regulation.

§ 1300.4 *Notice of pre-issuance hearing.* Notice of any price hearing ordered prior to the issuance of a maximum price regulation shall be given by publication of such notice in the FEDERAL REGISTER, and may be supplemented by notice given in any other appropriate manner. The notice shall state the time and place of the price hearing and shall contain an appropriate indication of the purposes of such hearing.

§ 1300.5 *Conduct of pre-issuance hearing.* A price hearing held prior to the issuance of a maximum price regulation shall be conducted in such manner, consistent with the need for expeditious action, as will permit the fullest possible presentation of evidence by such persons as are, in the judgment of the Administrator, best qualified to provide information with respect to matters considered at the hearing or most likely to be seriously affected by action which may be taken as a result of the hearing.

§ 1300.6 *Statement of considerations.* Every maximum price regulation shall be accompanied by a statement of the considerations involved in its issuance. Such statement may include economic data and other facts of which the Administrator has taken official notice and facts found by the Administrator as a result of action taken under section 202 (a) of the Act.

§ 1300.7 *Notice of provisions of a maximum price regulation.* Notice of the provisions of a maximum price regulation shall be given by filing such regulation with the Division of the Federal Reg-

¹7 F.R. 971, 3663, 5776.

ister. As soon as possible after the filing of such regulation, the Administrator shall make copies thereof available to the press.

§ 1300.8 *Effective date.* A maximum price regulation shall become effective five days after the date of its issuance and a temporary maximum price regulation shall be effective from the date of the filing of such regulation with the Division of the Federal Register, unless an earlier or later date is specified therein.

SUBPART B—APPLICATIONS FOR ADJUSTMENT

§ 1300.9 *Right to apply for adjustment.* Unless otherwise provided, any person subject to a maximum price regulation, price schedule or temporary maximum price regulation who seeks adjustment under an adjustment provision thereof, shall make application therefor pursuant to the provisions of this Revised Procedural Regulation No. 1.

§ 1300.10 *Place of filing.* All applications may be filed with a district, state or regional office of the Office of Price Administration or with the Office of Price Administration, Washington, D. C., without regard to whether such office is authorized to consider such applications. If the office with which the application is filed is not so authorized it will forward such application to the authorized office and shall notify the applicant by mail of such forwarding. If an adjustment provision in a maximum price regulation indicates which office of the Office of Price Administration is authorized to consider applications for adjustment, action on applications will be expedited if it is filed with the nearest office authorized to consider it.

§ 1300.11 *Authorized office.* The authorized office shall be the Office of Price Administration which is authorized to act upon such an application for adjustment.

§ 1300.12 *Form of application.* Applications for adjustment shall be filed upon such forms as the Administrator shall from time to time prescribe. If no form has been designated for applications for the particular type of adjustment sought, the application shall set forth the following:

(a) Name and post office address of the applicant, the nature of his business, and the manner in which he is subject to the price regulation in question.

(b) A designation of the provision for adjustment pursuant to which the application is filed.

(c) The information, if any, required by the terms of the applicable adjustment provision.

(d) A clear and concise statement of the facts upon which applicant relies to qualify him for adjustment under the applicable adjustment provision, to the extent that such facts are not furnished under (c) above.

(e) A statement of the specific adjustment or other relief sought.

Applications for adjustment and all accompanying documents shall be filed in duplicate except that there shall be filed four copies of applications and accompanying documents with respect to

sales of bituminous coal for delivery from a mine or preparation plant operated as an adjunct of a mine, or services in connection with such sales, including services as selling agents.

§ 1300.13 *Applications must be verified.* An application for adjustment shall contain a statement signed and sworn to (or affirmed) either by the applicant personally, or if a partnership, by a partner, or if a corporation or association, by a duly authorized officer, in accordance with Form OPA-1PR-1 set out in § 1300.60, Appendix A. Unless otherwise prohibited by law, every employee of the Office of Price Administration who is authorized to administer oaths, shall, without charge, administer the oath required by this section.

§ 1300.14 *Joint applications.* Two or more persons may file a joint application for adjustment where at least one ground is common to all persons joining therein. A joint application shall be verified by each applicant in accordance with § 1300.13, and shall be filed and determined in accordance with the rules governing the filing and determination of applications filed by one person. Whenever the authorized office deems it necessary or appropriate for the disposition of joint applications, it may treat such joint applications separately and, in any event, may require the filing of materials relevant to the individual position of each person joining therein.

§ 1300.15 *Investigation of application.* Upon receipt of an application for adjustment, the authorized office or any office designated by the authorized office may make such investigation of the facts involved in the application, hold such conferences, and request the filing of such supplementary information as may be necessary to the proper disposition of the application.

§ 1300.16 *Action by the authorized office on applications for adjustment.* Within a reasonable time after receiving an application for adjustment, the authorized office may either

(a) Dismiss any application for adjustment which fails substantially to comply with this Revised Procedural Regulation No. 1; or

(b) Grant or deny in whole or in part, any application for adjustment which is properly pending before it. The applicant shall be informed in writing of the action so taken; or

(c) In cases of unusual difficulty or importance, refer the application for action either to the Regional Office for the region in which the authorized office is located; or if the authorized office is itself a regional office, to the Administrator. An office so referring an application shall inform the applicant of such action.

§ 1300.17 *Requests for review.* Any applicant whose application for adjustment has been denied in whole or in part by a state or district office, may within fifteen days after the date on which notice of denial was mailed to him, file with such office a request for review by the regional office for the region in which such office is located. Any applicant whose application for adjustment has

been denied in the first instance in whole or in part by a regional office may, within fifteen days after the date on which such notice of denial was mailed to him, file with such regional office a request for review of such denial by the Administrator. If an application for adjustment is denied by any regional office upon a request for review, such denial shall be final subject only to protest as provided in § 1300.19. Where no form has otherwise been provided, a request for review shall be filed on Form OPA-1PR-2 set out in § 1300.61, Appendix B. This form may be obtained from any field office of the Office of Price Administration or may be copied by the applicant from Appendix B.

§ 1300.18 *Action on review.* After due consideration, the Administrator, or the regional office, as the case may be, shall grant or deny in whole or in part, any application for adjustment as to which a proper request for review has been filed. The applicant shall be informed in writing of the action so taken.

§ 1300.19 *Protest of denial of application.* Any applicant whose application for adjustment is denied in whole or in part by the Administrator or by any regional office upon requests for review, may within sixty days after issuance of a formal order of denial file a protest against such order in accordance with the provisions of this Revised Procedural Regulation No. 1. Such protest may not be based upon grounds not raised in the application for adjustment.

SUBPART C—PETITION FOR AMENDMENT

§ 1300.20 *Right to file a petition.* (a) A petition for amendment may be filed at any time by any person subject to or affected by a provision of a maximum price regulation. A petition for amendment shall propose an amendment of general applicability and shall be granted or denied solely on the merits of the amendment proposed. The denial of a petition for amendment is not subject to protest or judicial review under the Act.

(b) Any governmental agency exercising regulatory authority over prices which are subject to a maximum price regulation may file a petition for amendment of either general or specific applicability based upon findings made by such agency after public hearing.

§ 1300.21 *Time and place for filing petitions; form and contents.* A petition for amendment shall be filed with the Secretary, Office of Price Administration, Washington, D. C. Five copies of the petition and of all accompanying documents and briefs shall be filed, except that in respect to petitions involving Maximum Price Regulation No. 120²—Bituminous Coal Delivered from Mine or Preparation Plant, seven copies of the petition and of all accompanying documents and briefs shall be filed. Each copy shall be printed, typewritten, mimeographed, or prepared by a similar

² 7 F. R. 3168, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6896, 7777, 7670, 7914, 7942, 8354, 8650.

process, and shall be plainly legible. Copies shall be double spaced, except that quotations shall be single spaced and indented. Every petition shall contain, upon the first page thereof, the number and the date of issuance of the maximum price regulation to which the petition relates, and shall be designated "Petition for Amendment;" shall state the name and address of the petitioner, shall specify the manner in which the petitioner is subject to or affected by the provision of the maximum price regulation involved, and shall include a specific statement of the particular amendment desired and the facts which make that amendment necessary or appropriate. The petition shall be accompanied by affidavits setting forth the evidence upon which the petitioner relies in his petition.

§ 1300.22 *Joint petitions for amendment.* Two or more persons may file a joint petition for amendment. Joint petitions shall be filed and determined in accordance with the rules governing the filing and determination of petitions filed by one person. A joint petition may be filed only where at least one ground is common to all persons joining it. Whenever the Administrator deems it to be necessary or appropriate for the disposition of joint petitions, he may treat such joint petitions as several and, in any event, he may require the filing of relevant material by each individual petitioner.

§ 1300.23 *Action by the Administrator on petition.* In the consideration of any petition for amendment the Administrator may afford to the petitioner and to other persons likely to have information bearing upon such proposed amendment, or likely to be affected thereby, an opportunity to present evidence or argument in support of, or in opposition to, such proposed amendment. Whenever necessary or appropriate for the full and expeditious determination of common questions raised by two or more petitions for amendment, the Administrator may consolidate such petitions.

SUBPART D—PROTESTS

§ 1300.24 *Right to protest.* Any person subject to any provision of a maximum price regulation may file a protest against such provision in the manner set forth below. A person is, for the purposes of this revised procedural regulation, subject to a provision of a maximum price regulation only if such provision prohibits or requires action by him: *Provided, however,* That a producer of an agricultural commodity shall be considered to be subject to a maximum price regulation for the purpose of asserting any right created by section 3 (c) of the Emergency Price Control Act of 1942 or section 3 of the Act of October 2, 1942 (Pub. Law 729, 77th Cong.) for the benefit of producers of such an agricultural commodity. Any protest filed by a person not subject to the provision protested, or otherwise not in accordance with this revised procedural

regulation, may be dismissed by the Administrator.

§ 1300.25 *Action by representative.* Any action which by this revised procedural regulation is required of, or permitted to be taken by, a protestant may, unless otherwise expressly stated, be taken on his behalf by any person whom the protestant has by written power of attorney authorized to represent him. Such power of attorney, signed by the protestant, shall be filed with the protest.

§ 1300.26 *Time and place for filing protests.* Any protest against a provision of a maximum price regulation shall be filed with the Secretary, Office of Price Administration, Washington, D. C. within a period of sixty days after the date of issuance of such regulation, regardless of the effective date prescribed therein: *Provided, however,* That any protest based solely on grounds arising after the date of issuance of a maximum price regulation shall be filed within a period of sixty days after the protestant has had, or could reasonably have had, notice of the existence of such grounds: *Provided, further,* That protests of any person having his principal place of business in a territory, shall be filed with the director of the appropriate territorial office.

§ 1300.27 *Form of protest.* Every protest shall contain, upon the first page thereof, the number and the date of issuance of the maximum price regulation against a provision of which the protest is made and shall be clearly designated a "Protest". Five copies of the protest and of all accompanying documents and briefs shall be filed, except that in respect to protests involving Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant, seven copies of the protest and of all accompanying documents and briefs shall be filed.

§ 1300.28 *Assignment of docket number.* Upon receipt of a protest it shall be assigned a docket number, of which the protestant shall be notified, and all further papers filed in the proceedings shall contain on the first page thereof the docket number so assigned and the number and date of issuance of the maximum price regulation protested.

§ 1300.29 *Contents of protest.* Every protest shall set forth the following:

(a) The name and the post office address of the protestant, the nature of his business, and the manner in which the protestant is subject to the provision of the maximum price regulation protested.

(b) The name and post office address of the person filing the protest on behalf of the protestant and the name and post office address of the person to whom all communications from the Office of Price Administration relating to the protest shall be sent.

(c) A clear and concise statement of all objections raised by the protestant against the provision or provisions pro-

tested, each such objection to be separately stated and numbered.

(d) A clear and concise statement of all facts alleged in support of the objections.

(e) A statement of the relief requested by the protestant including, if the protestant requests modification of a provision of the maximum price regulation, the specific changes which he seeks to have made in the provision.

(f) In cases where the protest is based upon grounds arising after the date of issuance of the maximum price regulation, a clear and concise statement of facts showing the time when such grounds arose.

(g) A statement signed and sworn to (or affirmed) before an officer authorized to take oaths either by the protestant personally or, if a partnership, by a partner or if a corporation or association, by a duly authorized officer, that the protest and the documents filed therewith are prepared in good faith and that the facts alleged are true to the best of his knowledge, information and belief. The protestant shall specify which of the facts are alleged and known to be true and which are alleged on information and belief.

§ 1300.30 *Affidavits or other written evidence in support of protest.* Every protestant shall file, together with his protest, the following:

(a) Affidavits setting forth in full all the evidence, the presentation of which is subject to the control of the protestant, upon which the protestant relies in support of the facts alleged in the protest. Each such affidavit shall state the name, post office address, and occupation of the affiant; his business connection, if any, with the protestant; and whether the facts set forth in the affidavit are stated from personal knowledge or on information and belief. In every instance the affiant shall state in detail the sources of his information.

(b) A statement by the protestant in affidavit form setting forth in detail the nature and sources of any further evidence, not subject to his control, upon which he believes he can rely in support of the facts alleged in his protest.

(c) If necessary, a further statement by the protestant in affidavit form setting forth the nature and sources of any evidence which the protestant is unable to present solely because of the time limit for the filing of protests and supporting material. Such further statement may contain a request for an opportunity to present such further evidence, which request shall state specifically the amount of time needed for preparation of such evidence. Any affidavits providing further evidence, pursuant to order, shall contain the information required by subparagraph (a) of this § 1300.30.

§ 1300.31 *Submission of brief by protestant.* The protestant may file with his protest and accompanying evidential material a brief in support of the objections set forth in the protest. Such brief shall be submitted as a separate docu-

ment, distinct from the protest and evidential material.

§ 1300.32 *Joint protests.* Two or more persons may file a joint protest. Joint protests shall be filed and determined in accordance with the rules governing the filing and determination of protests filed by one person. A joint protest shall be verified in accordance with § 1300.29 (g) by each protestant. A joint protest may be filed only where at least one ground is common to all persons joining in it. Whenever the Administrator deems it to be necessary or appropriate for the disposition of joint protests, he may treat such joint protests as several, and, in any event, he may require the filing of relevant materials by each individual protestant.

§ 1300.33 *Amendment of protest and presentation of supplemental evidence.* (a) The protestant may amend his protest or his affidavits and briefs submitted therewith, or may add to such material within a period of sixty days after the issuance of the maximum price regulation against a provision of which the protest is filed, or, in the case of a protest based solely on grounds arising after the date of issuance of a maximum price regulation, within sixty days after the protestant has had or could reasonably have had notice of the existence of such grounds.

(b) After the time prescribed in paragraph (a) of this section a protestant may be granted permission to amend his protest or to present further evidence in connection therewith when, in the judgment of the Administrator, such permission will not unduly delay the completion of proceedings on the protest. No amendment which adds a new ground of protest will be permitted.

§ 1300.34 *Protest and evidential material not conforming to this regulation.* In any case where a protest or accompanying evidential material does not conform, in a substantial respect, to this revised procedural regulation, the Administrator may dismiss such protest, or, in his discretion, may strike such evidential material from the record of the proceedings in connection with the protest.

§ 1300.35 *Action by the Administrator on protest.* (a) Within a reasonable time after the filing of any protest in accordance with this revised procedural regulation, but in no event more than thirty days after such filing or ninety days after the issuance of the maximum price regulation against a provision of which the protest is filed, whichever occurs later, the Administrator shall:

(1) Grant or deny such protest in whole or in part.

(2) Notice such protest for oral hearing, to be held in accordance with the provisions of §§ 1300.39 to 1300.47, inclusive, of this revised procedural regulation; or

(3) Provide an opportunity to present further evidence in connection with such protest. Within a reasonable time after the presentation of such further evidence, the Administrator may notice such protest for oral hearing in accordance with

subparagraph (2) of this section, may include additional material in the record of the proceedings in connection with the protest in accordance with § 1300.37 of this revised procedural regulation, or may take such other action as may be appropriate to the disposition of the protest.

(b) Notice of any such action taken by the Administrator shall promptly be served upon the protestant.

(c) Where the Administrator has ordered a hearing on a protest or has provided an opportunity for the presentation of further evidence in connection therewith, he shall, within a reasonable time after the completion of such hearing or the presentation of such evidence, grant or deny such protest in whole or in part.

§ 1300.36 *Statements in support of maximum price regulation.* (a) Any person affected by the provisions of a maximum price regulation may at any time after the issuance of such regulation submit to the Administrator a statement in support of any such provision or provisions. Such statement shall include the name and post office address of such person, the nature of his business, and the manner in which such person is affected by the maximum price regulation in question, and may be accompanied by affidavits and other data. Each such supporting statement shall conform to the requirements of § 1300.27 of this revised procedural regulation.

(b) In the event that a protest has been, or is subsequently, filed to a provision of a maximum price regulation in support of which a statement has been submitted, the Administrator may include such statement in the record of the proceedings taken in connection with such protest. If such supporting statement is incorporated into the record, and is not so incorporated at an oral hearing, copies of such supporting statement shall be served upon the protestant, and the protestant shall be given a reasonable opportunity to present evidence in rebuttal thereof.

§ 1300.37 *Inclusion of material in the record by the Administrator.* The Administrator shall include in the record of the proceedings on the protest such evidence, in the form of affidavits or otherwise, as he deems appropriate in support of the provision against which the protest is filed. When such evidence is incorporated into the record, and is not so incorporated at an oral hearing, copies thereof shall be served upon the protestant, and the protestant shall be given a reasonable opportunity to present evidence in rebuttal thereof.

§ 1300.38 *Consolidation of protests.* Whenever necessary or appropriate for the full and expeditious determination of common questions raised by two or more protests the Administrator may consolidate such protests.

ORAL HEARINGS ON PROTESTS

§ 1300.39 *Requests for oral hearing.* Any protestant may request an oral hearing. Such request shall be accompanied by a showing by the protestant as to why the filing of affidavits or other

written evidence and briefs will not permit the fair and expeditious disposition of the protest. In the event that the Administrator orders an oral hearing in connection with a protest, notice shall be served on the protestant not less than five days prior to such hearing. The time and place of the hearing shall be stated in the notice. Any oral hearing ordered by the Administrator may be limited in such manner and to the extent that he deems appropriate.

§ 1300.40 *Conference prior to oral hearing.* At any time prior to the commencement of the oral hearing, the Administrator may request the protestant to appear at a conference to consider: (a) the simplification of issues; (b) the possibility of obtaining stipulations of fact and of documents which will avoid unnecessary proof; and (c) such other matters as may expedite the conduct of the oral hearing. No transcript of such conference shall be kept, but the Administrator shall incorporate in the record of the proceedings any written stipulations or agreements made at, or as a result of, the conference. If the circumstances are such that an oral conference is impracticable, the Administrator may direct that such negotiations be conducted by correspondence.

§ 1300.41 *Continuance or adjournment of oral hearing.* The oral hearing shall be held at the time and place specified by the notice of hearing but may be continued or adjourned to a later day or to a different place. Notice of such adjournment or continuance may be by announcement at the oral hearing.

§ 1300.42 *Conduct of the oral hearing.* The oral hearing shall be conducted by the Administrator or such officer or employee of the Office of Price Administration (hereinafter referred to as the "presiding officer") as the Administrator may appoint or designate for that purpose, except that in respect to protests involving Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant, the Administrator may appoint or designate an officer or employee of the Bituminous Coal Division of the United States Department of Interior to conduct the hearing.

§ 1300.43 *Filing of briefs.* The presiding officer shall allow the protestant to file briefs or written arguments within such time as he shall designate.

§ 1300.44 *Subpoenas.* (a) Applications for subpoenas, when made prior to the oral hearing, may be filed by the protestant with the Secretary. The Administrator may grant or deny the application or refer it to the presiding officer appointed or designated under § 1300.42, who may thereafter grant or deny the application. Applications for subpoenas made during the oral hearing shall be submitted to the presiding officer, who may grant or deny such application.

(b) All applications for subpoenas shall specify the name of the witness and the nature of the facts to be proved by him and, if calling for the production of documents, shall specify them with such

particularity as will enable them to be identified for purposes of production.

(c) Service of a subpoena upon a person named therein shall be made by delivering a copy thereof to such person and by tendering to him the fees and mileage specified in section 202 (f) of the Act. When the subpoena is issued at the instance of the Administrator fees and mileage need not be tendered.

§ 1300.45 *Witnesses.* Witnesses summoned before the presiding officer at any protest hearing shall be paid the fees and mileage specified by section 202 (f) of the Act. Witness fees and mileage shall be paid by the person at whose instance the witness appears.

§ 1300.46 *Contemptuous conduct.* Contemptuous conduct at any oral hearing shall be ground for exclusion from the hearing. The refusal of a witness to answer any question which has been ruled to be proper shall, in the discretion of the presiding officer, be ground for the striking out of all testimony previously given by such witness on related matters.

§ 1300.47 *Stenographic report of oral hearing.* A stenographic report of the oral hearing shall be made, a copy of which shall be available for inspection during business hours in the Office of the Secretary, Office of Price Administration, Washington, D. C.

OPINION AND TRANSCRIPT

§ 1300.48 *Opinion denying protest in whole or in part.* In the event that the Administrator denies any protest in whole or in part, he shall inform the protestant of the grounds upon which such decision is based, and of any economic data and other facts of which the Administrator has taken official notice.

§ 1300.49 *Treatment of protest as petition for amendment or an application for adjustment or exception.* Any protest filed against a provision of a maximum price regulation may, in the discretion of the Administrator, be treated not only as a protest but also as a petition for amendment of the regulation protested, or as an application for adjustment or exception pursuant thereto, when the facts produced in connection with the protest justify such treatment.

§ 1300.50 *Transcript for judicial review.* The transcript for judicial review shall include: (a) the maximum price regulation against a provision of which the protest was filed; (b) the statement of considerations accompanying such regulation; (c) the protest; (d) a statement setting forth, as far as practicable, the economic data and other facts of which the Administrator has taken official notice; and (e) such other portions of the proceedings in connection with the protest as are material under the complaint.

SUBPART E—INTERPRETATIONS

§ 1300.51 *Interpretations.* An interpretation rendered by an officer or employee of the Office of Price Administration with respect to any provision of the Act or of any regulation, price schedule, order, requirement, or agreement there-

under, will be regarded by the Office of Price Administration as official only if such interpretation was requested and issued in accordance with § 1300.52 of this regulation. Action taken in reliance upon and in conformity with an official interpretation and prior to any revocation or modification thereof or to any superseding thereof by regulation, order or amendment, shall constitute action in good faith pursuant to the provision of the Act, or of the regulation, price schedule, order, requirement or agreement to which such official interpretation relates. An official interpretation shall be applicable only with respect to the particular person to whom, and to the particular factual situation with respect to which, it is rendered, unless publicly announced as an interpretation of general application.

§ 1300.52 *Requirements governing interpretations—(a) Requests for interpretations; form and contents.* Any person desiring an official interpretation of the Emergency Price Control Act of 1942 or any regulation, price schedule, order, requirement or agreement thereunder, shall make a request in writing for such interpretation. Such request shall set forth in full the factual situation out of which the interpretative question arises and shall, so far as is practicable, state the names and post office addresses of the persons involved. If the inquirer has previously requested an interpretation on the same or substantially the same facts, his request shall so indicate and shall name the official or office to whom his previous request was addressed. If the interpretation will affect operations of establishments located in more than one state, the request shall name the states in which the establishments are located. No interpretation shall be requested or given with respect to any hypothetical situation or in response to any hypothetical question.

(b) *Interpretation to be written; authorized officials.* Official interpretations shall be given only in writing, signed by one of the following officers of the Office of Price Administration: the Price Administrator, the General Counsel, any Associate or Assistant General Counsel, any Regional Attorney, any Regional Price Attorney, any State Attorney, or State Price Attorney and any Chief Attorney or Chief Price Attorney for a District Office: *Provided,* That interpretations of general application shall be announced only by the Price Administrator, the General Counsel, any Associate or Assistant General Counsel, or any Regional Attorney. The Price Administrator or the General Counsel may also delegate to the Director and General Counsel of the Bituminous Coal Division of the United States Department of the Interior authority to sign or announce official interpretations of designated regulations.

(c) *Revocation or modification of interpretation.* Any official interpretation, whether of general application or otherwise, may be revoked or modified by publicly announced statement by any official authorized to announce such interpretations of general application or by a state-

ment or notice by the Price Administrator or General Counsel published in the FEDERAL REGISTER. An official interpretation addressed to a particular person may also be revoked or modified at any time by a statement in writing mailed to such person and signed by the General Counsel or any Associate or Assistant General Counsel. An official interpretation addressed to a particular person by a Regional Attorney, a Regional Price Attorney, a State Attorney, a Chief Attorney for a District Office, or a Chief Price Attorney for a District Office may also be revoked or modified at any time by a statement in writing mailed to such person and signed by the Regional Attorney or by the attorney who issued it or his successor.

SUBPART F—MISCELLANEOUS PROVISIONS AND DEFINITIONS

§ 1300.53 *Service of papers.* Notices, orders and other process and papers may be served personally or by leaving a copy thereof at the principal office or place of business of the person to be served; or by registered mail, or by telegraph. When service is made personally or by leaving a copy at the principal office or place of business, the verified return of the person serving or leaving the copy shall be proof of service. When service is by registered mail or telegraph the return post office receipt or telegraph receipt shall be proof of service.

§ 1300.54 *Secretary; office hours.* The Office of the Secretary, Office of Price Administration, Washington, D. C. shall be open, on week days, from 9 A. M. until 5 P. M. and on Saturdays from 9 A. M. until 1 P. M. Any person desiring to file any papers, or to inspect any documents filed with the Secretary at any time other than the regular office hours stated, may file a written application with the Secretary requesting permission therefor.

§ 1300.55 *Confidential information.* *Inspection of documents filed with Secretary.* Protests and all papers filed in connection therewith are public records, open to inspection in the Office of the Secretary upon such reasonable conditions as the Secretary may prescribe. Except as hereinbefore provided, confidential information contained in any questionnaire, report, return, or document filed with the Office of Price Administration will not be disclosed, unless the Administrator determines the withholding thereof to be contrary to the interests of the national defense and security.

§ 1300.56 *Former employee not to be representative.* No former officer or employee of the Office of Price Administration shall, within two years after the termination of his employment, be permitted to act as agent, attorney, or representative of any person in connection with any protest, petition for amendment, application for adjustment or exception, or other proceeding before the Office of Price Administration.

§ 1300.57 Definitions. As used in this revised procedural regulation, unless the context otherwise requires, the terms:

(a) "Act" means the Emergency Price Control Act of 1942, as amended by the Act of October 2, 1942 (Public Laws 421 and 729, 77th Cong., 2d Sess.).

(b) "Administrator" means the Price Administrator of the Office of Price Administration or such person as he may appoint or designate to carry out any of the duties delegated to him by the Act.

(c) "FEDERAL REGISTER" means the publication provided for by the Act of July 26, 1935 (49 Stat. 500), as amended.

(d) "Maximum price regulation" means any regulation or order establishing a maximum price or prices and shall include a "revised price schedule" or "temporary maximum price regulation" as defined below unless otherwise expressly specified.

(e) "Revised Price Schedule" means any price schedule establishing a maximum price or prices issued by the Administrator of the Office of Price Administration or the Administrator of the Office of Price Administration and Civilian Supply, prior to February 11, 1942, and effective pursuant to section 206 of the Act.

(f) "Temporary Maximum Price Regulation" means any temporary regulation or order, issued pursuant to section 2 (a) of the Act, establishing as a maximum price or prices the price or prices prevailing with respect to any commodity or commodities within five days prior to the date of issuance of such temporary regulation or order.

(g) "Date of issuance," with respect to a maximum price regulation, means the date on which such maximum price regulation is filed with the Division of the Federal Register.

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

(i) "Protestant" means a person subject to any provision of a maximum price regulation of price schedule who files a protest in accordance with section 203 (a) of the Act.

(j) "Price hearing" means any formal or informal opportunity to present evidence which may be ordered by the Administrator in connection with any action or proceedings related to price control.

§ 1300.58 Amendment of this regulation. Any provision of this Revised Procedural Regulation may be amended or revoked by the Administrator at any time. Such amendment or revocation shall be published in the FEDERAL REGISTER and shall take effect upon the date of its publication, unless otherwise specified therein.

§ 1300.59 Effective date of Revised Procedural Regulation No. 1. This Revised Procedural Regulation shall become effective 11:59 p. m., November 4, 1942.

§ 1300.60 Appendix A. Form OPA-IPR-1.

AFFIDAVIT

STATE OF _____
County of _____, ss:

The Undersigned, _____, being first sworn according to law, deposes and says: that he is the person whose name appears subscribed to the above Application for Adjustment; and that he has read the same and knows to his own knowledge that the facts contained therein are true and correct, except that he believes to be true any facts alleged therein to have been made on information and belief.

Signature _____

Subscribed and sworn to (or affirmed) before me this _____ day of _____

Officer administering oath.

§ 1300.61 Appendix B. Form OPA-IPR-2.

REQUEST FOR REVIEW OF ORDER DENYING APPLICATION FOR ADJUSTMENT

_____, an application for adjustment pursuant to Section _____ of Maximum Price Regulation No. _____ and Revised Procedural Regulation No. 1 of the Office of Price Administration hereby requests _____

(Administrator or Appropriate Regional Office)

to review an order of denial of such application for adjustment entered by the _____ Office and mailed to the applicant on _____, 194_____.

The applicant objects to such order of denial as follows:

(Applicant should state briefly and concisely, and separately number, his objections)

(Applicant)

By _____

(Title)

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11292; Filed, November 2, 1942; 4:57 p. m.]

Chapter XIII—Office of Petroleum Coordinator for War

[Recommendation 55]

PART 1504—PROCESSING AND REFINING CONSERVATION OF PARATONE

To Stanco Distributors, Inc., and to all purchasers and users of Paratone: The current stock position of Paratone, a petroleum polymer and Viscosity Index improver, is insufficient for military and essential industrial and civilian needs.

Therefore, in order to bring about that action required by the President's letter of May 28, 1941, defining the objectives and duties of the Office of Petroleum Coordinator for War and pursuant thereto,

¹Or if applicable, Revised Price Schedule No. _____, Temporary Maximum Price Regulation No. _____ or the General Maximum Price Regulation.

I do hereby recommend that immediately and until further notice:

AUTHORITY: §§ 1504.74 to 1504.78, inclusive, issued under the President's letter of May 28, 1941 to the Secretary of the Interior; 6 F.R. 2760.

§ 1504.74 Definitions. (a) "Paratone" means that petroleum polymer produced and sold by such name as a Viscosity Index improver.

(b) "Aviation lubricating oil" means any refined petroleum oil for lubricating aircraft engines which meets Army-Navy Aeronautical Specification No. AN-VV-O-446, dated December 15, 1941, including any amending or superseding specification therefor that may be issued from time to time, or any comparable specification of the British Petroleum Mission.

(c) "Recoil oil" means any refined petroleum oil for use in recoil mechanisms which meets any current specification of the United States Army or Navy or of the British Petroleum Mission, for such an oil.

(d) "Hydraulic oil" means any refined petroleum oil for use in hydraulic systems which meets any current specification of the United States Army or Navy or of the British Petroleum Mission, for such an oil.

§ 1504.75 Restrictions on delivery of paratone. Until the reserve supply specified in § 1504.76 is established at the maximum figure, Stanco Distributors, Inc., shall not deliver Paratone to any person or to any affiliate of itself except where such Paratone is to be used directly in the production of aviation lubricating oil, recoil oil, or hydraulic oil. Each person accepting delivery of Paratone from Stanco Distributors, Inc., shall certify to Stanco Distributors, Inc., by written certificate or endorsement that such Paratone will be used in compliance with the provisions of this section, and such certification shall constitute a representation to that effect to Stanco Distributors, Inc., and this Office.

After the establishment of the reserve supply specified in § 1504.76 of this chapter at the maximum figure, Stanco Distributors, Inc., may deliver and any person and any affiliate of Stanco Distributors, Inc. may accept delivery of Paratone without regard to the provisions of the first paragraph of this section to the extent and only to the extent that such deliveries of Paratone are not made from the reserve supply. No written certification or endorsement shall be required with respect to deliveries not made from the reserve supply.

§ 1504.76 Reserve supply. Stanco Distributors, Inc., shall continue to produce Paratone at not less than its current rate of production and shall hold any Paratone, produced in excess of the amount required for fulfillment of the permitted deliveries made pursuant to the first paragraph of § 1504.75 of this chapter, in storage until the amount thereof aggregates 100,000 gallons (of a concentration not lower than the present Paratone specification). Paratone so held in storage in amounts which in the aggregate are not in excess of 100,000 gallons shall constitute the reserve supply. At the end of each calendar month,

Stanco Distributors, Inc., shall address a letter to the Director of Refining, Office of Petroleum Coordinator for War, stating the amount of Paratone it holds in storage and the total of its unfilled orders.

§ 1504.77 *War Production Board regulations and orders.* Nothing contained in this recommendation shall be construed to affect or limit, in any wise, any provision of any regulation, order or direction issued by the War Production Board.

§ 1504.78 *Exceptions.* Any person affected by this recommendation who can show that compliance therewith would work an exceptional and unreasonable hardship on him may apply in writing to the Director of Refining, Office of Petroleum Coordinator for War, for an exception, stating in full the facts upon which the application is based and the extent to which the exception is requested.

RALPH K. DAVIES,
Deputy Petroleum Coordinator for War.

OCTOBER 29, 1942.

[F. R. Doc. 42-11339; Filed, November 3, 1942;
11:41 a. m.]

[Recommendation 56]

PART 1504—PROCESSING AND REFINING
PRODUCTION OF PETROLEUM COKE

To refiners having coking facilities:

Raw petroleum coke of high quality is an essential war material for the manufacture of electrodes and other critical products. The present supply and production of such coke is insufficient to meet the present and projected requirements of such products. In part at least, this deficiency can be corrected by the fullest capacity operation of existing coking facilities in certain refineries best adapted to the production of such coke from the standpoints of availability of raw materials, character of equipment and operation, accessibility to transportation and effect on the production of other war products.

Therefore, in order to bring about that action required by the President's letter of May 28, 1941 defining the objectives and duties of the Office of Petroleum Coordinator for War and pursuant thereto, I do hereby recommend that immediately and until further notice:

AUTHORITY: §§ 1504.82 to 1504.86, inclusive, issued under the President's letter of May 28, 1941, to the Secretary of the Interior; 6 F.R. 2760.

§ 1504.82 *Maximum production of petroleum coke.* Each refiner operating any refinery listed in Schedule A attached hereto and hereby made a part hereof, shall henceforth produce the maximum amount of raw petroleum coke that it is possible to produce from the coking facilities in each such listed refinery.

§ 1504.83 *Quality of petroleum coke.* Each refiner referred to in § 1504.82 of

this chapter shall, with respect to the raw petroleum coke produced thereunder, eliminate or reduce the use, if any, of caustic soda or lime in connection with the production of such coke to the greatest extent possible without causing undue corrosion of the physical equipment.

§ 1504.84 *Information.* Each refiner referred to in § 1504.82 of this chapter shall, for each calendar month and with respect to each refinery listed in Schedule A, submit a report to the Director of Refining, Office of Petroleum Coordinator for War, on the 20th of the month immediately following each such calendar month, showing:

(a) Total production of raw petroleum coke (in short tons).

(b) Total shipments of raw petroleum coke.

(c) The inventory of raw petroleum coke at the end of the month.

§ 1504.85 *Special directions.* From time to time the Director of Refining, Office of Petroleum Coordinator for War, may revise Schedule A and may issue specific directions or prohibitions with respect to the provisions of §§ 1504.82 to 1504.86, inclusive, of this chapter.

§ 1504.86 *Exceptions.* Any refiner affected by this recommendation who can show that compliance therewith would work an exceptional and unreasonable hardship on him or adversely and directly affect any war program (other than by change in yields of fuel oil or motor gasoline) may apply in writing to the Director of Refining of the Office of Petroleum Coordinator for War, for an exception, stating in full the facts upon which the application is based and the extent to which the exception is requested.

RALPH K. DAVIES,
Deputy Petroleum Coordinator for War.

OCTOBER 28, 1942.

SCHEDULE A

1. Cities Service Oil Company:
 - (a) East Chicago, Indiana refinery.
 - (b) Ponca City, Oklahoma refinery.
2. Continental Oil Company:
 - (a) Ponca City, Oklahoma refinery.
3. Sinclair Refining Company:
 - (a) Coffeyville, Kansas refinery.
 - (b) Kansas City, Kansas refinery.
 - (c) East Chicago, Indiana refinery.
4. Gulf Oil Corporation:
 - (a) Toledo, Ohio refinery.
 - (b) Cincinnati, Ohio refinery.
 - (c) Neville Island, Pennsylvania refinery.
 - (d) Port Arthur, Texas refinery.
 - (e) Sweetwater, Texas refinery.
5. Shell Oil Company, Incorporated:
 - (a) Wood River, Illinois refinery.
6. Standard Oil Company (Indiana):
 - (a) Whiting, Indiana refinery.
 - (b) Wood River, Illinois refinery.
 - (c) Sugar Creek, Missouri refinery.
 - (d) Neodesha, Kansas refinery.
 - (e) Casper, Wyoming refinery.
7. The Standard Oil Company of Ohio:
 - (a) Lima, Ohio refinery.
 - (b) Toledo, Ohio refinery.
8. The Texas Company:
 - (a) Port Arthur, Texas refinery.
 - (b) Amarillo, Texas refinery.
 - (c) Dallas, Texas refinery.

8. The Texas Company—Continued.
 - (d) Lockport, Illinois refinery.
 - (e) Casper, Wyoming refinery.
 - (f) Craig, Colorado refinery.
9. Kendall Refining Company:
 - (a) Bradford, Pennsylvania refinery.
10. Utah Oil Refining Company:
 - (a) Salt Lake City, Utah refinery.
11. Union Oil Company of California:
 - (a) Oleum, California refinery.
12. Magnolia Petroleum Company:
 - (a) Forth Worth, Texas refinery.
13. Socony-Vacuum Oil Company, Incorporated:
 - (a) East St. Louis, Illinois refinery.
 - (b) Trenton, Michigan refinery.

[F. R. Doc. 42-11340; Filed, November 3, 1942;
11:41 a. m.]

TITLE 46—SHIPPING

[Directive 4¹]

Chapter IV—War Shipping Administration
PART 321—DIRECTIVES

FORWARDING AND TRANSPORTATION OF
FOREIGN COMMERCE

Directive with respect to forwarding and transportation of waterborne foreign commerce of the United States.

To all persons (including departments, agencies and officers of the United States) engaged in the procurement, transportation or forwarding of Lend-Lease cargo, or cargo procured, transported or forwarded for the government of any country whose defense has been deemed by the President to be vital to the defense of the United States pursuant to the Act of March 11, 1941 (which government is hereinafter referred to as a Lend-Lease government):

Whereas the War Shipping Administrator (hereinafter referred to as the Administrator) is charged with the responsibility of coordinating the functions and facilities of public and private agencies engaged in forwarding and similar servicing of waterborne export and import foreign commerce of the United States and controlling the operation and use of ocean shipping (other than troopships and other vessels excluded from the Administrator's control under section 2 (a) of Executive Order 9054) for the successful prosecution of the war; and

Whereas in order effectively to discharge this responsibility it is necessary for the Administrator to correlate, in conjunction with the Director, Office of Defense Transportation, the movement of cargoes to port with the movement of ships available for carriage from port, to assure efficient loading of ships, and to maintain adequate inventories and records;

Therefore, by virtue of the authority vested in me by the Act of March 14, 1942 (Public Law 498, 77th Congress), by Executive Order 9054, dated February 7,

¹ Directives 1 and 3 were issued to the general agents and agents of vessels owned by or chartered to the War Shipping Administration and Directive 2 was issued to the masters and officers of all vessels in the Merchant Marine Service and were not published in the FEDERAL REGISTER.

1942, as amended, and in accordance with the directive to be issued by the Lend-Lease Administrator, it is hereby directed:

§ 321.4 *Directive 4*—(a) *Scope*. No person (including departments, agencies or officers of the United States) shall forward or authorize forwarding to a port or point in the United States for export transportation therefrom by water any Lend-Lease cargo or cargo procured or transported for a Lend-Lease government except at the direction of the Administrator.

(b) *Consignment of cargo*. All such cargo so forwarded shall be consigned to the Administrator as principal. After such consignment, in the event that instructions for stoppage in transit or diversion to intermediate storage are given to the carrier or carriers, the Administrator or his agent shall be immediately notified by the issuer of such instructions.

(c) *Information required*. With respect to such cargo, the following information, together with such other information as the Administrator may require, shall be furnished to the Administrator or his agent as soon as it is available:

(1) The identifying serial number and date of issuance of the O. D. T. block permit and of the Q. M. R. or other release, if any, authorizing movement of the cargo;

(2) Confirmation of movement, origin, date of shipment, route, mode of carriage, and identification of carrying unit or units to the port or point of export;

(3) Original and such copies of inland carrier's bill of lading and of shipping papers as the Administrator may direct.

(d) *Preparation of documents*. With respect to such cargo, the Administrator will prepare or cause to be prepared all dock receipts, ocean bills of lading, customs declarations, and other appropriate ocean shipping documents.

(e) *Records maintained by Administrator*. The Administrator will maintain or cause to be maintained, in such form as requested by the interested United States Government procuring agencies, records concerning all such cargo called forward by him, consigned to him or his agent or forwarded by him or his agent, and all such cargo loaded on ocean carriers, and will make such information available to the procuring agencies concerned, the Munitions Assignment Board, and to the Lend-Lease Administrator.

(f) *Compliance with instructions issued by the Munitions Assignment Board and the Lend-Lease Administrator*. Whenever such cargo is consigned to the Administrator, the Administrator will comply with all instructions issued by the Munitions Assignment Board through its committees, in cases within its jurisdiction, or by the Lend-Lease Administrator in all other cases, with respect to the diversion of such cargo to some other use.

(g) *Limitations on responsibility of Administrator*. Nothing herein contained contemplates the assumption by the Administrator of responsibility for or control over stockpile, assembly, or transit storage depots, or the forwarding

thereto, before consignment to the Administrator.

(h) *Issuance of supplements, administrative orders and instructions*. Supplements hereto and administrative orders and instructions hereunder may be issued from time to time.

(i) *Compliance*. All departments, agencies, or officers of the United States are directed to issue appropriate instructions to assure compliance herewith and with supplements hereto and administrative orders and instructions issued hereunder.

(j) *Effective date*. This directive shall become effective on December 1, 1942.

[SEAL]

E. S. LAND,
Administrator.

NOVEMBER 3, 1942.

[F. R. Doc. 42-11341; Filed, November 2, 1942;
11:20 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNERS EMPLOYMENT CERTIFICATE

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F. R. 2862, and as amended June 25, 1942, 7 F. R. 4723), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F. R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F. R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F. R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F. R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F. R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F. R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F. R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F. R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F. R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F. R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F. R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations,

learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective November 2, 1942. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

Armour-Smallberg Mfg. Corp., 1306 Memorial Ave., Williamsport, Pennsylvania; Cotton underwear; 5 percent (T); September 21, 1943. (This certificate became effective September 21, 1942).

Hart Schaffner & Marx, 36 S. Franklin St., Chicago, Illinois; Men's outer clothing; 4 percent (T); November 2, 1943.

Olympiad Sportwear, Inc., 1925 8th Ave., Seattle, Washington; Men's & boys' sport jackets and top coats; 5 learners (T); November 2, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry.

Clara Barton Nurses' Apparel, Inc., 82 St. Paul St., Rochester, New York; Uniforms; 3 learners (T); November 2, 1943.

Baxley Dress Mfg. Co., 1521 Tenth Ave., Seattle, Washington; Women's rayon & cotton dresses and sportswear; 10 learners (T); November 2, 1943.

The Big Ace Mfg. Corp., Thomas St., Athens, Georgia; Overalls and work shirts; 10 percent (T); November 2, 1943.

H. Bomze & Bro., Broad St., Elmer, New Jersey; Ladies' cotton and rayon dresses; 10 percent (T); November 2, 1943.

Brauer-Grossman Co., 814 Central St., Kansas City, Missouri; Men's sportswear, robes and military apparel; 10 percent (T); November 2, 1943.

Bremen Mills, Inc., Bremen, Georgia; Arrow dress shirts; 10 percent (T); November 2, 1943.

H. W. Carter & Sons, Bank St., Lebanon, New Hampshire; Cotton work clothing, wool & cotton utility sport garments, barrack bags-U. S. Army; 10 percent (T); November 2, 1943.

Carwood Mfg. Co., Winder, Georgia; U. S. Army trousers, civilian trousers and shirts; 10 percent (T); November 2, 1943.

Clearfield Sportswear Co., Meadows St., Curwensville, Pennsylvania; Sport shirts; 10 percent (T); November 2, 1943.

Clearfield Sportswear Co., Clearfield, Pennsylvania; Sport shirts; 10 percent (T); November 2, 1943.

Colonial Textile Mfg. Co., 85 Coggeshall St., New Bedford, Massachusetts; pajamas and gowns; 10 percent (T); November 2, 1943.

Doncaster Collar & Shirt Co., Court St., Rutherfordton, North Carolina; Women's dresses and uniforms, neckerchiefs for the U. S. Navy; 10 learners (T); November 2, 1943.

Duti-Duds, Inc., 1117 Clay St., Lynchburg, Virginia; Uniform dresses, work garments, pajamas and aprons; 5 learners (T); November 2, 1943.

Elder Mfg. Co., Webb City, Missouri; boys' dress shirts and blouses; 10 percent (T); November 2, 1943.

Elizabeth Undergarment Corp., 829 Newark Ave., Elizabeth, New Jersey; Ladies' underwear; 7 learners (T); November 2, 1943.

Gail Carnogy Frocks, 146 N. 13th St., Philadelphia, Pennsylvania; Ladies' rayon dresses; 3 earners (T); November 2, 1943.

Goodman, Cohen & Co., 226 New Brunswick Ave., Perth Amboy, New Jersey; Men's shirts; 10 learners (T); November 2, 1943.

Half Mfg. Co., 345 E. Commerce St., San Antonio, Texas; Women's work clothing and sportswear; 10 learners (T); November 2, 1943.

H. Kassoway & Son, 29 No. 6th St., Philadelphia, Pennsylvania; Hooverettes, brunch coats; 2 learners (T); November 2, 1943.

Kings Dresses, Inc., 519 Broadway, Kingston, New York; Dresses; 10 percent (T); November 2, 1943.

Kleeson Co., Jefferson Ave., Moundsville, West Virginia; Cotton work pants, cotton semidress pants; 10 percent (T); November 2, 1943.

Lebanon Shirt Co., Magnolia St., Union, Mississippi; Shirts, cotton khaki jackets and herringbone twill; 10 percent (T); November 2, 1943.

The H. D. Lee Mercantile Co., 20th & Wyandotte St., Kansas City, Missouri; Overalls and pants; 19 learners (T); November 2, 1943.

Liberty Trouser Co., 2211 1st Ave. No., Birmingham, Alabama; Overalls, unionalls, overall jackets and trousers; 10 percent (T); November 2, 1943.

J. Libman & Son, 94 Fulton St., Paterson, New Jersey; Ladies' pajamas, undergarments; 6 learners (T); November 2, 1943.

Lipson Garment Co., 308 E. 9th St., Los Angeles, California; Wash dresses, house coats; 2 learners (T); November 2, 1943.

Charles Meyers & Co., 1st & Harrison Sts., Belleville, Illinois; Men's & boys' trousers; 10 percent (T); November 2, 1943.

Model Blouse Co., Mulberry St. Millville, New Jersey; Boy shirts; 18 learners (T); November 2, 1943.

Monarch Textile Corp., 206 Globe Mills Ave., Fall River, Massachusetts; Robes and bedjackets; 10 learners (T); November 2, 1943.

Monroe Mfg. Co., Monroe, Georgia; U. S. Army trousers and jackets, & men's & boys' overalls and jackets; 10 percent (T); November 2, 1943.

Morehead City Garment Co., Inc., Bridges St., Morehead City, North Carolina; Men's dress shirts; 10 percent (T); November 2, 1943.

Mt. Vernon Garment Co., 16th & Herbert Sts., Mt. Vernon, Illinois; House dresses and uniforms; 10 percent (T); November 2, 1943.

N-R Garment Co., Walkersville, Maryland; Men's and boys' pajamas; 10 learners (T); November 2, 1943.

Narragansett Shirt Co., Wamsutta St., New Bedford, Massachusetts; Men's shirts and pajamas; 10 percent (T); November 2, 1943.

National Garment Co., Inc., Boyle & Duncan Aves., St. Louis, Missouri; Men's and boys' polo shirts, ladies' sportswear; 10 percent (T); November 2, 1943.

National Glove & Sportswear Co., 209 Clay St., San Francisco, California; Leather jackets; 1 learner (T); November 2, 1943.

Neptune Mfg. Co., 709 W. Market St., Louisville, Kentucky; Men's top coats and overcoats; Army & Navy coats; 5 percent (T); November 2, 1943.

New England Sportswear & Dress Co., Inc., 12 Elm St., New Haven, Connecticut; Misses' dresses; 5 learners (T); November 2, 1943.

Newport Dress Factory (Morris R. Smarr), 28 S. 3rd St., Newport, Pennsylvania; Children's wash dresses and blouses; 10 percent (T); November 2, 1943.

Wm. H. Noggle & Sons, Inc., 27-37 E. Ferdinand St., Manheim, Pennsylvania; Children's cotton wash garments and hospital pajamas; 10 percent (T); November 2, 1943.

Wm. H. Noggle & Sons, Inc., Rexmont, Lebanon County, Pennsylvania; Pajamas; 10 percent (T); November 2, 1943.

Wm. H. Noggle & Sons, Inc., Grant & High Sts., Manheim, Pennsylvania; Army shirts and dress shirts; 10 percent (T); November 2, 1943.

Norris Mfg. Co., Tailors, South Carolina; Men's slacks and men's sport shirts; 10 percent (T); November 2, 1943.

Patterson Mfg. Co., 428 N. Main St., Miami, Oklahoma; Overalls, jumpers, army pants; 10 percent (T); November 2, 1943.

Peerless Mfg. Co., 20 Fair St., Hackensack, New Jersey; Brassieres; 11 learners (T); November 2, 1943.

Penn Garment Mfg. Co., N. W. Corner Broad & Cherry Sts., Philadelphia, Pennsylvania; Ladies' dresses and blouses; 10 percent (T); November 2, 1943.

Penn Pants, Inc., Maple Ave., Sellersville, Pennsylvania; Men's single pants; 11 learners (T); November 2, 1943.

Perfect Brassiere Co., Inc., 26 Exchange Place, Jersey City, New Jersey; Brassieres, panties; 7 learners (T); November 2, 1943.

Randolph Underwear Co., Inc., Randleman, North Carolina; Ladies' slips; 10 percent (T); November 2, 1943.

Royal Worcester Corset Co., 30 Wyman St., Worcester, Massachusetts; Corsets, brassieres and bandeaux; 10 learners (T); November 2, 1943.

Selfast Dress Co., R. D. #6, Bridgeton, New Jersey; Children's cotton dresses; 10 percent (T); November 2, 1943.

Shamokin Dress Co., 1012 N. Shamokin St., Shamokin, Pennsylvania; Women's dresses and mosquito headnets; 10 percent (T); November 2, 1943.

Silver Trouser Mfg. Co., 1405 E. Columbus Drive, Indiana Harbor, Indiana; Army O.D.-18 oz. wool serge trousers, civilian trousers; 10 percent (T); November 2, 1943.

Smith-Levin-Harris, Inc., Lopez, Pennsylvania; Men's pajamas; 10 percent (T); November 2, 1943.

Boris Smoler & Sons, 3021 N. Pulaski Rd., Chicago, Illinois; Wash dresses; 10 percent (T); November 2, 1943.

Southland Mfg. Co., Inc., 204 Greenfield St., Wilmington, North Carolina; Shirts; 10 percent (T); November 2, 1943. (This certificate replaces the one for 5 percent bearing the expiration date of August 24, 1943.)

Levi Strauss & Co., 250 Valencia St., San Francisco, California; Overalls, shirts, coats, jackets and pants; 10 percent (T); November 2, 1943.

Troy District Shirt Co., Inc., 305 Ontario St., Cohoes, New York; Men's shirts; 33 learners (T); November 2, 1943.

Tuxall Uniform Mfg. Co., 3704 Downing St., Denver, Colorado; Coveralls, service coats, work pants; 2 learners (T); November 2, 1943.

Sam Umansky & Son, 316 Burnet St., New Brunswick, New Jersey; Boys' pants, ski pants, ladies' slacks; 2 learners (T); November 2, 1943.

Union Mfg. Co., 901 E. Missouri St., El Paso, Texas; Men's cotton pants and shirts; 10 percent (T); November 2, 1943. (This certificate replaces the one for 5 percent bearing the expiration date of January 19, 1943.)

Victoria Sportswear, 241 E. Westfield Ave., Roselle Park, New Jersey; Sportswear, dresses and slacks; 1 learner (T); November 2, 1943.

Warrensburg Shirt Co., 50 River St., Warrensburg, New York; Men's shirts; 10 percent (T); November 2, 1943.

Max Weiner, 411 E. Front St., Wilmington, Delaware; Ladies' blouses & shirtwaists, W. A. C. shirts; 10 learners (T); November 2, 1943.

The Allen Mfg. Co., 1808 Lawrence St., Denver, Colorado; Single pants and breeches; 10 learners (T); November 2, 1942. (This certificate replaces the one bearing the expiration date of April 20, 1943.)

Marso & Rodenborn Mfg. Co., 700 1st Ave., N., Fort Dodge, Iowa; Work clothing; 10 percent (T); November 2, 1943.

Cigar Industry

E. Regensburg & Sons, 327 E. 29th St., New York, New York; Cigars; 1 learner (T); Cigar making machine operators to have learning period of 320 hours at 75 percent of the applicable minimum wage; May 1, 1943.

Glove Industry

Brookville Glove Co., Brookville, Pennsylvania; Work gloves; 5 learners (T); November 2, 1943.

William B. Chant, Inc., 92 Hammond St., Port Jervis, New York; Knit fabric gloves; 5 learners (T); November 2, 1943.

Grayson-Nelson Glove Co., 606 So. Marengo Ave., Alhambra, California; Knit fabric and work gloves; 2 learners (T); November 2, 1943.

Marse & Rodenborn Mfg. Co., 700-702 First Ave. N., Fort Dodge, Iowa; Work gloves; 5 learners (T); November 2, 1943.

National Glove & Sportswear Co., 209 Clay St., San Francisco, California; Work gloves; 2 learners (T); November 2, 1943.

Hosiery Industry

Archer Hosiery Mills, Talbotton Ave., Columbus, Georgia; Full-fashioned hosiery; 5 percent (T); November 2, 1943.

Bear Brand Hosiery Co., 205 E. 21st St., Gary, Indiana; Full-fashioned and seamless hosiery; 5 percent (T); November 2, 1943.

Bear Brand Hosiery Co., Kankakee, Illinois; Seamless hosiery; 5 percent (T); November 2, 1943.

Bear Brand Hosiery Co., 1300 Washington St., Henderson, Kentucky; Seamless hosiery; 5 percent (T); November 2, 1943.

Bland Silk Hosiery Mills, Inc., Bland, Virginia; Full-fashioned hosiery; 5 learners (T); November 2, 1943.

Douglas Silk Products Co., Douglas, Georgia; Full-fashioned hosiery; 5 learners (T); November 2, 1943.

Georgia Hosiery Mills, North Main St., Blakely, Georgia; Seamless hosiery; 5 learners (T); November 2, 1943.

Jackson Hosiery Mill, Jackson, Missouri; Full-fashioned hosiery; 5 learners (T); November 2, 1943.

Magnet Mills, Inc., Cullom St., Clinton, Tennessee; Seamless and full-fashioned hosiery; 5 percent (T); November 2, 1943.

Magnet Mills, Inc., Lake City, Tennessee; Seamless hosiery; 5 learners (T); November 2, 1943.

Maurice Mills Co., Inc., Taylor St., Thomasville, North Carolina; Seamless hosiery; 5 percent (T); November 2, 1943.

Millheim Hosiery Mills, Inc., Millheim, Pennsylvania; Seamless hosiery; 5 percent (T); November 2, 1943.

Spalding Knitting Mills, East Broad St., Griffin, Georgia; Seamless hosiery; 5 percent (T); November 2, 1943.

Victor Hosiery Corp., 775 Frederick St., Hagerstown, Maryland; Seamless and full-fashioned hosiery; 5 percent (T); November 2, 1943.

Wrenn Hosiery Co., Liberty Drive, Thomasville, North Carolina; Seamless hosiery; 5 percent (T); November 2, 1943.

Zenith Hosiery Mills, Inc., East Highway #70, Hickory, North Carolina; Seamless hosiery; 5 learners (T); November 2, 1943.

Knitted Wear Industry

French Veiling Corp., 11 South Broad St., Peekskill, New York; Rayon elastic silk nets; 5 learners (T); November 2, 1943.

Textile Industry

Brookford Mills Division, Brookford, North Carolina; White woven fabrics; 3 percent (T); November 2, 1943.

Eagle & Phenix Mills, 1225 Front Ave., Columbus, Georgia; Cotton; 3 percent (T); November 2, 1943.

Hill Spinning Co., Roseboro, North Carolina; Karded cotton yarns; 3 percent (T); November 2, 1943.

Irene Mills, Taylorsville, North Carolina; Yarn & thread; 7 learners (T); November 2, 1943.

Juliette Milling Co., Juliette, Georgia; Cotton yarn and twine; 3 percent (T); November 2, 1943.

Kanmak Mills, Inc., Chestnut St., Kulpmont, Pennsylvania; yarn, thread; 3 percent (T); November 2, 1943.

Kingston Chenille Co., Kingston, Georgia; Cotton chenille bedspreads; 5 learners (T); November 2, 1943.

Lily Mills Co., Shelby, North Carolina; Cotton sewing threads; 3 percent (T); November 2, 1943.

Oconee Mills, Inc., Westminster, South Carolina; Cotton yarns and cotton blankets; 3 percent (T); November 2, 1943.

John Sidebotham, Inc., 4317 Griscom St., Philadelphia, Pennsylvania; Yarn and thread; 3 percent (T); November 2, 1943.

Spless Ribbon Mills, 68 No. Third St., Stroudsburg, Pennsylvania; Ribbons; 3 learners (T); November 2, 1943.

Superba Mills, Inc., Hawkinsville, Georgia; All cotton; 3 percent (T); November 2, 1943.

Triangle Thread Mills, 150 Greene St., New York, New York; Thread; 3 learners (T); November 2, 1943.

Waxhaw Cotton Mills Co., Waxhaw, North Carolina; Cotton yarns; 3 percent (T); November 2, 1943.

Signed at New York, N. Y., this 31st day of October 1942.

MERLE D. VINCENT,
*Authorized Representative,
of the Administrator.*

[F. R. Doc. 42-11249; Filed, November 2, 1942; 2:49 p. m.]

LEARNERS EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective November 2, 1942.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

E. Simon Bialek, 102 Grant St., Passaic, New Jersey; Embroidery; 2 learn-

ers; 6 weeks for any one learner; 28 cents per hour; Spanner-helper; December 28, 1942.

Empire Embroidery Co., 1027 Race St., Philadelphia, Pennsylvania; Embroidery; 2 learners; 6 weeks for any one learner; 28 cents per hour; Spanner-helper; December 28, 1942.

Signed at New York, N. Y., this 31st day of October 1942.

MERLE D. VINCENT,
*Authorized Representative
of the Administrator.*

[F. R. Doc. 42-11248; Filed, November 2, 1942; 2:49 p. m.]

FEDERAL POWER COMMISSION

[Docket No. G-230]

TENNESSEE GAS AND TRANSMISSION
COMPANY

ORDER FIXING DATE FOR HEARING

OCTOBER 31, 1942.

Upon application filed February 9, 1942, by Tennessee Gas and Transmission Company, a Tennessee corporation, having its principal office in Chattanooga, Tennessee, under section 7 (c) of the Natural Gas Act, for authority to construct and operate a natural gas pipe line system from natural gas fields in southern Louisiana to Nashville, Chattanooga, Knoxville and other cities and communities in the States of Tennessee and Alabama;

The Commission orders that:

(A) A public hearing in this proceeding be held commencing on December 8, 1942, at 9:45 a. m. in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue N.W., Washington, D. C.;

(B) Interested State commissions may participate in this proceeding as provided in § 67.4 of the Provisional Rules of Practice and Regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 42-11320; Filed, November 3, 1942; 9:31 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 64 Under MPR 120, Correction]

ATLANTIC SMOKELESS COAL CO., ET AL.

ORDER GRANTING ADJUSTMENTS

Correction to Order No. 64¹ under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket Nos. 3120-69, 3120-71 and 3120-91.

The name of the operator of the Asco No. 1 Mine stated in paragraph (b) (2) of Order No. 64 under Maximum Price Regulation No. 120 should be the Atlantic

17 F.R. 8621.

Smokeless Coal Company and not the Atlantic Coal Sales Company.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11204; Filed, November 2, 1942;
12:04 p. m.]

[Order 34 Under MPR 122]

FIDLER SKILLING FUEL & DOCK CO.

ORDER GRANTING ADJUSTMENT

Order No. 34 under Maximum Price Regulation No. 122—Solid Fuels Delivered From Facilities Other Than Producing Facilities—Dealers—Docket No. 3122-47.

For the reasons set forth in an opinion issued simultaneously herewith 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 in accordance with § 1340.257 (a) of Maximum Price Regulation No. 122, *It is hereby ordered:*

(a) Fidler Skilling Fuel & Dock Company of Sturgeon Bay, Wisconsin, may sell and deliver to the Sturgeon Bay Utilities, a municipally owned public utility of Sturgeon Bay, Wisconsin, and that purchaser may buy and receive Island Creek Mine No. 22-2" Nut and Slack Coal at prices not in excess of \$6.08 per ton;

(b) This Order No. 34 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. 34 shall become effective November 3, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11205; Filed, November 2, 1942;
12:03 p. m.]

[Order 11 Under MPR 169]

JONES COUNTRY VEAL

ORDER GRANTING PETITION FOR ADJUSTMENT

Order No. 11 under Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts—Docket No. 3169-66.

On August 21, 1942, David W. Jones doing business as Jones Country Veal, Harvard, Illinois, filed a petition for adjustment pursuant to § 1354.60 of Maximum Price Regulation 169, as amended. Due consideration has been given to the petition, and an opinion in support of this Order No. 11 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, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

(a) David W. Jones, doing business as Jones Country Veal, may sell and deliver, agree, offer, solicit and attempt to sell and deliver Veal Carcasses of the grades hereinafter set forth and any persons may buy and receive from the Jones Country Veal such Veal Carcasses at prices not in excess of those established as follows:

	Cents per pound
Veal Carcasses—choice grade.....	21½
Veal Carcasses—good grade.....	20

(b) Jones Country Veal shall mail or cause to be mailed to all persons who purchase Veal Carcasses from it for resale a notice reading as follows:

The Office of Price Administration by Order No. 11 effective November 3, 1942 pursuant to § 1364.60 of Maximum Price Regulation No. 169 has permitted us to raise our maximum price for sales to you of veal carcasses, choice grade from 20¢ per pound to 21½¢ per pound, and veal carcasses, good grade from 19¢ per pound to 20¢ 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 veal carcasses. In order that we may continue to provide you with veal carcasses 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. 11 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 to terms used herein.

(f) This Order No. 11 shall become effective November 3, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11203; Filed, November 2, 1942;
12:05 p. m.]

[Order 5 Under RPS 12]

THERMOID COMPANY

ORDER GRANTING EXCEPTION

Order No. 5 under Revised Price Schedule No. 12—Brass Mill Scrap—Docket No. 3012-4.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1309.19 (e) (2) of Revised Price Schedule No. 12—Brass Mill Scrap, *It is ordered:*

(a) Thermoid Company may buy and receive from the Mueller Brass Company, and the Mueller Brass Company may

sell and deliver to the Thermoid Company at a price not higher than 14¾¢ per pound, f. o. b. point of shipment, specially prepared brass mill scrap; *Provided*, That the Thermoid Company has been authorized by the War Production Board to make each such purchase.

(b) As used in this Order No. 5 "specially prepared brass mill scrap" shall mean screened brass chips of uniform size analyzing 58% to 63% Copper, 34% to 39% Zinc, 2% to 3% Lead, free from iron and other magnetic material except that such iron or magnetic material may be present in amounts not greater than 0.2% of the net weight of the material if it is in the form of fine dust and not sizable particles.

(c) Unless the context otherwise requires, the terms used in this Order No. 5 shall have the same meaning given to them by Revised Price Schedule No. 12.

(d) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 5 shall become effective November 3, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11206; Filed, November 2, 1942;
12:02 p. m.]

[Order 6 Under RPS 28]

W. P. SQUIBB DISTILLING COMPANY, INC.

ORDER GRANTING ADJUSTMENT

Order No. 6 under Revised Price Schedule No. 28—Ethyl Alcohol—Docket No. 3028-4.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) Notwithstanding anything to the contrary contained in Revised Price Schedule No. 28 or in the General Maximum Price Regulation, W. P. Squibb Distilling Company, Inc., of Vincennes, Indiana, may charge for deliveries of ethyl alcohol of 188 proof or higher, of any formulae thereof, including pure ethyl alcohol, which were made to the Defense Supplies Corporation between August 15, 1942, and September 30, 1942, and the Defense Supplies Corporation may pay for such ethyl alcohol, prices not in excess of those set forth below:

\$6.761 per wine gallon, f. o. b. plant.

(b) All prayers of the applicant not granted herein are denied.

(c) This Order No. 6 under Revised Price Schedule No. 28 shall become effective November 3, 1942.

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

Issued this 2d day of November, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11207; Filed, November 2, 1942;
12:02 p. m.]

[Order 4 Under RPS 10]

DELTA CHEMICAL & IRON COMPANY

ORDER GRANTING PETITION

Order No. 4 Under Revised Price Schedule No. 10—Pig Iron—Docket No. 3010-4.

On September 30, 1942, Delta Chemical & Iron Company, Chicago, Illinois, filed a petition for an exception under § 1306.55 (b) of Revised Price Schedule No. 10. Due consideration has been given to the petition and an opinion in support of this Order No. 4 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) Delta Chemical & Iron Company may sell or deliver or offer to sell or deliver charcoal pig iron produced at its plant at Delta, Michigan, at base prices not to exceed \$30.00 per gross ton. Any person may buy or accept delivery or offer to buy or accept delivery from Delta Chemical & Iron Company of such charcoal pig iron at the price herein established.

(b) The permission granted to Delta Chemical & Iron Company is subject to the following conditions:

1. That there be filed with the Office of Price Administration on or before the 15th day of each month an itemized statement in affidavit form of blast furnace and all other costs incurred in the production of charcoal pig iron during the preceding month; also balance sheet and profit and loss statement of Delta Chemical & Iron Company as of the last day of the preceding month.

2. That Delta Chemical & Iron Company notify each purchaser of charcoal pig iron under this Order No. 4 as follows: "The Office of Price Administration has permitted us to raise our maximum base price for sales to you of charcoal pig iron from \$28.00 to \$30.00, f. o. b. furnace, Delta, Michigan. This amount represents only that part of cost increases which we were unable to absorb. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of products manufactured by you from this pig iron."

(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.

(e) Unless the context otherwise requires, the definitions set forth in § 1306.51 of Revised Price Schedule No. 10 shall apply to terms used herein.

(f) This Order No. 4 shall become effective November 3, 1942.

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11222; Filed, November 2, 1942; 2:28 p. m.]

[Order 35 Under MPR 122]

F. HURLBUT COMPANY

ORDER GRANTING ADJUSTMENT, ETC.

Order No. 35 Under Maximum Price Regulation No. 122—Solid Fuels Delivered from Facilities other than Producing Facilities—Dealers—Docket No. 1122-9-P, granting adjustment and closing docket on protest.

On June 1, 1942, F. Hurlbut Company, 201 Cedar Street, Green Bay, Wisconsin, filed a protest against the provisions of Maximum Price Regulation No. 122. On July 27, 1942, the Administrator issued an order providing protestant with an opportunity to present further evidence specified in said order, within thirty days from the effective date of said order. Thereafter, protestant filed further evidence in connection with its protest.

Pursuant to Rule 33 of Procedural Regulation No. 1, the Administrator has considered this protest not only as a protest but also as a petition for adjustment under § 1340.257a of Maximum Price Regulation No. 122, 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, and in accordance with Procedural Regulation No. 1, *It is ordered:*

(a) F. Hurlbut Company may sell and deliver, agree, offer, solicit, and attempt to sell and deliver 40,000 tons of White Oak 1 $\frac{1}{4}$ " Screenings coal which said F. Hurlbut Company purchased from the White Oak Coal Company of New York and now has on hand, and any manufacturing plant, including canning factories, condenseries, dairies, and cheese factories, may buy and receive any of such coal from F. Hurlbut Company at prices not in excess of those stated in paragraph (b).

(b) The maximum prices for the sales described in paragraph (a) above shall consist of \$6.05 $\frac{1}{2}$ per ton for sales in open railroad freight cars or railroad box cars and \$6.20 $\frac{1}{2}$ per ton for sales in trucks, such prices to be f. o. b. Green Bay, Wisconsin.

(c) This Order No. 35 shall become effective on the 3d day of November 1942.

(d) This Order No. 35 may be revoked or amended by the Price Administrator at any time.

(e) Inasmuch as this Order No. 35 grants all the relief requested in the Protest, Protest Docket No. 1122-9-P is hereby closed.

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11224; Filed, November 2, 1942; 2:28 p. m.]

[Order 36 Under MPR 122]

PADDOCK CASH COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 36 under Maximum Price Regulation No. 122—Solid Fuels, Delivered from Facilities other than Producing Facilities—Dealers—Docket No. 3122-11.

For the reasons set forth in an opinion issued simultaneously herewith 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 in accordance with § 1340.257a of Maximum Price Regulation No. 122, *It is hereby ordered:*

(a) Paddock Cash Coal Company of Syracuse, New York, may sell and deliver at wholesale the egg, stove and nut sizes of anthracite coal which it receives by rail and any dealer in Syracuse, New York, or the vicinity thereof, may purchase such coal from Paddock Cash Coal Company at prices no higher than those set forth in paragraph (b) below;

(b) The maximum price of Paddock Cash Coal Company for the sale at wholesale of egg, stove and nut sizes of anthracite coal which it receives by rail shall be the maximum prices presently established therefor under § 1340.261, as amended, of Maximum Price Regulation No. 122 plus 34 cents per ton;

(c) This Order No. 36 may be revoked or amended by the Price Administrator at any time;

(d) All prayers of the petition not granted herein are denied;

(e) This Order No. 36 shall become effective November 2, 1942.

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11239; Filed November 2, 1942; 2:23 p. m.]

[Order 2 Under MPR 136]

ELECTRONIC MECHANICS, INC.

ORDER GRANTING ADJUSTMENT

Adjustment of Maximum Prices Under § 1390.25 (a) of Maximum Price Regulation No. 136, as amended—Machines and Parts and Machinery Services—Order No. 2.

For the reasons set forth in an opinion issued simultaneously 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 in accordance with § 1390.25 (a) of Maximum Price Regulation No. 136, as amended, *It is hereby ordered:* That:

(a) Adjustment of Maximum Prices on sale of "Mycalite" radio parts by Electronic Mechanics, Inc., under § 1390.25 (a). (1) Electronic Mechanics, Inc., Clifton, New Jersey, is hereby authorized to sell and offer, agree, solicit and attempt to sell any radio part composed of, or containing, "Mycalite" manufac-

tured by it, for which it had a published or confidential list price in effect on March 31, 1942, at a maximum price not exceeding the net price determined in accordance with the provisions of § 1390.5 plus an amount equal to 10% of such net price.

(2) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(3) This Order No. 2 under § 1390.25 (a) of Maximum Price Regulation No. 136 shall become effective November 2, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11238; Filed, November 2, 1942; 2:24 p. m.]

[Order 20 Under MPR 188]

NATIONAL CARBON COMPANY, INC.

ORDER AUTHORIZING MAXIMUM PRICES

Order No. 20 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods other than Apparel—Docket Nos. GF3-1723 and GF3-1724.

Maximum price authorization for sales of new dry cell radio batteries by National Carbon Company, Inc., to the Signal Corps, U. S. A. For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is ordered:*

(a) National Carbon Company, Inc., is authorized to sell and deliver to the Signal Corps, Army of the United States, the following new dry cell radio batteries at prices, f. o. b. factory, no higher than those set forth below:

BA-39.....	\$3.41
BA-40.....	2.49

(b) The authorization granted by this Order No. 20 is confined to sales and deliveries under Signal Corps Contract No. W287-SC-4979.

(c) This Order No. 20 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 20 shall become effective on the 3d day of November 1942. Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11241; Filed, November 2, 1942; 2:27 p. m.]

[Order 21 Under MPR 188]

HOME MADE RUG COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 21 under § 1499.161 (a) of Maximum Price Regulation No. 188—

No. 217—8

Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods other than Apparel—Docket No. GF3-394.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) Home Made Rug Company of Kernersville, North Carolina, may sell and deliver the rugs listed herein at prices no higher than those set forth below:

Styles 82, 84, 85, 86, 820

Size	Ceiling price
2 x 3.....	\$0.72
2 x 4.....	.95
27 x 54.....	1.20
3 x 5.....	1.75

Styles 300, 400, 500, 600, 800, 900, 910

Size	Ceiling price
2 x 3.....	\$0.75
2 x 4.....	1.00
27 x 54.....	1.26
3 x 5.....	1.85

subject to the Home Made Rug Company's customary allowances, discounts, or other price differentials from its regular quoted price list in effect during March, 1942.

(b) Before offering to sell or delivering the rugs listed in paragraph (a) at the prices set forth therein, Home Made Rug Company must submit to the buyer the following notification:

The Office of Price Administration has authorized an increase in the maximum price of this rug from \$..... to \$..... (Inserting the correct figures). This represents only that part of our cost increases which we are unable to absorb and was granted with the provision that your maximum prices remain the same.

(c) This Order No. 21 shall become effective November 2, 1942.

Issued this 2d day of November, 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11242; Filed, November 2, 1942; 2:27 p. m.]

[Order 22 Under MPR 188]

FEDERAL ELECTRIC COMPANY

ORDER AUTHORIZING MAXIMUM PRICES

Order No. 22 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.158 of Maximum Price Regulation No. 188, *It is hereby ordered, That:*

(a) The Federal Electric Company, of 8700 South State Street, Chicago, Illinois, may sell and deliver, and any person may buy and receive from the Federal Electric Company, plastic down-

spouts at the following prices per 100 lineal feet, f. o. b. Chicago, Illinois.

	Carload prices	Less than carload prices
Maximum net prices to consumers.....	\$29.00	\$33.00
Maximum net prices to dealers.....	21.75	24.75
Maximum net prices to jobbers.....	18.49	21.04

(b) This Order No. 22 is subject to the condition that the Federal Electric Company submit to the Price Administrator within a period of ninety (90) days following the effective date an analysis of the actual cost of manufacture during that period, of the plastic downspouts involved.

(c) This Order No. 22 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 22 shall become effective November 2, 1942.

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11240; Filed, November 2, 1942; 2:23 p. m.]

[Order 23 Under MPR 188]

SAMPSEL TIME CONTROL, INCORPORATED

ORDER ADJUSTING MAXIMUM PRICES

Order No. 23 under § 1499.161 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel—Docket No. 3188-1.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and § 1499.161 of Maximum Price Regulation No. 188, *It is hereby ordered, That:*

(a) The Sampsel Time Control, Incorporated, of Spring Valley, Illinois, may sell and deliver to Sears-Roebuck & Company, damper regulators, types 8870 and 8871, at a price of \$7.25 and \$11.39 each, respectively.

(b) This Order No. 23 may be revoked and amended by the Price Administrator at any time.

(c) This Order No. 23 shall be effective as of September 24, 1942.

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11243; Filed, November 2, 1942; 2:27 p. m.]

[Order 1 Under MPR 213]

SIMMONS COMPANY

ORDER APPROVING MAXIMUM PRICES

Order No. 1 under § 1365.53 (b) (2) of Maximum Price Regulation No. 213—Coil and Flat Bedsprings with Non-Steel Frames.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, *It is hereby ordered:*

(a) The Simmons Company of New York, New York, may sell and deliver the four coil bedsprings with wood frames listed herein at f. o. b. factory carload prices no higher than those set forth below:

	<i>F. o. b. factory carload maxi- mum prices</i>
Pattern—C 450.....	\$5.25
Pattern—C 451.....	5.80
Pattern—Princess.....	5.80
Pattern—C 443.....	6.80

The terms, discounts, allowances, and differentials established under Maximum Price Regulation No. 213:

- (1) For Class A bedsprings shall apply to Pattern—C 450.
- (2) For Class B bedsprings shall apply to Pattern—C 451.
- (3) For Class B bedsprings shall apply to Pattern—Princess.
- (4) For Class C bedsprings shall apply to Pattern—C 443.

(b) This Order No. 1 may be revoked or amended by the Office of Price Administration at any time.

(c) Unless the context otherwise requires the definitions set forth in Maximum Price Regulation No. 213, shall apply to terms used herein.

(d) This Order No. 1 shall become effective on the 2d day of November 1942.
Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11237; Filed, November 2, 1942;
2:25 p. m.]

[Order 2 Under MPR 213]

BURTON-DIXIE CORPORATION

ORDER APPROVING MAXIMUM PRICES

Order No. 2 under § 1365.61 (a) of Maximum Price Regulation No. 213—Coil and Flat Bedsprings with Non-Steel Frames.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and by virtue of the authority vested in the Price Administrator under the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, *It is hereby ordered:*

(a) The Burton-Dixie Corporation of Chicago, Illinois, may sell and deliver the 750 units which it had on hand September 18, 1942, of its "80 Coil Special" bedspring with a wood frame and two pairs of stabilizers at a price no higher than \$7.00 f. o. b. factory, L. C. L.

(b) Any person may sell at wholesale and deliver Burton-Dixie Corporation's "80 Coil Special" bedspring with a wood frame and two pairs of stabilizers at a warehouse or delivered price no higher than \$7.00, plus the dollar amount by which such seller's warehouse or delivered price respectively exceeded the manufacturer's f. o. b. factory, L. C. L. price for the most comparable bedspring with a steel frame during March 1942 under the same conditions of sale,

(c) Any person may sell at retail and deliver Burton-Dixie Corporation's "80 Coil Special" bedspring with a wood frame and two pairs of stabilizers at a price no higher than \$12.50, plus \$.70 for a sale at retail in the Far West Zone.

(d) The maximum prices set forth in paragraphs (a), (b) and (c) hereof shall be subject to the same discounts, allowances, terms and differentials as the seller had in effect for the most comparable bedspring with a steel frame during March 1942.

(e) Burton-Dixie Corporation shall notify in writing each person selling "80 Coil Special" bedsprings of the maximum prices established in paragraphs (a), (b) and (c) hereof upon the first sale of such bedspring to such seller.

(f) Before making delivery of an "80 Coil Special" bedspring with a wood frame, Burton-Dixie Corporation must attach securely to such bedspring so that it is clearly visible a durable tag containing in easily readable lettering a statement in the following form:

The Office of Price Administration has established a retail ceiling price of (insert \$12.50 or \$13.20, which ever is correct) for this bedspring which includes the price for the two pairs of stabilizers. Lower prices may be charged. This tag may not be removed until after delivery to the consumer.

(g) This Order No. 2 may be revoked or amended by the Office of Price Administration at any time.

(h) Unless the context otherwise requires, the definitions set forth in Maximum Price Regulation No. 213 shall apply to the terms used herein.

(i) This Order No. 2 under § 1365.61 (a) of Maximum Price Regulation No. 213 shall become effective November 2, 1942.

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11244; Filed, November 2, 1942;
2:26 p. m.]

[Order 1 Under MPR 230]

BERRY PIPE AND SUPPLY COMPANY

ORDER ADJUSTING MAXIMUM PRICES

Order No. 1 under Maximum Price Regulation No. 230—Reusable Iron and Steel Pipe—Docket No. 3230-2.

For the reasons set forth in the opinion issued simultaneously herewith 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 in accordance with Procedural Regulations Nos. 1 and 6 issued by the Office of Price Administration, *It is hereby ordered:*

Adjustment of maximum prices of Berry Pipe and Supply Company on sales of reusable pipe to Defense Plant Corporation on its Purchase Order No. 653.

(a) Notwithstanding anything to the contrary contained in Maximum Price Regulation No. 230, the Berry Pipe and Supply Company of Tulsa, Oklahoma, may sell and deliver reusable pipe to the Defense Plant Corporation pursuant to its Purchase Order No. 653 dated September 22, 1942, at prices not in excess of the applicable prices contained in

Maximum Price Regulation No. 230 for the reusable pipe delivered pursuant to said Purchase Order No. 653 plus 8¢ per lineal foot for so much of said pipe as is steamed and sand blasted so that it will be satisfactory for domestic water service, and Defense Plant Corporation may buy and receive said reusable pipe from Berry Pipe and Supply Company at prices as set forth above.

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 1 shall become effective November 3, 1942.

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11246; Filed, November 2, 1942;
2:25 p. m.]

[Order 2 Under MPR 244]

HUNT-SPILLER MANUFACTURING CO.

ORDER ADJUSTING MAXIMUM PRICES

Order No. 2 under Maximum Price Regulation No. 244—Gray Iron Castings—Docket No. GF3-2421.

For the reasons set forth in the opinion issued simultaneously herewith 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 in accordance with Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

Adjustment of maximum prices of the Hunt-Spiller Manufacturing Company on sales of railroad locomotive gray iron castings. (a) Notwithstanding anything to the contrary contained in Maximum Price Regulation No. 244, the Hunt-Spiller Manufacturing Company of South Boston, Massachusetts may sell and deliver railroad locomotive gray iron castings to its contract customers at prices not in excess of the following, f. o. b. Boston:

Cents per pound

Class A-1.....	6%
Plain cylinder bushings.	
Class A.....	7
Plain cylinder bushings with ports cored.	
Banded cylinder bushings with or without ports cored.	
Cylinder packing rings.	
Cylinder bull rings.	
Piston valve bull rings.	
Piston valve packing blanks.	
Piston valve bushing castings requiring one set of port cores.	
Outer rod bushings without cored inserts.	
Small bushings or packing blanks over 5½" I. D.	
Air pump bushings without cored ports.	
Dry pipe sleeves (one-piece patterns).	
Tub castings for dry pipe joint rings.	
Crosshead shoes.	
Pedestal shoes and wedges.	
Hub liners.	
Air pump piston heads.	
Air pump packing blanks.	
Built-up piston heads.	
Class B.....	7%
Eccentrics.	
Eccentric straps.	
Crosshead liners.	

Class B—Continued.....	7%
By-pass valve bushings.	
By-pass valve packing blanks.	
Driving and engine truck boxes.	
Driving box collars.	
Piston valve bushing castings requiring more than one set of port cores.	
Box-type cored piston heads.	
"Z" type pistons of Hunt-Spiller gun iron.	
Air pump bushings with cored ports.	
Side rod bushings with cored inserts.	
Outer rod bushings with cored inserts.	
Dry pipe sleeves cored or split pattern.	
Class C.....	8%
Slide valves.	
Valve strips.	
Dry pipe elbows.	
Throttle valve spiders.	
Steam pipes.	
Throttle boxes or stand pipes.	
Ring seats.	
Main throttle valves.	
Sliding plates for metallic packing.	
Castings for individual dry pipe joint rings.	
Knuckle pin bushings or small packing ring blanks—under 5½" I. D.	

and its contract customers may buy and receive said castings from Hunt-Spiller Manufacturing Company as above; Hunt-Spiller Manufacturing Company may sell and deliver such castings to persons other than its contract customers at prices not in excess of the applicable prices set forth above, f. o. b. Boston, plus ½¢ per pound and such persons may buy and receive said castings from Hunt-Spiller Manufacturing Company as above: *Provided*, That Hunt-Spiller Manufacturing Company shall file with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., on or before the last day of each month following each quarter year beginning the last quarter of the current year of 1942: (1) A sworn statement of its profits and losses on its sales of railroad locomotive gray iron castings for the preceding quarter; (2) a sworn statement of its overall profits and losses on all sales for the preceding quarter; (3) a breakdown of the profit and loss statements filed pursuant to (1) and (2) of this paragraph showing (i) net sales (ii) cost of commodities or services sold, stating separately total direct material costs, total direct labor costs and total other manufacturing costs and (iii) general and administrative expenses, segregating compensation to officers and directors; and (4) a sworn statement of its average per pound price for railroad locomotive gray iron castings sold during the preceding quarter and its average per pound cost for the railroad locomotive gray iron castings sold.

(b) The term "contract customers" when used in this order means persons with whom Hunt-Spiller Manufacturing Company has in effect, at the time of sale, a contract whereby Hunt-Spiller Manufacturing Company is to furnish all of said persons, requirements for railroad locomotive gray iron castings listed in paragraph (a).

(c) All prayers of the petition not granted herein are denied.

(d) This Order No. 2 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 2 shall become effective November 3, 1942.

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11245; Filed, November 2, 1942;
2:26 p. m.]

JOSEPH TOYE COMPANY

[Order 1 Under MPR 244]

ORDER GRANTING ADJUSTMENT

Order No. 1 under Maximum Price Regulation No. 244—Gray Iron Castings—Docket No. GF3-1984.

For the reasons set forth in the opinion issued simultaneously herewith, 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 Revised Procedural Regulation No. 1 issued by the Office of Price Administration: *It is hereby ordered:*

Adjustment of maximum prices for gray iron castings sold by Joseph Toye Company to Ferracute Machine Company. (a) On and after the effective date of this order, Joseph Toye Company may sell and deliver to Ferracute Machine Company gray iron castings for use in bullet presses and other devices for the small arms ammunition program, and Ferracute Machine Company may buy and receive such gray iron castings from Joseph Toye Company, at prices not in excess of 5 cents per pound for such gray iron castings whose weight per piece is 30 pounds or more, and 6 cents per pound for such gray iron castings whose weight per piece is less than 30 pounds.

(b) All prayers of the petition not granted herein are denied.

(c) This Order No. 1 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 1 shall become effective November 3, 1942.

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

Issued this 2d day of November 1942.

LEON HENDERSON,
Administrator.

[F. R. Doc. 42-11272; Filed, November 2, 1942;
3:50 p. m.]

WAR PRODUCTION BOARD.

METAL MILLS, AND OTHER SUPPLIERS OF PRP UNITS

USE OF CERTAIN CONTRACT NUMBERS ON APPLICATIONS

The War Production Board has in the past required certain suppliers of scarce materials to furnish Army and Navy contract numbers on applications for approval of shipments of materials. Hereafter, applications for approval of shipments of materials to be used by the purchaser in the manufacture of articles ordinarily sold from stock (and not for the manufacture of articles on specific order) will not be denied on the ground that Army or Navy contract numbers are omitted, if PRP certificate serial num-

bers are furnished in lieu of the contract numbers.

Consequently, metal mills and other suppliers of PRP units should not refuse acceptance of purchase orders for materials for the manufacture of articles ordinarily sold from stock, on the ground that Army or Navy contract numbers have been omitted, if PRP certificate serial numbers are given.

PRP units, have, however, been instructed to furnish Army and Navy contract numbers where they can do so without undue inconvenience or delay. Consequently, you should furnish Army and Navy contract numbers with respect to purchase orders for material to be used in the manufacture of articles on specific order, and in any other case where the numbers are given to you.

Issued this 3d day of November 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-11321; Filed, November 3, 1942;
10:47 a. m.]

[Certificate No. 20]

APPROVAL OF RECOMMENDATION OF PETROLEUM COORDINATOR

THE ATTORNEY GENERAL: Pursuant to the provisions of section 12 of Public Law No. 603, approved June 11, 1942, I submit Recommendation No. 56¹ of the Petroleum Coordinator for War.

I hereby approve said recommendation for the purposes of section 12 of Public Law No. 603, approved June 11, 1942, and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such recommendation, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

NOVEMBER 2, 1942.

[F. R. Doc. 42-11338; Filed, November 3, 1942;
11:41 a. m.]

[Certificate No. 21]

APPROVAL OF RECOMMENDATION OF PETROLEUM COORDINATOR

THE ATTORNEY GENERAL: Pursuant to the provisions of section 12 of Public Law No. 603, approved June 11, 1942, I submit Recommendation No. 55¹ of the Petroleum Coordinator for War.

I hereby approve said recommendation for the purposes of section 12 of Public Law No. 603, approved June 11, 1942, and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such recommendation, is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

NOVEMBER 2, 1942.

[F. R. Doc. 42-11337; Filed, November 3, 1942;
11:41 a. m.]

¹ Title 32, *supra*.

