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Regulations

TITLE 7—AGRICULTURE Chapter X—Food Production Administration

[Food Production Order 6]

PART 1215—SEEDS AND GRASSES

RESTRICTIONS ON TRANSFER OF BERMUDA AND CARPET GRASS SEEDS

Pursuant to the authority vested in the Secretary of Agriculture by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate production of food to meet war and civilian needs: *It is hereby ordered*, That:

§ 1215.1 *Restrictions on transfer of Bermuda and carpet grass seeds—(a) Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, corporation, association, or any other organized group of "persons" and shall include any agent, agency, or any "person" acting for or on behalf of any of the foregoing. The term "person" shall also include the United States or any agency thereof, and a State or any political subdivision or agency thereof.

(2) "Bermuda grass seed" means seed of the species *Cynodon dactylon* whether separate or mixed with alfalfa seed.

(3) "Carpet grass seed" means seed of the species *Axonopus compressus*.

(4) "Transfer" means any actual or purported act or transaction, whether or not evidenced by writing, the purpose, intent, or effect of which is to create, surrender, release, change or alter, directly or indirectly, any right, title, interest, or possession with respect to any Bermuda grass seed or carpet grass seed, and without limitation upon the foregoing shall include the making, execution, or delivery of any bill of sale, chattel mortgage, receipt, agreement, contract, certificate, gift, loan, lease, sale, barter or exchange, the creation or transfer of any lien, the issuance, docketing, filing or the levy of or under any judgment, decree, attachment, execution, or other judicial process or order. Transfer shall also include delivery of any Bermuda grass seed or carpet grass seed from any person to any

agent or agency of such person and the delivery thereof to any person acting on behalf of such person.

(5) "Director" means the Director of Food Production or, in his absence, the Acting Director of Food Production.

(b) *Restrictions.* Notwithstanding the terms of any contract of sale or purchase or other commitment, whenever made, no person shall, after January 20, 1943, transfer or mix or accept a transfer of any Bermuda grass seed or any carpet grass seed, except that:

(1) Any person may transfer Bermuda grass seed or carpet grass seed to the Commodity Credit Corporation, the Army, Navy, Marine Corps, Coast Guard or Public Roads Administration (for work that is contracted under a Directive from the Army or Navy), and any such agency may accept transfers of Bermuda grass seed or carpet grass seed.

(2) Any person may transfer Bermuda grass seed or carpet grass seed to any contractor or subcontractor of the Army, Navy, Marine Corps, Coast Guard or Public Roads Administration (for work that is contracted under a Directive from the Army or Navy), *Provided*, Each such agency approves in writing each such transfer to its contractors or subcontractors and any such contractor or subcontractor may accept a transfer of Bermuda grass seed or carpet grass seed, *Provided*, That such written approval is obtained.

(3) Any person may clean Bermuda grass seed or carpet grass seed.

(c) *Reports.* Every person to whom this order is applicable who owns or controls stocks of Bermuda grass seed or carpet grass seed in an amount of 1000 pounds or more shall, on or before February 2, 1943, execute and file with the Department of Agriculture a report disclosing the amount of Bermuda grass seed and carpet grass seed which he owns or controls and the place where such seed is located. Persons to whom this order is applicable shall execute and file with the Department of Agriculture such further reports as the Department may from time to time require.

(d) *Records.* Persons to whom this order is applicable shall keep and preserve for not less than two years accurate and complete records concerning

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Telephone information: District 0525.

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purchases, sales and stocks of Bermuda grass seed and carpet grass seed.

(e) *Audits and inspections.* Every person to whom this order applies shall, upon request, submit for audit and in-

spection by duly authorized representatives of the Department of Agriculture his books, records and accounts.

(f) *Violations.* Any person who willfully violates any provisions of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, or who conspires with another to perform any of such acts, is guilty of a crime and upon conviction may be punished by fine and imprisonment. In addition, any such person may by administrative suspension order be prohibited from receiving any deliveries of or selling or otherwise disposing of or using any Bermuda grass seed or carpet grass seed or any other material now or hereafter authorized to be rationed or allocated by, or subject to the priority control of, the Secretary of Agriculture, and may be deprived of any such priority assistance. Further, the Director of Food Production may recommend to the Office of Price Administration or to the War Production Board that any person who violates any provision of this order or any amendment or supplement thereto be denied the right to receive, use, sell or otherwise dispose of any other materials which now are or in the future may be under allocation.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director of Food Production, setting forth in such petition all pertinent facts and information. The Director may, upon the basis of such application and other information, take such action as he deems appropriate. The decision of the Director shall be in writing and shall be final and conclusive.

(h) *Delegation of authority.* The administration of this Food Production Order No. 6 and the powers conferred upon the Secretary of Agriculture by Executive Order No. 9280, insofar as such powers relate to the administration of this order, are hereby delegated to the Director of Food Production or, in his absence, to the Acting Director of Food Production. The Director of Food Production shall be assisted in the administration of this order by such employees of the Department of Agriculture as he may designate, and such employees are hereby authorized to administer the provisions of this order.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the United States Department of Agriculture, Food Production Administration, Washington, D. C., Ref. FPA 6.

(j) *Effective date.* This order shall become effective 12:01 a. m., e. w. t., January 20, 1943.

(E.O. 9280, 7 F.R. 10179)

Done at Washington, D. C., this 19th day of January, 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F.R. Doc. 43-924; Filed, January 19, 1943; 11:15 a. m.]

Chapter XI—Food Distribution Administration

[Food Distribution Order 7]

PART 1430—SUGAR

DISTRIBUTION OF RAW SUGAR

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of food to meet war and civilian needs, it is hereby ordered as follows:

§ 1430.1 *Importation, sale, and delivery of raw sugar—(a) Definitions.* For the purposes of this order:

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

(2) "Raw sugar" means any grade or type of saccharine product derived from sugarcane which is in crystalline form and which polarizes 98.50 or less, and any saccharine product of sugarcane in liquid form which is produced outside the continental United States and which contains non-sugar solids (excluding any foreign substance which may have been added) equal to 6 per centum or less of the total soluble solids.

(3) "Refiner" means any person in the continental United States who was engaged in the refining of raw sugar during the calendar year 1941.

(4) "Manufacturer" means any person in the continental United States who in 1941 bought or accepted delivery from any source of raw sugar to use it in the manufacture of any product for human consumption, other than direct-consumption sugar.

(5) "Delivery" means as follows:

(i) For raw sugar from foreign countries, arrival at a port of entry in the continental United States under customs' control.

(ii) For raw sugar from insular domestic areas, receipt at a port of entry in the continental United States.

(iii) For raw sugar produced in the continental United States delivery as defined in the administration of the Sugar Act of 1937.

(b) *Restrictions on refiners and manufacturers.* Unless specifically authorized by the Director of Food Distribution:

(1) No person other than a refiner or a manufacturer, or the agent of a refiner or a manufacturer, shall purchase, import, or accept delivery of raw sugar.

(2) No refiner shall purchase, import, or accept delivery of raw sugar in excess of any allotment which may be established from time to time for such refiner by the Director of Food Distribution nor in violation of any order or regulation which may from time to time be prescribed by the Director of Food Distribution.

(c) *Records.* Each person participating in any transaction to which this order applies shall keep and preserve for a period of not less than two years accurate and complete records of his inventories of the material or materials to which such order relates and of the details of all transactions in such mate-

rials. Such records shall include the dates of all contracts or purchase orders accepted, the delivery dates specified in such contracts or purchase orders, and in any preference rating certificates accompanying them, the dates of actual deliveries thereunder, description of the material covered by such contracts or purchase orders, description of deliveries by classes, types, quantities, weights and values, the parties involved in each transaction, the preference ratings, if any, assigned to deliveries under such contracts or purchase orders, details of defense orders and all other rated orders either accepted or offered and rejected, and other pertinent information.

(d) *Reports.* (1) Each person participating in any transaction to which this order applies shall execute and file with the Food Distribution Administration of the Department of Agriculture such reports and questionnaires as the Director of Food Distribution shall from time to time prescribe.

(2) Each refiner accepting delivery of raw sugar shall report to the Food Distribution Administration of the Department of Agriculture the information on the forms now required in the administration of the quota provisions of the Sugar Act of 1937.

(e) *Appeal.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him, may apply for relief to the Food Distribution Administration of the Department of Agriculture by telegram or letter, setting forth the pertinent facts and the reason such person considers that he is entitled to relief.

(f) *Violations.* Any person who willfully violates any provisions 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.

(g) *Communications.* Appeals and other communications concerning this order should be addressed to Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD-7.

(h) *Supersedeure.* This order shall supersede Conservation Order M-98,¹ as amended October 30, 1942.

(E.O. 9280, 7 F.R. 10179)

Issued this 15th day of January 1943.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-895; Filed, January 18, 1943; 3:23 p. m.]

¹ 7 F.R. 8828.

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 36—CLAIMS AGAINST THE UNITED STATES

DEATH GRATUITY PAY

Sections 33.1, 33.3, and 33.5 are retained with change in revision of AR 35-1540, December 19, 1942; §§ 33.2 and 33.6 are amended and §§ 33.7 and 33.8 are added as follows:

§ 33.2 *Exempt from indebtedness.* The amount of the 6 months' pay cannot be used for the debts of the officer or enlisted man, not even for overpayments. (See MS. Comp. Dec., May 14, 1913.) (Secs. 1, 2, 41 Stat. 367, sec. 9, 41 Stat. 766, 42 Stat. 1385; 10 U. S. C. 903) [Par. 4, AR 35-1540, December 19, 1942]

§ 33.6 *Payments, general—(a) Beneficiaries.* Payments of the 6 months'

gratuity pay may be made to beneficiaries in the order indicated below:

(1) If there be a widow, payment will be made to the widow only.

(2) If there be no widow, payment will be made to the child or children, if there are any entitled to payment.

(3) If there be no widow or child, payment will be made to the dependent relative previously designated by the deceased as his beneficiary to whom the gratuity is to be paid.

The classes of relatives who may properly be designated as beneficiaries are stated in § 33.4.

(b) *Evidence.* (1) The evidence required to establish the right, under the law, of any person to receive payment of the 6 months' gratuity is set forth for the different classes of beneficiaries shown in the following table:

Class of beneficiary	Evidence of—					
	Nonexistence of preferred beneficiaries	Relationship	Age	Conjugal condition	A degree of actual dependency	Designation as beneficiary
Widow	Not required	Required	Not required	Not required	Not required	Required. ¹
Unmarried child or children under 21 years of age	Evidence that there is no widow required.	do	Required	Required	do	Do. ¹
Married child or children, any age	do	do	do	do	Required	Do. ¹
Child or children over 21 years of age	do	do	do	do	do	Do. ¹
Other beneficiaries	Evidence that there is no widow or child required.	do	Not required	Not required	(See par. (b) (2) below.)	Do. ²

¹ The fact, if it be a fact, that the widow or child (children), as the case may be, was designated as beneficiary will in itself be regarded ordinarily as sufficient to establish the identity of the payee. Where payment is to be made to a widow or child (children) not previously designated as beneficiary, affidavits from two disinterested persons not related by blood, certifying to the length of time they have known the beneficiary and that he or she is the person represented will be obtained and filed with the voucher.

² If it be a fact, the last line of paragraph 12, W.D. F.D. Form No. 6, will include "deceased" after "neither widow nor child (children)."

(2) Hereafter, no affirmative showing of dependency will be required in making payments of 6 months' death gratuity pay authorized by the act of December 17, 1919, as amended, to fathers, mothers, brothers, or sisters, designated as beneficiaries of deceased Army personnel, who had an insurable interest in the life of the deceased by reason of relationship alone, but, as to more distant relatives, more evidence of insurable interest will be required than heretofore. (See 4 Comp. Gen. 554, modified; 22 id. 85.) (Secs. 1, 2, 41 Stat. 367, sec. 9, 41 Stat. 766, 42 Stat. 1385; 10 U.S.C. 903) [Par. 7, AR 35-1540, December 19, 1942]

§ 33.7 *Persons missing, or missing in action.* Claims of beneficiaries of persons missing or missing in action, are payable upon expiration of 12 months from the date the person is reported as missing, or missing in action. In the absence of an official report of death of the missing person, the Secretary of War will make the finding of death of such person. (See AR 35-1320.) (Secs. 1, 2,

41 Stat. 367, sec. 9, 41 Stat. 766, 42 Stat. 1385; 10 U.S.C. 903) [Par. 9, AR 35-1540, December 19, 1942]

§ 33.8 *Settlement of arrears of pay.*

The accounts of deceased Army personnel are settled by the General Accounting Office, Claims Division, Washington, D. C., to which office any claim for arrears of pay, that is, the pay due the deceased at the time of his death, should be made by the nearest heir, executor, or administrator of the estate. Standard Form No. 1055 will be used for the purpose. For officers and enlisted men on active duty, post adjutants or disbursing officers will forward application to next of kin, without request; for retired officers or enlisted men, next of kin should request form from post adjutant or Chief of Finance. Letters testamentary, if claim is filed by executor or administrator of the estate, and receipted itemized undertaker's bill, if claim is made for reimbursement of funeral expenses, will accompany the claim when forwarded. (Secs. 1, 2, 41 Stat. 367, sec. 9, 41 Stat. 766, 42 Stat. 1385; 10 U.S.C.

* Administrative regulations of the War Department relating to pay of military personnel.

903) [Par. 10, AR 35-1540, December 19, 1942]

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

[F. R. Doc. 43-894; Filed, January 18, 1943; 2:45 p. m.]

TITLE 29—LABOR

Chapter II—National Labor Relations Board

PART 206—CERTIFICATION AND SIGNATURE OF DOCUMENTS

By virtue of the authority vested in it by the National Labor Relations Act, approved July 5, 1935, the National Labor Relations Board hereby issues the following amendments to its Rules and Regulations—Series 2—as amended (General Rules and Regulations) which it finds necessary to carry out the provisions of said Act. Said amendments to the Rules and Regulations—Series 2—as amended, shall become effective upon the signature of the original amendments by the members of the Board, and upon the publication thereof in the FEDERAL REGISTER.

Sections 206.1 and 206.2, National Labor Relations Board Rules and Regulations—Series 2—as amended, are hereby amended in the following manner: § 206.1 is amended by striking out the words "The Executive Secretary of the Board" in the first sentence thereof and by substituting therefor the words "The Chief of the Order Section," and by striking out the words "the Director of Field Division of the Board" in the first sentence thereof and by substituting therefor the words "whosoever may be designated by the Board in his place and stead."

Section 206.2 is amended by striking out the words "The Executive Secretary of the Board" in the first sentence thereof and by substituting therefor the words "The Chief of the Order Section," and by striking out the words "the Director of Field Division of the Board" in the first sentence thereof and by substituting therefor the words "whosoever may be designated by the Board in his place and stead." As amended, §§ 206.1 and 206.2, Rules and Regulations—Series 2—as amended, shall read as follows:

§ 206.1 *Certification of papers and documents.* The Chief of the Order Section, or in the event of his absence or disability, whosoever may be designated by the Board in his place and stead, shall certify copies of all papers and documents which are a part of any of the files or records of the Board as may be necessary or desirable from time to time.

§ 206.2 *Signatures of orders and complaints.* The Chief of the Order Section, or in the event of his absence or disability, whosoever may be designated by the Board in his place and stead, is hereby

authorized to sign all orders of the Board, and sign and issue all complaints authorized to be issued by the Board.

(Sec. 6 (a), 49 Stat., 452; 29 U.S.C., Sup. IV, 156)

Signed at Washington, D. C., this 18th day of January 1943.

H. A. MILLIS,
Chairman.
GERARD D. REILLY,
Member.

[F. R. Doc. 43-893; Filed, January 18, 1943; 2:16 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Docket Nos. A-1766 and A-1786]

PART 324—MINIMUM PRICE SCHEDULE, DISTRICT NO. 4

ORDER GRANTING RELIEF, ETC.

Order consolidating Docket Nos. A-1766 and A-1786 and granting temporary relief and conditionally providing for final relief in the matter of the petition of Sheban Mining Company for the establishment of price classifications and minimum prices for rail shipment and the petition of District Board No. 4 for the establishment of price classifications and minimum prices for the coals of certain mines and for changes in shipping points for the coals of certain other mines.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 (the "Act") having been filed in Docket No. A-1766 by Sheban Mining Company, requesting the establishment of price classifications and minimum prices, for shipment via rail for coals produced at the Sheban Mining Company Mine (the "Sheban Mine"), Mine Index No. 2314, located in District No. 4; and

An original petition, pursuant to said section of the Act having been filed in Docket No. A-1786, by District Board No. 4, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 4, including the said Sheban Mine, and for a change in shipping points for certain other mines; and

An amended petition, pursuant to said section of the Act, having been filed in Docket Nos. A-1766 and A-1786 by Sheban Mining Company requesting the establishment both temporary and permanent of price classifications and minimum prices for shipment by rail for coals produced at the said Sheban Mine; and

It appearing that the amended petition filed in Docket No. A-1766 and the original petition filed in Docket No. A-1786 request the establishment of price classifications and minimum prices for

the said Sheban Mine for rail shipment from the shipping point, Willowcrest, Ohio; and

It further appearing that the coals produced at the said Sheban Mine are mined from the Cannel Seam and not Seam 4 as stated in the original petition filed in Docket No. A-1786; and

It further appearing that Docket Nos. A-1766 and A-1786, should be consolidated and 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 either Docket Nos. A-1766 and A-1786; and

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

It is ordered, That Docket Nos. A-1766 and A-1786 shall be, and the same hereby are, consolidated;

It is further ordered, That, pending final disposition of this matter, temporary relief is granted as follows: Commencing forthwith § 324.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 324.24 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof;

It is further ordered, That, commencing forthwith the Freight Origin Group Numbers and shipping points appearing in the aforesaid Supplement R for Mine Index Nos. 516 and 1436 shall be established and made effective in lieu and in place of the Freight Origin Group Numbers and shipping points heretofore established and made effective for said mines;

It is further ordered, That no relief be granted herein for the coals of the B & W Coal Co., Mine Index No. 2274, operated by Esther L. Wedding, for the reason that price classifications and minimum prices were established for this mine in Docket No. A-1147 under the name of Williams Mine, operated by W. J. Benton;

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

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

Dated: December 28, 1942.

[SEAL]

DAN H. WHEELER,
Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 4

NOTE: The material in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 324, Minimum Price Schedule for District No. 4 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 324.7 Alphabetical list of code members—Supplement R

[Alphabetical list of code members having railroad loading facilities, showing price classification by price group numbers]

Mine index No.	Code member	Mine name	Seam	Type	Sub-district No.	Shipping points in Ohio	Freight origin group No.	Railroad	Price group No.	Railroad fuel price group No.		River shipment price group No.
										On line	Off line	
3100	Bruns, Ernest.....	Robinson Clay Products.....	5.....	Strip.....	4.....	Boltivar.....	65.....	W&LE.....	65.....	119.....	302-304.....	
516	Cirolli, Angelo.....	Lucy.....	8.....	Deep.....	1.....	Nedra.....	18.....	W&LE.....	1.....	118.....	301-303.....	
2456	East Fairford Coal Company, The.....	Middleton.....	6.....	Strip.....	4.....	Woodworth.....	74.....	Y&S.....	72.....	130.....	202-204.....	
3375	Lesmill Coal Company (Herman R. Eberts).....	Mt. Carmel.....	5.....	Deep.....	7.....	Wellston.....	41.....	B&O.....	56.....	101.....	201-203.....	
3397	Marshall Mining Company.....	Beaver Creek.....	6 & 7.....	Strip.....	4.....	Lisbon.....	71.....	Erle.....	72.....	108.....	202-204.....	
2338	Mary L. Coal Co. (R. L. Wickliffe).....	Mary L.....	6.....	Deep.....	5.....	Murray City.....	22.....	C&O.....	21.....	103.....	201-203.....	
2314	Sheban, Karum (Sheban Mining Company).....	Sheban.....	Cannel.....	Strip.....	4.....	Willowcrest.....	74.....	Y&S.....	72.....	120.....	201-204.....	
1436	Swearingen, Lloyd R.....	L. R. Swearingen.....	6.....	Deep.....	4.....	Conmar C. Co. Dock Ohio River on Yellow Creek. ³						501

¹ Shipping Point at Stewartsville, Ohio, on the Baltimore & Ohio Railroad established for Mine Index No. 516 in a previous Docket shall no longer be applicable.

² River Loading Point at Parsons' Dock, East Liverpool, Ohio, on the Ohio River, established for Mine Index No. 1436 in a previous Docket, shall no longer be applicable. Prices for Mine Index No. 1436, located in Sub-district No. 4, shall be the same as those shown in § 324.11 (c) (Price Group Ohio No. 501), Minimum Price Schedule of the Effective Minimum Prices.

FOR TRUCK SHIPMENTS

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

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System
MEN EMPLOYED IN ALASKA BY U. S. NAVY
ORDER PERMITTING INDUCTION INTO NAVAL
FORCES

Under and by virtue of the authority vested in me by § 603.1, Selective Service Regulations,¹ and notwithstanding any other orders, directives, rules or regulations, I hereby direct the State Director of the Territory of Alaska to take the necessary steps in order to permit men between the ages of 18 and 38 who are registered with local boards outside the Territory of Alaska and who are now or have until recently been employed either by the United States Navy or by persons performing work under contract for the United States Navy to volunteer for induction and be inducted into the naval forces of the United States through a convenient local board in the Territory of Alaska.

The State Director of Alaska shall arrange for the completion of Form 165, Form 151 and Form 221 covering each registrant inducted under the provisions of this order and shall forward such completed forms to the registrant's local board through the proper State Director of Selective Service.

LEWIS B. HERSHEY,
Director.

[F. R. Doc. 43-912; Filed, January 18, 1943;
4:20 p. m.]

Chapter VII—Board of Economic Warfare
[Order 5]

PART 800—ORDERS AND DELEGATIONS OF
AUTHORITY

IMPORTED MATERIALS CONTRACTS; AUTHORITY
DELEGATION

Providing for additional delegations of authority and prescribing procedures and methods of administration with respect to imported materials contracts.

Pursuant to the authority conferred by Executive Order No. 8839² of July 30, 1941, as amended, and Executive Order No. 9128³ of April 13, 1942, and in order to avoid duplication of functions and personnel and to increase efficiency of operations, the following procedures and methods are prescribed with respect to the procurement and production of imported commodities financed through the Defense Supplies Corporation, the Metals Reserve Company, the U. S. Commercial Company and the Defense Plant Corporation:

§ 800.5 Order No. 5. (a) Effective February 25, 1943, and except as may

¹ 6 F.R. 6826, 7 F.R. 650.
² 6 F.R. 3823.
³ 7 F.R. 2809.

Code member	Mine	Mine index No.	Type	Seam	Base sizes									
					6" lump		3'-4"-5' lump		2' lump		Mine run, nit and post		3/4" x 0 slack	
					1	2	3	4	5	6	7	8		
SUBDISTRICT No. 1—EASTERN OHIO														
BELMONT COUNTY														
Bailey, Chaney S.....	Bailey.....	446	Deep....	8A	305	295	280	255	250	240	220	210		
Holland, Elmer F.....	Holland.....	3074	Deep....	8	305	295	280	255	250	240	220	210		
JEFFERSON COUNTY														
Hunter, Charles W.....	Hunter.....	3034	Strip....	8	295	285	270	245	240	230	210	200		
SUBDISTRICT No. 2—CAMBRIDGE														
NOBLE COUNTY														
Crum, Roscoe & Son (William R. Crum).....	Crum.....	3081	Deep....	8	290	280	265	240	240	240	220	210		
La Hue, Fredrick Eugene.....	La Hue.....	3076	Deep....	8	290	280	265	240	240	240	220	210		
Miller, Adam Joseph & Son (Adam Joseph Miller).....	Miller.....	3104	Deep....	8	290	280	265	240	240	240	220	210		
WASHINGTON COUNTY														
Antill, Clarence R.....	Antill.....	3083	Deep....	8	290	280	265	240	240	240	220	210		
Dennis, Floyd A.....	Dennis.....	3080	Deep....	8	290	280	265	240	240	240	220	210		
Miller, Walter C.....	Miller.....	3082	Deep....	8	290	280	265	240	240	240	220	210		
SUBDISTRICT No. 4—MIDDLE														
COLUMBIANA COUNTY														
Kosko, John (Hollow Coal Co.).....	Hollow Coal Co.....	3090	Deep....	6	320	310	295	270	265	245	225	215		
Marshall Mining Company.....	Beaver Creek.....	3097	Strip....	6 & 7	320	310	295	270	265	245	225	215		
COSHOCTON COUNTY														
Grace, Byrl.....	Byrl Grace.....	3098	Deep....	6	300	290	280	255	250	215	185	175		
SUBDISTRICT No. 4—MIDDLE														
STARK COUNTY														
Bay, Cooper (The Penn Coal Co.).....	Bay No. 2.....	3103	Deep....	6	295	285	270	255	255	240	210	200		
TUSCARAWAS COUNTY														
Bruns, Ernest.....	Robinson Clay Products.....	3100	Strip....	5	295	285	270	255	255	230	210	200		
King, Victor.....	King.....	3085	Deep....	6	295	285	270	255	255	240	210	200		
SUBDISTRICT No. 5—HOCKING														
ATHENS COUNTY														
Andrews, Frank & Philip Losey (Frank Andrews).....	Andrews & Losey.....	3072	Deep....	7	300	290	280	255	250	215	185	175		
SUBDISTRICT No. 6—CROOKSVILLE														
MUSKINGUM COUNTY														
Harmon, Earl.....	Harmon.....	3078	Strip....	7A	300	290	280	255	250	215	185	185		
PERRY COUNTY														
Cable, Hugh.....	Cable Coal Co. #3.....	3101	Deep....	5	300	290	280	255	250	215	185	175		
SUBDISTRICT No. 7—JACKSON														
JACKSON COUNTY														
Lesmill Coal Company (Herman R. Eberts).....	Mt. Carmel.....	3075	Deep....	5	315	305	295	270	265	215	195	185		

[F. R. Doc. 43-869; Filed, January 18, 1943; 10:42 a. m.]

thereafter be expressly provided by the Chairman of the Board, the negotiation, preparation, supervision, and administration both in the United States and abroad of all existing or future imported materials contracts (as defined in the published Rules and Regulations of the Board of Economic Warfare, effective April 20, 1942) financed by any of the above-named agencies, including development, preclusive operations and related activities, but not including the corporate execution of contracts, the disbursement of funds, the necessary accounting with respect to such disbursements, or the acceptance of delivery of commodities and materials, shall be carried on by the Office of Imports of the Board of Economic Warfare and through the foreign representatives of the Board assigned to such functions, under the direction of the Assistant Director in charge of said Office, subject to the general supervision and direction of the Chairman and Executive Director of the Board. All negotiations abroad shall be conducted in complete accordance with the provisions of the Clarification and Interpretation of Executive Order No. 9128 of April 13, 1942, in Respect of Certain Functions of the Department of State and the Board of Economic Warfare, issued by the President on May 20, 1942.

(b) The above-named agencies shall continue to be responsible for and conduct the corporate execution of imported materials contracts, the disbursement of funds thereunder, the necessary accounting with respect to such disbursements, and the acceptance of delivery of commodities and materials, pursuant to directives from the Board of Economic Warfare, in accordance with the published Rules and Regulations of said Board.

(c) Effective February 25, 1943, all correspondence and communications relating to such negotiation, preparation, supervision or administration of imported materials contracts shall, except as may be thereafter provided by the Chairman of the Board, be conducted by said Office of Imports or through said foreign representatives of the Board; and all such correspondence and communications to and from persons or missions sent abroad by the Board or any agency named in this Order shall be conducted by said Office of Imports through the facilities of the Department of State and the diplomatic missions, unless other means are agreed upon with the Department of State, in complete accordance with the Clarification and Interpretation of Executive Order No. 9128, of April 13, 1942, in Respect of Certain Functions of the Department of State and the Board of Economic Warfare, issued by the President on May 20, 1942.

(d) On or before February 10, 1943, the Executive Director of the Board, after consultation with the head of each of said agencies and the Director of the Bureau of the Budget, shall submit to the Civil Service Commission, pursuant to War Manpower Commission Directive No. 10,² effective September 27, 1942, en-

titled "Directive with Respect to the Transfer and Release of Government Employees", a request for the transfer to the Board of Economic Warfare of such of the employees of such agencies as are engaged, entirely or primarily, in the negotiation, preparation, supervision or administration of imported materials contracts.

(e) In order to avoid the possibility of delays or disruptions in foreign procurement and development activities, the Office of Imports, with the approval of the Chairman of the Board and the consent of the agency concerned, shall be authorized to utilize, under its administrative direction, any of the employees of any of the agencies named in this order whose requested transfer pursuant to section 4 of this order has not been completed by February 25, 1943.

(f) Nothing in this order shall in any way modify or affect relations or arrangements heretofore existing between the War Production Board and the Board of Economic Warfare.

Dated: January 19, 1943.

H. A. WALLACE,
Chairman.

[F. R. Doc. 43-922; Filed January 19, 1943;
10:32 a. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1010—SUSPENSION ORDERS

[Revocation of Suspension Order S-15]

MATTHEW G. LEPLEY

Section 1010.15, Suspension Order S-15, issued March 21, 1942 [7 F.R. 2236, 9121] is hereby revoked.

(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 18th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-914; Filed, January 18, 1943;
4:24 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-219]

E. C. JOHNSTON

E. C. Johnston, Longview, Tex., is a lessee of oil well properties, an operator of oil wells and a drilling contractor both for himself and others. He is the lessee of certain property in the Tinsley Field, Yazoo County, Mississippi.

On or about April 25, 1942, E. C. Johnston spudded his Well No. 15, located in said field, and thereafter used material to complete the drilling of such well. This well does not conform to a uniform well-spacing pattern of not more than one single well to each 40 surface acres and the use of materials for the drilling of this well constituted a violation of Conservation Order M-68 as amended February 18, 1942. At the time Mr.

Johnston drilled this well he was familiar with the restrictions contained in Conservation Order M-68 and acted in reckless disregard of such restrictions.

This violation of Conservation Order M-68 has hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered, That:*

§ 1010.219 Suspension Order S-219.

(a) E. C. Johnston, his successors and assigns, shall not order, purchase, accept delivery of, withdraw from inventory or in any other manner, directly or indirectly, secure or use material for the construction, reconstruction, expansion, remodeling, replacement, or improvement of any facilities used in the production of petroleum either for his own account or for the account of others, except as specifically authorized by the Director General for Operations.

(b) The restrictions of paragraph (a) hereof shall not apply to the drilling of the Hawkins Well, located 660 feet north, 330 feet east of the south and west lines respectively of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 1, T. 9N., R. 3W., Yazoo County, Mississippi.

(c) Nothing contained in this order shall be deemed to relieve E. C. Johnston from any restriction, prohibition, or provision contained in any order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on January 22, 1943, and shall expire on April 22, 1943, at which time the restrictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 18th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-915; Filed, January 18, 1943;
4:24 p. m.]

PART 3123—FLOOR FINISHING AND FLOOR MAINTENANCE MACHINES AND INDUSTRIAL VACUUM CLEANERS

[Limitation Order L-222, as Amended Jan. 14, 1943¹]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of the materials used in the manufacture of floor finishing and floor maintenance machines and industrial vacuum cleaners; and the following order is deemed necessary and appropriate in the public

¹ This document is a restatement of Amendment 1 to Limitation Order L-222 which appeared in the FEDERAL REGISTER of January 16, 1943, page 592 and reflects the order in its completed form as of January 14, 1943.

² 7 F.R. 7298.

interest and to promote the national defense:

§ 3123.1 *Limitation Order L-222*—(a) *Definitions.* For the purpose of this order:

(1) "Floor finishing or floor maintenance machines" means any motorized or hand-powered mechanical device, designed for the purpose of floor finishing or maintenance. The term includes, but is not limited to, the types of machines on List A attached to this order as amended from time to time, and excludes independent motor-operated vacuum producing units, floor sanding machines and machines specifically designed for the manipulation of wet cement.

(2) "Floor finishing" and "floor maintenance" include, but are not limited to, the operations of grinding, staining, sealing, scraping, oiling, waxing or polishing floors or decks, and the collection and removal of dust, grime, oil, reclaimable materials or refuse from floors or decks, either separately or in conjunction with the operations of washing, scraping, sterilizing and wiping floors or decks.

(3) "Floor sanding machines" means machines used for the smoothing of floors or decks, other than stone or tile floors, by the use of abrasives such as, but not limited to, sandpaper and steel wool.

(4) "Vacuum cleaners" means machines in which a combination of a motor operated vacuum producer (stationary or portable), an air impeller line, and a portable tool with attachments is used for the collection and removal by suction of dust, oil, reclaimable materials or refuse, in either the wet or dry state.

(5) "Industrial vacuum cleaners" means all vacuum cleaners other than those designed primarily for household use, exclusive of motor-operated vacuum producing units incorporated in floor sanding, floor finishing or floor maintenance machines.

(6) "Blowers" means machines in which a combination of a motor operated air pressure producer, an air impeller line, and a portable tool with attachments is used for the removal of dust, materials or refuse by air pressure.

(7) "New machines" means machines which have neither been used nor sold, rented or lent for the purpose of being used for floor sanding, floor finishing, floor maintenance or vacuum cleaning, and also machines which have been used solely for demonstration or trial loans.

(8) "Supplies" means replaceable items, such as, but not limited to, polishing brushes, cleaning brushes, sanding drums and discs, stones, hoses and bags, which are expended in the operations of floor sanding, floor finishing, floor maintenance, and vacuum cleaning.

(9) "Manufacturer" means any person engaged in the fabrication or assembly of new floor sanding machines, new floor finishing or floor maintenance machines, or new industrial vacuum cleaners, or of parts designed specifically for such machines, and includes wholesaling

or retailing subsidiaries or divisions of such a person.

(10) "Distributor" means any person engaged in the business of selling, renting or lending new floor sanding machines, new floor finishing or floor maintenance machines, or new industrial vacuum cleaners, other than a manufacturer.

(b) *Restrictions on production*—(1) *Floor sanding machines.* No manufacturer shall fabricate or assemble any new floor sanding machines or parts for such new machines except as follows:

(i) On and before January 15, 1943, but not thereafter, a manufacturer may start to fabricate parts, for the assembly of new floor sanding machines, from materials which are still in the form in which he received them, provided that the materials which he starts to fabricate can be fabricated into parts and can be assembled into new floor sanding machines within the time limits set by paragraphs (b) (1) (ii) and (b) (1) (iii) of this order.

(ii) On and before March 15, 1943, but not thereafter, a manufacturer may fabricate parts for the assembly of new floor sanding machines.

(iii) On and before March 15, 1943, but not thereafter, a manufacturer may assemble new floor sanding machines.

(2) *Floor finishing or floor maintenance machines.* No manufacturer shall fabricate or assemble any new floor finishing or floor maintenance machines or parts for such new machines, except as follows:

(i) On and before February 15, 1943, but not thereafter, a manufacturer may start to fabricate parts, for the assembly of new floor finishing or floor maintenance machines, from materials which are still in the form in which he received them, provided that the materials which he starts to fabricate can be fabricated into parts and can be assembled into new floor finishing or floor maintenance machines within the time limits set by paragraphs (b) (2) (ii) and (b) (2) (iii) of this order.

(ii) On and before March 15, 1943, but not thereafter, a manufacturer may fabricate parts for the assembly of new floor finishing or floor maintenance machines.

(iii) On and before April 15, 1943, but not thereafter, a manufacturer may assemble new floor finishing or floor maintenance machines.

(3) *Industrial vacuum cleaners.* No manufacturer shall fabricate any parts for new industrial vacuum cleaners except as follows:

(i) On and before March 1, 1943, but not thereafter, a manufacturer may start to fabricate parts, for the assembly of new industrial vacuum cleaners, from materials which are still in the form in which he received them, provided that the materials which he starts to fabricate can be fabricated into parts within the time limit set by paragraph (b) (3) (ii) of this order.

(ii) On and before June 1, 1943, but not thereafter, a manufacturer may fabricate parts for the assembly of new industrial vacuum cleaners, provided that if the Director General for Operations

shall fix a production quota for such manufacturer, the number of machines for the assembly of which such manufacturer fabricates parts shall not exceed such production quota. Whenever production quotas are assigned by the Director General for Operations, he will take into consideration the number of machines already completed and the number of machines needed to be completed to meet, but not to exceed, the total requirements for such machines as determined by the Standard Products Committee.

(4) *Repair parts other than supplies.* (1) During the calendar quarter commencing January 1, 1943, and during any calendar quarter thereafter, no manufacturer shall fabricate repair parts having an aggregate manufacturing cost in excess of two per cent of that manufacturer's billed sales of new floor sanding machines, new floor finishing and floor maintenance machines, and new industrial vacuum cleaners during the calendar year of 1941.

(5) *Supplies.* Except as otherwise specifically provided, the restrictions of paragraph (b) of this order shall not apply to supplies other than suction attachments used in the conversion of portable industrial blowers to industrial vacuum cleaners.

(c) *Restrictions on transfer.* (1) No manufacturer or distributor shall sell, rent, lend or deliver any of the following types of new machines without authorization on Form PD-722:

(i) Drum type floor sanding machines making an eight-inch path or wider.

(ii) Disc type floor sanding machines making a twelve-inch path or wider.

(iii) Drum type floor finishing or floor maintenance machines making an eight-inch path or wider.

(iv) Disc type floor finishing or floor maintenance machines making a twelve-inch path or wider.

(v) Industrial vacuum cleaners.

Such authorizations shall expire thirty days after the date of their issuance unless served in the interim upon the supplier named therein. Within five days after their expiration, all expired authorization forms shall be returned for cancellation to the War Production Board, Service Equipment Division, Washington, D. C., Ref: L-222.

(2) Nothing in this paragraph shall be construed to prohibit the sale, rental, loan, or delivery of new machines from one manufacturer or distributor to fill an order, or part of an order received by the latter for such machines if the filling of the order has been authorized on Form PD-722.

(d) *Procedure for authorization.* All persons making application for the authorization required by paragraph (c) hereof shall make such application on Form PD-722.

(e) *Applicability of other orders and priorities regulations.* (1) This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(2) Nothing in this order shall be construed to permit the production of any machines whose production is prevented by any other orders or regulations of the War Production Board, including § 1174.1 *Limitation Order L-91*, and § 1176.1 *Conservation Order M-126*, as amended from time to time.

(f) *Records.* All persons to whom this order applies shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, sales, leases, and rentals.

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

(h) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and answers to questionnaires as the War Production Board shall from time to time request.

(2) On or before January 28, 1943, for the month of December, and on or before the 15th day of each month thereafter for the preceding month, each manufacturer or distributor of new floor sanding machines, new floor finishing or floor maintenance machines, or new industrial vacuum cleaners shall file a monthly report on Form PD-723.

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

(j) *Appeals.* Any appeal from this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Communications.* All reports to be filed hereunder, or communications concerning this order, should be addressed to: War Production Board, Service Equipment Division, Washington, D. C., Ref: L-222.

(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 14th day of January, 1943.

ERNEST KANZLER,
Director General for Operations.

LIST A

Terrazzo grinders.
Waxing and polishing machines.
Disc type scrubbers, either wet or dry.
Drum type scrubbers, either wet or dry.
Combination scrubbers and water pickup.
Drum type sweepers.
Drum type scarifying machines.
Disc type scarifying machines.

[F. R. Doc. 43-913; Filed, January 18, 1943; 4:24 p. m.]

PART 1002—IRON AND STEEL PRODUCTION, MAINTENANCE, REPAIR, AND SUPPLIES

[Preference Rating Order P-68 as Amended January 19, 1943]

For the purpose of facilitating the acquisition of material for operating supplies and for the maintenance and repair of property and equipment used in the production of iron, steel, blast furnace coke, ferroalloys, and detinned iron and steel scrap, preference ratings are hereby assigned to deliveries of such material on the terms hereinafter set forth. Such terms shall control until such time as the War Production Board certifies specific quantities of such material to which the preference ratings herein assigned may be applied.

§ 1002.1 *Preference Rating Order P-68—(a) Definitions.* (1) "Producer" means any person operating a plant physically situated within the limits of the United States, its territories, or its possessions, or the Dominion of Canada, and actually engaged in the production of any one or more of the materials or products listed in Schedule A hereto.

(2) "Operating material" means material required by a producer for repair, maintenance or operating supplies used in the production of any one or more of the materials and products listed in Schedule A hereto.

(b) *Assignment of preference ratings.* Subject to the terms of this Order, a preference rating of AA-1 is hereby assigned to deliveries of operating material to producers, but nothing herein contained shall prevent the use of any other or higher rating to which any person may be entitled by reason of any other preference rating certificate or order.

(c) *Other preference ratings assignable.* The Director General may also upon written or telegraphic request assign such ratings as may be required to obtain deliveries of operating material to a producer when and only when there has been an actual breakdown or suspension of operations because of damage, wear and tear, destruction or failure of parts, or the like, and the essential material is not otherwise available. Requests for this rating must describe the material needed and the nature of the emergency.

(d) *Application and extension of preference ratings.* (1) No producer shall apply any preference rating assigned by or pursuant to this order until it has filed with the Iron and Steel Branch, War Production Board, a statement on form PD-148 and has received a serial number hereunder.

(2) Preference ratings assigned by or pursuant to this order shall be applied by a producer and extended by his suppliers in accordance with the terms of Priorities Regulation No. 3, as from time to time amended. A producer in applying such a preference rating shall also endorse on his contract or purchase order his serial number hereunder.

(e) *Restrictions on use of rating—(1) Restrictions on producer.* The producer may not apply any rating hereby assigned to obtain delivery of material on

earlier dates than required for the operation, maintenance or repair of its property or equipment.

(2) *Restrictions on supplier.* (i) No supplier may apply the rating to obtain material in greater quantities or on earlier dates than required to enable him to make on schedule a delivery rated hereunder or, within the limitations of (ii) and (iii) below, to replace in his inventory material so delivered. He shall not be deemed to require such material if he can make his rated delivery and still retain a practicable working minimum inventory thereof; and if, in making such delivery, he reduced his inventory below such minimum, he may apply the rating only to the extent necessary to restore his inventory to such minimum.

(ii) A supplier who supplies material which he has in whole or in part manufactured, processed, assembled or otherwise physically changed may not apply the rating to restore his inventory to a practicable working minimum unless he applies the rating before completing the rated delivery which reduces his inventory below such minimum.

(iii) A supplier who supplies material which he has not in whole or in part manufactured, processed, assembled or otherwise physically changed may defer applications of the rating hereunder to purchase orders or contracts for such material to be placed by him until he can place a purchase order or contract for the minimum quantity procurable on his customary terms: *Provided*, That he shall not defer the application of any rating for more than three months after he becomes entitled to apply it.

(f) *Restrictions of inventory.* (1) A producer shall not, during any calendar quarter, accept, and a supplier shall not knowingly make to a producer, deliveries (whether or not rated pursuant to this section) of any material to be used as operating supplies or for maintenance or repair the aggregate dollar volume of which shall exceed 55 percent of the aggregate dollar volume of the withdrawals for such purposes by the producer from stores or inventory during the preceding calendar half-year unless such deliveries shall be specifically authorized in advance by the War Production Board on the producer's application therefor.

(2) A producer shall not at any time accept deliveries (whether or not rated pursuant to this section) of any material to be used as operating supplies or for maintenance or repair until the producer's inventory and stores of such material have been reduced to a reasonable minimum, unless such delivery shall be specifically authorized in advance by the War Production Board on the producer's application therefor. Such reasonable minimum shall in no case exceed 125 percent of the aggregate dollar volume of such material in inventory and stores on the last day of the preceding calendar half-year.

(3) A producer shall not, during any calendar quarter, make withdrawals from stores or inventory of any material to be used as operating supplies or for maintenance or repair the aggregate dollar volume of which shall exceed 55 per-

cent of the aggregate dollar volume of the withdrawals of such material during the preceding calendar half-year, unless such withdrawals shall be specifically authorized in advance by the War Production Board on the producer's application therefor.

(g) *Relief.* If the sound working condition of a producer is adversely affected by any provision or application of this order or by inability to obtain material essential for repair, maintenance or operating supplies, the producer may apply for relief to the Director General for Operations. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) *Resale of material prohibited.* Except with specific permission of the Director General for Operations, a producer shall not resell any material acquired for repair, maintenance or operating supplies (whether or not obtained pursuant to rating assigned by this section): *Provided*, That nothing herein contained shall prohibit sale by the producer of used material acquired prior to October 31, 1941.

(i) *Conservation and standardization.* Every person affected by this order shall use his best efforts to effectuate conservation of materials by elimination, simplification or standardization of types, sizes or forms or otherwise, and shall cooperate in any program developed for such purpose by the War Production Board. The Director General for Operations may from time to time issue specific directions as to conservation, elimination, and standardization.

(j) *Records, audits and reports.* Each producer and each supplier shall keep and preserve for a period of not less than two years accurate and complete records of all transactions affected by this order, and shall submit from time to time to audit and inspection by duly authorized representatives of the War Production Board. Each producer and each supplier shall execute and file with the War Production Board, or other designated agency, such reports in such form as the War Production Board shall from time to time require. Until further direction, each producer shall file a quarterly report on form PD-228.

(k) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order may be prohibited from receiving further deliveries of any material subject to allocation, and such further action may be taken as is deemed appropriate, including a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. 80).

(l) *Revocation or modification.* This order may be revoked or modified by the Director General for Operations at any time as to any producer or supplier. In the event of revocation or modification, or upon expiration of this order, deliveries already rated pursuant to this order shall be completed in accordance with said rating, unless said rating has been specifically revoked or modified with respect thereto. No additional application of said rating to any other deliveries

shall thereafter be made by any producer or supplier affected by such revocation, modification or expiration.

(m) *Amendment of prior orders.* The provisions of Preference Rating Orders P-22 and P-100 shall not apply to deliveries to which a preference rating is assigned by this Order.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of January 1943.

ERNEST KANZLER,

Director General for Operations.

SCHEDULE A

1. Pig iron and ferroalloys.
2. The following iron and steel products, including alloys: Ingots, blooms (including forged), billets (including forged), slabs (including forged), tube rounds, sheet and tin bars, structural shapes, piling, plates (universal and sheared), rails, tie plates, track spikes, splice bars, rail joints, hot rolled bars (including hoops and bands and concrete reinforcing bars), cold finished bars, pipe and tubes (except conduit), wire rods, wire as drawn (not including further fabrications therefrom), black plate, tin and terne plate, sheets, strip, tool steel bars (including high speed), steel wheels and axles (for railroad use only), railroad locomotive tires, armor plate, ordnance forgings, steel castings (rough as cast), skelp, rolling mill rolls, ingot molds.
3. Coke for use in the production of pig iron and ferroalloys.
4. Detinned scrap iron and steel, and tin produced in the detinning process.

[F. R. Doc. 43-925; Filed, January 19, 1943; 11:24 a. m.]

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

[Limitation Order L-170, as Amended Jan. 19, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage of critical materials entering into the manufacture of farm machinery and equipment and attachments and repair parts therefor, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1029.10 Limitation Order L-170—

(a) *Applicability of priorities regulations.* (1) This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) *Protection of production schedules.* Producers of any items of farm machinery and equipment and repair parts under the terms of this order may, notwith-

standing the provisions of Priorities Regulation No. 1, as amended, schedule their production of such items as if the orders therefor bore a rating of AA-3.

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

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

(2) "Producer" means any person, other than a supplier, engaged in the manufacture of farm machinery and equipment or of repair parts for farm machinery and equipment; *Provided*, That:

(i) No person who did not manufacture any farm machinery and equipment or repair parts in 1940 or 1941 shall be deemed a "producer", nor shall any such person manufacture any such products of an aggregate value exceeding \$2,500 for the period November 1, 1942 to October 31, 1943, inclusive; and

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

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

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

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

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

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

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

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

cluding tile), horseshoes (including muleshoes), horseshoe nails, harness hardware and water well casing; but excluding repair parts, and also excluding all of the following: tracklaying type tractors, equipment ordered by the United States Department of Agriculture or other United States Government agencies, buildings and repairs thereto, fencing, poultry nettings and wire, wire fencing, bale ties or straps, oil well casing and water pipe, nails (other than horseshoe nails) and sundry hardware, grain bins and corn cribs (other than those made of iron or steel).

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

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

(12) "Base production" means the weight of a producer's total production of any item of farm machinery and equipment during either the calendar year 1940 or 1941, in whichever year such weight was the greater; except that, as to items which are bracketed together in Schedule A, the base production shall be the weight of the total production of each group of items so bracketed; and except that, as to silos (item 296 of Schedule A), the base production shall be the total weight of iron and steel entering into the production of such items.

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

(14) "Weight" means the net shipping weight of any item of farm machinery and equipment which is completely manufactured, or completely fabricated and ready for shipment in knock-down form; except that, as to silos (Item 296 of Schedule A), weight means the total weight of iron and steel entering into the production of such items.

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

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

(c) *General restrictions on production for domestic use (including "concentration of production").* (1) Except as provided in paragraph (g) hereof, and subject to the provisions of paragraphs (c) (2), (c) (3) and (e) hereof, during

the period November 1, 1942, to October 31, 1943, inclusive, no producer shall:

(i) Manufacture, for sale in the continental United States, a total quantity by weight of any item of farm machinery and equipment listed in Schedule A in excess of that quantity obtained by multiplying the applicable quota percentage (designated in the appropriate column of said Schedule A for Class A producers, Class B producers and Class C producers respectively) for such item by his base production of such item for such sale; except that wherever, in said Schedule A, two or more items are bracketed together and only one quota percentage assigned thereto, such percentage shall be applied to such producer's total base production of all such bracketed items, and the total permissible weight thus determined may be distributed among all or any one or more of such bracketed items at his election; and except that, as to silos (Item 296 of Schedule A), the permitted production of a producer shall not exceed the number of units produced by him during either 1940 or 1941, whichever was the greater;

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

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

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

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

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

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

(i) To all foreign countries within any group of countries listed respectively on Schedules B-1, B-2, B-3, B-4, B-5, and

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

(ii) To Canada a quantity of any item of farm machinery and equipment or attachments and repair parts (as listed in Schedule B-7, attached hereto and made a part hereof, as amended from time to time) in excess of that quantity obtained by multiplying the quota percentage designated in said Schedule B-7 for such item by the quantity thereof shipped by said producer to Canada during the calendar year 1940;

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

(2) Except as to items destined for Canada (Schedule B-7) and for territories and possessions of the United States (Schedule B-6), no producer shall fabricate or process any material to be physically incorporated into any item of farm machinery and equipment which may be authorized to be manufactured for export by paragraph (d) (1) above, unless and until he has received from the Director General for Operations specific authorization for such fabrication or processing as to any or all such items, application for which may be by letter setting forth the pertinent facts: *Provided*, That nothing in this paragraph (d) (2) shall be deemed to prevent any such producer from earmarking for export, within his export quota, any items of farm machinery and equipment or repair parts from his inventory, whether or not such items were manufactured specifically for export.

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

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

(e) *Further restrictions on production—(1) Restrictions on production for specific periods.* The Director General for Operations may from time to time issue supplementary orders (or specific directions to any one or more producers) governing the production of all or any one or more items of farm machinery and equipment or repair parts for specified monthly, bi-monthly or quarterly periods. On and after the effective date of any such supplementary order or specific

direction, no producer affected thereby shall, notwithstanding the provisions of this Order L-170, manufacture any such item during the period specified except in accordance with the terms of such supplementary order or specific direction.

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

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

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

(g) *Exceptions*—(1) To the extent that the weight of any item or items of a producer's quota as established by paragraph (c) (1) hereof has been or will be increased by his substituting for more critical materials entering into such item or items any one or more of the following materials:

Glass or other ceramic products.
Plain concrete.
Fibre board.
Wood fibre products.
Plywood (produced with binder or adhesive not restricted by Conservation Order M-25 or any other applicable M or L order).
Gum and other hardwood lumber.
Softwood lumber (subject to the restrictions of Conservation Order M-208 or any other applicable M or L order);

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

(2) Any item of farm machinery and equipment or attachments and repair parts which was manufactured for sale within the continental United States by

a producer within his authorized quota under Limitation Order L-26 (including all amendments thereto and appeals granted thereunder), and which is, prior to November 1, 1942, completely manufactured, or completely fabricated and ready for shipment in knock-down form, may be sold on and after such date without reference to the provisions of this order.

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

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

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

(iii) Is, prior to such date, completely manufactured or completely fabricated and ready for shipment in knock-down form.

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

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

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

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

(i) *Inventory provisions.* (1) No distributor shall keep in his inventory, in his possession or under his control, for a period of more than thirty days, any used, traded-in, imperfect or non-usable item of farm machinery and equipment or repair parts which cannot be reconditioned, but must dispose of the same

through the customary disposal or scrap channels.

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

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

No materials shall be used which are prohibited by M-Orders or other restrictions on use of critical materials as now or hereafter ordered by the Director General for Operations.

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

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

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

(m) *Reports.* (1) All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(2) Each producer shall file not later than thirty days after October 19, 1942, a report of his production quotas on Form PD-629.

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

(4) Each producer affected by paragraph (d) hereof shall file by the 10th

day of each month a report on Form PD-387 (revised) of his shipments during the preceding month (starting with November, 1942) to all foreign countries (including all countries listed on Schedules B-1, B-2, B-3, B-4, B-5, B-6, and B-7).

(n) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, 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, materials under priority control and may be deprived of priorities assistance.

(o) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him in comparison with others similarly situated, may appeal to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

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

(q) *Inconsistent orders.* This order supersedes as of November 1, 1942, Limitation Order L-26, and Supplementary Limitation Orders L-26-a and L-26-d, and all amendments thereto and appeals granted thereunder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

NOTE: Groups 4, 7, 14, 16, and 19 were amended January 19, 1943.

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

Quotas for repair parts are expressed as a percentage of the average dollar value of all repair parts sold during the years 1940 and 1941. Quotas for new machinery and equipment including attachments are expressed as a percentage of the weight of each item produced during 1940 or 1941, whichever was higher. Producers of these items must use the percentages set forth in the respective

columns, depending upon whether they are Class A, Class B, or Class C producers. Production of "bracketed items" may be distributed among all or any one or more items included in the particular bracket so long as the total weight of material used does not exceed that de-

termined by the quota percentage assigned to the particular bracket.

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

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY

Item	Class of producer			
	"A"	"B"	"C"	
DIVISION 1: PLANTERS (HORSE AND TRACTOR DRAWN)				
1	One row, one horse corn planters.....	0	0	44
2	One row, one horse corn and cotton planters.....	0	0	25
3	One row, two horse corn and cotton planters.....	0	0	0
4	Two row, corn planters.....	3	75	75
5	Two row, corn and cotton planters.....	0	19	75
6	Three row and over, corn planters.....	11	75	75
7	Three row and over, corn and cotton planters.....	0	0	0
DIVISION 2: PLANTERS (TRACTOR MOUNTED)				
8	One row, corn planters.....	15	15	15
9	One row, corn and cotton planters.....			
10	Two row, corn planters.....			
11	Two row, corn and cotton planters.....			
12	Three row and over, corn planters.....			
13	Three row and over, corn and cotton planters.....			
DIVISION 3: POTATO PLANTERS				
14	Horse or tractor drawn.....	0	16	75
DIVISION 4: TRANSPLANTERS				
15	Horse or tractor drawn.....	0	0	84
16	Hand.....			
DIVISION 5: LISTERS WITH PLANTING ATTACHMENTS (HORSE OR TRACTOR DRAWN)				
17	One row.....	8	75	75
18	Two row.....			
19	Three row and over.....			
DIVISION 6: LISTERS WITH PLANTING ATTACHMENTS (TRACTOR MOUNTED)				
20	One row.....	12	12	12
21	Two row.....			
22	Three row and over.....			
DIVISION 7: BEET DRILLS				
23	Horse or tractor drawn.....	13	75	75
DIVISION 8: GRAIN DRILLS				
24	One horse, 3 or 5 disc drills.....	0	0	22
25	Fertilizer drills, horse or tractor drawn.....	8	75	75
26	Plain drills, horse or tractor drawn.....			
DIVISION 9: BROADCAST SEEDERS				
27	Wheeled, horse or tractor.....	0	0	0
28	Endgate.....	0	32	75
29	Hand, wheelbarrow and other.....	0	0	8
DIVISION 10: GARDEN PLANTERS				
30	Hand.....	0	0	14
31	Horse or tractor drawn.....	0	0	15
DIVISION 11: FERTILIZER DISTRIBUTORS				
32	Horse or tractor drawn.....	0	0	15
DIVISION 12: LIME SPREADERS (SOWERS)				
33	Wheeled type horse or tractor drawn.....	0	0	17
34	Endgate type.....	0	0	8
35	Truck body type.....	0	0	8
DIVISION 13: MANURE SPREADERS				
36	Four wheeled, horse or tractor drawn.....	0	19	75
37	Two wheeled, tractor drawn.....			
DIVISION 14: OTHER PLANTING, SEEDING AND FERTILIZING MACHINERY				
Other planting, seeding and fertilizing machinery including, but not limited to, potato seed cutters, farm limestone pulverizers, manure loaders, vegetable planters. (List each item separately.)				
38	.....	0	0	9
39	.....	0	0	9
40	.....	0	0	9
DIVISION 15: ATTACHMENTS				
41	Attachments for all items in Group 1 expressed in terms of net shipping weight in pounds.....	(1)	(2)	(3)

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

GROUP 2: PLOW AND LISTERS

Item	Class of producer			
	"A"	"B"	"C"	
DIVISION 1: MOLDBOARD PLOWS (HORSE DRAWN)				
42	Walking, one horse, steel bottom.....	0	0	11
43	Walking, one horse, chilled bottom.....	0	0	12
44	Walking, two horse and larger.....	0	0	28
45	Sulky.....	0	0	0
46	Gang, two bottom and larger.....	0	0	0
DIVISION 2: MOLDBOARD PLOWS (TRACTOR DRAWN OR MOUNTED)				
47	One bottom, tractor drawn.....	9	75	75
48	Two bottom, tractor drawn.....			
49	Three bottom, tractor drawn.....			
50	Four bottom, tractor drawn.....	13	13	13
51	Five bottom, and larger, tractor drawn.....			
52	One bottom, tractor mounted.....			
53	Two bottom, tractor mounted.....			
DIVISION 3: DISC PLOWS (HORSE DRAWN)				
54	Single disc and larger.....	0	0	0
DIVISION 4: DISC PLOWS (TRACTOR DRAWN OR MOUNTED)				
55	One disc, tractor drawn.....	0	0	17
56	Two disc, tractor drawn.....			
57	Three disc, tractor drawn.....			
58	One disc, tractor mounted.....	8	8	8
59	Two disc, tractor mounted.....			
60	Four disc, tractor drawn.....			
61	Five disc, tractor drawn.....	0	0	0
62	Six disc and larger, tractor drawn.....			
DIVISION 5: ONE WAY DISC PLOWS OR TILLERS				
63	One way plows.....	0	5	75
DIVISION 6: LISTERS (HORSE OR TRACTOR DRAWN) (Middlebusters without planting attach.)				
64	One row, horse or tractor drawn.....	0	0	19
65	Two row, horse or tractor drawn.....			
66	Three row and larger horse or tractor drawn.....			
DIVISION 7: LISTERS (TRACTOR MOUNTED) (Middlebusters without planting attach.)				
67	One row, tractor mounted.....	18	18	18
68	Two row, tractor mounted.....			
69	Three row and larger, tractor mounted.....			
DIVISION 8: SUBSOIL PLOWS				
70	Horse drawn.....	0	0	0
71	Tractor drawn.....	0	0	0
72	Tractor mounted.....	0	0	0
DIVISION 9: PLOW STOCKS				
73	Single or double stocks.....	0	0	12
DIVISION 10: OTHER PLOWS AND LISTERS (List each item separately)				
74	.....	0	0	34
75	.....	0	0	34
76	.....	0	0	34
DIVISION 11: ATTACHMENTS				
77	Attachments for all items in Group 2 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS

DIVISION 1: HARROWS				
78	Spike tooth harrow sections, horse or tractor drawn.....	0	0	24
79	Spring tooth harrow sections, horse or tractor drawn.....	0	34	75
80	Disc harrows, horse or tractor drawn.....	2	75	75
81	Disc harrows, tractor mounted.....	22	22	22
DIVISION 2: SMOOTH LAND ROLLERS				
82	Smooth land rollers, not including lawn rollers.....	0	0	0
DIVISION 3: SOIL PULVERIZERS AND PACKERS				
83	Soil pulverizers and packers.....	0	0	19
DIVISION 4: STALK CUTTERS				
84	Stalk cutters.....	0	0	35
DIVISION 5: RIDGE BUSTERS				
85	Ridge busters, horse or tractor drawn.....	0	0	14
86	Ridge busters, tractor mounted.....			

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

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

Item	Class of producer			
	"A"	"B"	"C"	
DIVISION 6: OTHER HARROW AND ROLLERS				
(List each item separately)				
87	Percent	Percent	Percent	
88	0	0	14	
89	0	0	14	
DIVISION 7: ATTACHMENTS				
90	Attachments for all items in Group 3 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 4: CULTIVATORS AND WEEDERS

DIVISION 1: CULTIVATORS (HORSE AND TRACTOR DRAWN)				
91	One horse, all types.....	0	0	15
92	One row, walking, two horse.....	0	0	65
93	One row, riding, two horse.....	2	75	75
94	Two row and over, riding.....	0	0	0
95	Beet cultivator.....	12	75	75
96	Field cultivator.....	0	0	62
96a	Field cultivator and tiller, tractor mounted.....	9	9	9
97	Hand cultivator, not including blade and tined hoes, rakes and similar equipment.....	0	0	15
DIVISION 2: CULTIVATORS (TRACTOR MOUNTED)				
98	One row.....	20	20	20
99	Two row.....			
100	Three and four row.....			
101	Five row and over.....			
DIVISION 3: ROTARY HOES				
102	Rotary hoes, horse or tractor drawn.....	0	0	32
DIVISION 4: WEEDERS				
103	Rod weeders, horse or tractor drawn.....	0	0	30
104	Tooth weeders, horse or tractor drawn.....	0	0	32
104a	Tooth weeders, tractor.....	15	15	15
DIVISION 5: OTHER CULTIVATORS AND WEEDERS				
(List each item separately)				
105	.....	0	0	34
106	.....	0	0	34
DIVISION 6: ATTACHMENTS				
107	Attachments for all items in Group 4 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 5: SPRAYERS, DUSTERS AND ORCHARD HEATERS

DIVISION 1: POWER SPRAYERS				
108	Power sprayers.....	0	0	43
109	Traction sprayers.....	0	0	21
DIVISION 2: HAND SPRAYERS WITH TANK, BARREL, KNAPSACK, ETC., WITH COMPLETE EQUIPMENT (CAP. 1 QT. OR OVER BUT LESS THAN 6 GALS.)				
110	Compressed air.....	0	0	9
111	Knapsack, self contained.....			
112	Trombone, pump type.....			
113	Bucket pump type, single cylinder.....			
114	Bucket pump type, double cylinder.....			
115	Atomizing, single action (1 qt. and larger cap.).....			
116	Atomizing, continuous (1 qt. and larger cap.).....			
DIVISION 3: SPRAYERS, WITH TANK, BARREL, KNAPSACK, ETC., WITH COMPLETE EQUIPMENT (CAP. 6 GALS. OR MORE)				
117	Barrel pump type with complete equipment.....	0	0	36
118	Wheelbarrow type with complete equipment.....			
DIVISION 4: SPRAY PUMPS (POWER)				
119	Spray pumps, power.....	0	0	23
DIVISION 5: WEED AND PEAR BURNERS				
120	Weed and pear burners.....	0	0	23
DIVISION 6: DUSTERS				
121	Power dusters.....	0	0	19
122	Traction dusters.....	0	0	23
123	Hand dusters (agricultural only).....	0	0	66
DIVISION 7: ORCHARD HEATERS				
124	Orchard heaters.....	0	0	11
DIVISION 8: ATTACHMENTS				
125	Attachments for all items in Group 5 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

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

GROUP 6: HARVESTING MACHINERY

Item	Class of producer			
	"A"	"B"	"C"	
DIVISION 1: COMBINES (HARVESTER THRESHERS)				
126	Width of cut, 6 feet and under.....	24	24	24
127	Width of cut, over 6 feet including 10 feet.....			
128	Width of cut, over 10 feet.....			
NOTE. Out of his total quota for combines, no Class "A" producer may manufacture Items 127 and 128 in excess of 10% of his 1940-1941 average annual production of these items.				
DIVISION 2: GRAIN AND RICE BINDERS				
129	Grain binders (ground drive).....	9	75	75
130	Grain binders (power take-off drive).....	43	75	75
131	Rice binders.....			
DIVISION 3: CORN BINDERS				
132	Corn binders (row binder) horse or tractor drawn.....	13	75	75
DIVISION 4: CORN PICKERS				
133	One row, mounted type.....	33	33	33
134	Two row, mounted type.....			
135	One row, pull type.....			
136	Two row, pull type.....			
DIVISION 5: FIELD ENSILAGE HARVESTERS (ROW TYPE)				
137	Field ensilage harvesters, row type.....	14	75	75
DIVISION 6: POTATO DIGGERS				
138	Walking plow type.....	0	0	28
139	Horse or tractor.....	0	0	42
DIVISION 7: PEA AND BEAN HARVESTERS (ROW TYPE)				
140	Horse or tractor, row type.....	0	0	32
DIVISION 8: BEET LIFTERS				
141	Horse or tractor.....	16	75	75
DIVISION 9: OTHER HARVESTING MACHINERY				
Other harvesting machinery including, but not limited to, windrowers grain type, seed harvesters and strippers, potato pickers, cane harvesters, hop pickers, beet loaders, peanut diggers, cotton harvesters. (List each item separately.)				
142	.....	0	0	51
143	.....	0	0	51
144	.....	0	0	51
DIVISION 10: ATTACHMENTS				
145	Attachments for all items in Group 6 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 7: HAYING MACHINERY

DIVISION 1: MOWERS (GROUND-DRIVE)				
146	Horse or tractor drawn (ground drive).....	8	75	75
DIVISION 2: MOWERS (POWER TAKE-OFF DRIVE)				
147	Tractor mtd. or semi-mtd. (power take-off drive).....	28	28	28
DIVISION 3: RAKES				
148	Sulky, dump.....	9	75	75
149	Side delivery, incl. comb. side rakes and tedders.....	17	75	75
150	Sweep.....	0	0	47
DIVISION 4: HAY LOADERS				
151	Hay loaders.....	9	75	75
DIVISION 5: STACKERS				
152	Stackers (stationary type).....	0	0	19
152a	Combination stacker-loaders.....	0	0	75
DIVISION 6: PICK-UP BALERS				
153	Pick-up hay balers.....	0	45	75
DIVISION 7: OTHER HAYING MACHINERY				
Other haying machinery, including, but not limited to, field bale loaders, field hay choppers. (List each item separately):				
154	.....	0	0	41
155	.....	0	0	41
156	.....	0	0	41
DIVISION 8: ATTACHMENTS				
157	Attachments for all items in Group 7 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

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

GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE

Item	Class of producer			
	"A"	"B"	"C"	
DIVISION 1: STATIONARY THRESHERS (GRAIN, RICE AND ALFALFA)				
158	Threshers, width of cylinder under 28 inches.....	0	0	48
159	Threshers, width of cylinder 28 inches and over.....	0	0	48
DIVISION 2: STATIONARY PEA AND BEAN THRESHERS				
160	Stationary pea and bean threshers.....	0	0	25
DIVISION 3: PEANUT PICKERS				
161	Peanut pickers.....	0	0	75
DIVISION 4: ENSILAGE CUTTERS (SILO FILLERS)				
162	Ensilage cutters (silo fillers).....	0	0	65
DIVISION 5: FEED CUTTERS (HAND AND POWER)				
163	Feed cutters, hand and power.....	0	0	30
DIVISION 6: CORN SHELLERS				
164	Corn shellers, hand.....	0	0	19
165	Power corn shellers, spring (2, 4, 6 and 8 hole).....	0	0	0
166	Power corn shellers, cylinder (150 bu. & under).....	0	0	22
167	Power corn shellers, cylinder (over 150 bu.).....	0	75	75
DIVISION 7: CORN HUSKERS AND SHREDDERS				
168	Combination corn husker-shredders.....	0	0	23
169	Corn huskers.....	0	0	23
170	Corn shredders.....	0	0	23
DIVISION 8: STATIONARY HAY BALERS				
171	Horse.....	0	0	0
172	Engine or belt power.....	0	0	75
DIVISION 9: FEED GRINDERS AND CRUSHERS				
173	Hand.....	0	0	13
174	Power, burr type.....	0	0	61
175	Hammer and roughage mills.....	0	8	75
DIVISION 10: CLEANERS AND GRADERS (CORN AND GRAIN)				
176	Cleaners and graders (corn and grain).....	0	0	12
DIVISION 11: POTATO SORTERS AND GRADERS				
177	Potato sorters and graders.....	0	0	23
DIVISION 12: MAPLE SIRUP EVAPORATORS				
178	Complete sets of pans, not including furnace.....	0	0	53
179	Furnaces.....	0	0	20
DIVISION 13: CANE SIRUP EVAPORATORS				
180	Complete sets of pans, not including furnaces.....	0	0	53
181	Furnaces.....	0	0	20
DIVISION 14: CANE MILLS (FARM SIZE)				
182	Cane Mills (farm size).....	0	0	82
DIVISION 15: CIDER MILLS AND FRUIT PRESSES				
183	Cider mills and fruit presses.....	0	0	12
DIVISION 16: OTHER MACHINES FOR PREPARING CROPS FOR MARKET OR USE				
Other machines for preparing crops for market or use, including but not limited to, broom corn shredders, feed mixers, fruit, nut and vegetable graders sorters, washers and sackers. (List each item separately.)				
184	.....	0	0	13
185	.....	0	0	13
186	.....	0	0	13
DIVISION 17: ATTACHMENTS				
187	Attachments for all items in Group 8 expressed in terms of net shipping weight in pounds.....	(¹)	(¹)	(¹)

GROUP 9: FARM ELEVATORS AND BLOWERS

DIVISION 1: ELEVATORS (PORTABLE)				
188	Elevators, portable.....	0	0	85
DIVISION 2: ELEVATORS (STATIONARY)				
189	Elevators, stationary.....	0	0	21
DIVISION 3: BLOWERS (GRAIN AND FORAGE)				
190	Blowers (grain and forage).....	0	0	35
DIVISION 4: ATTACHMENTS				
191	Attachments for all items in Group 9 expressed in terms of net shipping weight in pounds.....	(¹)	(¹)	(¹)

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

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GROUP 10: TRACTORS

Item		Class of producer		
		"A"	"B"	"C"
DIVISION 1: TRACTORS, WHEEL TYPE				
192	Tractors, wheel, special purpose, under 30 h. p.	14	14	14
193	Tractors, wheel, special purpose, 30 & over h. p.			
194	Tractors, wheel, all purpose, under 30 h. p.			
195	Tractors, wheel, all purpose, 30 & over h. p.			
DIVISION 2: GARDEN TRACTORS (INCLUDING MOTOR TILLERS)				
196	Garden tractors (including motor tillers)	0	0	27
DIVISION 3: ATTACHMENTS				
197	Attachments for all items in Group 10 expressed in terms of net shipping weight in pounds.	(1)	(1)	(1)

GROUP 11: ENGINES

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

GROUP 12: FARM WAGONS AND TRUCKS

DIVISION 1: WAGONS				
205	Wagons, farm without boxes	0	0	32
DIVISION 2: TRUCKS				
206	Trucks, farm (not motortrucks)	0	30	75
DIVISION 3: WAGON BODIES				
207	Wagon and truck boxes, farm	0	0	29
DIVISION 4: FARM SLEIGHS				
208	Sleighs and bob-sleds	0	0	25
DIVISION 5: TRAILERS (FARM)				
209	Trailers, farm	0	0	0
DIVISION 6: OTHER TRANSPORTING EQUIPMENT (Not motortrucks—list each item separately)				
210		0	0	25
211		0	0	25
DIVISION 7: ATTACHMENTS				
212	Attachments for all items in Group 12 expressed in terms of net shipping weight in pounds.	(1)	(1)	(1)

GROUP 13: DOMESTIC WATER SYSTEMS

DIVISION 1: DEEP WELL				
213	Deep well, reciprocal	0	0	48
214	Deep well, jet pumps	0	0	36
DIVISION 2: SHALLOW WELL				
215	250-499 gals. per hour	0	0	53
216	500 gals. per hour and over	0	0	35
DIVISION 3: POWER PUMPS				
217	Horizontal type, up to and including 75 gals. per minute, 100 lb. pressure	0	6	75
DIVISION 4: WATER STORAGE TANKS				
218	Storage tanks, other than stock tanks, farm			
DIVISION 5: ATTACHMENTS				
219	Attachments for all items in Group 13, expressed in terms of net shipping weight in pounds.	(1)	(1)	(1)

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

GROUP 14: FARM PUMPS AND WINDMILLS

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

GROUP 15: IRRIGATION EQUIPMENT

DIVISION 1: IRRIGATION PUMPS				
227	Turbine pumps, 0 to 1,200 GPM.....	0	0	31
228	Turbine pumps 1,200 GPM and up, belt driven.....	0	0	13
229	Centrifugal pumps.....	0	0	26
230	Hydraulic rams.....	0	0	0
DIVISION 2: DISTRIBUTION EQUIPMENT				
231	Land leveling equipment, ditchers, corrugators and scrapers (excluding power ditchers, draglines and other self-powered machines).....	0	0	18
232	Portable pipe and extensions, sprinklers, valves and gates, expressed in terms of net shipping weight in pounds.....	0	0	18
DIVISION 3: OTHER FARM IRRIGATION EQUIPMENT (List each item separately)				
233	.....	0	0	18
234	.....	0	0	18
235	.....	0	0	18
DIVISION 4: ATTACHMENTS				
236	Attachments for all items in Group 15, expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT

DIVISION 1: MILKING MACHINES				
237	Milking machines.....	0	32	75
DIVISION 2: FARM CREAM SEPARATORS				
238	Farm cream separators, capacity 250 lbs. per hr. or less.....	0	7	75
DIVISION 3: FARM CREAM SEPARATORS				
239	Farm cream separators, capacity 251 lbs. to 800 lbs. per hour.....	7	75	75
DIVISION 4: FARM CREAM SEPARATORS				
240	Farm cream separators, capacity 801 lbs. to 1500 lbs. per hour.....	0	0	0
DIVISION 5: FARM MILK COOLERS				
241	Immersion type.....	0	0	48
242	Surface or tubular type.....			
DIVISION 6: FARM BUTTER MAKING EQUIPMENT				
243	Butter churns (See Paragraph (e) (2) of L-170).....	0	0	23
244	Butter molds (See Paragraph (e) (2) of L-170).....			
DIVISION 7: OTHER DAIRY FARM MACHINES AND EQUIPMENT Other dairy farm machines and equipment including but not limited to milk pails, milk strainers, sterilizing tanks, washing tanks and water heaters. (List each item separately).				
245	Milk pails.....	0	36	75
246	Milk strainers.....			
247	.....		
248	.....		
DIVISION 8: ATTACHMENTS				
249	Attachments for all items in Group 16 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

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

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GROUP 17: BARN AND BARNYARD EQUIPMENT

Item	Class of producer			
	"A"	"B"	"C"	
DIVISION 1: FEED CARRIERS, LITTER CARRIERS, AND FEED TRUCKS				
250	Feed carriers.....	0	0	25
251	Litter carriers.....	0	0	25
252	Truck for feed and litter carriers.....	0	0	71
253	Feed trucks.....	0	0	33
DIVISION 2: HAY UNLOADING EQUIPMENT				
254	Hay carriers.....	0	0	72
255	Truck for hay carriers.....	0	0	71
256	Hay forks, harpoon and grapple.....	0	0	35
257	Pulleys and fittings.....	0	0	71
DIVISION 3: CATTLE STALLS AND PEN EQUIPMENT				
258	Cattle stalls and fittings (See Paragraph (e) (2) of L-170).....	0	8	75
259	Livestock pens (See Paragraph (e) (2) of L-170).....	0	27	75
DIVISION 4: CATTLE STANCHIONS				
260	Cattle stanchions and fittings (See Paragraph (e) (2) of L-170).....	0	0	59
DIVISION 5: LIVESTOCK DRINKING CUPS AND WATERING BOWLS				
261	Livestock drinking cups.....	0	0	49
262	Outside livestock watering bowls.....	0	0	16
DIVISION 6: BARNYARD STOCK TANKS AND HOG TROUGHS				
263	Barnyard stock tanks (See Paragraph (e) (2) of L-170).....	0	0	49
264	Hog troughs (See Paragraph (e) (2) of L-170).....	0	0	58
DIVISION 7: FEEDERS, FEED COOKERS, AND TANK HEATERS				
265	Livestock feeders (See Paragraph (e) (2) of L-170).....	0	0	45
266	Feed cookers.....	0	0	15
267	Tank heaters.....	0	0	37
DIVISION 8: BARN DOOR TRACK AND HANGERS				
268	Barn door track.....	0	9	75
269	Barn door hangers.....			
DIVISION 9: OTHER BARN AND BARNYARD EQUIPMENT				
Including but not limited to ventilating equipment, livestock dipping tanks, hog waterers, dairy scales, cattle and horse clippers, and bull stiffs. (List each item separately.)				
270	.....	0	0	22
271	.....		
272	.....		
DIVISION 10: ATTACHMENTS				
273	Attachments for all items in group 17 expressed in terms of net shipping weight in pounds.....	(1)	(1)	(1)

GROUP 18: FARM POULTRY EQUIPMENT

DIVISION 1: INCUBATORS				
274	Incubators, 1,000-egg capacity and smaller.....	0	0	31
275	Incubators, over 1,000-egg capacity.....	0	0	36
DIVISION 2: FLOOR BROODERS				
276	Oil.....	0	8	75
277	Coal.....	0	21	75
278	Gas.....	0	0	40
279	Wood.....	0	21	75
280	Electric.....	0	0	72
DIVISION 3: BATTERY BROODERS (HEATED)				
281	Three deck and smaller (heated).....	0	0	26
282	Four deck (heated).....			
283	Five deck (heated).....			
DIVISION 4: GROWING AND LAYING BATTERIES				
284	Growing.....	0	0	21
285	Laying.....	0	0	0
DIVISION 5: POULTRY FEEDERS				
286	Poultry feeders (see par. (e) (2) of L-170).....	0	0	36
DIVISION 6: POULTRY WATERERS				
287	Poultry waterers.....	0	0	53
DIVISION 7: LAYING NESTS AND GRIT BOXES				
288	Laying nests (see par. (e) (2) of L-170).....	0	0	38
289	Grit boxes (see par. (e) (2) of L-170).....			

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

GROUP 18: FARM POULTRY EQUIPMENT—Continued

Item	Class of producer		
	"A"	"B"	"C"
DIVISION 8: OTHER FARM POULTRY EQUIPMENT			
Including but not limited to, egg scales, egg baskets, egg graders, and leg bands. (List each item separately).			
290	0	0	18
291			
292			
DIVISION 9: ATTACHMENTS			
293	(1)	(1)	(1)

GROUP 19: MISCELLANEOUS FARM EQUIPMENT

DIVISION 1: BEEKEEPERS' SUPPLIES			
294	0	0	33
295	0	0	57
DIVISION 2: SILOS			
296	0	0	16
DIVISION 3: HORSE SHOES (INCLUDING MULE SHOES)			
297	0	45	75
DIVISION 4: HARNESS HARDWARE			
298	31	31	31
DIVISION 5: POWER SHEEP SHEARING MACHINES			
299	100	100	100
DIVISION 6: ELECTRIC FENCE CONTROLLERS			
300	0	0	46
301			
DIVISION 7: FARM HAND TOOLS, INCLUDING BUT NOT LIMITED TO HOES, RAKES, FORKS SCYTHES, SHOVELS			
302	43	43	43
303			
304			
305			
306			
307			
308			
DIVISION 8: FARM WOOD-SAWING MACHINES			
309	0	0	16
DIVISION 9: FARM GATES			
310	0	0	40
DIVISION 10: FARM LIGHTING PLANTS			
311	0	0	0
DIVISION 11: ATTACHMENTS			
312	(1)	(1)	(1)

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

EXPORT SCHEDULES

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

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

Schedule B-1

Quota Percentage=111%

United Kingdom:

Great Britain Scotland
Northern Ireland Wales

Schedule B-2

Quota Percentage=118%

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

Schedule B-3

Quota Percentage=39%

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

Schedule B-4

Quota Percentage=61%

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

Schedule B-5

Quota Percentage=34%

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

Schedule B-6

Quota Percentage=37%

Alaska	Hawaii
Virgin Islands	Puerto Rico

Schedule B-7

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

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

Group I—Seeding and Fertilizing Machinery:	Quota percentage
Grain Drill (Plain)	22
Grain Drill (Press)	0
Corn Planter and Drill	25
Potato Planter	20
Manure Spreader	30
Other Planting and Seeding (including Beet Drills and Transplanter)	20
Group II—Plows:	
Walking Plow—1 furrow	33
Tractor Plow	22
Disc Plow	0
Harrow Plow—One Way Disc—Tiller	32
All other Plows (including Integral)	31
Group III—Tillage and Cultivating Machinery:	
Scufflers and Horse Hoes	25
Corn Cultivators	25
Field Cultivators	30
All other Cultivators (including Beet, Tobacco, and Integral)	20
Drag Harrow Sections	7
Spring Tooth Harrows	23
Disc Harrows	25
Group IV—Haying Machinery:	
Mower	30
Hayloader	35
Side Rake and Tedder	25
Dump Rake	25
Pick-up Baler and Hay	100
All other Haying Machines (including Hay forks, knives, etc.)	25

	Quota percentage
Group V—Harvesting Machinery:	
Horse Drawn Grain Binder.....	0
Tractor Grain Binder.....	0
Corn Binder.....	25
Combine—Reaper, Thresher.....	33
Swather.....	20
Stationary Thresher.....	0
Potato Digger.....	25
Corn Sheller.....	25
Corn Picker (150 units Mfr. designated later).....	
Other Harvesting Equipment, including Beet Lifters).....	25
Group VI—Sundry Machines for Preparing Crops for Market or Use:	
Grinder, Feed Cutter, Roller, Pulper.....	50
Ensilage Cutter.....	35
Hammer Mill.....	7
Grain Loader or Elevator.....	25
Group VII—Farm Power:	
Wheel Tractor.....	24
Stationary Engine.....	50
Group VIII—Wagons, Trucks, Sleighs:	
Wagon Gears.....	60
Farm Truck.....	60
Group IX—Dairy Equipment:	
Milking Machine, Complete.....	100
Cream Separator.....	84
Churn.....	100
Group X—Sprayers and Dusters:	
Potato and Orchard Sprayer and Duster.....	50
Sprayer Pump.....	54
Group XI—Domestic Water System:	
Well or Cistern Pump.....	50
Pump Jack.....	50
Windmill Head.....	50
Domestic Water Pressure System.....	25
Group XII—Barn and Barnyard Equipment.....	0
Group XIII—Miscellaneous Equipment:	
Incubator.....	40
Brooder (Floor Type).....	40
Wheel Barrow (Wood Only).....	53
Sheep Shearers and Animal Clippers.....	239
Attachments and Repair Parts.....	150

[INTERPRETATION 1]

In order to clarify the classification of producers under paragraphs (b) (3), (4), (5) and (6) of § 1029.10 *Limitation Order L-170*, resulting from transfers of quotas pursuant to § 944.28 (Interpretation of Limitation and Conservation Orders with respect to the Assignability of Quotas), the following official interpretation is hereby issued with respect to said § 1029.10:

(1) Whenever a producer's total farm equipment business has been or may be sold as a going concern, continuing, in the hands of the purchaser, to make substantially the same product at the same plant and with substantially the same personnel (other than executive officers), the classification of the purchaser shall be based upon his total net sales (including those of affiliates) of all products during 1941, plus total sales of farm machinery and equipment and repair parts by the acquired company during 1941. However, if the purchaser uses the acquired company's 1940 base production under paragraph (b) (12) of Order L-170, then, for purposes of the purchaser's classification, sales of the acquired company during 1940, rather than 1941, must be used.

(2) Any other arrangement whereby a producer purports, or has purported, to assign to another person his quota (or a portion thereof) for the production of farm machinery and equipment or repair parts is invalid, unless specifically authorized for the period covered by Order L-170 by the Director General for Operations pursuant to an appeal, which should be made jointly. If such an appeal is granted, the classification of the assignee, unless otherwise directed, will be based upon his total net sales (including those of affiliates) of all products during 1941, plus the 1941 sales of that por-

tion of the assignor's farm machinery and equipment or repair parts business acquired by the assignee. If the assignee is authorized to use the assignor's 1940 base production of such portion, then, for purposes of the assignee's classification, sales of the assignor during 1940, rather than 1941, must be used.

(3) Assignments of quota specifically authorized by appeal under Limitation Order L-26 for the period ending October 31, 1942, are not recognized for the period covered by Order L-170. Accordingly, a new appeal should be made in each case where the assignee wishes to continue producing pursuant to an assignment of quota authorized under Order L-26. Appeals by any such assignee and his classification are governed by § 944.28 and paragraph (2) above. (Issued December 12, 1942.)

[F. R. Doc. 43-926; Filed, January 19, 1943; 11:23 a. m.]

PART 1269—ISOPROPYL ALCOHOL

[Preference Order M-168, as Amended Jan. 19, 1943]

Section 1269.1 *Preference Order M-168* is hereby amended to read:

§ 1269.1 *Preference Order M-168*—(a) *Definitions.* (1) "Isopropyl alcohol" means isopropyl alcohol, dimethyl carbinol, pseudopropyl alcohol, pseudo propanol, isopropanol, secondary propanol, or secondary propyl alcohol of any grade and from whatever source derived.

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

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

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

(2) Authorizations or directions with respect to deliveries to be made or accepted in each calendar month (and with respect to use in any month by producers) will so far as practicable be issued by the Director General for Operations prior to the commencement of such month, but the Director General for Operations may at any time at his discretion and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted or with respect to use by producers. He may also at any time issue directions with respect to the use or uses which may or may not be made by any person of material to be delivered or then on hand, or issue directions to a producer with respect to the grade of isopropyl alcohol which he may or must manufacture.

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

(4) Isopropyl alcohol allocated for inventory shall not be used except as spe-

cifically authorized or directed by the Director General for Operations. Isopropyl alcohol allocated to fill a specified order or class of orders shall revert to inventory where and to the extent that such order or class of orders is for any reason not filled.

(c) *Small order exemption.* No specific authorization or direction of the Director General for Operations shall be required for:

(1) Acceptance of delivery by any person in any one calendar month of 54 gallons or less of isopropyl alcohol in the aggregate; provided, that such person has not been specifically authorized to accept delivery of any quantity of such material during such month;

(2) The delivery by any producer or distributor to any person who shall have filed with him a certificate in substantially the following form:

The undersigned purchaser hereby certifies to the War Production Board and to his supplier that the isopropyl alcohol hereby ordered for delivery in _____, 194____, does not, taken with all other isopropyl alcohol delivered or to be delivered in such month, exceed 54 gallons.

(Name of purchaser)

By _____
(Authorized official) (Title)

Provided, however, That no producer shall deliver an aggregate amount of isopropyl alcohol in any one calendar month pursuant to this paragraph (c) in excess of 2% of the amount of his estimated production of isopropyl alcohol for such month.

(3) The use by any producer in any calendar month of 54 gallons or less of isopropyl alcohol in the aggregate.

(d) *Applications for delivery of isopropyl alcohol and reports.* (1) Each person seeking authorization to accept delivery of isopropyl alcohol during any calendar month, whether for his own consumption or resale, (and each producer seeking authorization to use isopropyl alcohol during any calendar month) shall file application therefor on or before the 10th day of the month preceding the month for which authorization for delivery or use is requested, except that requests for delivery from a distributor shall be filed not later than the 7th day of such preceding month. In each case, such application shall be made on Form PD-600 in the manner prescribed therein (except that applications for acceptance of delivery or use in January or February, 1943, may be made in the applicant's discretion on Form PD-521), subject to the following special instructions:

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

(ii) Five copies shall be prepared, of which one shall be forwarded to supplier and three forwarded to the War Production Board, Chemicals Division, Washington, D. C., Ref: M-168, the fifth to be retained for applicant's files.

(iii) In the heading, under name of chemical, specify "isopropyl alcohol"; under WPB Order No., specify "M-168"; under unit of measure, specify gallons; under name of company, specify name and mailing address; and specify the

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

(iv) In Columns 1, 11 and 19, indicate grade in terms of the following: 91%, 95% or 99%.

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

Acetone
Hydraulic brake fluid
Cleaning compound
Cosmetics
Drugs and pharmaceuticals
Disinfectants and germicides
Gasoline inhibitors
Isopropyl acetate
Oil emulsions
Pectin
Resins
Technical coatings
Textiles
Waterproofing
Xanthates
Other (specify)
Resale (as isopropyl alcohol)
Inventory (as isopropyl alcohol)

(vi) In Column 4, specify ultimate use of product. For example, if the "primary product" called for in Column 3 is "isopropyl acetate", the "ultimate use" of the product might be "shell lacquer". Also, specify in each case whether your customer is Army, Navy, other government agency, Lend-Lease or commercial customer, and give government specification number, if any. Where the Form PD-600 is an application for isopropyl alcohol for resale to others, leave Column 4 blank. Where the Form PD-600 is an application for isopropyl alcohol for inventory, applicant shall specify in Column 4 the amount, if any, considered necessary to bring his inventory to a safe working minimum.

(2) Each producer or distributor seeking authorization to make delivery of isopropyl alcohol during any calendar month, shall file application on or before the 20th day of the month preceding the month for which authorization is requested. In each case, application shall be made on Form PD-601 (except that application for authorization to deliver in February, 1943, may be filed in applicant's discretion on Form PD-522), subject to the following special instructions:

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

(ii) Four copies shall be prepared, of which three shall be filed with the War Production Board, Chemicals Division, Washington, D. C., Ref: M-168, the fourth to be retained for applicant's files. A separate set of Form PD-601 shall be filed for each grade of isopropyl alcohol for which authorization to deliver is sought, viz. 91%, 95%, or 99%.

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

(iv) In the heading, under name of chemical, specify isopropyl alcohol";

under WPB Order No., specify "M-168"; under name of company, state your name and mailing address; under unit of measure, specify gallons; and state the month and year during which deliveries covered by the application are to be made.

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

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

(vii) Leave Column 6 blank.

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

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

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

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

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C., Ref: M-168.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of January 1943.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 43-927; Filed, January 19, 1943; 11:24 a. m.]

PART 3159—BISMUTH

[Conservation Order M-276]

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

§ 3159.1 *Conservation Order M-276—*
(a) *Definitions.* For the purposes of this order:

(1) "Bismuth" means refined bismuth in such forms as bars, ingots, pigs, sticks, slabs, cakes, moss powder or other shapes, suitable for production of industrial or medicinal products.

(2) "Producer" means any person who produces bismuth as a primary or secondary metal or as by-product in the conduct of any enterprise.

(3) "Distributor" means any person regularly engaged in the business of buying and selling bismuth.

(4) "Consumer" means any person who uses bismuth in the manufacture of alloys, solders, compounds, salts, mixtures, medicinal products or other bismuth-bearing materials.

(b) *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.

(c) *Restrictions on deliveries.* (1) Notwithstanding any contract or agreement to the contrary or the receipt of any preference rating, no person shall deliver bismuth after January 31, 1943, except as follows:

(i) To a producer or distributor or to Metals Reserve Company or to any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (15 U. S. C., section 606 (b)) or to any duly authorized agent of any such corporation;

(ii) To a consumer if the amount delivered to him, together with all other amounts delivered to him during the month in which delivery is made, will not exceed 50 pounds. No delivery shall be made pursuant to this sub-paragraph unless the consumer shall furnish the person making delivery with a duplicate statement in writing to the effect that deliveries of bismuth to the consumer had not exceeded 50 pounds, inclusive of the amount then being delivered, in the month of delivery, one copy of which shall be forwarded to the Tin and Lead Division, War Production Board, Washington, D. C., Ref: M-276; or

(iii) Pursuant to the specific authorization of the Director General for Operations based on an application of the consumer on Form PD-776 or otherwise.

(2) No person shall accept delivery of bismuth in violation of the provisions of paragraph (c) (1) above.

(3) No distributor shall accept delivery of bismuth without the specific authorization of the Director General for Operations:

(i) If the inventory of the distributor of bismuth is, or will by virtue of such acceptance become, in excess of the practicable minimum working inventory reasonably necessary to meet deliveries of bismuth on the basis of the distributor's current rate of sale; or

(ii) If such distributor has failed to file such reports as may be required by the Director General for Operations of the War Production Board.

(d) *Restrictions on use.* Notwithstanding any contract or agreement to the contrary or the receipt of any preference rating, no consumer shall, after January 31, 1943, put into process or change the form or shape of bismuth, except as follows:

(i) In amounts of less than a total of 50 pounds in any month; or

(ii) Pursuant to a specific authorization of the Director General for Operations based upon an application of the consumer on Form PD-776, or otherwise.

(e) *Reports.* Reports shall be made at such times and on such forms as may be prescribed therefor by the Director General for Operations, War Production Board.

(f) *Communications.* All reports to be filed, and other communications concerning this order should be addressed to: War Production Board, Tin and Lead Division, Washington, D. C., Ref.: M-276.

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

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-928; Filed, January 19, 1943; 11:24 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 120, Amendment 33]

MAXIMUM PRICES FOR BITUMINOUS COAL PRODUCED IN DISTRICT NO. 13

Amendment No. 33 to Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Dockets Nos. 3120-288, 3120-289, 3120-294.

¹ 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, 8948, 9783, 10470, 10581, 10780, 10993, 11008, 11012.

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.*

In § 1340.224 a new inferior subdivision (c) is added to paragraph (b) (3) (i), to read as set forth below:

§ 1340.224 *Appendix M: Maximum Prices for Bituminous Coal Produced in District No. 13.* * * *

(b) * * *
(3) *Maximum prices in cents per net ton for railroad fuel.* * * *

(i) *Special price instructions.* * * *

(c) Maximum prices for railroad fuel for sale to the St. Louis-San Francisco Railway for consignment west of the Mississippi River shall not exceed \$2.75 per net ton.

§ 1340.211a *Effective dates of amendments.* * * *

(hh) Amendment No. 33 (§ 1340.224 (b) (3) (i) (c)) to Maximum Price Regulation No. 120 shall become effective January 23, 1943.

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

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-910; Filed, January 18, 1943; 3:51 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 1, Amendment 11]

MEAT RESTRICTION

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new paragraph (c) is added to § 1407.904; § 1407.913 (b), (c) and (d) are amended; a new paragraph (k) is added to § 1407.925, to read as set forth below:

§ 1407.904 *Deliveries of non-quota slaughterers restricted.* * * *

(c) A non-quota slaughterer, in computing the conversion weight of controlled meat resulting from his own slaughter delivered during Base Period 1 and Quota Period 1, shall use the conversion factors specified in § 1407.913 (b), and in computing the conversion weight of controlled meat resulting from his own slaughter delivered during subsequent base periods and quota periods, shall use the conversion factors specified in § 1407.913 (c).

§ 1407.913 *Conversion weight factors.* * * *

(b) For the purpose of computing the quota base for each quota period, pursuant to § 1407.906, and for the purpose of computing deliveries charged against quota during Quota Period 1, pursuant

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

¹ 7 F.R. 7839, 8217, 8524, 9247, 9250, 9639, 10258, 10621, 10704; 8 F.R. 179.

to § 1407.907, the conversion weight of carcasses, and of cuts and trimmings of controlled meat derived therefrom, and of sausage and canned meat produced therefrom, shall be determined by multiplying the weight thereof by the appropriate conversion factor set forth below:

Type of controlled meat and description of product:	Conversion factor (multiplier)
BEEF	
Dressed carcasses and cuts not boned, fresh (chilled) or frozen	1.00
Boned beef and trimmings, fresh (chilled) or frozen	1.41
Cured other than dried	1.05
Dried (including smoked)	2.00

VEAL	
Dressed carcasses hide off, and cuts, not boned, fresh (chilled) or frozen	1.00
Dressed carcasses hide on, fresh (chilled) or frozen	.90
Boned, fresh (chilled) or frozen	1.41

LAMB AND MUTTON	
Dressed carcasses pluck out, and cuts, not boned, fresh (chilled) or frozen	1.00
Dressed carcasses pluck in, fresh (chilled) or frozen	.90
Boned, fresh (chilled) or frozen	1.41

PORK		
Dressed carcasses (with cutting fats on), fresh (chilled) or frozen	.83	
Cuts:	Not boned	Boned
Fresh (chilled)	1.00	1.15
Wiltshire sides, fresh or cured	1.00	
Cured	1.00	1.10
Smoked	1.10	1.20
Cooked	1.20	1.35
Trimming:		
Fresh (chilled) or frozen	1.10	

The conversion weight of controlled meat of each type used in the preparation of sausage or canned meat shall be computed by determining, on the basis of the manufacturing formula, the net weight of controlled meat of such type used in the processing thereof, and multiplying such net weight by 1.41 in the case of boned beef, veal, lamb and mutton, and 1.10 in the case of pork. The net weight of controlled meat which is cooked and used in the preparation of canned meat shall be the weight thereof before cooking.

(c) For the purpose of computing deliveries charged against quota during quota periods subsequent to Quota Period 1, pursuant to § 1407.907, the conversion weight of carcasses, and of cuts and trimmings of controlled meat derived therefrom, and of sausage and canned meat produced therefrom, shall be determined by multiplying the weight thereof by the appropriate conversion factor set forth below:

Type of controlled meat and description of product:	Conversion factor (multiplier)
BEEF	
Dressed carcasses and cuts, not boned, fresh (chilled) or frozen	1.00
Boned beef and trimmings, fresh (chilled) or frozen	1.41
Cured other than dried—not boned	.95
Cured other than dried—boned	1.34
Dried (including smoked)	2.20

Type of controlled meat and description of product—Continued.

Conversion factor (multiplier)

VEAL	
Dressed carcasses hide off, and cuts, not boned, fresh (chilled) or frozen	1.00
Dressed carcasses hide on, fresh (chilled) or frozen	.90
Boned, fresh (chilled) or frozen	1.41
LAMB AND MUTTON	
Dressed carcasses pluck out, and cuts, not boned, fresh (chilled) or frozen	1.00
Dressed carcasses pluck in, fresh (chilled) or frozen	.90
Boned, fresh (chilled) or frozen	1.41
Telescoped carcass lambs (shanks off)	1.03
Telescoped carcass sheep (shanks off, kidney out)	1.05
PORK	
Dressed carcasses (with cutting fats on), fresh (chilled) or frozen	.83
Cuts:	
Not boned	
Boned	
Fresh (chilled)	1.00 1.15
Wiltshire sides, fresh or cured	1.00
Cured	1.00 1.10
Smoked	1.10 1.20
Cooked	1.20 1.45
Pork loins	1.33
Fatted, skinless hams and shoulders	1.33
Fatted, skinless picnics	1.45
Trimmings:	
Fresh (chilled) or frozen	1.00
Chopped ham	1.28
Luncheon meat	1.35
Corned pork	2.22
Tushonka	1.80
Issue bacon	1.18
Sliced bacon	1.25
Dehydrated pork (10% maximum moisture content)	4.75
Dehydrated beef (10% maximum moisture content)	5.00

The conversion weight of controlled meat of any type used in the preparation of sausage, or in the preparation of canned meat not specified above, shall be computed by determining, on the basis of the manufacturing formula, the net weight of controlled meat of such type used in the processing thereof, and multiplying such net weight by the applicable conversion factor set forth above for such type of controlled meat. The net weight of controlled meat which is cooked and used in the preparation of canned meat not specified above shall be the weight thereof before cooking.

(d) In paragraphs (b) and (c) of this section, "boned" describes cuts from which 50 per cent or more of the bone by weight has been removed by the process of boning, and "not boned" describes cuts from which none, or less than 50 percent, of the bone by weight has been removed, and primal cuts which contain no bone.

§ 1407.925 *Effective dates of amendments.* * * *

(k) Amendment No. 11 (§§ 1407.904 (c), 1407.913 (b), (c), (d), and 1407.925 (k)) to Restriction Order No. 1 shall become effective January 23, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, and 729, 77th

Cong.; W.P.B. Directive No. 1, Supp. Dir. No. 1-M, 7 F.R. 562, 7234)

Issued this 18 day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-907; Filed, January 18, 1943; 3:52 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Amendment 50 to Supp. Reg. 1, to GMPR²]

DEHYDROGENATED CATALYSTS

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.* A new phrase is added to subdivision (iv) of § 1499.26 (a) (25) as set forth below:

§ 1499.26 * * *

(a) * * *

(25) * * *

(iv) * * *

; dehydrogenation catalysts including but not limited to chrome-alumina and magnesia-alumina dehydrogenation catalysts, and physical carrier agents for such catalysts, including but not limited to silica gel.

(e) *Effective dates.* * * *

(51) Amendment No. 50 (§ 1499.26 (a) (25) (iv)) to Supplementary Regulation No. 1 shall become effective January 23, 1943.

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

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-909; Filed, January 18, 1943; 3:52 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 220 Under § 1499.3 (b) of GMPR]

THE SMITHS, INCORPORATED

Maximum prices for bed rails and bed ends manufactured from gum lumber.

The Smiths, Incorporated, of Barnesville, Georgia has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine the maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application and an opinion in support of the

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

¹ 7 F.R. 3158, 3488, 3892, 4183, 4410, 4428, 4487, 4488, 4493, 4669, 5066, 5192, 5276, 5366, 5484, 5607, 5717, 5942, 6082, 6473, 6685, 7011, 7250, 7317, 7598, 7604, 7739, 8336, 8652, 8798, 8930, 8833, 9082, 9131, 9616, 9622, 9975, 9976, 10022.

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, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371.

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

§ 1499.1456 *Approval of maximum prices for sale by The Smiths, Incorporated, of bed rails and bed ends.* (a) On and after January 18, 1943, the Smiths Inc., of Barnesville, Georgia, may sell and deliver, and any person may purchase and receive from The Smiths, Incorporated, a set of bed rails consisting of 8 rails of the following specifications and assembled bed ends of the following specifications at a price not in excess of \$1.99½ per set of bed rails f. o. b. mill and \$1.54½ per bed end f. o. b. mill:

(1) Set of bed rails.

4 rails 1½" x 3½" x 6'.
4 rails 1½" x 3½" x 2' 11" manufactured from gum lumber.

(2) Assembled bed end consisting of:

2 posts 1¾" x 1¾" x 64".
4 rails 1½" x 3½" x 34" mortised into posts with over-all measurement of 36¼", manufactured from gum lumber.

(b) This Order No. 220 may be revoked or amended at any time.

(c) This Order No. 220 (§ 1499.1456) shall become effective January 18, 1943.

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-911; Filed, January 18, 1943; 3:50 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 221 Under § 1499.3 (b) of GMPR]

BERST-FORSTER-DIXFIELD COMPANY

Maximum prices for #2 white birch bars 80% free from defects.

Berst-Forster-Dixfield Company of Oakland, Maine, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine the maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application and an opinion in support of the 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 and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, *It is ordered:*

§ 1499.1457 *Approval of maximum prices for sale by Berst-Forster-Dixfield Company of #2 white birch bars 80% free from defects, random sizes.* (a) On and after January 18, 1943, Berst-Forster-Dixfield Company, of Oakland, Maine, may sell and deliver, and any person may purchase and receive from Berst-Forster-Dixfield Company, #2 white birch bars 80% free from defects,

random sizes, at a price not in excess of \$58.00 per M feet board measure f. o. b. mill.

(b) This Order No. 221 may be revoked or amended at any time.

(c) This Order No. 221 (§ 1499.1457) shall become effective January 18, 1943. Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-908; Filed, January 18, 1943;
3:53 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 222 Under § 1499.3 (b) of GMPR']

NICKEY BROTHERS, INCORPORATED

Maximum prices for chair stock (small dimension) manufactured from red or white oak lumber.

Nickey Brothers, Inc. of Memphis, Tennessee, has made application under § 1499.3 (b) of the General Maximum Price Regulation for specific authorization to determine the maximum price for a commodity which cannot be priced under § 1499.2 thereof. Due consideration has been given to the application 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 and under 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:

§ 1499.1458 *Approval of maximum prices for sale by Nickey Brothers, Inc., of chair stock.* (a) On and after January 18, 1943, Nickey Brothers, Inc. of Memphis, Tennessee, may sell and deliver, and any person may purchase and receive from Nickey Brothers, Inc., chair stock (small dimension) manufactured from white or red oak lumber and consisting of the following specified pieces at a price not in excess of \$132.00 per M feet board measure f. o. b. the plant of Nickey Brothers, Inc.:

2 pieces $2\frac{1}{2}'' \times 1\frac{1}{4}'' \times 27\frac{1}{2}''$, beaded both sides to count as $1'' \times 2'' \times 27''$.

2 pieces $2\frac{1}{2}'' \times 1\frac{1}{2}'' \times 22\frac{1}{2}''$, beaded both sides to count as $1'' \times 1\frac{1}{2}'' \times 22''$.

1 piece $49/64'' \times 1\frac{1}{4}'' \times 17\frac{1}{2}''$ S&S eased edges to count as $1'' \times 2'' \times 17\frac{1}{2}''$

1 piece $49/64'' \times 1\frac{1}{4}'' \times 15\frac{1}{2}''$ S&S eased edges to count as $1'' \times 2'' \times 15\frac{1}{2}''$

(b) This Order No. 222 may be revoked or amended at any time.

(c) This Order No. 222 (§ 1499.1458) shall become effective January 18, 1943.

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

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-918; Filed, January 18, 1943;
4:54 p. m.]

7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10155.

PART 1499—COMMODITIES AND SERVICES
[Order 223 Under § 1499.3 (b) of GMPR]

CLARK THREAD COMPANY

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register; it is hereby ordered:

§ 1499.1459 *Maximum prices for sales of hand knitting wool yarns by the Clark Thread Company to Patons and Baldwins, Incorporated.* (a) The Clark Thread Company, Newark, New Jersey, may sell and deliver to Patons and Baldwins, Incorporated hand knitting wool yarns at prices no higher than those determined in accordance with paragraph (b) below.

(b) Maximum prices shall be the "base cost" of the hand knitting wool yarns sold, plus a flat charge of \$4,000 per month. The term "base cost" for any particular hand knitting wool yarn means the fixed cost for such yarn in effect during March 1942 for sales by the Clark Thread Company to Patons and Baldwins, Incorporated.

(c) This Order No. 223 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order No. 223 (§ 1499.1459) shall become effective January 18, 1943.

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

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-919; Filed, January 18, 1943;
4:54 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 13 Under § 1499.29 of GMPR]

LINCOLN MANUFACTURING COMPANY

Order No. 13 under § 1499.29 of the General Maximum Price Regulation—Docket No. III-1499.29 (b)-2.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, it is hereby ordered; That:

§ 1499.413 *Authorization of a maximum price for certain spigots for the Lincoln Manufacturing Company.* (a) The Lincoln Manufacturing Company of Detroit, Michigan, may sell and deliver to Kimball-Tyler Company of Baltimore, Maryland, brass breaker spigots, No. 45-S-775, at a price of \$4014 each f. o. b. point of manufacture.

(b) This Order No. 13 shall cover only the sale of the spigots described in paragraph (a) above to Kimball-Tyler Company for use in the manufacture of certain water casks for life boats under prime Government Contract No. N 102s-36385.

(c) If the contract between the Lincoln Manufacturing Company and Kimball-Tyler Company has been negotiated at a price higher than that established by this Order No. 13, such price shall be adjusted downward to the established price. If any payment has been made under such contract at a price higher than that established by this Order No.

13, refund of the excess must be made to Kimball-Tyler Company.

(d) This Order No. 13 (§ 1499.413) is hereby incorporated as a section of Supplementary Regulation No. 4 which contains modifications of maximum prices established by § 1499.2.

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

(f) This Order No. 13 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 13 (§ 1499.413) shall become effective January 18, 1943.

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

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-916; Filed, January 18, 1943;
4:54 p. m.]

Chapter XIII—Petroleum Administration
for War

PART 1525—MARKETING MOTOR FUEL

[Petroleum Administrative Order 4]

SERVICE STATION HOURS OF DISTRIBUTION

The fulfillment of the requirements for the defense of the United States threatens a shortage of motor fuel distribution facilities, for defense, for private account, and for export; and the following order is deemed necessary in the public interest, to promote the national defense and to provide adequate supplies of petroleum for military and other essential purposes:

§ 1525.2 *Petroleum Administrative Order 4—(a) Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Motor fuel" means any liquid fuel, including Diesel fuel, used for the propulsion of motor vehicles or motor boats and shall include any liquid fuel to which Federal gasoline taxes apply except liquid fuel used for the propulsion of aircraft.

(3) "Service station" means any place of business or part thereof, where motor fuel normally is sold and delivered into the fuel supply tanks of motor vehicles.

(b) *Service station hours of distribution.* (1) No person shall deliver motor fuel from any service station where motor fuel is delivered during more than 12 hours (which shall not be divided into units of less than 2 consecutive hours) of any calendar day or during more than 72 hours of any calendar week: *Provided, That:*

(i) Deliveries of motor fuel may be made at any time for official use in motor vehicles or motor boats owned or operated by the Army, Navy, Marine Corps, Coast Guard, Maritime Commission, or War Shipping Administration or to any persons in the event of any emergency involving life, health or property.

(ii) Deliveries of motor fuel in exchange for "T" coupons may be made at any time into the fuel tank of any motor

vehicle displaying a "T" ration sticker in accordance with the provisions of Ration Order No. 50 where the following conditions are all fully complied with.

(a) Such service station shall at all times remain open to sell and deliver motor fuel.

(b) For the same 12 consecutive hours of the calendar day and for not more than 72 hours during any calendar week, such service station shall deliver motor fuel to any person requesting motor fuel in accordance with Ration Order No. 5C.

(c) During all of the remaining hours of each day of each week, such service station shall deliver motor fuel only to motor vehicles displaying "T" ration stickers.

(2) Each service station shall post prominently in a conspicuous place a notice of the hours during which motor fuel will be regularly delivered by such service station. Where the provisions of paragraph (b) (1) (ii) apply the hours selected and posted shall clearly distinguish the hours during which motor fuel will be delivered only to motor vehicles displaying "T" ration stickers and shall remain in effect for a period of not less than 30 consecutive days and shall not be changed during such period. In all other cases the hours selected and posted shall remain in effect at least seven consecutive days and shall not be changed during such period.

(c) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may file an appeal setting forth the pertinent facts and the reasons why he considers himself entitled to relief. All appeals shall be filed in triplicate.

(d) *Appeals and correspondence.* (1) All correspondence and all appeals filed under paragraph (c) shall, unless otherwise directed, be addressed to the District Director of Marketing, Petroleum Administration for War at:

(i) 122 East 42nd Street, New York, New York, if the motor fuel is to be delivered or used in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, or the District of Columbia.

(ii) Twelfth Floor, Blum Building, 624 South Michigan Avenue, Chicago, Illinois, if the motor fuel is to be delivered or used in the States of Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, or North Dakota.

(iii) 245 Mellie Esperson Building, Houston, Texas, if the motor fuel is to be delivered or used in the States of Alabama, Mississippi, Louisiana, Arkansas, Texas, or New Mexico.

(iv) 320 First National Bank Building, Denver, Colorado, if the motor fuel is to be delivered or used in the States of Montana, Wyoming, Colorado, Utah, or Idaho.

(v) 855 Subway Terminal Building, Los Angeles, California, if the motor fuel is to be delivered or used in the

States of Arizona, California, Nevada, Oregon, or Washington.

(e) *Violations.* Any person who willfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who willfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(f) *Effective date.* This order shall take effect five days after date of issuance and shall remain in effect until revoked.

(E.O. 9276, 7 F.R. 10091; 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 18th day of January 1943.

HAROLD L. ICKES,
Petroleum Administrator for War.

[F. R. Doc. 43-939; Filed, January 19, 1943;
11:43 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

PART 303—CONTRACTS FOR CARRIAGE ON VESSELS OWNED OR CHARTERED BY THE WAR SHIPPING ADMINISTRATION

[General Order 16, Supp. 7]

UNIFORM OCEAN BILL OF LADING (SHORT FORM)

§ 303.32 *Uniform ocean bill of lading, short form.* (a) All operators of vessels owned by or under bareboat or time charter to or operated by or for the use or account of the United States of America, may on or before February 1, 1943, on all outbound shipments from continental United States ports excluding Alaska, and as soon thereafter as possible on all other shipments, and on all subsequent shipments, use or cause to be used, in their discretion, the uniform short form of bill of lading designated as "Warshipshortlading 12/15/42" which shall be in the form attached.

(b) Said bill of lading when printed shall be of a uniform size of 8½ inches by 11 inches, to be printed in type no smaller than 6 point. Otherwise operator may arrange the form in the manner most suitable to his use.

(c) All operators may at their own expense under agency agreements now or hereafter in effect, cause such bill of lading to be printed as aforesaid and any such operator shall indicate its name and may also print appropriate and customary house flags, office address, etc. on the face thereof.

(d) The operator shall upon previous advice to WSA and approval by them incorporate in such bills of lading any special arrangements on the face thereof and any other special clauses respectively appropriate or necessary to trade

and route undertaken which is felt to be necessary.

(e) Only the government form of bill of lading (Standard Form 1058) shall be used as the bill of lading covering consignments of property of the United States, made by an agency of the United States.

(f) The right is reserved to approve other forms of bills of lading or clauses as the Administrator may deem appropriate in special circumstances.

Warshipshortlading
12-15-42

B/L No. -----

XYZ SHIPPING COMPANY, Master's Agent

BILL OF LADING

(Short Form)

Received on board from the shipper hereinafter named the goods, or packages said to contain goods, hereinafter mentioned in apparent good order and condition unless otherwise indicated in this bill of lading, to be transported to the port of discharge and there to be delivered or transhipped on the terms hereinafter stated. In every contingency whatsoever and even in case of deviation or of unseaworthiness of the ship at time of loading or at any subsequent time, the rights and obligations, whatsoever they may be, of each and every person having any interest or duty whatsoever in respect of the receipt, care, custody, carriage, delivery or transshipment of the goods whether as shipper, consignee, holder or endorsee of the bill of lading, receiver or owner of the goods, master of the ship, carrier, shipowner, demise charter, time charterer, operator, agent, bailee, warehouseman, forwarder, or otherwise howsoever, shall be subject to and governed by the terms of the Uniform Bill of Lading (Warshiplading 7-1-42) adopted by General Order No. 16 of the Administrator, War Shipping Administration, July 4, 1942, which shall be deemed to be incorporated herein, including any amendments thereto or special provisions thereof which may be in effect at the time the goods are received for shipment and applicable to the intended voyage. Copies of such Uniform Bill of Lading and amendments may be obtained on application to the War Shipping Administration, Washington, D. C., or to any of its District Offices or to the Agent of the Master at the port of shipment or port of discharge. This shipment shall have effect subject to the provisions of the Carriage of Goods by Sea Act of the United States, approved April 16, 1936, which shall be deemed to be incorporated herein and nothing herein contained shall be deemed a surrender by the carrier of any of its rights or immunities or an increase of any of its responsibilities or liabilities under said Act. The provisions stated in said Act shall (except as may be otherwise specifically provided in the bill of lading referred to above) govern before the goods are loaded on and after they are discharged from the ship and throughout the entire time the goods are in the custody of the carrier. Nothing herein contained, whether by express statement, reference, implication or otherwise, shall be deemed a surrender of any rights or immunities or an increase of any responsibilities or liabilities which the ship, her owner, charterer, operator, agent or master or any carrier, bailee, warehouseman, or forwarder of the goods or the agent of any of them would have in the absence of this bill of lading. None of the terms of this bill of lading shall be deemed to have been waived by any person unless by express waiver signed by such person, or his duly authorized agent.

approval of the proposed amendments or any modification thereof. The amendments which have been proposed are set forth below:

1. Delete § 948.1 (a) (3) and substitute therefor:

(3) "Producer" means any person irrespective of whether such person is also a handler who, in conformity with the applicable health regulations, produces milk which is received at the plant of a handler from which milk is disposed of in the marketing area.

2. Delete § 948.1 (a) (4) and substitute therefor:

(4) "Handler" means any person who, on his own behalf or on behalf of others, purchases or receives milk from producers, associations of producers or other handlers, all or a portion of which milk is disposed of as milk in the marketing area and who, on his own behalf or on behalf of others, engages in such handling of milk as is in the current of interstate commerce or which directly burdens, obstructs, or affects interstate commerce in milk and its products. This definition shall be deemed to include a cooperative association with respect to milk caused to be delivered from a producer to a plant from which no milk is disposed of in the marketing area, for the account of such cooperative association and for which such cooperative association collects payment.

3. Delete § 948.1 (a) (6) and substitute therefor:

(6) "Delivery period" means the period from the effective date hereof to and including the end of the calendar month in which such effective date occurs and thereafter such term shall mean any calendar month.

4. Add as § 948.1 (a) (10):

(10) "Emergency milk" means milk received by a handler from sources other than producers or other handlers under a temporary permit issued by the proper health authorities.

5. Delete § 948.3 (d).

6. Delete § 948.4 and substitute therefor:

§ 948.4 *Minimum prices.* Each handler shall pay at the time and in the manner set forth in § 948.8 not less than the following prices for milk of 3.5 percent butterfat content:

(a) *Class I milk.* The price per hundredweight for Class I milk during each delivery period shall be as set forth in the table in paragraph (b) of this section:

(b) *Class II milk.* The price per hundredweight for Class II milk during each delivery period shall be as set forth in the following table:

When the price computed pursuant to paragraph (d) of this section is—	The Class I price shall be—	The Class II price shall be—
Under \$1.00.....	\$1.60	\$1.30
\$1.00 or more but under \$1.20.....	1.80	1.50
\$1.20 or more but under \$1.40.....	2.00	1.70
\$1.40 or more but under \$1.60.....	2.20	1.90
\$1.60 or more but under \$1.80.....	2.40	2.10
\$1.80 or more but under \$2.00.....	2.60	2.30
\$2.00 or more but under \$2.20.....	2.80	2.50
\$2.20 or more but under \$2.40.....	3.00	2.70
\$2.40 or more but under \$2.60.....	3.20	2.90
\$2.60 or more but under \$2.80.....	3.40	3.10
\$2.80 or over.....	3.60	3.30

(c) *Class III milk.* The price per hundredweight for Class III milk shall be the price resulting from the following computation by the market administrator: determine the average of the prices per hundredweight ascertained to have been paid for milk of 3.5 percent butterfat content received during the delivery period at the following plants:

Concern:	Location of plant
Carnation Milk Co.....	Northfield, Minn.
Carnation Milk Co.....	Waverly, Iowa.
Borden Milk Products Co.	Sterling, Ill.
Libby, McNeill & Libby.	Morrison, Ill.

(d) *Basic formula price.* The basic price to be used in determining the Class I and Class II prices shall be computed as follows: multiply by 3.5 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the immediately preceding delivery period, add 20 percent thereof, and add or subtract 3½ cents for each full one-half cent that the price of dry skim milk for human consumption is above or below 5½ cents per pound. For purposes of determining this adjustment the price per pound of dry skim milk for human consumption f. o. b. manufacturing plant, as published by the United States Department of Agriculture for the Chicago area during the immediately preceding delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period. In the event the United States Department of Agriculture does not publish carlot prices for dry skim milk for human consumption f. o. b. manufacturing plant, the average of the carlot prices for dry skim milk for human consumption delivered at Chicago shall be used. In the latter event such price shall be subject to the following adjustments: Add or subtract 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption, delivered at Chicago, is above or below 7½ cents per pound.

7. Add as § 948.5 (a) (2):

(2) On or before the 5th day after the end of each delivery period, the receipts, if any, of emergency milk as follows: (i) the amount of such milk and the average butterfat test thereof, (ii) the date or dates upon which such milk was received during the delivery period, (iii) the plant from which such milk was shipped, (iv) the price per hundredweight paid or to be paid for such milk, and (v) such other information with respect thereto as the market administrator may request.

8. Renumber § 948.6 (c) as § 948.6 (d) and add as § 948.6 (c):

(c) *Purchases of emergency milk.* The market administrator, before making the computation pursuant to § 948.7, shall deduct pro rata out of each class the total pounds of emergency milk received by handlers during the delivery period.

9. Delete § 948.8 (a) (2) and substitute therefor:

(2) To a cooperative association for milk which is caused to be delivered to a handler from producers by a cooperative association, and for which such cooperative association collects payments, a total amount equal to not less than the sum of the individual payments otherwise payable to such producers under subparagraph (1) of this paragraph.

10. Delete the period (.) at the end of § 948.8 (b) (5) and add the words "but less than 50 cents".

11. Add as § 948.8 (b) (6):

(6) Five and one-half cents per hundredweight when such average price of 92-score butter is 50 cents or more, but less than 55 cents.

12. Add as § 948.8 (b) (7):

(7) Six cents per hundredweight when such average price of 92-score butter is 55 cents or more.

13. In § 948.8 (d) delete the words "subject to the provisions of paragraph (e) of this section".

14. Delete § 948.8 (e) and (f) and substitute therefor:

(e) *Payments out of producer-settlement fund.* On or before the 9th day after the end of each delivery period, the market administrator shall pay to each handler for payment to producers the amount, if any, by which the total utilization value of such milk of producers received by such handler, during the delivery period, is less than the sum obtained by multiplying the hundredweight of such milk of producers by the appropriate prices required to be paid by handlers pursuant to paragraph (a) of this section. On or before the 9th day after the end of each delivery period the market administrator shall pay to each cooperative association with respect to milk of producers which it caused to be delivered to a plant from which no milk is disposed of in the marketing area, for the account of such cooperative association, and for which such cooperative association collects payment, for payment to producers, the amount, if any, by which the total utilization value of such milk is less than the sum obtained by multiplying the hundredweight of such milk by the appropriate prices required to be paid by handlers pursuant to paragraph (a) of this section. If at such time the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 10th day after the end of the delivery period, has not received the balance of such reduced payment from the market administrator, shall be deemed to be in violation of paragraph (a) of this section if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

15. Renumber § 948.8 (g) as § 948.8 (f).

16. In § 948.9 delete the words "2 cents" and substitute therefor the words "4 cents".

17. Add as § 948.11:

§ 948.11 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

18. Delete the words "new producer" wherever appearing in the order.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and of the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: January 18, 1943.

[SEAL] THOMAS J. FLAVIN,
Assistant to the
Secretary of Agriculture.¹

[F. R. Doc. 43-936; Filed, January 19, 1943;
11:15 a. m.]

[Docket No. AO 86-A 4]

OMAHA-COUNCIL BLUFFS MARKETING AREA
NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to tentatively approved marketing agreement, as amended, and order, as amended, regulating the handling of milk in the Omaha-Council Bluffs marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.), and in accordance with the applicable rules of practice and procedure thereunder (7 CFR 900.1-900.17; 6 F.R. 6570, 7 F.R. 3350), notice is hereby given of a hearing to be held in the Court Room, Post Office Building, Omaha, Nebraska, beginning at 10 a. m., c. w. t., January 26, 1943, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and the order, as amended, regulating the handling of milk in the Omaha-Council Bluffs marketing area. These amendments have not received the approval of the Secretary of Agriculture.

This public hearing is for the purpose of receiving evidence with respect to the economic or marketing conditions which relate to the amendments or any modification thereof, which are hereinafter set forth. Such evidence may also include economic or marketing data relative to the provisions of the said tentatively approved marketing agreement and order which will be affected by approval of the proposed amendments or any modification thereof. The amendments which have been proposed are set forth below:

1. Amend § 935.1 (a) (3) as follows:

After the word "handler" in the third line insert the words "other than himself."

2. In § 935.1 (a) (4) delete the words, "to a handler, or causes milk of a producer to be delivered."

¹ Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

3. Add as § 935.1 (a) (10):

(10) "Emergency milk" means milk received by a handler from sources other than producers or other handlers under a temporary permit issued by the proper health authorities.

4. In § 935.3 (c) delete the words, "which is not a cooperative association."

5. Delete § 935.3 (d).

6. Delete § 935.4 and substitute therefor:

§ 935.4 *Minimum prices.* Each handler shall pay at the time and in the manner set forth in § 935.8 not less than the following prices for milk of 3.8 percent butterfat content:

(a) *Class I milk.* The price per hundredweight for Class I milk during each delivery period shall be as set forth in the table in paragraph (b) of this section.

(b) *Class II milk.* The price per hundredweight for Class II milk during each delivery period shall be as set forth in the following table:

When the price computed pursuant to paragraph (c) of this section is—	The Class I price shall be—	The Class II price shall be—
Under \$1.50.....	\$2.00	\$1.65
\$1.50 or more but under \$1.70.....	2.20	1.85
\$1.70 or more but under \$1.90.....	2.40	2.05
\$1.90 or more but under \$2.10.....	2.60	2.25
\$2.10 or more but under \$2.30.....	2.80	2.45
\$2.30 or more but under \$2.50.....	3.00	2.65
\$2.50 or more but under \$2.70.....	3.20	2.85
\$2.70 or more but under \$2.90.....	3.40	3.05
Over \$2.90.....	3.60	3.25

(c) *Class III milk.* The price per hundredweight for Class III milk during each delivery period shall be computed by the market administrator as follows: Multiply by 3.8 the average price of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which such milk is received, plus or minus 0.95 cent per hundredweight for each 1 cent that such average price of 92-score butter is above or below 20 cents, add 21 cents, and add a figure determined as follows: add 3 cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption is above 7 cents per pound. For purposes of determining this adjustment, the price per pound of dry skim milk to be used shall be the average of the carlot prices for dry skim milk for human consumption delivered at Chicago, as reported by the United States Department of Agriculture during the delivery period, including in such average the quotations published for any fractional part of the preceding delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period. In the event the United States Department of Agriculture does not publish carlot prices for dry skim milk for human consumption delivered at Chicago, the average of the carlot prices for dry skim milk for human consumption f. o. b. manufacturing plant, as reported by the United States Department of Agriculture for the Chicago area, shall be used. In the latter event such price shall be subject to the following adjustments: add or subtract 3 cents per hundredweight for each full one-half

cent that the price of dry skim milk for human consumption, f. o. b. manufacturing plant, is above or below 5 cents per pound.

7. Delete § 935.5 (a) and substitute therefor:

(a) *Periodic reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator as follows:

(1) On or before the 5th day after the end of each delivery period, (i) the receipts at each plant of milk from producers, (ii) the receipts at each plant of milk and cream from other handlers, (iii) the receipts at each plant of milk produced by him, if any, (iv) the receipts at each plant of milk and cream from any other source with the source indicated, and (v) the utilization of all receipts of milk and cream for the delivery period.

(2) On or before the 5th day after the end of each delivery period, the receipts, if any, of emergency milk as follows: (i) the amount of such milk and the average butterfat test thereof, (ii) the date or dates upon which such milk was received during the delivery period, (iii) the plant from which such milk was shipped, (iv) the price per hundredweight paid or to be paid for such milk, and (v) such other information with respect thereto as the market administrator may request.

8. Add as § 935.6 (d) the following:

(d) *Purchases of emergency milk.* The market administrator, before making the computations pursuant to § 935.7 shall deduct pro rata out of each class the total pounds of emergency milk received by handlers during the delivery period.

9. Delete § 935.8 (a) and substitute therefor:

(a) *Time and method of payment.* On or before the 10th day after the end of each delivery period, each handler shall make payment subject to the butterfat differential set forth in paragraph (b) of this section for milk received by such handler during such delivery period as follows:

(1) To each producer, except as set forth in subparagraph (2) of this paragraph, not less than the uniform price per hundredweight, computed pursuant to § 948.7 (b); and

(2) To a cooperative association for milk which is canned to be delivered to a handler from producers by a cooperative association, and for which such cooperative association collects payments, a total amount equal to not less than the sum of the individual payment otherwise payable to such producers under subparagraph (1) of this paragraph.

10. Delete § 935.8 (d) and (e) and substitute therefor:

(d) *Payments out of producer-settlement fund.* On or before the 10th day after the end of each delivery period, the market administrator shall pay to each handler for payment to producers, the amount, if any, by which the total value of such milk received from producers by such handler is less than the amount obtained by multiplying the hundredweight of such milk received from producers by such handler at the uniform price. On

or before the 10th day after the end of each delivery period, the market administrator shall pay to a cooperative association which is a handler, for payment to producers, the amount, if any, by which the total value of milk of producers caused to be delivered to a plant from which no milk is disposed of in the marketing area by such cooperative association is less than the amount obtained by multiplying the hundredweight of such milk by the uniform price. If at such time the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 10th day after the end of the delivery period has not received the balance of such reduced payment from the market administrator shall be deemed to be in violation of paragraph (a) of this section if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

11. Renumber § 935.8 (f) and (g) as § 935.8 (e) and (f). Change the period (.) at the end of § 935.8 (f) to a comma (,) and add the following:

but less than 40 cents, 4½ cents if such average price of butter is 40 cents or more but less than 45 cents, 5 cents if such average price of butter is 45 cents or more but less than 50 cents, or 5½ cents if such average price of butter is 50 cents or more.

12. Add as § 935.12 the following:

§ 935.12 *Agents*. The Secretary may, by designation in writing, name any officer or employee of the United States, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

Copies of this notice of hearing, of the tentatively approved marketing agreement, as amended, and of the order, as amended, now in effect, may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: January 18, 1943.

[SEAL] THOMAS J. FLAVIN,
Assistant to the
Secretary of Agriculture.¹

[F. R. Doc. 43-935; Filed, January 19, 1943;
11:15 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 28 Under RPS 57]

FIRTH CARPET COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 28 Under Revised Price Schedule No. 57—Wool Floor Covering.

¹ Acting pursuant to authority delegated by the Secretary of Agriculture under the Act of April 4, 1940 (54 Stat. 81; 7 F.R. 2656).

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) Firth Carpet Company may sell, offer to sell, deliver or transfer the new fabric designated as Swedish Unison at prices no higher than those set forth below:

\$6.15 per square yard f. o. b. mill roll,
\$75.15 per 9 x 12 size f. o. b. mill,

subject to discounts, allowances, and rebates no less favorable than those in effect as to Swedish Primitive under § 1352.1 of Revised Price Schedule No. 57. Other sizes and zone maximum prices of Swedish Unison shall be determined on the basis of the same differentials as established by Revised Price Schedule No. 57 between the square yard f. o. b. mill and the other sizes and zone maximum prices of Swedish Primitive.

(b) This Order No. 28 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 28 shall become effective on the 18th day of January 1943. Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-899; Filed, January 18, 1943;
3:50 p. m.]

[Order 29 Under RPS 57]

ALEXANDER SMITH & SONS CARPET COMPANY
APPROVAL OF MAXIMUM PRICE

Order No. 29 under Revised Price Schedule No. 57—Wool Floor Coverings.

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) Alexander Smith & Sons Carpet Company may sell, offer to sell, deliver or transfer the new fabric designated as Alpine at prices no higher than those set forth below:

\$2.08 per square yard f. o. b. mill roll,
\$24.95 per 9 x 12 size f. o. b. mill,

subject to discounts, allowances, and rebates no less favorable than those in effect as to Special Axminster under § 1352.1 of Revised Price Schedule No. 57. Other sizes and zone maximum prices of Alpine shall be determined on the basis of the same differentials as established by Revised Price Schedule No. 57 between the square yard f. o. b. mill and the other sizes and zone maximum prices of Special Axminster.

(b) This Order No. 29 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 29 shall become effective on the 18th day of January, 1943. Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-900; Filed, January 18, 1943;
3:50 p. m.]

[Order 30 Under RPS 57]

ROXBURY CARPET COMPANY

APPROVAL OF MAXIMUM PRICE

Order No. 30 under Revised Price Schedule No. 57—Wool Floor Covering.

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) Roxbury Carpet Company may sell, offer to sell, deliver or transfer the new fabric designated as Hinsdale at prices no higher than those set forth below:

Hinsdale at \$2.24 per square yard f. o. b. mill roll,
Hinsdale at \$26.85 per 9 x 12 size f. o. b. mill,

subject to discounts, allowances, and rebates no less favorable than those in effect as to Concord under § 1352.1 of Revised Price Schedule No. 57. Other sizes and zone maximum prices of Hinsdale shall be determined on the basis of the same differentials as established by Revised Price Schedule No. 57 between the square yard f. o. b. mill and the other sizes and zone maximum prices of Saxonville.

(b) This Order No. 30 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1352.11 of Revised Price Schedule No. 57 shall apply to terms used herein.

(d) This Order No. 30 shall become effective on the 18th day of January 1943. Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-901; Filed, January 18, 1943;
3:50 p. m.]

[Order 62 Under RPS 64]

A. & J. MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICE

Order No. 62 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On December 21, 1942, the A. & J. Manufacturing Co., Gadsden, Alabama, completed an application filed pursuant to Revised Price Schedule No. 64 on December 8, for approval of a maximum price for a new model coal heating stove

designated in the application as model 500.

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

(a) A. & J. Manufacturing Co. may sell, offer to sell, transfer or deliver its model 500 coal heating stove at a price no higher than \$23.60 f. o. b. factory to dealers, subject to discounts, allowances and terms no less favorable than those in effect with respect to the comparable model 24A.

(b) This Order No. 62 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 62 shall become effective on the 18th day of January 1943. Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-903; Filed, January 18, 1943; 3:50 p. m.]

[Order 63 Under RPS 64]

ENTERPRISE FOUNDRY, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 63 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On December 18, 1942, Enterprise Foundry, Inc., Belleville, Illinois, completed three applications pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of maximum prices for five new models of stoves. Three, designated as models C-816, C-818, C-820, are new model coal heating stoves. One, designated as model 4916 CE, is a coal and wood range; and one, designated as model K-2-E, is a coal and wood kitchen heater.

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

(a) Enterprise Foundry, Inc., may sell, offer to sell, transfer or deliver the following new model stoves at prices no higher than those specified:

	F. o. b. factory to dealers
Model No. C-816.....	\$39.72
Model No. C-818.....	46.13
Model No. C-820.....	49.81
Model No. 4916 CE.....	35.24
Model No. K-2-E.....	18.58

subject to discounts, allowances and terms no less favorable than those in

effect with respect to the comparable model 4484.

(b) This Order No. 63 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1356.11 of Revised Price Schedule No. 64 shall apply to terms used herein.

(d) This Order No. 63 shall become effective on the 18th day of January, 1943.

Issued this 18th day of January, 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-917; Filed January 18, 1943; 4:56 p. m.]

[Order 3 Under MPR 19]

BROOKS-SCANLON CORP., ET AL.

APPROVED ESTIMATED WEIGHTS

Order No. 3 under § 1381.212 (d) (5) of Maximum Price Regulation No. 19—Southern Pine Lumber.

For the reasons set forth in the opinion which accompanies this order, *It is hereby ordered, That:*

(a) The following companies which have filed certified lists of estimated weights for their longleaf yellow pine lumber, which lists have been approved by the Office of Price Administration, may and any sellers of their lumber may use the following approved estimated weights in computing transportation costs:

BROOKS-SCANLON CORPORATION, FOLEY, FLORIDA

	Pounds
3/8 x 3 1/4" SRRB Ceiling.....	1,000
1/2 x 6" Bevel Siding; 1/4 Resawn to Square Edge Siding S1S.....	1,100
3/16 x 3 1/4" Ceiling.....	1,200
5/8 x 4" Ceiling; 5/8 x 6" Bevel Siding.....	1,400
5/16 x 3 1/4" Ceiling; 1/2 x 5 1/2" Square Edge Siding S4S.....	1,500
1 1/16 x 3 1/4" Ceiling; 3/4 x 5 1/4" Drop Siding #117.....	1,800
1 x 3 E. M. Flooring; 3/4 x 3 1/4" Partition; 3/4 x 5 1/4" Drop Siding #105.....	2,000
1 x 4 E. M. Flooring; 2 3/32 x 2 3/8" Heart Flat, Sap Flat and E. G. Flooring.....	2,100
2 5/32 x 3 1/4" Heart and Sap Flat Flooring; 3/4 x 7 1/4" Drop Siding #105.....	2,200
3/4 x 5 1/4" Sap Flat Flooring; 5/8 x 3", 5/8 x 4" Heart Flat Flooring; 1 1/16 x 2 3/8 and 3 1/4" Sap Flat Flooring; 3/4 x 5 1/4" Ceiling, Partition and Drop Siding; 1 x 2, 1 x 3 and 1 x 4", S4S, Shiplap.....	2,400
1 x 5, 1 x 6 and 1 x 8" S4S.....	2,600
1 x 10, 1 x 12, 3/4 x 3, 4 and 6", 5/8 x 3, 4 and 6", 5/8 x 3, 4, 5, 6, 8 and 10" S4S 1 1/8".....	2,800
2 x 10 dressed 1 1/8".....	2,900
5/8 x 12, 5/8 x 12 and 5/8 x 12 S4S; 2 x 12 dressed 1 1/8".....	3,000
3/4, 5/8 and 5/8, Rough, Kiln dried.....	3,800
2 x 4, 2 x 6 and 2 x 8" Rough.....	4,000
2 x 10 and 2 x 12" S4S.....	4,300
2 x 10 and 2 x 12" Rough.....	4,700
Timbers—S4S 1/2".....	4,200
Timbers—S4S 3/8".....	4,400
Timbers—S4S 1/4".....	4,600
Timbers—S2S.....	4,800
Timbers—Rough.....	5,000
Timbers, T & G—G2E.....	Deduct 300
3/8 x 1 1/2"—4" Lath, Green.....	1,000
3/8 x 1 1/2"—4" Lath, Kiln dried.....	500

PEAVY-WILSON LUMBER CO., INC., HOLOPAW, FLORIDA

	Pounds
Bevel Siding and Square Edge Siding from 1" stock.....	1,200
3/16" Ceiling.....	1,300
Bevel Siding and Square Edge Siding from 1 1/4" stock.....	1,500
5/16 x 4" Ceiling.....	1,600
1 1/16" Ceiling.....	2,000
3/4" Partition.....	2,100
1 x 6" Drop Siding #105 and Bond.....	2,200
1 x 3" and 1 x 4" Flooring; 1 x 8" and 1 x 10" Drop Siding #105 and Bond; Moulded Casing and Base all widths; 1" Jamb; 1 x 2 to 1 x 4" D & M.....	2,300
1 x 4 and 1 x 6" Car Siding, Lining and Roofing, T & G 2 3/32".....	2,400
1 x 4 and 1 x 6" Car Siding, Lining and Roofing, T & G 1 3/16"; 5/8 x 3 and 5/8 x 4" Flooring; 5/8 x 2" Jamb.....	2,500
1 x 4 and 1 x 6" S2S 2 3/32"; 1 x 6, 8 and 10" D & M and Shiplap.....	2,600
1 x 4 and 1 x 6" S2S 1 3/16"; 1 x 12 D & M Shiplap.....	2,700
1 x 2 to 1 x 10 Finish and Boards S3S or S4S 2 3/32".....	2,800
1 x 2 to 1 x 10 S3S or S4S 1 3/16; 1 x 12 S3S or S4S 2 3/32", Finish and Boards.....	2,900
1 x 12 Finish and Boards S3S or S4S 1 3/16"; 2 x 2 to 2 x 4 dressed 1 1/4"; 2 x 6 and 2 x 8 S2S T & G Car Decking 1 3/4" dry.....	3,000
5/8 and 5/8 x 2 to 10" Boards S3S or S4S; 5/8 x 2 to 2 x 10 Finish S4S; 2 1/2 x 6 to 3 x 8 T & G Decking, dry.....	3,100
5/8 and 5/8 x 12" Boards S3S or S4S; 5/8 x 2 to 2 x 10 Finish S4S; 2 x 6 and 2 x 8" Dressed 1 1/4".....	3,200
2 x 10 and 2 x 12" dressed 1 1/8".....	3,300
2 x 2 to 2 x 4 dressed 1 1/4".....	3,400
2 x 6 to 2 x 8" dressed 1 1/4".....	3,600
2 x 10 and 2 x 12 dressed 1 3/4".....	3,700
2 x 6 to 3 x 8" S2S T & G Green.....	3,800
2 x 4 to 2 x 12 dressed 1 1/2" Green; Heavy Joists, Timbers, etc. (over 2" thick) small sizes S4S 1/4", scant green.....	4,000
Heavy Joists, Timbers, etc. (over 2" thick) S4S 3/8" scant, green.....	4,100
1 x 2 to 1 x 10" Boards, rough; 1 x 2 to 2 x 10 Finish rough; 2 x 2 to 2 x 8" rough, dry; Heavy Joists, Timbers, etc. (over 2" thick) S4S 1/4" scant, green.....	4,300
1 x 12" Boards, rough; 1 x 12 to 2 x 12" Finish, rough; 2 x 10 and 2 x 12" rough, dry.....	4,400
2 x 4 to 2 x 12" rough, green; Heavy Joists, Timbers, etc., (over 2" thick) rough, green.....	5,000
Boards dressed 3/4", all workings, Deduct 100	100
Boards dressed 1 1/16", all workings, Deduct 300	300
Boards dressed 5/8", all workings, Deduct 500	500
2" stock, D & M Shiplap and Grooved for Splines.....	Deduct 200
Heavy Joists, Timbers, etc. (over 2" thick) T & G, Shiplap, Grooved for splines.....	Deduct 300
For Resawing, for each cut.....	Deduct 200
1 x 3"-4'6" Bed Slats (8 pieces per set) per set.....	24
1 x 3"-3'3" Bed Slats (8 pieces per set) per set.....	18

DOWLING & CAMP, INCORPORATED, SLATER, FLORIDA

	Pounds
1 x 3" Flooring, Kiln dried.....	2,750
1 x 4" Flooring and Ceiling, Kiln dried.....	2,850
1 x 6, 1 x 8" Dressed, Kiln dried.....	3,400
2 x 3" to 2 x 12" S4S, Standard, air dried.....	4,500
4 x 4" and up S4S, heavy framing.....	5,000
Framing, S4S net.....	5,300
Rough, Green.....	6,000

(b) This Order No. 3 may be revoked or amended by the Price Administrator

at any time by similar publication in the Federal Register for change of status of any of the persons named herein.

(c) This Order No. 3 to Maximum Price Regulation No. 19 shall become effective this 18th day of January, 1943.

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

Issued this 18th day of January, 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-898; Filed, January 18, 1943;
3:51 p. m.]

[Revised Order 2 Under MPR 120]

DURHAM COALS, INC.

ORDER GRANTING ADJUSTMENT

Revised Order No. 2 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 3120-3.

Order No. 2 under Maximum Price Regulation No. 120 is amended to read as set forth below:

Pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and Revised Procedural Regulation No. 1, and in accordance with § 1340.207 (b) of the regulation: *It is ordered:*

(a) Coals in Size Group 3 and washed coals in Size Groups 10 and 11, produced by Durham Coals, Inc., at its mine, Mine Index No. 92, District No. 13, may be sold and purchased at prices not in excess of \$4.15, \$3.60 and \$3.60, respectively, per net ton, f. o. b. the mine, for shipment by rail.

(b) Within thirty (30) days from the effective date of this order, the said Durham Coals, Inc. shall notify all persons purchasing its coals of the adjustments granted by paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122.

(c) This Revised Order No. 2 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

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

(f) This Revised Order No. 2 shall become effective January 18, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-897; Filed, January 18, 1943;
3:51 p. m.]

[Order 145 Under MPR 120]

ILLINOIS POCAHONTAS COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 145 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 1120-45-P.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to authority vested in the Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120: *It is ordered:*

(a) Coals produced by the Illinois Pocahontas Coal Company, 320 North Fourth Street, St. Louis, Missouri, at its Pocahontas No. 1 Mine, Mine Index No. 138, located in Bond County, Illinois, in District No. 10, may be sold and purchased for shipment by truck and wagon at prices not to exceed the following respective prices per net ton, f. o. b. the mine:

Size group:	Maximum prices
1.....	3.25
3.....	3.00
6.....	2.75
14.....	2.00

(b) Within thirty (30) days from the effective date of this order, the said Illinois Pocahontas Coal Company shall notify all persons purchasing its coals of the adjustments granted in paragraph (a) of this order, and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122.

(c) This Order No. 145 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(e) This Order No. 145 shall become effective January 18, 1943.

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-906; Filed, January 18, 1943;
3:52 p. m.]

[Order 31 Under Rev. MPR 148]

CUDAHY PACKING COMPANY

ORDER DENYING APPLICATIONS FOR ADJUSTMENT

Order No. 31 Under Revised Maximum Price Regulation No. 148—Dressed Hogs and Wholesale Pork Cuts—Docket Nos. 3148-54, 3148-56.

On August 7, 1942, Cudahy Packing Company, Chicago, Illinois, pursuant to Supplementary Order No. 9 and Procedural Regulation No. 6 filed two appli-

cations for the adjustment of its maximum prices for pork loins sold to the armed forces of the United States and to the Federal Surplus Commodities Corporation. Due consideration has been given to these applications 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 by Executive Order No. 9250 and in accordance with Procedural Regulation No. 6 issued by the Office of Price Administration: *It is ordered:*

(a) These applications should be and hereby are denied.

(b) Any contract entered into by the Cudahy Packing Company at the prices requested in these applications shall be revised in accordance with the terms of this order, and any payment made to the Cudahy Packing Company in excess of the maximum prices established under Maximum Price Regulation No. 148 for sales made prior to November 2, 1942, and in excess of the permissible prices under Revised Maximum Price Regulation No. 148 for sales made subsequent to November 2, 1942 shall be refunded to the purchaser.

(c) This Order No. 31 shall become effective January 18, 1943.

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

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-902; Filed, January 18, 1943;
3:53 p. m.]

[Order 119 Under MPR 188]

LEATHERCRAFT FURNITURE MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICE

Order No. 119 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum price for sale by the Leathercraft Furniture Manufacturing Company of utility tables.

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) The Leathercraft Furniture Manufacturing Company, 3045 East Eleventh Street, Los Angeles, California is authorized to sell and deliver the following articles at prices no higher than those set forth below:

- (1) Number 351 Table @ \$10.75
- (2) Number 352 Table @ \$12.75

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

(c) This Order No. 119 shall become effective on the 18th day of January 1943. Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-904; Filed, January 18, 1943; 3:53 p. m.]

[Order 120 Under MPR 188]

VAN SLOTEN FRAME AND CARVING SHOP

APPROVAL OF MAXIMUM PRICES

Order No. 120 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by Van Sloten Frame and Carving Shop, of a new baby walker.

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) Van Sloten Frame and Carving Shop, 4900 Compton Avenue, Los Angeles, California, is authorized to sell and deliver its new baby walker, designated as #75 Baby Walker, at prices to retailers, f. o. b. Los Angeles, California, no higher than those set forth below:

Baby Walker without carton.....	\$5.50
Packed in carton.....	\$5.70

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

(c) This Order No. 120 shall become effective on the 18th day of January 1943.

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-905; Filed January 18, 1943; 3:53 p. m.]

[Order 1 Under MPR 214]

STANDARD ALLOY CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 1 under Maximum Price Regulation No. 214—High Alloy Castings—Docket No. 3214-2.

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 Revised Procedural Regulation No. 1 issued by the Office of Price Administration: *It is hereby ordered:*

Adjustment of maximum prices of Standard Alloy Company on sales of certain high alloy castings to specified purchasers. (a) Notwithstanding anything to the contrary contained in Maximum Price Regulation No. 214, Standard Alloy Company, Cleveland, Ohio, may sell and

deliver heat-resistant high alloy castings of an analysis of 25% chromium, 12% nickel and an analysis of 35% nickel 15% chromium to the following companies at prices not to exceed 45 cents per pound for the 25% chromium, 12% nickel analysis and at prices not to exceed 52 cents per pound for the 35% nickel 15% chromium analysis:

Surface Combustion, Toledo, Ohio.
Lindberg Engineering Company, Chicago, Ill.

George J. Hagan Company, Pittsburgh, Pa.
Continental Industrial Engineers, Inc., Chicago, Ill.

Gas Machinery Company, Cleveland, Ohio.

and said companies may buy and receive castings of said analyses from Standard Alloy Company as above.

(b) All prayers of 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 retroactively effective December 10, 1942, the date on which Standard Alloy Company filed its application for adjustment.

Issued this 18th day of January 1943.

JOHN E. HAMM,
Acting Administrator.

[F. R. Doc. 43-896; Filed, January 18, 1943; 3:53 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-1632]

THE POTTER COMPANY

ORDER FOR HEARING, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of January, A. D. 1943.

Order setting hearing on application to withdraw from listing and registration.

The Potter Company pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, \$1 Par Value, from listing and registration on the Chicago Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Wednesday, February 24, 1943, at the office of the Securities and Exchange Commission, 105 West Adams Street, Chicago, Illinois, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Henry Fitts, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books,

papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-930; Filed January 19, 1943; 11:29 a. m.]

[File No. 7-675]

BOSTON STOCK EXCHANGE

ORDER GRANTING APPLICATION FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of January, A. D. 1943.

The Boston Stock Exchange having made application to the Commission, pursuant to section 12 (f) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to the Common Stock, \$1.00 Par Value, of Pepsi-Cola Company; and

After appropriate notice a hearing having been held in this matter at the Boston Regional Office of the Commission; and

The Commission having this day made and filed its findings and opinion herein;

It is ordered, Pursuant to section 12 (f) of the Securities Exchange Act of 1934, that the application of the Boston Stock Exchange for permission to extend unlisted trading privileges to the Common Stock, \$1.00 Par Value, of Pepsi-Cola Company be and the same is hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-931; Filed January 19, 1943; 11:29 a. m.]

[File No. 60-15]

BLAIR & CO., INC., ET AL.

ORDER DECLARING STATUS AND DISMISSING PROCEEDINGS IN PART

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of January A. D. 1943.

In the matter of Blair & Co., Inc.; Schroder, Rockefeller & Co., Incorporated; Emanuel & Co., A. C. Allyn and Company, Incorporated; W. C. Langley & Co.; Granbery, Marache & Lord.

Proceedings having been instituted by the Commission pursuant to section 2 (a) (7) (B) of the Public Utility Holding Company Act of 1935 to determine whether Blair & Co., Inc., Schroder, Rockefeller & Co., Incorporated, Emanuel & Co., A. C. Allyn and Company, Incorporated, W. C. Langley & Co., and Granbery, Marache & Lord, or any one or more of them should be found to be holding companies; and

Further proceedings having been instituted pursuant to section 2 (a) (11) (D) of the Public Utility Holding Company Act of 1935 to determine whether Blair & Co., Inc., Schroder, Rockefeller & Co., Incorporated, Emanuel & Co., A. C. Allyn and Company, Incorporated, W. C. Langley & Co., and Granbery, Marache & Lord, or any one or more of them, should be found to be affiliates of Standard Power and Light Corporation, and/or any of the subsidiaries thereof; and

A hearing having been held after appropriate notice, the Commission being fully advised and having this day issued its Findings and Opinion herein;

It is ordered, On the basis of said Findings and Opinion:

(1) That the proceedings under section 2 (a) (7) (B) with respect to each of the above enumerated respondents be and they hereby are dismissed;

(2) That the proceeding under section 2 (a) (11) (D) with respect to Granbery, Marache and Lord be and it hereby is dismissed;

(3) That Blair & Co., Inc., Schroder, Rockefeller & Co., Incorporated, Emanuel & Co., A. C. Allyn and Company, Incorporated and W. C. Langley & Co., be and they hereby are declared to be affiliates of Standard Power and Light Corporation and its subsidiaries under section 2 (a) (11) (D) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-932; Filed, January 19, 1943;
11:29 a. m.]

[File No. 70-663]

AMERICAN UTILITIES SERVICE CORPORATION
NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of January 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by American Utilities Service Corporation ("American"), a registered holding company. All interested persons are referred to said document which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

1. American Utilities Service Corporation proposes to sell to Walter Jensen, John A. Larson, Frank N. Dahlberg, Oscar G. Dahlberg, Fred E. Dahlberg and Carl Dahlberg, all (2,000 shares, par value \$100 per share) of the issued and outstanding common stock of Northwestern Wisconsin Electric Company ("Northwestern") an electric utility company and a subsidiary company of American, for a cash consideration of \$210,000 plus an amount equal to the earned surplus per books of Northwestern as of December 31, 1942, plus interest on the aggregate of such two amounts at the rate of 5% per annum from Janu-

ary 1, 1943, to closing date, or an aggregate of approximately \$260,000. It is contemplated that said sale and purchase will be consummated in no event later than March 16, 1943.

2. American will deliver the proceeds of the sale to Continental Illinois National Bank and Trust Company of Chicago, as Trustee, pursuant to the terms of the Indenture securing its Collateral Trust 6% Bonds, Series A. American plans to request the Trustee to use such proceeds for the purchase and/or call of not to exceed \$250,000 of its aforementioned 6% Bonds. American will request the Trustee, pursuant to the Indenture, to advertise for tenders of \$250,000 of said Bonds, to be purchased at the option of American with the "release monies" so held by the Trustee. American has filed a copy of the material to be used in connection with such call for tenders.

3. Proceedings are now pending before the Commission, pursuant to sections 11 (e), 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935 with respect to the simplification and integration of the holding company system of American. American states that the proposed transaction herein is in furtherance of its program whereby American will cease to be a holding company under the Act.

4. The said declaration or application contains a request that the Commission enter an order reciting in substance that the said transfers are necessary or appropriate to effectuate the provisions of section 11 (b) of the Act.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said declaration should not become effective nor said application be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on such matters under the applicable provisions of said Act and Rules of the Commission thereunder be held on February 5, 1943 at 10:00 o'clock, A. M., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing, cause shall be shown why such declaration and application shall become effective or shall be granted. Notice is hereby given of said hearing to the above named declarant and applicant and to all interested persons, said notices to be given to said declarant and applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

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

It is further ordered, That, without limiting the scope of the issues presented by said declaration or application other-

wise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the consideration to be paid, including all fees, commissions and other remuneration to whomsoever paid in connection with the proposed transactions, is fair and reasonable.

2. Whether competitive conditions have been maintained for the sale of the securities.

3. The propriety of the proposed accounting treatment of the transactions on the books of the declarant or applicant.

4. The identity of the purchasers, and their interest, if any, in any other public utility.

5. Whether the Commission should enter an order pursuant to section 11 (b) or 11 (e) of the Act requiring or approving the action proposed.

6. Whether the action proposed to be taken is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

7. Whether the action proposed to be taken is fair and equitable to the persons affected thereby.

8. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors.

9. Generally, whether all actions proposed to be taken comply with the requirements of the Public Utility Holding Company Act of 1935 and Rules, Regulations or Orders promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-934; Filed, January 19, 1943;
11:29 a. m.]

[File No. 70-665]

ASSOCIATED UTILITIES CORPORATION, AND
E. M. GILBERT ENGINEERING CORPORATION
NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of January 1943.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Associated Utilities Corporation, a registered holding company, and its subsidiary, E. M. Gilbert Engineering Corporation; and

Notice is further given that any interested person may, not later than February 4, 1943, at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of such interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such joint application-declaration, as filed or as amended, may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pur-

suant to said Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

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

E. M. Gilbert Engineering Corporation proposes to merge into Associated Utilities Corporation, the owner of all its outstanding capital stock. Applicants-declarants propose that Associated Utilities Corporation assume all the

liabilities (alleged to consist of current accounts payable and accrued taxes), and acquire all the assets (alleged to consist of cash in bank and current accounts receivable) of E. M. Gilbert Engineering Corporation. In return, it is proposed that E. M. Gilbert Engineering Corporation be given its entire outstanding issue of 10 shares of common capital stock which will be retired and cancelled.

Applicants-declarants state that the transaction is proposed in order to eliminate the E. M. Gilbert Engineering Corporation from the holding company system of the Trustees of Associated Gas and Electric Corporation, a registered holding company, which is the parent

of Associated Utilities Corporation, and that such elimination will tend towards simplifying the corporate structure of such holding company system in compliance with section 11 (b) (2) of the Public Utility Holding Company Act of 1935.

Sections 12 (c) and 12 (f) of the Public Utility Holding Company Act of 1935, and Rule U-42 promulgated thereunder, have been indicated as the applicable provisions and Rule under which the filing is made.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 43-933; Filed January 19, 1943;
11:29 a. m.]