

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
OF THE UNITED STATES
1934

FEDERAL REGISTER

VOLUME 8 NUMBER 32

Washington, Tuesday, February 16, 1943

Regulations

TITLE 7—AGRICULTURE
Chapter I—Food Distribution Administration¹
Subchapter C—Regulations Under the Farm Products Inspection Act
PART 53—MEATS, PREPARED MEATS, AND MEAT PRODUCTS (GRADING AND CERTIFICATION)

REVISION OF REGULATIONS

By virtue of the authority vested in the Secretary of Agriculture by law (56 Stat. 664; 7 U.S.C. 414), the following revision of rules and regulations under Title 7, Chapter I, Subchapter C, Part 53, Code of Federal Regulations is promulgated, to become effective on February 15, 1943.

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AUTHORITY: §§ 53.1 to 53.49, inclusive, issued under 56 Stat. 664; 7 USC 414.

DEFINITIONS

§ 53.1 *Meaning of words.* Words used in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 53.2 *Terms defined.* For the purpose of the regulations in this part, unless the context otherwise requires, the following terms shall be construed, respectively, to mean:

(a) *The act.* The following provisions of an act of Congress entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1943, and for other purposes," approved July 22, 1942, (56 Stat. 664; 7 U.S.C. 1940 ed. 414), or any future Act of Congress conferring like authority:

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Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.25 per month or \$12.50 per year, payable in advance. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue. Remit money order for subscription or single copies payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C.

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Telephone information: DIstrict 0525.

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For enabling the Secretary of Agriculture, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, boards of trade, chambers of commerce, or other associations of business men or trade organizations, and persons or corporations engaged in the production, transportation, marketing, and distribution of farm and food products, whether operating in one or more jurisdictions, to investigate and certify to shippers and other interested parties the class, quality, and condition of cotton, tobacco, fruits, and vegetables, whether raw, dried, or canned, poultry, butter, hay, and other perishable farm products when offered for interstate shipment or when received at such important central markets as the Secretary of Agriculture may from time to time designate, or at points which may be conveniently reached therefrom under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered: *Provided*, That officers and employees who, under proper authorization, use privately owned motor vehicles in the performance of official travel within the corporate limits of their official stations for the purpose of inspecting and grading farm and food products and the

supervision thereof at points located within the said corporate limits may be reimbursed for such travel at a rate not to exceed three cents per mile: *Provided, further*, That certificates issued by the authorized agents of the Department shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained.

(b) *Department.* The United States Department of Agriculture.

(c) *Secretary.* The Secretary of Agriculture or any officer or employee of the Department to whom the Secretary has heretofore delegated or may hereafter delegate the authority to act in his stead.

(d) *Administration.* Food Distribution Administration.

(e) *Director.* The Director of Food Distribution of the Department, or any officer or employee of the Administration to whom the Director has heretofore lawfully delegated, or to whom the Director may hereafter lawfully delegate, the authority to act in his stead.

(f) *Person.* Individual, association, partnership, or corporation.

(g) *Financially interested party.* Any one having a financial interest in the products involved, including the shipper, the receiver, or the carrier, or any authorized person in behalf of such party.

(h) *Applicant.* A financially interested party who requests product grading services.

(i) *Official grader.* Employee of the Department of Agriculture authorized by the Secretary to investigate and certify to shippers and other interested parties the class, quality, grade, or condition of products under the act.

(j) *Licensed grader.* A grader licensed by the Secretary to grade products under the act and the provisions of this part.

(k) *Supervisor of grading.* An official grader or other qualified person designated by the Director to supervise grading, branding, and certification of products and to maintain uniformity thereof under the provisions of the act and the regulations in this Part.

(l) *Regulations.* Rules and regulations of the Secretary under the Act.

(m) *Products.* Meats, prepared meats, meat food products, and meat by-products.

(n) *Meat.* Meat is the flesh derived from cattle, sheep, swine, or goats intended for human food with or without the accompanying and overlying fat, and the portions of bone, skin, sinew, nerve, and blood vessels which normally accompany the flesh.

(o) *Prepared meats.* Prepared meat is the product obtained by subjecting meat to a process of drying, curing, smoking, cooking, comminuting, seasoning, or flavoring, or to any combination of such processes to which no considerable quantity of any substance other than meat or meat byproducts has been added.

(p) *Meat food products.* A meat food product is any article of food or any article which enters into the composition of food for human consumption, which is derived or prepared, in whole or in part, by a process of manufacture, from

any edible portion of cattle, sheep, swine, or goats, if such portion be all or a considerable and definite portion of the article.

(q) *Meat byproducts.* Meat byproducts are all edible parts, other than meat, derived from cattle, sheep, swine, or goats, and include such organs and parts as hearts, livers, kidneys, tongues, tails, sweetbreads, brains, lungs, melts, stomachs, tripe, lips, snouts, and ears.

(r) *Carcass.* A carcass is the commercially prepared or dressed body of any cattle, sheep, swine, or goat intended for human food.

(s) *Designated markets.* Any shipping, receiving, handling, or distributing point designated by the Secretary or the Director as an important central market where products may be graded and certified under the act.

(t) *Grading service.* A service authorized by the act and established and conducted under this part for the purpose of grading and certifying products.

(u) *Grade.* Grade is the last important commercial subdivision of a product based on certain definite value and preference-determining factors, such as conformation, finish, and quality in meats.

(v) *Office of grading.* The office of an official grader of products.

(w) *Grading.* The act of determining the class, quality (grade), or condition of products according to official or tentative standards for such products, or of determining their compliance with specifications.

(x) *Grading certificate.* Certificate issued by an official grader showing the class, quality (grade), or condition of products graded.

(y) *Certification of products.* The preparation and issuance of signed grading certificates as required under the provisions of this part.

(z) *Class.* Class is a subdivision of a product based on essential physical characteristics that differentiate between major groups of the same kind or species. For instance, the classes of beef are: Steer, heifer, cow, stag, and bull.

(aa) *Quality.* Quality in a product is a combination of its inherent properties which determines its relative degree of excellence.

(bb) *Condition.* Condition has reference to the nature of a product which affects its merchantability with special reference to its state of preservation, cleanliness, soundness, wholesomeness, or fitness for human food.

(cc) *Standards.* The official and tentative standards of the Department for the class, quantity (grade), or condition of products.

(dd) *Specifications.* The descriptions of official and tentative standards for products, Federal specifications for products, or such other specifications as may be approved by the Director.

(ee) *Grade identification.* A name or symbol denoting the official grade of products graded or the record of same on an official certificate.

(ff) *Grade-identifying device.* A brand, stamp, seal, mark, or other device approved by the Director to be affixed to products or to the containers thereof to indicate the grade of such

product as determined by an official or licensed grader.

(gg) *Appeal*. A request by a financially interested party for appeal grading and certification.

(hh) *Appeal grading*. The act of grading and certifying products in response to an appeal from original grading and certification.

(ii) *License*. A license issued by the Secretary under the act.

(jj) *Fees*. Charges to cover costs of grading services rendered.

(kk) *Container*. A receptacle, wrapper, or covering in which products are customarily packed and delivered to the meat trade or to consumers.

(ll) *Immediate container*. A unit carton, can, pot, tin, casing, wrapper or other receptacle or covering in which products are customarily packed and delivered to the meat trade or to consumers.

(mm) *Shipping container*. A carton, box, bag, barrel, crate, or other receptacle or covering enclosing products packed in one or more immediate containers.

(nn) *Cooperative agreements*. Agreements between the Administration and other branches of the Government, State agencies, and other agencies or persons as specified in the act to conduct cooperatively product grading services under the act and the provisions in this part.

ADMINISTRATION

§ 53.3 *Authority*. The Director is charged with the administration of the provisions of the act and of the regulations in this part and is authorized to designate important central markets and to issue such instructions as he may deem proper and necessary for the conduct of the service.

WHERE SERVICES MAY BE OFFERED

§ 53.4 *Designated markets and locations*. Grading and certification services in accordance with the provisions of the act may be offered, at the discretion of the Director, at designated markets, and at other designated locations.

(a) *Designated market*. All important central markets as determined under § 53.2 (s) where meats and products are manufactured or prepared, or shipped, received, or distributed in commerce in considerable quantities are hereby declared to be the designated markets where grading and certification services may be offered and conducted.

(b) *Other designated locations*. Points other than regularly designated markets with activities similar to those outlined under (a), that are readily accessible from designated markets, and to which services can be extended conveniently by the Director in accordance with the provisions of the act.

§ 53.5 *When grading services may be withdrawn*. The Director may withdraw grading services from any designated market or other point when the exigencies of the service require such withdrawal.

GRADING SERVICES

§ 53.6 *Kind of service*. Examination, identification, and certification of prod-

ucts may be made according to the U. S. standards for class, quality (grade), and condition, or according to specifications approved by the Director for this purpose.

§ 53.7 *Request for establishment of grading service*. Requests for the establishment of grading services at designated markets or at other points may be filed with the Director.

§ 53.8 *Who may obtain grading service*. Request for product grading services may be made by any financially interested person or his authorized agent, including Federal, State, county, and municipal governments, and common carriers.

§ 53.9 *How to obtain grading service*. Application for grading service may be filed in an office of grading or with an official grader. It may be made orally, in writing, by telegraph, telephone or other means of communication. If made orally, the official grader or the office of grading may require that it be confirmed in writing or by telegram stating the facts required by § 53.10.

§ 53.10 *Form of application for grading service*. Each formal application for grading service shall include such of the following information as may be necessary, or as may be required by the Director for proper location and identification of the product: (a) The date of application; (b) the description and location of the product to be graded; (c) the name and post office address of the applicant or of the person, if other than the applicant, making the application in his behalf; (d) the interest of the applicant (except an official of the Federal Government or of a State) therein; (e) the name, post office address, and interest of all other known parties, except carriers, in the products involved; (f) the shipping point and destination of the product, and (g) type of service desired.

§ 53.11 *When application for grading service deemed filed*. An application for grading shall be deemed filed when delivered to an established office of grading. Records showing the date and time of filing shall be made and kept in such office.

§ 53.12 *When application for grading service may be rejected*. Any request for grading service may be rejected by the official grader in charge of the office of grading in which it is filed, for non-compliance with the act or with any regulation thereunder, simulation or imitation of grade labels, altering certificates, failure to make product available for examination, abusive language or act of violence directed toward the grader, attempts to influence the judgment of the grader, or any other interference with grader while performing grading, and such official grader shall immediately notify the applicant of the reasons for such rejection and shall report his action with the reasons therefor to the Director through his immediate supervisor.

§ 53.13 *When application for grading service may be withdrawn*. A request for grading service may be withdrawn

by the applicant at any time before the service is performed upon payment of any expenses already incurred in connection therewith.

§ 53.14 *Authority of agent*. Proof of the authority of any person requesting service on behalf of another may be required at the discretion of the official grader.

§ 53.15 *Accessibility of product*. The applicant shall cause the products on which services are requested to be made easily accessible for grading and to be so placed with adequate illuminating facilities as to disclose their class, quality (grade), and condition.

§ 53.16 *Basis of service*. Examination, identification, and certification for class, quality (grade), and condition, or compliance with specification, shall be based upon the official or tentative standards of the Department of Agriculture, Federal specifications, or such specifications of other public or of private agencies using the service, as have been approved by the Director.

§ 53.17 *Order of grading*. Grading services shall be rendered in the order in which requests are received, except that precedence may be given to requests made by another branch of the Federal Government, a State, a county, or a municipality, and to requests for appeal grading. (§ 53.30.)

§ 53.18 *Financial interest of grader*. No official grader shall grade any products in which he is directly or indirectly financially interested.

§ 53.19 *Certificates: Issuance*. The official grader shall prepare, sign, and issue official certificates covering products graded by him unless through special arrangements approved by the Director this be not required, in which case complete records of the grading shall be furnished the Administration.

§ 53.20 *Certificates: Form*. Certificates shall include as much of the following information as may be required by the Director: (a) The number of the certificate; (b) name of designated market and place of grading; (c) date of grading; (d) names and addresses of applicant, party in possession, and shipper and buyer, if known; (e) the true class, quality (grade), or condition of the products graded; (f) the exact number of carcasses, sides, quarters, cuts, and packages of products graded by classes and grades; (g) if previously graded, reference to previous certificate by number; (h) if rejected or not graded, reason for rejecting or not grading; (i) for purposes of identification, the weight of each class, grade, and lot; (j) the amount of time, fees, and expenses; (k) name of official grader or graders; (l) additional facts necessary to describe fully the condition, class, and grade.

§ 53.21 *Disposition of certificates*. The original certificate, and not to exceed two copies, shall be delivered or mailed immediately to the applicant or a person designated by him. One copy shall be filed in the office of the official grader and one copy forwarded to the Director. Copies of certificates shall be

kept on file until other disposition is ordered by the Director. Copies will be furnished to other financially interested parties as outlined in § 53.41 (d).

§ 53.22 *Advance information.* Upon request of an applicant, all or any part of the contents of the certificate may be transmitted by telegraph or telephone to him, or to any person designated by him, at his expense.

GRADE IDENTIFICATION

§ 53.23 *Evidence of grade.* As evidence to applicants, purchasers, consumers and others of the class, quality (grade), or condition of products graded under the act, all such products or the immediate and shipping containers thereof shall bear a mark or marks when and as required by the Director, which shall show in plain, prominently displayed characters the true grades of such products in accordance with the provisions of this section.

(a) *Products officially graded shall be identified for grade.* Products graded under the act and in accordance with the regulations in this part shall be stamped, branded, or otherwise marked with appropriate grade-identifying device bearing a name or symbol to show the true grade of such products according to the U. S. standards, or their compliance with specifications, except that such marks may not be required when an applicant desires official certificates only for class, quality (grade), or condition.

(b) *Supervision of grade identifications.* Official graders shall stamp, brand, label, tag, seal, or otherwise identify the correct grade on products or supervise such operations when they are performed by others.

(c) *Grade-identifying devices.* The Director may authorize or approve devices for branding, stamping, or imprinting the official grade on products or the containers thereof or for indicating the compliance of such products with specifications.

(d) *What grade-identification device shall show.* Each grade-identifying device shall bear a name or appropriate symbol approved by the Director clearly indicating the grade of the product, as determined by an official grader, and such other marks or symbols as may be required by the Director for service identification purposes.

(e) *Name or trade mark of applicant may be used on grade-identifying device.* Subject to the approval of the Director, the name or trade mark, or both, of an applicant may be included as inserts in a grade-identifying device in such form and order as the Director may approve. Such inserts shall be furnished by the applicant without cost to the Administration.

§ 53.24 *Custody of grade-identifying devices.* All grade-identifying devices including those indicating compliance with specifications approved by the Director shall be kept in the custody of the Administration and accurate records shall be kept by the Administration of all grade-identifying and other related devices. Each office of grading shall keep a record also of the devices

assigned to it. Such devices shall be distributed only by authorized employees of the Administration who shall maintain complete records of same.

§ 53.25 *Alteration or imitation of grade-identifying devices forbidden.* No brand, stamp, tag or other grade-identifying device, or any words, symbols or legends thereof authorized in this part for use of official graders to indicate the Federal grades shall be altered, defaced, imitated or simulated in any respect and used for the purpose of misrepresentation or deception. (See § 53.44.)

APPEAL GRADING

§ 53.26 *When appeal may be made.* A request for appeal grading may be made by any financially interested party whenever he is dissatisfied with the class, quality (grade), or condition as shown on the officially graded and identified product or as stated in the applicable certificate.

§ 53.27 *How to obtain appeal grading.* Appeal grading may be obtained by filing a request for same with the Director (a) direct, or (b) through the official in charge of the meat grading service at nearest designated market, or (c) through the grader who did the original grading. The request for appeal grading shall state the reasons therefor, and may be accompanied by a copy of any previous grading certificate or report, or any other information which the applicant may have received regarding the product at the time of the original grading. Such request may be made orally, in writing, by telegraph, telephone, or otherwise. If made orally, the person receiving the request may require that it be confirmed in writing as specified in §§ 53.9 and 53.10. Requests for appeal grading received through the office of grading or an official grader shall be transmitted promptly to the Director for instructions.

§ 53.28 *When appeal may be refused.* If it shall appear that the reasons stated in a request for appeal grading are frivolous or unsubstantial, or that the quality or condition of the products has undergone a material change since the original grading, or that the products cannot be made accessible for thorough examination and grading, or that the identity has been lost, or that the regulations in this part have not been complied with, the request may be refused.

§ 53.29 *When appeal may be withdrawn.* A request for appeal grading may be withdrawn by the applicant at any time before the regrading has been performed upon payment of any expenses incurred by the Administration in connection therewith.

§ 53.30 *Order in which appeal gradings shall be made.* Appeal gradings shall be performed as far as practicable in the order in which requests are received. They shall take precedence over all other pending grading requests.

§ 53.31 *Who shall make appeal gradings.* Appeal grading of products shall be made by official graders designated therefor by the Director or by the per-

son in charge of an office of grading when so authorized by the Director, and such grading shall be conducted jointly by two official graders when practicable. No official grader shall pass upon the correctness of his own grading or of a certificate issued by him.

§ 53.32 *Appeal grading certificate.* Immediately after an appeal grading has been made a certificate designated or marked as "appeal grading certificate" shall be prepared, signed, and issued referring specifically to the original certificate and stating the class, quality (grade), or condition of the product as shown by the appeal grading. In all other respects the provisions of §§ 53.6 to 53.22 shall apply to such appeal grading certificates except that if the applicant for appeal grading be not the original applicant, a copy of the appeal grading certificate shall be mailed to the original applicant.

§ 53.33 *Superseded certificate.* When an original grading certificate shall have been superseded by an appeal grading certificate, the original grading certificate shall become null and void and shall not thereafter represent the class, quality, or condition of the product described therein. If the original and all copies of the superseded certificate are not delivered to the person with whom the application for appeal is filed, the officer or officers issuing the appeal grading certificate shall forward notice of such issuance and of the cancellation of the original certificate to such persons as he considers necessary to prevent fraudulent use of the canceled certificate.

§ 53.34 *When request for regrading is not an appeal.* Gradings requested to determine the condition of products which have been graded previously and which may have undergone material change since the original grading shall not be considered appeal gradings within the meaning of this section. Regrading requested for the purpose of obtaining an up-to-date certificate and not involving any question as to the correctness of the original certificate covering the products in question, shall not be considered appeal grading within the meaning of §§ 53.26 to 53.34.

LICENSED GRADERS

§ 53.35 *Who may be licensed as graders.* Persons showing proper qualifications may be licensed by the Secretary as graders of products which may be graded under the act. Such license shall be countersigned by the Chief, Livestock Branch, or by other official designated by him.

§ 53.36 *Suspension of license.* Any license may be suspended, pending final action by the Secretary, by the Director, or by the Chief of the Livestock Branch whenever such official shall deem such action to be for the good of the service. Within 7 days after any such suspension the licensee may file an appeal in writing to the Secretary, supported by any argument or evidence that he may wish to submit in his behalf.

§ 53.37 *Applicant to be examined for competency.* Each applicant for a li-

cense shall be examined as directed by the Director for the purpose of determining his competency, at such times and places and in such manner as may be prescribed by the Director or by any officer of the Administration designated by him for the purpose.

§ 53.38 *License, property of Department.* Each license shall be the property of the Department, but the licensee to whom issued, except as provided in § 53.36, shall have the right to the possession thereof.

§ 53.39 *Return of license.* If any license shall have been superseded, suspended, canceled, or revoked the same shall be returned to the Secretary through its office of grading to which the licensee is assigned.

§ 53.40 *Conditions governing license.* Each licensed grader shall be governed by the rules and regulations in this part and be under the supervision of official graders designated by the Director as supervisors of grading.

CHARGES FOR GRADING SERVICES

§ 53.41 *Fees and costs.* A charge shall be made and collected in the form of fees for services rendered, at rates established herein, to cover the cost of maintaining the service as specified below.

(a) *Basis for charges.* Fees and charges for grading services at designated markets shall be based on the actual time required to render the services, including the time required for travel of the official grader in connection therewith, at the rate of two dollars and twenty cents (\$2.20) per hour for each official grader assigned, unless otherwise provided by special agreement approved by the Director: *Provided*, That no grading services shall be rendered for less than a minimum charge of one dollar and ten cents (\$1.10): *And provided further*, That the Director may, in lieu of the fixed charge of \$2.20 per hour, fix other reasonable charges for the grading and certification of products at rates that, in his judgment, will cover the costs of the services.

(b) *Charges under cooperative agreement.* Charges for grading under cooperative agreements shall be those provided herein unless otherwise stipulated in such agreements.

(c) *Charges for appeal grading.* Fees for appeal grading shall be double those for original grading; except that appeal grading requested by Federal Government agencies shall be at actual cost: *Provided*, That when on an appeal grading it is found that there was error in the original grading equal to or exceeding 10 percent of the total weight of the products graded, no charge will be made unless special agreement with the applicant is made in advance.

(d) *Charges for extra copies of grading certificates.* For not to exceed three copies of a certificate to any person financially interested in a product involved in addition to those issued in accordance with § 53.21 the fee shall be one dollar (\$1.00).

§ 53.42 *How fees shall be paid.* Fees and other charges shall be paid by the

applicant in accordance with directions on the fee bill furnished him, and in advance if required by the official grader.

§ 53.43 *Disposition of fees.* Fees and other moneys collected for grading services rendered shall be handled as indicated in paragraphs (a) and (b) of this section:

(a) *By graders employed by the Department.* Fees for grading done by graders exclusively employed by the Department shall be remitted to the Administration by check, draft, or money order made payable to the Treasurer of the United States upon presentation of appropriate billing.

(b) *By graders under cooperative agreements.* Fees for grading done by graders acting under cooperative agreements with a State or municipal organization, or other cooperating party, shall be handled in accordance with the terms of such agreements.

MISCELLANEOUS

§ 53.44 *Fraud or misrepresentation.* (a) Any willful misrepresentation or any deceptive or fraudulent practice made or committed by any person in connection with the making or filing of an application, the use of a grading, regrading, or appeal grading certificate or of a grade label authorized or approved under the regulations in this part, any fraudulent or unauthorized use or simulation of any official grade stamp, brand, tag, mark, or approved label, or the alteration or imitation of grade-identifying devices (§ 53.25), or any willful violation of the regulations in this part or of the supplementary rules and instructions issued by the Director may be deemed sufficient cause for debarment from any further benefits of the act the person found guilty thereof after opportunity for hearing has been accorded him. Pending investigation and hearing, the Director may, without hearing, direct that such person shall be denied the benefits of the act.

(b) Any official grader who may be a party to any fraud, deception or misrepresentation outlined in this section and in § 53.25, or who may conceal knowledge thereof shall, at the discretion of the Secretary, be dismissed from the Department with prejudice or disciplined according to the gravity of his offense.

§ 53.45 *Interfering with a grader.* Any further benefits of the act may be denied to an applicant who either personally or through an agent or representative interferes with or obstructs, by intimidation, threats, assault, or any other improper means, a grader in the performance of his duties.

§ 53.46 *Identification.* All official graders, licensed graders, and supervisors of grading shall have in their possession at all times Administration identification cards and shall identify themselves by such cards on request.

§ 53.47 *Correction of errors in grading.* When an official grader, supervisor of grading, or other responsible employee of the Administration has evidence of misgrading, or of incorrect grade identi-

fication on a product, or of incorrect certification, he shall report same to his immediate superior officer and to the party having possession of the product. The supervisor of grading or the officer in charge of grading shall cause such errors to be corrected.

§ 53.48 *Publications.* Publications under this part shall be made in the Service and Regulatory Announcements of the Administration and through such other media as the Director may from time to time designate for the purpose.

§ 53.49 *Political activity.* All official graders and supervisors of grading and others authorized, either by appointment or license from the Secretary to grade and to issue grading certificates under the act and this part are forbidden, during the period of their appointment or license to take an active part in political management or in political campaigns. Political activity in city, county, State, or national elections, whether primary or regular, or in behalf of any party or candidate, or any measure to be voted upon, is prohibited. This applies to all appointees, including temporary and cooperative employees, and employees on leave of absence with or without pay. Willful violation of this section will constitute grounds for dismissal in the case of appointees, and revocation of licenses in the case of licensees.

Done at Washington, D. C. this 15th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

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

[F. R. Doc. 43-2472; Filed, February 15, 1943;
11:25 a. m.]

Chapter X—Food Production Administration

[Interpretation 9 Under Food Production Order 3]

PART 1202—FARM MACHINERY AND EQUIPMENT

FARM CREAM SEPARATORS

The following is an interpretation of the application of Food Production Order No. 3¹ to farm cream separators which are listed under the heading "Dairy Farm Machines and Equipment" in Schedule I.

INTERPRETATION 9

A question has arisen as to whether the words "Farm cream separators, capacity 251 lbs. to 800 lbs. per hour" include farm cream separators with a capacity of 800 lbs. per hour.

Food Production Order No. 3 is interpreted to include such farm cream separators. In other words, farm cream separators with a capacity of 800 lbs. per hour are subject to the provisions of Food Production Order No. 3 just as farm cream separators with capacities of less than 800 lbs. per hour. Only if a farm cream separator has a capacity of more than 800 lbs. per hour is it excluded

¹ 7 F.R. 9647; 8 F.R. 469, 945, 1059, 1825

from the provisions of Food Production Order No. 3.

Issued this 13th day of February 1943.

[SEAL] M. CLIFFORD TOWNSEND,
Director of Food Production.

[F. R. Doc. 43-2396; Filed, February 13, 1943;
11:29 a. m.]

Chapter XI—Food Distribution
Administration

[Food Directive 3]

PART 1400—DELEGATIONS OF AUTHORITY

DELEGATION OF AUTHORITY TO OFFICE OF
PRICE ADMINISTRATION WITH RESPECT TO
FOOD RATIONING

Pursuant to the authority vested in me by Executive Order No. 9280 of December 5, 1942, and in order to enable the Office of Price Administration effectively to administer and enforce rationing programs with respect to food, *It is hereby ordered*, As follows:

§ 1400.3 *Food Directive 3; control over food.* (a) The Office of Price Administration is authorized and directed to perform the functions and exercise the power, authority, and discretion conferred upon the President by Title III of the Second War Powers Act, 1942, with respect to the exercise of control over the sale, transfer, delivery, or other disposition of rationed food by or to any person and over the use of rationed food by any person. In performing such functions and in exercising such power, authority, and discretion, the Office of Price Administration may regulate or prohibit the sale, transfer, delivery, or other disposition of rationed food, or acquisition or use of rationed food by, any person who has acted in violation of any food rationing or restriction regulation or order prescribed by the Office of Price Administration.

(b) The authority herein delegated to the Office of Price Administration shall not include the power to limit or restrict the quantity of rationed food which may be obtained by or for the Army, Navy, Marine Corps, Coast Guard, War Shipping Administration, Maritime Commission, Veterans' Administration, or the Food Distribution Administration, or by or for governmental agencies or other persons to the extent to which they acquire such food for export to, or consumption or use in, any foreign country, or by or for such other governmental agencies as the Secretary of Agriculture from time to time may designate.

(c) Nothing contained herein shall affect the authority of the Secretary of Agriculture to determine the need for and the time and extent of civilian food rationing, including the prescription of differential rations and eligibility classifications therefor; to determine supplies of rationed food available for distribution for civilian consumption, including the fixing of individual processor quotas of rationed food available for such distribution; and to control the distribution of non-rationed food to all users.

(d) (1) The term "food" as used herein shall have the same meaning as is given such term by Executive Order No. 9280 of December 5, 1942.

(2) The term "rationed food" as used herein means any food the civilian consumer rationing of which has been authorized by the War Production Board or by the Secretary or which hereafter may be directed by the Secretary of Agriculture.

(3) The term "person" as used herein includes an individual, partnership, corporation, association, or any organized group of persons, whether incorporated or not.

(e) This Directive supersedes the delegation of authority to the Office of Price Administration made by War Production Board Directive No. 1, issued by the Chairman of the War Production Board on January 24, 1942 (7 F.R. 562), and by Supplementary Directives No. 1E (7 F.R. 2965), 1-M, (7 F.R. 7234) and 1-R (7 F.R. 9684, 10372), and the delegation of authority to the Office of Price Administration made by Food Directive No. 1 issued by the Secretary of Agriculture on January 16, 1943 (8 F.R. 827), to the extent that such Directives and Supplementary Directives confer authority with respect to control over food: *Provided, however*, That the existing authority of the Office of Price Administration with respect to control over sugar, meat, coffee, and processed foods, and with respect to control over all materials in Puerto Rico and the Virgin Islands (7 F.R. 5043, 8731), and the Panama Canal Zone (7 F.R. 7200, 7281) (insofar as such authority relates to control over food), is in all respects hereby ratified, confirmed, and continued in full force and effect as though provided in and made a part of this Directive: *And provided further, however*, That all action heretofore taken (including, without limitation, regulations or orders heretofore issued) by the Office of Price Administration pursuant to said War Production Board Directive No. 1, said Supplementary Directives, and said Food Directive No. 1 is hereby ratified, approved and confirmed, and the authority delegated by such Directives and Supplementary Directives shall continue to remain in full force and effect with respect to all such action for all purposes, including the purpose of allowing or sustaining any suit, action, prosecution or administrative or other proceeding heretofore or hereafter commenced with respect to any violation heretofore committed or right or liability heretofore incurred under or pursuant to the terms thereof.

(f) Except as is otherwise expressly provided herein, nothing contained herein shall be construed to limit or modify any regulation or order heretofore issued by the Secretary of Agriculture pursuant to the authority of Executive Order No. 9280 of December 5, 1942, nor to delegate to the Office of Price Administration the power to extend, amend, or modify any such regulation or order.

(g) This Food Directive No. 3 shall become effective February 15, 1943.

Issued this 15th day of February 1943.

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

[F. R. Doc. 43-2469; Filed, February 15, 1943;
11:25 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal
of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

INTERDEPARTMENTAL PURCHASES: INADVERTENT PURCHASES OUTSIDE THE GENERAL SCHEDULE OF SUPPLIES

Section 81.606 (e) is hereby added as follows:

§ 81.606 *Purchases under contracts of Procurement Division, Treasury Department.*

(e) *Ratification of purchases not made under contracts of the Procurement Division, Treasury Department.* When it appears to his satisfaction that an item listed in the General Schedule of Supplies was not purchased under a contract of the Procurement Division, Treasury Department, because the contracting officer overlooked the necessity of purchasing under such a contract, the chief of the supply service concerned may ratify such purchase. This will be done, however, only where it appears that the oversight represents an isolated instance and not a continued course of neglect. A statement will be presented to the chief of the supply service setting forth all of the facts, including the contract price paid as compared to that payable under the Treasury Department contract, and all facts which tend to excuse the failure to purchase under the Treasury Department contract.

(Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193-1195, and the First War Powers Act, 1941, 55 Stat. 838; 50 U.S.C. Sup. 601-622) [Services of Supply Memorandum No. S5-31-43, February 8, 1943]

[SEAL]

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

[F. R. Doc. 43-2452; Filed, February 15, 1943;
10:19 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 24-2, Civil Air Regulations]

PART 24—MECHANIC RATING

REEXAMINATION OF APPLICANTS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 8th day of February, 1943.

Effective February 8, 1943, § 24.36 of the Civil Air Regulations is amended to read as follows:

§ 24.36 *Reexamination.* An applicant for a mechanic certificate or rating who has failed any prescribed practical or theoretical examination or test may apply for reexamination at any time after the expiration of 30 days from the date of such failure: *Provided*, That an applicant who has failed only the examination on the pertinent Civil Air Regulations may apply for reexamination on the Civil Air Regulations after he has received not less than 5 hours instruction on the Civil

Air Regulations from a certificated ground instructor and presents a statement from such instructor showing the amount of instruction given and stating that he deems the applicant qualified to pass the required examination.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL]

F. A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-2391; Filed, February 13, 1943;
11:04 a. m.]

[Amendment 61-4, Civil Air Regulations]

PART 61—SCHEDULED AIR CARRIER RULES
AIRPORT LANDINGS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 8th day of February 1943. Effective February 8, 1943, § 61.77201 (b) of the Civil Air Regulations is amended to read as follows:

§ 61.77201 (b) *Landing.* Landing may be made at the nearest suitable airport at which favorable weather conditions exist.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL]

F. A. TOOMBS,
Acting Secretary.

[F. R. Doc. 43-2392; Filed, February 13, 1943;
11:04 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I—Food Distribution Administration¹

GENERAL AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the Commodity Exchange Act (42 Stat. 998, as amended; 7 U.S.C. 1940 ed. 1-17a), the following amendments to Title 17, Chapter I, Parts 1 to 11, inclusive, Code of Federal Regulations (17 CFR, 1938, 1939, 1940, 1941 sups. and 7 FR 2721, 2987, 4289, 4755, 9417) are hereby promulgated:

1. Parts 1 to 11, inclusive, are amended by (a) striking out the word "Administrator" wherever it appears therein and inserting the word "Director" in lieu thereof; and (b) striking out the words "Commodity Exchange Branch" wherever they appear therein and inserting the words "Compliance Branch" in lieu thereof.

2. Paragraphs (g) and (v) of § 1.3, Part 1, are amended to read as follows:

(g) *Administration.* This term means the Food Distribution Administration of the United States Department of Agriculture.

(v) *Director.* This term means the Director of Food Distribution of the United States Department of Agriculture or any officer or employee of the Administration to whom the Director has here-

¹ Formerly Agricultural Marketing Administration.

before lawfully delegated, or to whom the Director may hereafter lawfully delegate, the authority to act in his stead.

Done at Washington, D. C., this 15th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-2468; Filed, February 15, 1943;
11:30 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

CUMULATIVE SUPPLEMENT NO. 4, FEBRUARY 12, 1943, TO REVISION IV OF NOVEMBER 12, 1942

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Board of Economic Warfare, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 4 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision IV of November 12, 1942 (7 F.R. 9510), is hereby promulgated.¹

By direction of the President:

CORBELL HULL,
Secretary of State.

RANDOLPH PAUL,
Acting Secretary of the Treasury.

CHARLES FAHY,
Acting Attorney General.

JESSE H. JONES,
Secretary of Commerce.

MILO PERKINS,
Executive Director,
Board of Economic Warfare.

NELSON A. ROCKEFELLER,
Coordinator of Inter-
American Affairs.

FEBRUARY 12, 1943.

[F. R. Doc. 43-2393; Filed, February 13, 1943;
11:20 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—Bituminous Coal Division

[Order No. 345]

PART 308—REPORTS AND RECORDS

DISTRICT NO. 15—MONTHLY TONNAGE REPORTS

An order relieving code members within District No. 15 from filing monthly tonnage reports required by the rules and regulations prescribed by order in General Docket No. 24.

The Bituminous Coal Producers Board for District No. 15 having requested that the code members within said district be relieved from filing the monthly tonnage

¹ Filed with the Division of the Federal Register in The National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

reports required to be filed pursuant to the Rules and Regulations Requiring Tonnage Reports from Code Members, established by Order in General Docket No. 24, dated April 7, 1942, and having shown good cause why such request should be granted;

It is ordered, That § 308.26 (Rules and regulations requiring tonnage reports from code members to facilitate the levying and collection of code assessments by district boards) be amended to provide that the code members within District No. 15 be, and they are hereby relieved, until further Order of the Division, from filing with the Statistical Bureau for District No. 15 monthly tonnage data on B. C. D. Form No. 718, with respect to coal produced on and after January 1, 1943. (Sec. 10 (a) 50 Stat. 88, 15 U.S.C. Supp. 840 (a); Sec. 2 (a) 50 Stat. 72; 15 U.S.C. 829 (a)).

Dated: February 12, 1943.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 43-2458; Filed, February 15, 1943;
10:55 a. m.]

[Docket No. A-462]

PART 324—MINIMUM PRICE SCHEDULE, DISTRICT NO. 4

ORDER GRANTING RELIEF, ETC.

Memorandum opinion and order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board 4 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 4.

An original petition pursuant to section 4, Part II (d) of the Bituminous Coal Act of 1937, was duly filed with the Bituminous Coal Division by the above-named party, requesting the establishment of price classifications and minimum prices for the coals of certain mines located in District No. 4 not heretofore classified and priced, including the coals produced by Oliver Slay at the Slay Mine, located in Perry County, Ohio, in Subdistrict 6, of District No. 4.

An order granting temporary and conditionally final relief was issued in the above-entitled matter on December 23, 1940, 6 F.R. 122, in which, however, minimum prices and price classifications were not established for the coals of the said Slay Mine, for the reason that it appeared at that time that said petition proposed minimum prices and price classifications for the Slay Mine, Mine Index No. 1011, operated by the said Oliver Slay, Perry County, Ohio, in Subdistrict 6, of District No. 4, for which minimum prices and price classifications had been theretofore established.

However, it now appears that the mine referred to in the original petition was a new mine, also known as the Slay Mine, and also located in Perry County, Subdistrict 6, of District No. 4. Accordingly, the Director is of the opinion that minimum prices and price classifications, both temporary and permanent, should now be established for this new mine, to be retroactively effective as of December 23, 1940, the date upon which the

order granting temporary and conditionally final relief was issued in this matter.

Now, therefore, it is ordered, That, effective December 23, 1940, the Schedule of Effective Minimum Prices for District No. 4 for Truck Shipments, § 324.24 (General prices in cents per net ton for shipment into all market areas), be, and the same hereby is, amended and supplemented to include the following effective minimum f. o. b. mine prices and price classifications, in cents per net ton for shipment into all market areas, which reflect the twenty cents per net ton increase established by the order issued in General Docket No. 21 on August 28, 1942, for the Slay Mine, a deep mine, Mine Index No. 3127, operated in Seam 5 of Subdistrict No. 6, of District No. 4, Clayton Township, Perry County, Ohio, by Oliver Slay:

Size groups

1	2	3	4	5	6	7	8
300	290	280	255	250	215	185	175

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: February 13, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2459; Filed, February 15, 1943; 10:55 a. m.]

[Docket No. A-1789]

PART 329—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 9

AMENDED ORDER GRANTING RELIEF

Order correcting order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 9 for establishment of price classifications and minimum prices for the coals of certain mines in District No. 9.

An order having been issued on January 6, 1943, 8 F.R. 1262, Granting Temporary Relief and Conditionally Providing for Final Relief in the above-entitled matter; and

It appearing that in Supplement T § 329.24 (General prices in cents per net ton for shipment into any market area) annexed to and made a part of said order a price of \$1.14, instead of \$1.15, is inadvertently shown for the Size Groups 13 and 14 coals produced for truck shipments at the Midkiff Mine (Mine Index No. 1046) of C. P. Midkiff; and that in

Supplement R § 329.5 (Alphabetical list of code members) annexed to and made a part of said order permission was inadvertently omitted for the Howton-Parrish Mine (Mine Index No. 301) of Roy Walker to load coals at Providence, Kentucky, on the L & N Railroad as well as on the I C Railroad;

Now, therefore, it is ordered, That the schedule marked Supplement T § 329.24 (General prices in cents per net ton for shipment into any market area) annexed to and made a part of the Order dated January 6, 1943, 8 F.R. 1262, Granting Temporary Relief and Conditionally Providing for Final Relief in the above-entitled matter be, and it hereby is, amended to provide a price of \$1.15 in the Size Groups 13 and 14 coals produced for truck shipments at the Midkiff Mine (Mine Index No. 1046) of C. P. Midkiff; and

It is further ordered, That the schedule marked Supplement R § 329.5 (Alphabetical list of code members) annexed to and made a part of said Order of January 6, 1943, 8 F.R. 1262, is amended to include permission for the Howton-Parrish Mine (Mine Index No. 301) of Roy Walker to load coals at Providence, Kentucky, on the L & N Railroad as well as the I C Railroad.

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2460; Filed, February 15, 1943; 10:54 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Amendment 2 to WPB Reg. 1 as Amended July 9, 1942]

Section 903.0 War Production Board Regulation 1, is hereby amended by the addition of the following new paragraphs:

(f) The Director of the Office of War Utilities of the War Production Board shall be directly responsible to the Chairman on policy matters, and to the Program Vice Chairman on administrative matters. In addition to, and without limitation upon, the delegations of authority set forth above, the Director of the Office of War Utilities of the War Production Board is authorized to perform the functions and exercise the powers, authority, and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940, as amended by the Act of May 31, 1941, and Title III of the Second War Powers Act, 1942, so far as they relate to (1) producing, transmitting and distributing electricity, manufactured gas, water and central steam heating, (2) transmitting and distributing natural gas, (3) furnishing of communications services except radio, and (4) redistributing materials and equipment owned by, in the possession of, or held for the account of, persons engaged in such activities and services.

The Director of the Office of War Utilities shall also have the authority to is-

sue, amend, repeal and administer (1) preference ratings for the construction, maintenance, repair and operation of facilities for such activities and services, (2) allotments of material under the Controlled Materials Plan, (3) other orders and directions to control the use of material and equipment owned by, in the possession of, or held for the account of, persons engaged in the foregoing activities and services, including, with respect to all of the foregoing, authority to amend, repeal and supersede any existing orders and directions heretofore issued by the War Production Board relating to the foregoing subject matter.

(g) The Director of the Office of War Utilities may exercise the duties and authority referred to above, either in his own name, or through such other official agency or person as he shall designate.

(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 13th day of February 1943,

DONALD M. NELSON,
Chairman.

[F. R. Doc. 43-2475; Filed, February 15, 1943; 11:38 a. m.]

Subchapter B—Director General for Operations

AUTHORITY: Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6880; 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.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-236]

KRAUSS, JACOBY & KRAUSS

Krauss, Jacoby & Krauss, Jamaica, New York, is a partnership engaged in the construction business. The partners of this concern also own For-Win Realty Company, Inc., Jamaica, New York, a corporation also engaged in the construction business. On or about September 5, 1942, the Berger Department Store, located in Utica, New York, was damaged by fire and For-Win Realty Company, Inc. was retained to reconstruct the damaged building at an estimated cost of \$45,000. This firm thereupon began the construction despite the fact that no authorization to begin such construction was applied for or obtained from the War Production Board. The contract for this work was later assigned to Krauss, Jacoby & Krauss which company completed the reconstruction of the damaged building. This construction constituted a violation of Conservation Order L-41 by both companies. During this time each company was familiar with the restrictions contained in that order.

These violations of Conservation Order L-41 have 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:

§ 1010.236 Suspension Order S-236.
(a) Deliveries of material to For-Win

Realty Company, Inc., or Krauss, Jacoby & Krauss, their respective successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to For-Win Realty Company, Inc., or Krauss, Jacoby & Krauss, their respective successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.

(c) No person shall apply or extend any preference rating assigned by any preference rating order, preference rating certificate, or general preference order, whether heretofore or hereafter issued, for the purpose of obtaining the delivery of material for any Defense Housing project or other construction with which For-Win Realty Company, Inc., or Krauss, Jacoby & Krauss, their successors and assigns, shall be directly or indirectly connected, except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order shall be deemed to relieve For-Win Realty Company, Inc., or Krauss, Jacoby & Krauss from any restriction, prohibition, or provision contained in any other 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.

(e) This order shall take effect on February 15, 1943, and shall expire on May 15, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 12th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2342; Filed, February 12, 1943;
4:56 p. m.]

PART 962—IRON AND STEEL

[Supplementary Order M-21-a, as Amended
Feb. 13, 1943]

ALLOY IRON, ALLOY STEEL AND ELECTRIC FURNACE CARBON STEEL

§ 962.2 *Supplementary Order M-21-a*—(a) *Definitions*. For the purposes of this order:

(1) "Alloy steel" means any steel containing any one or more of the following elements in the following amounts:

Manganese, maximum of range in excess of 1.65%. Silicon, maximum of range in excess of 0.60%. Copper, maximum of range in excess of 0.60%. Aluminum, chromium, cobalt, columbium, molybdenum, nickel, titanium, tungsten, vanadium, zirconium, or any other alloying element in any amount speci-

fied or known to have been added to obtain a desired alloying effect.

(2) "Alloy iron" means any iron containing any one or more of the following elements in the following amounts:

Manganese, maximum of range in excess of 1.65%. Silicon, maximum of range in excess of 5.00%. Copper, maximum of range in excess of 0.60%. Aluminum, chromium, cobalt, columbium, molybdenum, nickel, titanium, tungsten, vanadium, zirconium, or any other alloying element in any amount specified or known to have been added to obtain a desired alloying effect.

It does not include those materials commonly known as ferro-alloys.

(3) "Electric furnace carbon steel" means any steel other than alloy iron or alloy steel that is melted in any type of electric furnace.

(4) "Producer" means any person who melts alloy iron, alloy steel or electric furnace carbon steel for subsequent conversion into rolled or forged products.

(b) *Purchasers' statements*. Each person who orders alloy iron, alloy steel or electric furnace carbon steel from a producer shall include in the purchaser's statement required by paragraph (c) of General Preference Order M-21 the end use (by general classification and specific part name) for which such material will be used, the Government contract number (if any), and the date on which delivery is needed.

(c) *Producers' forms*. Each producer shall file monthly with the War Production Board, Reference: M-21-a, melting schedules on forms PD-391, 391-a, and such other forms as may be from time to time prescribed. The Director General for Operations may make such changes in any melting schedule as to him shall seem appropriate and may from time to time issue supplementary directions with regard to melting of alloy iron, alloy steel and electric furnace carbon steel.

(d) *Melting and deliveries of alloy iron, alloy steel and electric furnace carbon steel*. Except pursuant to specific authorization or direction of the Director General for Operations, alloy iron, alloy steel or electric furnace carbon steel, shall be melted and delivered as follows:

(1) Each producer shall melt alloy iron, alloy steel or electric furnace carbon steel in accordance and only in accordance with such melting schedules as are approved by the Director General for Operations or such supplementary directions as may from time to time be issued by the Director General for Operations.

(2) Each producer shall deliver alloy iron, alloy steel or electric furnace carbon steel on an order and only on an order for which the melting has been specifically authorized or directed by the Director General for Operations.

(e) *Special directions*. The Director General for Operations may from time to time issue directions as to facilities to be used in production and directions specifying as to any alloying element the quantities and proportions which may be used in making alloy iron or alloy steel, and whether and in what proportions, any such element is to be the metal, a ferro-alloy, reclaimed metal, scrap, a chemical compound or any other material containing such element.

(f) *Restrictions of deliveries under toll agreements*. Except pursuant to specific authorization or direction of the Director General for Operations, no person shall make or accept delivery under any toll agreement whereby one person melts alloy iron, alloy steel or electric furnace carbon steel for another person.

(g) *Exceptions*. The provisions of this order shall not apply to "tool steel" as defined by Supplementary Order M-21-h, or to alloy iron, alloy steel or electric furnace carbon steel castings.

(h) *Special provisions with respect to stainless steel*. Notwithstanding the foregoing provisions of this order, and regardless of the approval of any melting schedule, no producer shall use ferrochrome (including all prepared forms of chromium) in the melting of stainless steel to an extent where the aggregate chromium content derived from ferrochrome for all stainless steel melted by him in any calendar month exceeds 60 percent of the chromium content of all high carbon stainless steel (carbon over .10 percent) melted by him during such month, plus 70 percent of the chromium content of all low carbon stainless steel (carbon .10 percent maximum) melted by him during such month.

Issued this 13th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2338; Filed, February 13, 1943;
10:48 a. m.]

PART 3046—LOW PRESSURE CAST IRON BOILERS

[Limitation Order L-187 as Amended Feb.
13, 1943]

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

§ 3046.1 *General Limitation Order L-187*—(a) *Definitions*. For the purposes of this order:

(1) "Low pressure cast iron boiler" means any boiler designed for the purpose of heating water so as to provide heat for the interior of a building by means of circulating steam or hot water, which boiler:

(i) Operates at a maximum working pressure not exceeding fifteen pounds per square inch of steam pressure or thirty pounds per square inch of water pressure, and

(ii) Is composed preponderantly of cast iron.

(2) "Parts" includes all materials used as repair parts for low pressure cast iron boilers.

(3) "Military low pressure cast iron boiler" means any low pressure cast iron boiler which is manufactured for delivery to or for the account of the Army, Navy, War Shipping Administration or

the Maritime Commission of the United States or the Defense Plant Corporation.

(4) "War housing low pressure cast iron boiler" means any low pressure cast iron boiler which is manufactured on a specific contract or order for use in a building rated under Preference Rating Order P-55, P-110, or any order in the P-19 series.

(b) *Restrictions.* (1) No person shall manufacture, fabricate or assemble any low pressure cast iron boiler, and no person shall manufacture or fabricate any component parts of such boilers, except that:

(i) The manufacture, fabrication or assembly of military or war housing low pressure cast iron boilers built to use solid fuel, or of low pressure cast iron boilers built to use solid fuel for use in a hospital constructed, to be constructed or under construction, may be specifically authorized by the Director General for Operations on Form PD-704; and

(ii) During the first six months of 1943, any manufacturer of low pressure cast iron boilers may manufacture or fabricate such component parts as he can manufacture or fabricate by using an aggregate weight of iron and steel not in excess of 13% of the total weight of iron and steel which he put into process in the manufacture or fabrication of such component parts during the calendar year 1940; and

(iii) Any manufacturer of low pressure cast iron boilers may, in addition, manufacture or fabricate such component parts as may be necessary to replace in his inventory component parts manufactured pursuant to (ii) above which were used to manufacture low pressure cast iron boilers pursuant to (i) above; and

(iv) Any manufacturer of low pressure cast iron boilers who shall not have used the weight of iron and steel permitted under (ii) and (iii) above, or any portion thereof, during the first six months of 1943, may use that weight or such unused portion during the remainder of 1943; and

(v) Any person may assemble such boilers shipped or to be shipped in accordance with paragraphs (2) (ii) and (iii) below.

(2) No manufacturer of low pressure cast iron boilers may ship any low pressure cast iron boilers built to use solid fuel, whether assembled or in sets of component parts, except that:

(i) Any such manufacturer may ship any such boilers authorized under paragraph (b) (1) (i); and

(ii) Any such manufacturer may ship in the first six months of 1943 a number of such boilers the total weight of iron and steel of which will not exceed 4½% of the weight of iron and steel which he put into process in the manufacture, fabrication or assembly of component parts of low pressure cast iron boilers during the calendar year 1940; provided that nothing in this order shall restrict the shipment of such boilers as have

been or may hereafter be assembled from parts in the inventory of any manufacturer on January 1, 1943; and

(iii) Any such manufacturer who shall not have shipped in the first six months of 1943 boilers permitted under (ii) above may ship those boilers or any unshipped number thereof during the remainder of 1943.

(c) *Manufacture of parts.* Nothing in this order shall restrict the use of iron and steel in the manufacture of parts designed for converting low pressure cast iron boilers to solid fuel burning from oil or gas burning, or of repair parts for military or hospital low pressure cast iron boilers.

(d) *Avoidance of excessive inventories.* No person shall accumulate, for use in the manufacture of low pressure cast iron boilers, inventories of any materials (whether raw, semi-processed or processed) in the excess of the minimum amounts necessary to maintain production at the rates permitted by this order.

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

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

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board on or before the tenth day of each calendar month a report on Form PD-639, and shall keep a copy of such monthly report in their own files for a period not less than two years.

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

(i) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may apply for relief by addressing a letter to the War Production Board, setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(j) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regu-

lations of the War Production Board, as amended from time to time.

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

(l) *Communications.* All reports, to be filed, appeals and other communications concerning this order, shall be addressed to the War Production Board, Plumbing and Heating Division, Washington, D. C., Ref.: L-187.

Issued this 13th day of February 1943.

CURTIS E. CALDER,

Director General for Operations.

[F. R. Doc. 43-2389; Filed, February 18, 1943; 10:48 a. m.]

PART 3063—FOOTWEAR

[Conservation Order M-217, as Amended Feb. 13, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of shoe manufacturing material 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.

§ 3063.1 Conservation Order M-217—

(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time, except Priorities Regulation 17, which shall be inapplicable to footwear.

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

(1) "Put into process" means the first cutting of leather or fabric in the manufacture of footwear.

(2) "Footwear" includes house slippers but does not include foot covering designed to be worn over shoes.

(3) "Work shoes" means any shoes or boots with unlined quarters which are designed to be worn at any form of work requiring specially heavy or substantially made footwear.

(4) "Horizontal quarter seams" means seams on quarters running in a predominantly horizontal direction (i. e. parallel to the sole).

(5) "Design and construction" of footwear means the make-up of the footwear in every detail, so that any two items of footwear of the same design and construction are necessarily identical, except in size; but does not refer to the means whereby the footwear is manufactured.

(6) "Cattle hide leather" means any leather made from cattle hides, including hides of bulls, cows, and steers, and calf and kip skins (but excluding slunks), and shall also include buffalo hides.

(7) "Pintucking" means a raised effect on the surface of footwear accom-

plished by either single or double needle stitching, but does not include the raised seam on a moccasin type vamp.

(8) "House slippers" means any footwear designed exclusively for indoor or wear wear.

(9) "Padded sole house slippers" means slippers having conventional padded soles where the outsole is made of fabric, imitation leather or split leather not over 2½ ounces in weight and is directly stitched to the upper or to a platform cover.

(c) *Curtailment in the use of materials and colors in the manufacture of footwear.* (1) No person shall manufacture, or put into process any leather or fabric for the manufacture of, any footwear with:

(i) Leather seam laps gauging over ½ inch in width.

(ii) Horizontal quarter seams, on lined low quarter shoes.

(iii) Wing or shield tips on men's shoes and boys' shoes over size 6, or wing tips or long shield tips on women's, girls', misses', youths', little gents' and children's shoes and boys' shoes of size 6 and under.

(iv) Full overlay tips or full overlay foxings, except on work shoes.

(v) Woven vamp or quarter patterns.

(vi) Quarter collars, except on unlined shoes and padded sole house slippers with cloth uppers.

(vii) Bows or other ornaments, if made of leather in whole or in part.

(viii) Outside taps, on footwear other than men's high shoes, unless the middle sole is of synthetic composition material.

(ix) Leather slip soles other than those cut from bellies or offal.

(x) More than one full leather sole, in goodyear welt footwear other than work shoes.

(xi) Full breasted heels, except on hand-turned footwear.

(xii) Welting in excess of ½ inch in width and 5/32 inch in thickness in shoes other than work shoes, or welting in excess of 9/16 inch in width and 5/32 inch in thickness in work shoes.

(xiii) Straps, buckles, knife pockets or decorative stitching on boots or work shoes.

(xiv) Men's one piece uppers (i. e., vamp and quarter cut in one piece and seamed up the back).

(xv) Extension stitched heel seats, except in stitchdowns, in other children's shoes up to and including size 3 and in safety and established orthopedic footwear.

(xvi) Metal nail heads for studs or any metal for decorative purposes.

(xvii) Any stitching thread made from reserved Egyptian cotton (as defined in Conservation Order M-117) or reserved American extra staple cotton (as defined in Conservation Order M-197) for any decorative or any non-functional purpose.

(xviii) Any non-functional or decorative stitching except:

(a) Not more than four rows of non-functional stitching on imitation tips, foxings, saddles, mudguards and moccasin type vamps.

(b) Not more than an aggregate of four rows of functional and non-functional stitching parallel to the vamp, tip, foxing, saddle, and moccasin seams.

(c) Design stitching solely to permit direct non-stop stitching between cut-outs.

(xix) Any strippings, braidings, pin-tuckings, lacings or overlays, except those serving a necessary functional purpose.

(xx) Straps passing over, under or through a tongue or vamp.

(xxi) Raised quarter or raised back seams (other than vertical back seams), except on genuine moccasins.

(xxii) Multiple straps, on Roman sandals.

(xxiii) Kiltie or other ornamental tongues, if made of leather in whole or in part.

(xxiv) Platform soles and platform effects, on all footwear of heel height over 1⅜ inches, using size 4B as the standard.

(xxv) Leather covered platforms or leather platform effects, on any footwear.

(xxvi) Heels gauging over 2¼ inches in height, using size 4B as the standard.

(xxvii) Metal spikes, on golf shoes.

(xxviii) Caulk or storm welting.

(xxix) Rawhide or other leather laces, except on work shoes.

(2) No person shall use in the manufacture of any footwear any steel shanks of any gauge except:

18 gauge-- .045 minimum, 50 carbon steel.
21 gauge-- .032 minimum, 50 carbon steel.
19 gauge-- .040 minimum, low carbon or basic steel.

unless such shanks were in said person's inventory on September 10, 1942, or were subsequently acquired from a producer of steel shanks who had, prior to September 10, 1942, rolled steel plate for shanks of a different gauge.

(3) No person shall put into process any leather for the manufacture of any boots except men's blucher high-cut laced boots 10 inches or under in height (measured from heel seat, using size 7 as the standard) and men's and women's utility work cowboy boots.

(4) No person shall put into process any leathers or fabrics for the manufacture of footwear of more than one color (subject to unavoidable deviations in shade normally experienced in finishing leathers or dyeing fabrics). This restriction shall apply to the color of stitching, lacing and bindings, but shall not apply to the color of linings and soles. Nothing in this paragraph shall prevent unavoidable discoloring of thread, leather and perforations as a re-

sult of antiqueing, or the use of embossed leather or genuine reptiles of the colors permitted in paragraph (f) (1) below but having slight variations in shade caused by normal finishing of such leather.

(5) No person shall put into process for the manufacture of footwear any leather or fabric except leather or fabric finished or dyed in accordance with paragraph (f) below: *Provided, however,* That nothing contained in this paragraph (c) (5) shall prevent any person from using:

(i) Any solid color white cattle hide, turftan (as defined below) or bluejacket blue (as defined below) leather finished prior to March 16, 1943;

(ii) Any other solid color leather finished prior to October 16, 1942;

(iii) Any solid color turftan or blue-jacket blue fabric acquired by the manufacturer prior to February 20, 1943; or

(iv) Any other solid color fabric dyed prior to September 13, 1942 and acquired by the manufacturer prior to February 16, 1943.

(6) No person shall put into process any cattle hide upper leather (other than kip sides, kipskins and calf) or upper leather splits gauging 4½ ounces or over for the manufacture of any footwear except work shoes, cowboy utility boots and lined police type high shoes.

(7) No person shall put into process any cattle hide upper leather, or grain leather outsoles (except heads, bellies, shins and shanks of 5 iron or less) for the manufacture of house slippers or romeos.

(8) No person shall put into process any leather outsoles for the manufacture of footwear having raised or flat seam moccasin type vamps or mudguard vamps, any saddle-type footwear, or any footwear with imitation wing tips, imitation stitched moccasin types, imitation stitched mudguards and imitation stitched saddles: *Provided, however,* That nothing in this subparagraph (c) (8) shall apply to women's and girls' shoes with heels 1½ inches and over in height, using size 4B as the standard.

(9) No person shall put into process any patent leather for the manufacture of men's shoes.

(10) No person shall put into process any upper leather or leather or rubber soles for the manufacture of men's sandals.

(d) *Restrictions on styling and types manufactured.* (1) No person shall put into process any leather or fabric for the manufacture of any footwear of a design and construction not utilized by him between September 1, 1940 and December 31, 1942: *Provided, however,* That this paragraph shall not prevent correction

of patterns to the extent necessary to remove features prohibited by this order.

The Director General for Operations may make exceptions to this paragraph in favor of patterns or designs which will conserve leather or other materials.

(2) No person shall put into process any leather or fabric for the manufacture of any women's gold, silver, satin or brocade evening slippers.

(3) No person shall put into process any leather or fabric for the manufacture of any footwear for the special purpose of retail display.

(e) *Exceptions to paragraphs (c) and (d) above.* The foregoing prohibitions and restrictions of this order shall not apply to:

(1) Footwear the soles of which are made wholly from materials other than leather or rubber (which may, however, utilize leather for hinges or for tabs, heel inserts or other nonskid or sound-proofing features covering not more than 25% of the area of the bottom of the sole).

(2) Special types of footwear made for the physically deformed or maimed.

(3) Football, baseball, hockey, skating, bowling, track, and ski shoes and other similar footwear designed for use in active participation in sports which require specially constructed footwear for such use. This does not include golf shoes.

(4) Footwear forming part of historical or other costumes for theatrical productions.

(5) Infants' soft sole footwear.

(6) Footwear the uppers of which are made of shearlings not reserved for military use under General Conservation Order M-94.

(f) *Restriction on tanning and dyeing.*

(1) No person shall finish any leather for use as upper leather except in the following colors (subject to unavoidable deviations in shade normally experienced in finishing leathers):

Black.

White, except in cattle hide leathers.

Army russet and town brown, as appearing on the Fall 1942 color card of the Textile Color Card Association of the United States, Inc.

(2) No person shall color any leather or dye any fabric for use in shoe uppers except in the colors mentioned in paragraph (f) (1) above, (subject to unavoidable deviations in shade normally experienced in tanning and dyeing).

(3) No person engaged in the business of shoe manufacturing shall dye any new footwear except in the colors mentioned in paragraph (f) (1) above.

(4) The restrictions in this paragraph shall not apply to the dyeing of fabrics for use in padded sole house slippers.

(g) *General exceptions.* The prohibitions and restrictions of this order shall not apply to footwear to be delivered to, or for the account of, the Army or Navy of the United States (excluding Post Exchanges and Ships' Service Stores),

the United States Naval Academy at Annapolis, Md., the United States Military Academy at West Point, New York, the United States Maritime Commission, The Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development and the War Shipping Administration; or to, or for the account of, the government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its Dominions, Crown Colonies and Protectorates, and Yugoslavia; or on any contract or purchase order placed by any agency of the United States Government for footwear to be delivered to, or for the account of, the Government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or to custom-made footwear delivered for personnel of the Army or Navy of the United States.

(h) *Restrictions relating to sales and deliveries.* (1) No person shall sell or deliver any new footwear, the leather or fabric for which was put into process on or after October 31, 1942, unless such footwear is manufactured in conformity with this order.

(2) No tanner or sole cutter shall deliver any leather to any shoe manufacturer if he knows or has reason to believe said leather is to be used in violation of the terms of this order.

(3) The prohibitions and restrictions of this paragraph shall not apply to:

(i) Deliveries of footwear or leather by, or to, any person having temporary custody thereof for the sole purpose of transportation or public warehousing.

(ii) Any bank, banker or trust company affecting or participating in a sale or delivery of footwear or leather solely by reason of the presentation, collection, or redemption of an instrument, whether negotiable or otherwise.

(4) In making sales or delivery of any footwear, no person shall make discriminatory cuts in quantity or quality between former customers who meet such person's regularly established prices, terms and credit requirements, or between former customers and his own consumption of said footwear. Reduction in sales or deliveries proportionate with any curtailment in supply available for non-military use shall not constitute a discriminatory cut.

(i) *Appeals.* Any appeal from the provisions of 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.

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

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

(l) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Ref.: M-217.

(m) *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.

(n) *Effective date.* This order as amended shall take effect on April 30, 1943, with the exception of the amended paragraphs listed below, which shall take effect on the following dates: Paragraphs (a), (b), (c) (4), (c) (5), (d) (1), (e) (3), (e) (5), (e) (6), (f) (2), (f) (3), (f) (4), (g), (i) February 13, 1943; paragraph (c) (7) March 31, 1943; paragraph (c) (8) May 31, 1943; paragraph (f) (1) March 15, 1943.

Until the effective date of any provision hereby amended, the provision shall remain in full force and effect as originally issued.

Issued this 13th day of February 1943.

CURTIS E. CALDER,

Director General for Operations.

INTERPRETATION 1

The word "manufacture" in line two of paragraph (c) (1) of § 3063.1 (Conservation Order M-217), refers to the operation whereby the features mentioned in subdivisions (i) to (xvii), inclusive, of said paragraph became a part of the footwear.

Illustration: Subdivision (iv) refers to full overlaid tips or full overlaid foxings except on work shoes. The order prohibits the placing of full overlay tips or full overlay foxings on dress shoes after October 31, 1942. But it does not prohibit the completion of the shoe if an overlaid tip or an overlaid foxing has been affixed prior to said date. (Issued October 6, 1942.)

[F. R. Doc. 43-2387; Filed, February 13, 1943; 10:48 a. m.]

PART 3173—ELECTRIC MOTOR CONTROLLERS [General Conservation Order L-250]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials and facilities used in the manufacture of electric motor controllers 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.

§ 3173.1 *General Conservation Order L-250—(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) "Manufacturer" means any enterprise to the extent that it is engaged in the business of manufacturing controllers, and includes sales and distribution outlets and warehouses controlled by any such person.

(3) "Manufacture" means the production, fabrication or assembly of any controller, or of any part thereof.

(4) "Controller" means any new device or equipment used to stop, start or regulate electric motors or to protect electric motors against overheating or overloading; including manual and magnetic starters and controllers, contactors and relays, speed regulators, drum switches, shunt or series coil type thermal or magnetic overload relays (except switch gear induction type relays), motor field rheostats, and solenoid, thruster and torque motor brakes; and related pilot devices such as push button stations, and limit, pressure and float switches. The term does not include wiring devices or snap switches rated 15 amperes or less; safety switches; fuses; air circuit breakers; oil circuit breakers; domestic type thermostats, refrigeration controls or furnace controls; or any replacement part for a passenger automobile, truck, truck trailer, passenger carrier, or off-highway motor vehicle, as defined in Limitation Order L-158, as amended.

(5) "Commercial" as applied to a size, type or rating of a product means any size, type or rating thereof heretofore normally produced by any producer as a standard item, for his inventory or for general distribution, and not in fulfillment of special orders.

(b) *Restrictions on orders.* On and after March 1, 1943, no manufacturer shall accept any order, or commence manufacture in fulfillment of any order, for any controller or part thereof, unless the order bears a preference rating of AA-5 or higher.

(c) *Restrictions on manufacture.* (1) Except as otherwise provided herein, on and after March 1, 1943, no manufacturer shall accept any order, or commence manufacture in fulfillment of any order, for any controller or part thereof unless such controller or part is to be manufactured in accordance with the standards prescribed in subparagraph (2) below. On and after May 14, 1943, no manufacturer shall deliver any controller or part thereof, unless it has been manufactured in accordance with such standards. The limitations of this subparagraph shall not apply to any order for, or delivery of any controller or part which was completely fabricated on or before February 13, 1943.

(2) Subject to the other provisions of this paragraph, all controllers and parts

thereof shall be manufactured in compliance with the following requirements and shall be otherwise of the simplest practicable design:

(i) All control circuit wiring shall follow a straight line between terminals except where, and to the extent that deviation therefrom is necessary to avoid electrical or mechanical interference.

(ii) All wiring carrying 15 amperes or less shall have no greater copper content than size No. 14 AWG wire; except when and to the extent that a larger copper content is required to avoid abnormal voltage drop or heating.

(iii) All buses, connecting straps and terminals, except for oil immersed controllers, shall be of the smallest commercial size copper necessary to prevent the bus, strap or terminal from exceeding a temperature rise of 50° over 40° C. ambient temperature when carrying the full load current of the motor with which the controller will be used.

(iv) All control circuit wiring insulation between terminals on a controller shall be of one color for each voltage.

(v) No controller of a type listed in Appendix A, for a single motor, shall include a contactor having an ampere rating in excess of the maximum rating prescribed in the appendix for such controller; except where operation requires repeated opening of stalled motor current (such as plug-stop or jogging (inching) duty) at a rate in excess of 5 per minute.

(vi) No general purpose controller, for a single motor, of the type listed below rated 600 volts or less shall include control circuit fuses or a control circuit disconnect switch:

(a) Alternating current magnetic across the line type starters;

(b) Alternating current magnetic reduced voltage autotransformer, reactor, impedance, or primary resistance type starters;

(c) Alternating current combination across the line starters and thermal or magnetic circuit breakers;

(d) Alternating current combination across the line starters and motor circuit switches.

(e) Direct current reduced voltage controllers.

(f) Direct current, reduced voltage controllers with motor circuit switches or thermal or magnetic circuit breakers.

(vii) No general purpose controller, for a single motor, of the types listed below rated 600 volts or less shall include a control transformer unless master switches or pilot devices of the necessary rating are not obtainable as a commercial product:

(a) Alternating current magnetic across the line type starters;

(b) Alternating current magnetic reduced voltage autotransformer, reactor, impedance, or primary resistance type starters;

(c) Alternating current combination across the line starters and thermal or magnetic circuit breakers;

(d) Alternating current combination across the line starters and motor circuit switches.

(viii) No alternating current controller of the reduced voltage autotransformer, reactor, impedance, or primary resistance type shall be provided for a polyphase induction motor of 20 horse power or less, rated 600 volts or less.

(ix) No controller or control equipment of the types listed below, rated 600 volts or less, shall be provided with a floor mounting type steel enclosing case or steel cabinet:

(a) Magnetic controller for main mill or auxiliary motors, for a metal rolling mill (mill duty controllers);

(b) Magnetic controllers for cab operated cranes;

(c) Protective panels for cranes;

(d) Magnetic or manual controllers for fire pumps;

(e) Magnetic controllers for elevators;

(f) Magnetic controllers for skip hoists;

(g) Magnetic, manual, or combination magnetic and manual controllers for synchronous motors.

(h) Magnetic controllers of the across-the-line or reduced voltage type for a single motor.

(i) Resistor banks for secondary or armature control, mounted separately from the controller; except where forced draft or air circulation is required to meet the temperature limitation.

The limitations of this subparagraph shall not apply to any controller or control equipment used below the level of the ground in a mine or quarry; or to any controller to be used in a Class 1 hazardous location as defined in paragraph 5005, article 500, chapter 5 of the National Electrical Code, approved by the American Standards Association, August 7, 1940, or in a Class 2 hazardous location as defined in paragraph 5006, article 500 of the above mentioned code; or to be used generally in an atmosphere which is corrosive, or which contains such quantities of metal particles, dust or fumes as to be destructive of an open type controller; nor shall such limitations apply in any case where the controller is to be installed permanently outdoors without other protection.

(x) No controller shall be supplied with built in test jacks or test receptacles.

(xi) No alternating current motor controller of less than 1,000 horsepower, and no direct current motor controller of 50 horsepower or less, shall include instruments, meters, potential transformers, or current transformers or shunts to be used for metering, mounted on the controller panel or enclosure; but this restriction shall not apply to controllers used to regulate a series of direct current motors driving a common load, nor to alternating current line ammeter and direct current field ammeter to be installed on synchronous motor controllers, nor to ampere hour meters to be installed on industrial truck or locomotive control panels.

(xii) No aluminum, copper, chromium, nickel, cadmium, or alloys or finishes thereof shall be used in the manufacture

of enclosing cases, name plates, identification plates or door handles for controllers.

(xiii) No stainless steel shall be used in the manufacture of any controllers or part; except where necessary to provide non-magnetic properties required for operation or to prevent sticking or bending of moving parts.

(3) The limitations of paragraph (c) shall not apply to any controller delivered for use aboard any ship owned or operated by the Army, Navy, Maritime Commission or War Shipping Administration.

(d) *Miscellaneous provisions*—

(1) *Records and reports.* All persons affected by this order shall keep and preserve, for not less than two years, accurate and complete records concerning inventories, production and sales. All such persons shall execute and file with the War Production Board, such reports and questionnaires as the Director General for Operations shall request from time to time.

(2) *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.

(3) *Appeals.* Any appeal from the provisions of this order may be filed by either the manufacturer or the purchaser or proposed purchaser. Any such appeal shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. On appeals from the provisions of paragraph (c) (2) (viii), the letter shall include the following data:

(i) Horsepower, voltage, frequency and phase of the motor to be controlled;

(ii) The kva rating of the transformer bank supplying the motor;

(iii) The maximum load on the transformer bank, exclusive of the motor to be controlled;

(iv) Description of the equipment being driven by the motor if reduced voltage starter is necessary to limit starting torque;

(v) And any other information necessary to establish the need for a reduced voltage starter.

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, General Industrial Equipment Division, Washington, D. C.; Ref.: L-250.

Issued this 13th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

APPENDIX A

ALTERNATING CURRENT CONTROLLERS

TABLE NO. 1—SQUIRREL CAGE AND WOUND ROTOR MOTOR CONTROLLERS

Maximum permissible size of:
(a) Enclosed across-the-line magnetic switch starters (8 hour basis)
(b) Reduced voltage general purpose magnetic starters

H. P. at 110 volts		H. P. at 220 volts		H. P. at 440-550 volts		Maximum size	Maximum amperage rating
Three phase	Single phase	Three phase	Single phase	Three phase	Single phase		
1½	1	2	1½	2	1½	10	15
3	1½	5	3	7½	5	11	25
7½	3	15	7½	25	10	2	50
15	7½	30	15	50	25	3	100
25	15	50	25	100	4	4	150
-----	-----	100	-----	200	-----	5	300
-----	-----	200	-----	400	-----	6	600

¹ These sizes not applicable to (a) or (b) for oil immersed controllers of the across-the-line or reduced voltage types, or (b) reduced voltage general purpose magnetic starters.

TABLE NO. 2—SYNCHRONOUS MOTOR CONTROLLERS

Maximum permissible size of:
(a) Contactors for full voltage starting
(b) Contactors for reduced voltage starting

Horsepower rating				Maximum contactor rating (8 hour)
220 volt		440-550 volt		
1.0 P. F.	0.8 P. F.	1.0 P. F.	0.8 P. F.	
20	15	30	25	50
40	30	60	50	100
60	50	125	100	150
125	100	250	200	300
250	200	500	400	600
500	400	1,000	800	1,200

TABLE NO. 3—OVERHEAD TRAVELING CRANE CONTROLLERS

Maximum permissible size of:
(a) Line contactor
(b) Accelerating contactors

Horsepower @ 220 volts crane duty	Horsepower @ 440-550 volt crane duty	Maximum amperage rating (8 hour)	Maximum amperage rating crane duty
-----	-----	50	50
40	75	100	133
60	125	150	200
150	300	300	400
300	-----	600	800

DIRECT CURRENT CONTROLLERS

TABLE NO. 4—GENERAL PURPOSE & MACHINE TOOL SERVICE CONTROLLERS

Maximum permissible size of:
(a) Line contactor
(b) Reversing contactor
(c) Final accelerating contactor

Horsepower rating			Maximum amperage rating
115 volt	230 volt	550 volt	
3	5	-----	25
5	10	20	50
10	25	50	100
20	40	75	150
40	75	150	300
75	150	300	600

TABLE NO. 5—STEEL MILL AUXILIARIES & OVERHEAD TRAVELING CRANE CONTROLLERS

Maximum permissible size of:
(a) Line contactor
(b) Accelerating contactor

Horsepower continuous duty	Maximum amperage rating (8 hour)	Horsepower mill or crane duty	Maximum amperage rating mill or crane duty
25	100	35	133
40	150	55	200
75	300	110	400
150	600	225	800

[F. R. Doc. 43-2386; Filed, February 13, 1943; 10:48 a. m.]

PART 903—DELEGATIONS OF AUTHORITY
[Supplementary Directive 1Q, as Amended Feb. 15, 1943]

RATIONING OF TIRES, TIRE CASINGS, TIRE TUBES, ETC.

Further delegation of authority with reference to the rationing of tires, tire casings, tire tubes, tire retreading and recapping materials, gasoline and passenger automobiles.

§ 903.22 *Supplementary Directive 1Q.*

(a) The authority heretofore delegated to the Office of Price Administration by Directive No. 1, § 903.1, is hereby extended to include the exercise of control over:

(1) The sale, transfer, delivery or other disposition of all tires, tire casings, tire tubes, tire retreading and recapping materials, and used passenger automobiles by or to any person;

(2) The use, alteration, mounting, or other disposition of tires, tire casings, tire tubes, tire retreading and recapping materials, and passenger automobiles by any person, and

(3) The sale, transfer, delivery or other disposition of gasoline by any person to any consumer; the use of gasoline by any consumer, the use of gasoline substitutes or gasoline blends by any consumer in a motor vehicle, and the blending of gasoline by any gasoline dealer; and

(4) The sale, transfer, delivery or other disposition of gasoline by any person to any person other than a consumer, to the extent of requiring the delivery of such coupons, certificates or other evidence as the Office of Price Administration may prescribe as a condition to such sale, transfer, delivery or disposition.

(b) The authority of the Office of Price Administration shall include the power to regulate or prohibit the sale, transfer, delivery or other disposition of tires, tire casings, tire tubes, tire retreading and recapping materials, gasoline and passenger automobiles to, or acquisition, use, alteration, mounting or other disposition of said materials and facilities by, any person who has acted in violation of any rationing regulation or order prescribed by the Office of Price Administration.

(c) The authority delegated by this order does not include the power to limit or restrict:

(1) The quantity of the materials and facilities referred to herein obtainable by the Army, Navy, Marine Corps or Coast Guard of the United States, or by government agencies or other persons to the extent to which they acquire such materials or facilities for export to and consumption or use in any foreign country; and

(2) The manufacture of tires, tire tubes, tire casings, tire retreading and recapping materials and passenger automobiles or the manufacture, processing, distilling or refining of gasoline; and

(3) The importation, use, sale, transfer, delivery or other disposition of airplane tires, airplane tire casings, or airplane tire tubes.

(d) As used herein:

(1) "Passenger automobile" means a passenger automobile of any model, built upon a standard or lengthened passenger car chassis, having a seating capacity of not more than ten persons, irrespective of the number of miles it has been driven (or the chassis of such automobile), including taxis, but not including ambulances, hearses and station wagons.

(2) "Used passenger automobile" means any 1941 or earlier model passenger automobile which has been driven 1000 miles or more.

(3) "Gasoline" means any petroleum product either commonly known or sold as gasoline (including casinghead and natural gasoline) or having a flash point below 100° Fahrenheit (closed cup test, ASTM D-56-36), except: (i) fuel oil as defined in Ration Order No. 11, naphthas, aromatics, synthetic rubber raw materials, solvents or specialties, not used or blended for use as fuel in internal combustion engines, (ii) any finished petroleum product having an octane rating of 85 or more (ASTM D-357-42T) or any component thereof, used for the propulsion of aircraft, and (iii) liquefied petroleum gases.

(4) "Motor vehicle" means any rubber-tired, self-propelled conveyance the motive power for which is furnished by an internal combustion engine designed for operation by gasoline and which is built primarily for the purpose of transporting persons or property.

(5) "Tire, tire tube, tire casing, and tire recapping and retreading materials" mean any of the foregoing made in whole or in part of any kind of rubber.

(6) "Rubber" means any form or type of natural, reclaimed, or synthetic rubber, or other similar materials.

(7) "Person" includes any individual, partnership, corporation, association, business trust, government or government agency, or any organized group of persons whether incorporated or not.

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

(9) "Gasoline dealer" means any person engaged in the business of selling or transferring gasoline, except a person who transfers, receives, or uses gasoline in such a manner as to be required to account for the state motor fuel taxes imposed thereon directly to the motor fuel tax administration of a state.

(e) This supplementary directive supersedes the delegation of authority to the Office of Price Administration made by Supplementary Order M-15-c, § 940.4, as amended, Supplementary Directive No. 1-B, § 903.3, as amended, and Supplementary Directive No. 1-H, § 903.9, as amended: *Provided, however*, That all action heretofore taken (including, without limitation, regulations or orders heretofore issued) by the Office of Price Administration pursuant thereto or pursuant to said supplementary directives as originally issued, is hereby ratified, approved and confirmed, and the authority so delegated shall continue to remain in full force and effect with respect to all such action which is not inconsistent with the terms of this directive, for all purposes including the purpose of allowing or sustaining any suit, action, prosecution or administrative or other proceeding heretofore or hereafter commenced with respect to any violation heretofore committed or right or liability heretofore incurred under or pursuant to the terms thereof.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379; Sec. 2 (a), Pub. No. 671, 76th Cong., as amended by Pub. No. 89, 77th Cong., and by Pub. No. 507, 77th Cong.; W.P.B. Dir. No. 1, 7 F.R. 562; W.P.B. Reg. No. 1, 7 F.R. 561, as amended, 7 F.R. 2126)

Issued this 15th day of February 1943.

CURTIS E. CALDER,

Director General for Operations.

[F. R. Doc. 43-2443; Filed, February 15, 1943; 10:09 a. m.]

PART 1169—MAHOGANY, PHILIPPINE MAHOGANY AND ALBARCO

[General Conservation Order M-122 as Amended Feb. 15, 1943]

Part 1169—Mahogany and Philippine Mahogany is hereby amended to read:

Part 1169—Mahogany, Philippine Mahogany and Albarco.

Section 1169.1 *General Conservation Order M-122* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage of mahogany, Philippine mahogany and Albarco 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:

§ 1169.1 *General Conservation Order M-122*—(a) *Definitions*. For the purposes of this order:

(1) "Mahogany" means the wood of the several species of the genus *Swietenia* and the wood of the several species of the

genus *Khaya*, both of the *Meliaceae* family.

(2) "Philippine mahogany" means the wood of the several species of the genera *Shorea*, *Parashorea* and *Pentacme* of the *Dipterocarpaceae* family, otherwise known as tanguile, red lauan, tiaong, almon, bagtikan, mayapis and white lauan.

(3) "Albarco," sometimes referred to as Colombian mahogany, means the wood of the genus *Carianiana*.

(4) "War-use mahogany, war-use Philippine mahogany and war-use Albarco," means mahogany, Philippine mahogany and Albarco in the form of logs, fitches, knife cut veneer and lumber in all thicknesses of the grades of Firsts and Seconds and Selects (except such highly figured and cross-grained mahogany, Philippine mahogany and Albarco as is not suitable for plywood and parts for aircraft, boats and ships, or for patterns and models), also Firsts and Seconds Wormy, N. O. Wormy, and No. 1 Common (N) Wormy, suitable for patterns and models. The grades of mahogany and Philippine mahogany referred to are those specified in National Hardwood Lumber Association Rule Book in effect on February 15, 1943. Albarco shall be graded in the same way and according to the same standards as mahogany and Philippine mahogany.

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

(6) "Importer" means any person who imports mahogany, Philippine mahogany or Albarco.

(7) "Dealer" means any person who purchases mahogany, Philippine mahogany or Albarco for resale.

(8) "Fabricator" means any person who uses war-use mahogany, war-use Philippine mahogany or war-use Albarco in any form in the manufacture of semi-finished or finished products consisting wholly or partly of mahogany, Philippine mahogany or Albarco.

(9) "Converter" means any person who manufactures or re-manufactures mahogany, Philippine mahogany or Albarco in the form of logs, sections of logs, blocks, fitches, timbers or lumber, into lumber or veneer or other forms utilizable by fabricators.

(b) *Restrictions on sales and deliveries*. After February 15, 1943, no person, other than an importer acting as such, shall buy or accept delivery of war-use mahogany, war-use Philippine mahogany or war-use Albarco, and no dealer, importer, fabricator or converter shall sell or deliver war-use mahogany, war-use Philippine mahogany or war-use Albarco, except upon the following categories of orders:

(1) Orders specifying delivery to or for the account of any of the agencies or governments specified in paragraph (b) (1) or (b) (2) of § 944.1, *Priorities Regulation No. 1*, as amended from time to time;

(2) Orders placed by converters, dealers, and fabricators for uses limited to those enumerated in paragraph (d)

hereof to satisfy orders by or in behalf of any of the agencies or governments specified in paragraph (b) (1) or (b) (2) of § 944.1, Priorities Regulation No. 1, as amended from time to time;

(3) Orders placed by any person for use in making patterns and models used in the manufacture of products bearing a preference rating of AA-1 or higher;

(4) Orders placed by dealers to replace an equal number of board feet of war-use mahogany, war-use Philippine mahogany or war-use Albarco delivered subsequent to May 26, 1942, for the uses specified in paragraph (d), subparagraph (2), of this order: *Provided, however*, That such orders are not for Firsts and Seconds or Selects.

War-use mahogany, war-use Philippine mahogany, and war-use Albarco replaced in dealers' stocks pursuant to the provisions of this paragraph (b), subparagraph (4), shall be delivered only for the purposes specified in paragraph (d), subparagraph (2), of this order;

(5) Orders placed by importers.

The restrictions in this paragraph (b) on sale or delivery of war-use mahogany, war-use Philippine mahogany, and war-use Albarco shall not apply to the sale or delivery by any person who on May 26, 1942, had in his inventory not in excess of one hundred board feet of war-use mahogany, war-use Philippine mahogany or war-use Albarco, as to such one hundred feet or less of war-use mahogany, war-use Philippine mahogany or war-use Albarco in inventory.

(c) *Restrictions on production.* No converter or fabricator shall process logs into fitches, lumber or veneer, nor further process fitches, as the case may be, unless such logs or fitches are so processed to produce the maximum of war-use mahogany, war-use Philippine mahogany and war-use Albarco obtainable therefrom, in the form desired.

(d) *Restrictions on use.* Except as authorized by paragraph (e) hereof, no person shall consume any war-use mahogany, war-use Philippine mahogany or war-use Albarco in the production of any product or equipment except those hereinafter specified, namely:

(1) Plywood and parts for aircraft, boats and ships to the extent that mahogany, Philippine mahogany or Albarco is specifically permitted by the controlling specifications;

(2) Patterns and models used in the manufacture of products bearing a preference rating of AA-1 or higher.

(e) *Exceptions.* A fabricator acting as such on May 26, 1942, may continue to process stocks of war-use mahogany, war-use Philippine mahogany and war-use Albarco in his possession on that date without regard to the limitations contained in paragraph (d) hereof.

(f) *Allocations.* The Director General for Operations may allocate specific quantities of war-use mahogany, war-use Philippine mahogany and war-use Albarco to specific persons. He may also direct the specific manner and quantities in which delivery shall be made to particular persons, and direct or prohibit particular uses of war-use mahogany, war-use Philippine mahogany and

war-use Albarco, or the production by any person of particular items of war-use mahogany, war-use Philippine mahogany and war-use Albarco. He may also direct the manner in which war-use mahogany, war-use Philippine mahogany and war-use Albarco shall be processed to satisfy the categories of orders specified in paragraph (b) above. Such allocations and directions will be made to insure the satisfaction of war requirements in the United States, both direct and indirect, and they may be made in the discretion of the Director General for Operations, without regard to any preference ratings assigned to particular purchase orders or contracts. The Director General for Operations may also take into consideration the possible dislocation of labor and the necessity of keeping a plant in operation so that it may be able to fulfill war and essential civilian requirements.

(g) *Miscellaneous provisions—*(1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time, except to the extent that paragraph (b) hereof is in conflict with the provisions of Priorities Regulations Nos. 1 and 3 to which extent the provisions of this order shall be controlling.

(2) *Appeals.* Any appeal from the provisions of 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.

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

(4) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Lumber and Lumber Products Division, War Production Board, Washington, D. C. Ref.: M-122.

(5) *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.

Issued this 15th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2445; Filed, February 15, 1943;
10:10 a. m.]

PART 1188—RAILROAD EQUIPMENT

[Interpretation 1 to Limitation Order L-97 as Amended Jan. 1, 1943]

The following official interpretation is hereby issued by the Director General for

Operations with respect to § 1188.1 *General Limitation Order L-97* as amended:

As used in paragraph (g) and authorizations issued thereunder,

1. The term "dismantle" means to remove or strip all usable parts from a locomotive for re-use on other locomotives and to reduce the remainder to scrap material;

2. The term "scrap" means to reduce the entire locomotive to scrap material without removing any parts for re-use.

Issued this 15th day of February, 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2446; Filed, February 15, 1943;
10:10 a. m.]

PART 1213—SAFETY EQUIPMENT

[Limitation Order L-114 as Amended Feb. 15, 1943]

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

§ 1213.1 *General Limitation Order L-114—*(a) *Definitions.* For the purposes of this order:

(1) "Safety equipment" means equipment and devices designed to promote safety or to prevent or reduce accidents, injuries, occupational hazards or diseases, including, but not by way of limitation, the following articles: guards, goggles, shields, safety cans, oily waste cans, harnesses, headgear, belts, shoes, safety clothing, masks, respirators, inhalators, resuscitating apparatus, hazard measuring devices, protective creams, treads, and warning signs. The term shall not include any automotive or traffic equipment or devices.

(2) "Hazard measuring devices" means devices or instruments designed to detect, indicate, measure or record the presence of poisonous or combustible gases or other harmful substances in the atmosphere for the purpose of promoting safety or preventing or reducing occupational accidents, diseases and hazards of all types. The term shall not include "industrial instruments" as defined in Limitation Order L-134, nor "laboratory equipment" as defined in Limitation Order L-144.

(b) *Restrictions on use of scarce materials.* Except as provided in paragraph (c) below, or upon specific authorization of the Director General for Operations, no person shall incorporate in the manufacture of safety equipment, or in any component part thereof, or sell, deliver, rent, purchase, accept delivery of, or obtain any safety equipment or parts thereof, in which there is incorporated or used, any of the following materials: aluminum, asbestos cloth, chromium, copper, copper base alloys, nickel, corrosion resisting steel, alloy steel, tin,

synthetic plastics, magnesium, rubber or synthetic rubber, neoprene, or elastic fabric, as defined in Conservation Order M-174.

(c) *General exceptions.* Paragraph (b) shall not apply to safety equipment assembled or manufactured:

(1) Prior to May 5, 1942, or from parts which were finished and ready for assembly on said date, provided such safety equipment is delivered to fill purchase orders bearing preference ratings of A-10 or higher, or

(2) From materials to the extent permitted in Appendix A hereof, or

(3) For delivery to, or for the account of, the Army or Navy of the United States, the Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics or the government of any country entitled to deliveries under the Act of Congress of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), provided, and to the extent that the materials designated in paragraph (b) are necessary for efficient functioning and required endurance of safety equipment intended for use:

(i) In or on completed vehicles, aircraft, or ships, or

(ii) Outside of continental United States, or in Alaska, or

(iii) In the protection of military or naval personnel while not engaged in production, maintenance, or repair.

(4) Any order or contract from any agency or government mentioned in paragraph (c) (3) requiring the incorporation or use of scarce materials designated in paragraph (b) shall constitute a representation that the conditions exist under which such scarce materials may be incorporated or used within the terms of this order. Said representation may be relied on by the person with whom the purchase order or contract is placed, his sub-contractors, and suppliers.

(d) *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.

(e) *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 and sales.

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

(g) *Reports.* 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.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order,

willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal from the provisions of 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.

(j) *Communications.* All reports required to be filed hereunder and all other communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Safety and Technical Equipment Division, Washington, D. C., Ref.: L-114.

(k) *Effect of other orders.* With respect to the use of the materials named herein for incorporation in the products named herein, or in component parts thereof, this order shall be subject to all other orders to conserve specific raw materials (M orders), and all orders providing for a preference rating in deliveries, or for allocation, as are now or may hereafter be in effect.

Issued this 15th day of February 1943.

CURTIS E. CALDER,

Director General for Operations.

APPENDIX A

[NOTE: Appendix A amended February 15, 1943.]

Pursuant to the provisions of paragraph (b) of the above order, the following materials may be used to the extent indicated:

(1) Asbestos cloth in protective clothing, for industrial operations involving intense heat or handling of hot objects, or for fire-fighting.

(2) Copper or copper base alloys, other than nickel silver, when essential to the proper functioning of:

(a) Eyelets, rivets, and fasteners worn on the person and required to be non-corrosive or non-sparking.

(b) Frames, side screen binders and temples for spectacle type goggles.

(c) Valves, unions, ferrules, tubing, connections, housings, non-sparking fittings, fastenings, gaskets, pins, probe tubes, orifices, regulators and bearings, for respirators, gas masks or hazard measuring devices through which explosive, toxic, or corrosive gases, dusts or fumes may pass.

(d) Valves, tubing, manifolds, chambers, gaskets, discs, breaker valves, unions, connections, mouthpieces, orifices and facepiece parts on safety equipment through which oxygen or air under pressure is conducted.

(e) Conductors of electricity for safety devices and appliances.

(f) Lens retaining rings and fittings on gas mask facepieces.

(g) Exhalation and inhalation valve inserts and angle tubes for gas masks, air line respirator and breathing apparatus, face and mouth pieces.

(h) Tubing and fittings in hazard measuring devices.

(i) Screen for mask type goggles or hoods but not including side screens on spectacle type or molded goggles.

(j) Bridge clips for molded goggles.

(k) Cylinders, valves, tubing and regulators for compressed air, mechanical guarding devices.

(3) Nickel in:

(a) Nickel silver for pad inserts for nose pads on spectacle type goggles, but not to exceed 10% in such alloy.

(b) Nickel silver for the following, but not to exceed 10% nickel in such alloy:

(i) Valve inserts for respirators.

(ii) Reducing, admission, dilution, check and safety valve pins, stems, plungers, inserts, screws, spiders, sleeves, yokes and bearings on gas masks, breathing apparatus, or hazard measuring devices.

(c) Leaded nickel silver for goggle frame screws and rivets, but not to exceed 18% nickel in such alloy.

(d) Nickel plating for spectacle type goggles until, but not after, May 31, 1943.

(e) Nickel silver for end pieces and guard arms on spectacle type goggles, but not to exceed 10% nickel in such alloy.

(4) Alloy steel in oxygen cylinders for breathing apparatus and inhalators, for which NE 8124 or B233 steel may be applied.

(5) Tin in solder as permitted by Conservation Order M-43, as amended from time to time.

(6) Synthetic plastics in:

(a) Protective hats and caps.

(b) Face shields.

(c) Goggle frames.

(d) Lenses and laminated glass.

(e) Respirator and gas mask parts.

(f) Mounting panels, rheostats, connections, plugs, and insulation in cases, for hazard measuring devices when necessary for efficient operation.

(g) Safety clothing.

(h) Salt tablet dispensers.

(i) Machine guards.

(7) Rubber as permitted under Supplementary Order M-15-b, as amended from time to time.

(8) Synthetic rubber on specific authorization of the Director General for Operations.

(9) Elastic fabric in safety equipment to the extent necessary for efficient functioning and required endurance, except that when elastic fabric is used in headbands for the following safety equipment it shall not exceed the lengths specified hereafter:

(a) Cup type goggles—4 inches when crude or synthetic rubber is used; 8 inches when reclaimed or scrap rubber is used;

(b) Respirators—12 inches when crude or synthetic rubber is used; to the extent necessary for efficient functioning and required endurance when reclaimed or scrap rubber is used.

[F. R. Doc. 43-2447; Filed, February 15, 1943; 10:10 a. m.]

PART 3096—PAPER AND PAPERBOARD

[General Conservation Order M-241 as Amended Feb. 15, 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 various materials and facilities required in the manufacture and distribution of paper and paperboard; and the following order is deemed necessary in the public interest and to promote the national defense:

¹ NOTE: The purpose of this amendment is to amend the item "Wrapping Paper" in List A.

§ 3096.1 *General Conservation Order M-241*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(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) "Produce" includes all operations connected with the production of paper and paperboard, including operations in the finishing room and packaging, but does not include processes or operations applied to paper and paperboard after the primary papermaking, such as printing, waxing, gumming, coating, bag manufacture, cup manufacture and envelope manufacture, box and container manufacture, and the fabrication of paper into paper articles.

(3) "Mill" means a congregation of pulp preparation and roll and sheet finishing equipment, paper machines and subsidiary facilities located and operated together as a single producing unit for the production of paper and paperboard.

(4) "Base period" means the six month period from October 1, 1941 through March 31, 1942.

(5) "Paper merchant" means any person regularly engaged in the business of buying and reselling paper and/or paperboard.

(c) *Restrictions on production of paper and paperboard.* (1) Unless specifically authorized by the Director General for Operations pursuant to subparagraph (5) of this paragraph (c), no person or persons shall produce paper or paperboard in any mill which has not produced paper or paperboard since August 1, 1942.

(2) Each manufacturer of paper and/or paperboard shall for each mill operated by him determine quarterly a production quota, calculated as follows:

(i) Determine, separately for each class of paper and paperboard on List A the quantity thereof produced at such mill during the period from October 1, 1941 through March 31, 1942;

(ii) Subtract from the result for each class the quantity produced at such mill during such period of each of the grades of paper or paperboard on List B falling within such class;

(iii) Multiply the remainder for each class by percentage figure set opposite the particular class on List A;

(iv) Add together the several tonnages obtained by (iii), and divide by two.

The quantities shall be measured, to the nearest ton, in tonnage delivered from the paper machine. The method and basis for determining such tonnage shall be that method and basis followed at the particular mill in the past, or any other practicable method and basis, provided the same method and basis are used to determine both current production and production during the base

period. If any machine unit of any mill was shut down during the base period for as much as 72 consecutive hours, excluding vacations and holidays, there may be added to (i) for such mill for the class of paper or paperboard principally produced on such machine unit, whatever quantity thereof could have been produced on such machine unit during the down time at the average rate of operation during the preceding month.

The Director General may from time to time by amendment change the classification and/or percentages on List A or change List B, specifying a particular date for the change to take effect. Quotas for production after any such date shall be calculated according to Lists A and B as amended, until further amended. If the effective date of any such amendment is other than the first day of a calendar quarter, the quota for the quarter within which such date falls shall be recalculated by adding together (i) the proportion of the old quota which equals the proportion of the quarter preceding such date and (ii) the proportion of the new quota which equals the proportion of the quarter following such date, including such date.

(3) No person or persons shall during the first calendar quarter of 1943 or any calendar quarter thereafter produce at any mill any quantity of paper and/or paperboard in excess of the quota for such mill for such quarter determined according to subparagraph (2) of this paragraph (c), except:

(i) To the extent and upon the conditions stated in subparagraph (4) of this paragraph (c); or

(ii) To the extent specifically authorized by the Director General for Operations pursuant to paragraph (5) (c) of this order, subject to any conditions imposed by the Director General for Operations in such authorization: and, *Provided*, That,

(i) Within such quota there may be produced at any mill any quantities of any one or several kinds of paper and/or paperboard, provided that the aggregate during any quarter does not exceed such mill's quota for that quarter; and

(ii) Regardless of and over and beyond any such quota, any person may produce at any mill, unless restricted by paragraph (c) (1) or by paragraph (e), any quantity of any kind of paper on List B.

(4) If one person owns only one mill, and such mill is equipped with only one machine unit for the manufacture of paper and/or paperboard, such person may, unless restricted by paragraph (c) (1) or by paragraph (e), produce at such mill during any calendar week any quantity of paper and/or paperboard required to occupy such machine 120 hours during such week: *Provided*, That such person shall in no other week during the same calendar quarter operate such mill in excess of 120 hours.

(5) If any person owns more than one mill, and can show that by combining or exchanging the several quotas of such

mills, or parts thereof, significant quantities of critical materials will be saved, transportation reduced, labor released in areas where needed, or other materials or facilities required in the national defense conserved, he may submit to the Director General for Operations, in writing, a plan for such combination or exchange, stating the quantity and kinds of paper and/or paperboard produced at each mill involved during each month of the year from October 1, 1941 through September 30, 1942, the quantity and kinds of paper expected to be produced at each such mill during each quarter under such plan, how long he proposes to operate under such plan, his reasons for desiring to adopt such plan, and the respects wherein he conceives that such plan will accomplish the purposes mentioned. The Director General for Operations may thereupon approve, modify, or disapprove such plan or may impose upon the execution of any such plan whatever conditions he may deem appropriate to this order. Upon receipt from the Director General for Operations of approval in writing of such a plan the proponent may produce at the mills designated in such plan the quantities and kinds of paper and/or paperboard provided for in such plan, subject to any modifications or conditions imposed by the Director General for Operations in his approval. No person shall undertake or attempt to carry into effect any such plan unless and until he receives such approval.

(d) *Reserve production.* Each manufacturer of paper and/or paperboard shall reserve in the production schedule of each of his mills for the month of January, 1943, and for each calendar month thereafter, time and supplies sufficient to produce and deliver within such month, at the order of the Director General for Operations, 2% of such mill's quota for the current calendar quarter. In general this should amount to approximately 6% of each month's production. The Director General for Operations may on or before the 15th of any month, by telegram or letter, direct any manufacturer to employ such reserve to produce any kind of paper and/or paperboard usually produced at such mill, and any quantity thereof, not to exceed in the aggregate for any one month 2% of such mill's quota for the current quarter, and sell and deliver the same within the month to any person named by the Director General for Operations. The manufacturer may refuse so to produce and deliver only for the reasons specified for the refusal of rated orders in § 944.2 (b) of Priorities Regulation No. 1. If the manufacturer does not on or before the 15th of any month receive from the Director General for Operations directions as to the disposition of such reserve (or has received directions as to the disposition of a part but not of the remainder) he may employ the same (or such remainder) as he may desire, consistent with the other provisions of this order.

(e) *Restrictions on inventory.* Unless specifically authorized by the Director General, by telegram or letter, or excepted by paragraph (e) (5):

(1) No person shall knowingly deliver, and no person shall accept delivery of any quantity of newsprint, if the inventory of newsprint in the hands of the person accepting delivery is, or will by virtue of such acceptance become, either (i) in excess of two carloads or (ii), if in excess of two carloads, greater than seventy five days' supply, on the basis of either his average rate of consuming newsprint for the preceding quarter or his average rate of consuming newsprint as projected for the then current quarter;

(2) No person shall knowingly deliver to any person except a paper merchant and no person except a paper merchant shall accept delivery of, any quantity of any grade of paper or paperboard other than newsprint, if the inventory of such grade in the hands of the person accepting delivery is, or will by virtue of such acceptance become, either (i) in excess of two carloads or (ii), if in excess of two carloads greater than sixty days' supply, on the basis of either his average rate of consuming such grade of paper or paperboard for the preceding quarter or his average rate of consuming such grade of paper or paperboard as projected for the then current quarter;

(3) No person shall knowingly deliver to a paper merchant, and no paper merchant shall accept delivery of, any quantity of any grade of paper or paperboard other than newsprint, if the inventory of such grade in the hands of such paper merchant is, or will by virtue of such acceptance become, either (i) in excess of two carloads or (ii), if in excess of two carloads, greater than ninety days' supply, on the basis of either his average rate of distributing such grade of paper or paperboard for the preceding quarter or his average rate of distributing such grade of paper or paperboard as projected for the then current quarter;

(4) No person shall produce at any mill any quantity of any grade of paper or paperboard other than newsprint, if his inventory of such grade at such mill is, or will by virtue of such production become, in excess of (i) two carloads or (ii), if in excess of two carloads, greater than sixty days' supply, on the basis of either the average rate of shipment of such grade from such mill for the preceding quarter or the average rate of shipment of such grade from such mill as projected for the then current quarter.

(5) The term "grade of paper or paperboard" refers to the classification on United States Department of Commerce (Census) Form WPB-514, as revised November 7, 1942, each caption (except those which are further broken down by following captions) representing a separate grade. If a person's gross

inventory of a grade is in excess of two carloads or sixty days' supply, as above, but his inventory of a particular item within that grade is less than thirty days' supply (or, in the case of a paper merchant, less than sixty days' supply), he may accept delivery of or produce, and others may deliver to him, any quantity of such item as may be required to provide him with thirty days' supply (or in the case of a paper merchant sixty days' supply). The restrictions of this paragraph (e) apply equally to paper and paperboard of foreign and domestic origin, and apply to intra company deliveries as defined in § 944.12 of Priorities Regulation No. 1. They do not, however, apply to those papers commonly reported on United States Department of Commerce (Census) Form WPB-514, as revised November 7, 1942, under the captions "Photographic and other sensitized" (07611) and "Cigarette" (08512), or to any paper or paperboard after it is printed or converted beyond waxing or coating, or to inventories held by or for any agency or government referred to in § 944.1 (b) (1) and (2) of Priorities Regulation No. 1, or by or for the United States Government Printing Office.

(f) *Miscellaneous provisions—(1) 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.

(2) *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.

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

(4) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or 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.

(5) *Appeals.* Any appeal from the provisions of 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.

(6) *Communications.* All communications concerning this order shall unless otherwise directed, be addressed to, War Production Board, Pulp and Paper Division, Washington, D. C. Ref.: M-241.

Issued this 15th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

LIST A

[Note: The item "Wrapping Paper" was amended Feb. 15, 1943.]

Column 1 lists general classes of paper and paperboard by names common in the trade. Each class includes all the grades of paper or paperboard reported on United States Department of Commerce (Census) Forms OPM-514 (for the last quarter of 1941) and WPB-514 (for the first quarter of 1942) by the code numbers, respectively as indicated, set out under the name. In the calculation of a mill's quota there should first be determined the whole quantity of each class produced at the mill during the base period, then subtracted from the result for each class the quantity produced at the mill during the base period of any kind of paper or paperboard on List B falling within such class, then the remainder multiplied by the percentage in column 2, and the several results added and the total divided by two. (See (c) (2) of Order M-241, as amended.)

Class of paper or paperboard	Percentage
Newsprint.....	90
OPM-514—0100 to 0103, incl.	
WPB-514—01000 to 01300, incl.	
Groundwood papers.....	80
OPM-514—0200 to 0207, incl.	
WPB-514—02000 to 02900, incl.	
Book papers.....	80
OPM-514—0300 to 0340, incl.	
WPB-514—03000 to 03590, incl.	
Writings.....	90
OPM-514—0350 to 0375, incl., 0980 to 0983, incl.	
WPB-514—04000 to 08009, incl.	
Wrapping paper (including imitation vegetable parchment, but not including glassine, greaseproof and genuine vegetable parchment).....	85
OPM-514—0400 to 0494, incl. (except 0440, 0450 for glassine, and 0460 for genuine vegetable parchment) and 0800	
WPB-514—09000 to 10900, incl. (except 09600, 09700 for glassine, and 09800 for genuine vegetable parchment) and 19000	
Glassine, greaseproof and genuine vegetable parchment.....	100
OPM-514—0440, 0450 (glassine only) and 0460 (genuine vegetable parchment only)	
WPB-514—09600, 09700 (glassine only) and 09800 (genuine vegetable parchment only)	
Tissue paper.....	100
OPM-514—0500 to 0516, incl.	
WPB-514—11000 to 11900, incl. and 12100 to 12990, incl.	
Absorbent papers.....	80
OPM-514—0600 to 0607, incl.	
WPB-514—13000 to 13990, incl.	
Container board.....	100
OPM-514—0901 to 0930, incl.	
WPB-514—51000 to 51900, incl.	
Folding box board, etc.....	80
OPM-514—0940 to 0943, incl.	
WPB-514—52000 to 52990, incl.	
Set-up box boards, etc.....	80
OPM-514—0950 to 0952, incl.	
WPB-514—53000 to 53990, incl.	
Cardboard.....	80
OPM-514—0970 to 0974, incl.	
WPB-514—54000 to 54900, incl.	
Special industrial boards.....	90
OPM-514—0960, 0990, 1000, 1020.	
WPB-514—55000 to 57000, incl. 59000 to 59900, incl.	

LIST B

Column 1 lists the grades of paper and paperboard which may in general be manufactured without restriction. (See (c) (3) of Order M-241, as amended). The general class within which each falls, according to the classification on List A, is indicated in Column 2. In the calculation of a mill's quota, the amount produced during the base period of each kind of paper and paperboard listed in column 1 is to be subtracted from the total quantity of the corresponding class in column 2 produced during the base period. (See (c) (2) (ii) of further identified by the numbers in parentheses following each, being the code numbers Order M-241, as amended). The kinds of paper and paperboard listed in column 1 are for each on United States Department of Commerce (Census) Forms OPM-514 (for the last quarter of 1941) and WPB-514 (for the first quarter of 1942), respectively as indicated.

Column 1	Column 2 (Corresponding general class on List A)
(Unrestricted)	
Sanitary napkin and wadding stock (OPM-514: 0510, 0516) (WPB-514: 11100)	Tissue Papers
Absorbent for Vulcanized Fibre (OPM-514: 0605) (WPB-514: 13500)	Absorbent Papers
Absorbent for Resin Impregnating and Plastics (OPM-514: 0607) (WPB-514: 13910, 13990)	Absorbent Papers
Building Papers (OPM-514: 0700 to 0704 incl.) (WPB-514: 14000 to 14900 incl.)	Not Listed in A
Building Boards (OPM-514: 1010 to 1013 incl.) (WPB-514: 58000 to 58900 incl.)	Not Listed in A
Container Board, from waste (OPM-514: 0904 to 0930 incl.) (WPB-514: 51200, 51300, 51410, 51420, and 51440 to 51900 incl.)	Container Board
Cigarette Paper (less than 24 x 36, 480, 18#) (OPM-514: 0502) (WPB-514: 12110)	Tissue Papers
Condenser Paper (less than 24 x 36, 480, 18#) (OPM-514: 0503) (WPB-514: 12120)	Tissue Papers
Carbonizing Paper (less than 24 x 36, 480, 18#) (OPM-514: 0504) (WPB-514: 12130)	Tissue Papers
Stencil and Lens Paper (less than 24 x 36, 480, 18#) (OPM-514: 0505) (WPB-514: 12190)	Tissue Papers
Photographic Paper (not separately identified on census forms)	Writing Papers
Currency Paper (not separately identified on census forms)	Writing Papers

[F. R. Doc. 43-2439; Filed, February 15, 1943; 10:09 a. m.]

PART 3146—GARMENT LEATHER

[Conservation Order M-265 as Amended
Feb. 15, 1943]

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

§ 3146.1 *Conservation Order M-265—(a) Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of priorities regulations of the War Production Board, as amended from time to time.

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

(1) "Cattlehide" means the hide or skin of bulls, steers and cows, whether

native or branded, foreign or domestic, including calf and kipskins (but excluding slunks) and shall also include buffalo hides.

(2) [Revoked Dec. 31, 1942]

(3) [Revoked Dec. 31, 1942]

(4) "Garment leather" means leather to be incorporated into jackets, jerkins, doublets, vests, coats and other similar articles of apparel.

(5) "Military order" means an order for products to be delivered to, or for the account of, the Army or Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the Marine Corps, the War Shipping Administration, the governments of Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Rus-

sia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, or Yugoslavia, or the governments of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(6) "Civilian order" means any order except a military order.

(c) *Restriction on processing of garment leather.* No tanner shall put into process for garment leather, or continue to process, any cattlehides, (other than cattlehide splits) except to the extent required to fill military orders.

This restriction shall not apply to any cattlehides which have reached a stage in the process on November 28, 1942 where they cannot be made into leather suitable for any other purpose.

(d) *Restriction upon sales and deliveries of garment leather made from cattlehides.* No tanner or converter shall sell or deliver any leather made from cattlehides (other than cattlehide splits) against any civilian order for garment leather if such leather is suitable for filling any of his military orders.

(e) *Appeals.* Any appeal from the provisions of 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.

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

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

(h) *Communications to the War Production Board.* All reports, applications, forms or communications required under or referred to in this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to War Production Board, Textile, Clothing and Leather Division, Washington, D. C. Ref: M-265.

(i) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or who 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 assistance.

(j) *Expiration date.* This order shall expire on April 15, 1943.

Issued this 15th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2440; Filed, February 15, 1943; 10:09 a. m.]

PART 3151—ASCORBIC ACID

[General Preference Order M-269 as Amended
Feb. 15, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of ascorbic acid 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:

§ 3151.1 *General Preference Order M-269—(a) Definitions.* (1) "Ascorbic acid" means ascorbic acid (cevitamic acid or vitamin C) in crude or refined form. The term shall include any chemical compound of ascorbic acid but shall not include standard dosage forms (tablets, capsules, ampoules, solutions, etc.), combinations in food or beverages, or ascorbic acid of natural origin.

(2) "Producer" means any person engaged in the production or processing of ascorbic acid, and includes any person who imports ascorbic acid or has ascorbic acid produced for him pursuant to toll agreement.

(3) "Distributor" means any person who purchases ascorbic acid solely for the purpose of resale without further processing and without changing the form thereof.

(4) "Allocation month" means the period beginning on the 15th day of a calendar month and continuing through the 14th day of the calendar month following. The allocation month of January, for example, shall mean the period beginning January 15.

(b) *Restrictions on deliveries and use.* (1) Subject to paragraph (c) hereof, on and after December 15, 1942 no producer or distributor shall deliver or use ascorbic acid, and no person shall accept delivery of ascorbic acid, 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 allocation month will so far as practicable be issued by the Director General for Operations prior to the commencement of such allocation 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. He may also at any time issue directions with respect to the use or uses which may or may not be made of material to be delivered or then on hand.

(3) Each person specifically authorized to accept delivery of ascorbic acid shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed by the Director General for Operations, or as provided in paragraph (b) (4) hereof.

(4) Ascorbic acid allocated for inventory shall not be used except as specifically directed by the Director General for Operations. Ascorbic acid allocated to fill a specified order or class of orders

shall, where and to the extent that such order or class of orders is subsequently cancelled, revert to inventory.

(c) *Exceptions to requirement for authorization.* Specific authorization of the Director General for Operations shall not be required for:

(1) Acceptance of delivery by any person in any one allocation month of five ounces or less of ascorbic acid in the aggregate; provided that such person has not been specifically authorized or directed by the Director General for Operations 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 ascorbic acid hereby ordered for delivery in the allocation month beginning ----- 15, 194-- and ending

month
the 14th day of the calendar month following, does not, taken with all other ascorbic acid delivered or to be delivered in such month (from all sources), exceed five ounces, the amount which he is entitled to receive under paragraph (c) (1) of General Preference Order No. M-269.

Name of purchaser
By -----
Authorized official Title

Date

Provided, however, That no certificate shall be required for the delivery by any producer or distributor to any person in any allocation month of not more than one ounce. Such certificate shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7. The receipt of such certificate shall not authorize the delivery of ascorbic acid by a producer or distributor where he knows or has reason to believe the same to be false, but in the absence of such knowledge or reason to believe, he may rely on the certificate.

(3) The use by any producer in any allocation month of five ounces or less of ascorbic acid in the aggregate.

(4) Delivery of ascorbic acid to, or acceptance of delivery of ascorbic acid by, a person for incorporation into standard dosage forms, where the person making delivery has previously received such ascorbic acid pursuant to specific authorization of the Director General for Operations and retains title to such ascorbic acid and to the product made therefrom.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of (and each producer or distributor seeking authorization to use) ascorbic acid during any allocation month, beginning with the allocation month which commences January 15, 1943, whether for his own consumption or resale, shall file application therefor on or before the 1st day of the calendar

month in which such allocation month begins. Where delivery or use is to be in the allocation month commencing December 15, 1942, such application shall be filed as many days as possible in advance of the requested acceptance of delivery or use. In any case, such application shall be made on Form PD-600, in the manner prescribed therein, 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 the supplier, three to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-269, and the fifth retained for applicant's file.

(iii) In the heading, under name of chemical, specify "ascorbic acid"; under WFB Order No., specify "M-269"; under unit of measure, specify ounces; under name of your company, specify name and mailing address; and specify the allocation month and year for which authorization for acceptance of delivery is sought.

(iv) In Columns 1, 11 and 19, specify quality; for example, USP, crude, calcium ascorbate.

(v) In Column 3, specify the exact product in the manufacture or preparation of which you will use ascorbic acid or in which you will incorporate ascorbic acid. Retailers ordering ascorbic acid for resale (as ascorbic acid), will specify "Resale at retail". If purchase is for inventory, state "inventory".

(vi) In Column 4, specify in each case (including case where your purchase is for "resale") ultimate use to be made of product (as, for example, "medicinal", "beverage", "food fortification"), and also specify in each case whether your customer is Army, Navy, other government agency, Lend-Lease or commercial customer.

(2) Each producer or distributor seeking authorization to make delivery of ascorbic acid during any allocation month, beginning with the month commencing January 15, 1943, shall file application on or before the 5th day of the calendar month in which such allocation month begins. Application for authorization to deliver in the allocation month beginning December 15, 1942, shall be made as many days as possible in advance of the requested delivery. In any case, such application shall be made on Form PD-601 in the manner prescribed therein, 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) Prepare four copies and forward three to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-269, the fourth to be retained by the producer or distributor.

(iii) Producers who have filed application on Form PD-600 specifying themselves as their suppliers, shall list their own names as customers on Form PD-601 and shall list their request for alloca-

tion in the manner prescribed for other customers.

(iv) In the heading, under name of chemical specify "ascorbic acid"; under WPB Order No., specify "M-269"; under name of company, state name and mailing address; under unit of measure specify ounces; and state the allocation month and year during which deliveries covered by your application are to be made.

(v) In Columns 3 and 8, specify grades as stated in customer's Form PD-600.

(vi) The producer or distributor may, if he wishes, leave Column 5 blank.

(vii) Names of customers to whom small order deliveries are to be made during the next allocation month pursuant to paragraph (c) of this order need not be listed, but insert in Column 1 "Total small order deliveries (estimated)", and in Column 4, state the estimated quantity.

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

(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 special directions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

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

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

(2) *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.

(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-269.

Issued this 15th day of February 1943.

CURTIS E. CALDER,
Director General for Operations.

[F. R. Doc. 43-2441; Filed, February 15, 1943;
10:10 a. m.]

PART 3187—PHYSICAL THERAPY EQUIPMENT

[General Limitation Order L-259]

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

§ 3187.1 *General Limitation Order L-259—(a) Definitions.* For the purposes of this order:

(1) "Physical therapy equipment" means apparatus, equipment, devices and appliances designed to produce, generate, apply or administer spectral rays (except X-rays), electrical currents, mechanical stimuli, heat, refrigerants, liquids, gases or vapors to man or other animals in a manner designed to produce therapeutic effect or to destroy body tissue. The term shall include only the following articles, as each is hereinafter defined: medical diathermy units; surgical diathermy units; fever cabinets; infra-red generators; galvanic generators, faradic generators, sinusoidal generators, and any combination of such generators; whirlpool baths; paraffin baths; electric massagers; bath cabinets; therapeutic lamps; passive vascular exercise apparatus; baldness treatment devices; ultra-violet radiation equipment; electric bakers; and heat applicators. The aforementioned articles, as each is hereinafter defined, shall not include used or rebuilt equipment, nor any parts or material for the repair or maintenance of existing equipment.

(2) "Medical diathermy unit" means any instrument designed to produce heat for therapeutic purposes within the body tissues by means of a high frequency electric current generated by a spark gap or a vacuum tube type of oscillator. The term shall include "conventional" or long wave diathermy, short wave diathermy, and ultra short wave diathermy.

(3) "Surgical diathermy unit" means a diathermy unit employing a high frequency electric current which is designed for the performance of surgical procedures by cutting, coagulation or desiccation and which is not adaptable for medical diathermy treatment.

(4) "Fever cabinet" means a cabinet or bag designed to induce fever artificially by radiant or induced heat.

(5) "Infra-red generator" means a heating element with a concave reflector which produces infra-red rays either from an incandescent bulb, a carbon, or a radiant cone, coil or disc, and which is designed to produce therapeutic effect.

(6) "Galvanic generator" means a generator designed to deliver and apply direct current to the body tissues or to deposit the ions of certain salts in solution into the body tissues.

(7) "Faradic generator" means a generator designed to deliver and apply induced electric current to the body tissues.

(8) "Sinusoidal generator" means a generator designed to deliver and apply sinusoidal current to the body tissues.

(9) "Whirlpool bath" means a container designed to circulate thermally controlled liquids around portions of the body to produce therapeutic effect. The term shall include, but not by way of limitation, arm and leg baths and underwater exercise tanks.

(10) "Paraffin bath" means a device designed to apply heat to the body through the medium of melted paraffin.

(11) "Therapeutic lamp" means any electrical device designed to apply heat to the body which utilizes an incandescent bulb.

(12) "Passive vascular exercise apparatus" means apparatus designed to apply alternating negative and positive pressures to portions of the body, but the term shall not include "iron lungs" nor baldness treatment devices.

(13) "Baldness treatment device" means any device or equipment designed to check or treat baldness by applying alternating negative and positive pressures to the scalp.

(14) "Ultra-violet radiation equipment" means any generator designed to generate ultra-violet spectral energy to produce therapeutic effect. The term shall include both the carbon arc and quartz mercury types of generators. "Major ultra-violet radiation equipment" means equipment having a manufacturer's list price of not less than \$150.

(15) "Electric massager" means any device which is designed to massage the human body and which utilizes an electric motor, electronic tubes, oscillating tubes, or any combination thereof. The term shall include, but not by way of limitation, electric vibrators and reducing machines.

(16) "Bath cabinet" means a cabinet or box designed to enclose the body for the purpose of administering either moist or dry heat.

(17) "Electric baker" means a device designed for local and general application of radiant heat which utilizes a reflector and incandescent light bulbs or electric heating elements, or both.

(18) "Heat applicator" means any device, appliance or equipment which utilizes liquids, air, or any other substance or material and which is designed to apply heat to the body for therapeutic purposes, other than medical diathermy units, surgical diathermy units, fever cabinets, infra-red generators, whirlpool baths, paraffin baths, therapeutic lamps, bath cabinets, electric bakers, hot water bottles and chemical bags, and accessories used in connection with such articles.

(19) "Hospital" means any institution named on the list of hospitals listed by the American Medical Association, or any other institution for the care of the sick and disabled which has five or more beds for patients.

(20) "Person" means any individual, partnership, association, business trust,

corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(21) "Distributor" means any person who purchases physical therapy equipment solely for the purpose of resale without further fabrication.

(b) *Restrictions on the manufacture of physical therapy equipment.* (1) No person shall manufacture or continue the manufacture of any physical therapy equipment, except to fill specific purchase orders or contracts for delivery to or for the account of:

(i) The Army or Navy of the United States; or

(ii) Any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(2) The restrictions of subparagraph (1) of this paragraph (b) shall not apply to:

(i) The manufacture of surgical diathermy units, major ultra-violet radiation equipment, electric bakers, passive vascular exercise apparatus and fever cabinets;

(ii) The manufacture of whirlpool baths, provided that no metal is incorporated in their manufacture except in pipes and pipe fittings; or

(iii) The assembly of any physical therapy equipment which is assembled from parts which were finished and ready for assembly on February 15, 1943, provided that such assembly is completed on or before March 15, 1943.

(c) *Restrictions on the delivery of physical therapy equipment.* (1) No person shall sell or deliver any surgical diathermy unit, whirlpool bath (containing metal in any part other than pipes and pipe fittings), major ultra-violet radiation equipment, electric baker, passive vascular exercise apparatus or fever cabinet, except to or for the account of:

(i) The Army or Navy of the United States;

(ii) Any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act);

(iii) Any person to whom an export license covering the specific equipment has been issued by the Board of Economic Warfare, provided, however, that delivery shall not be made to any person holding an export license which was issued prior to February 15, 1943, unless such export license has been revalidated by the Board of Economic Warfare after said date;

(iv) Any hospital, or any medical department of an industrial concern which is located on the premises of such con-

cern, for the use of such hospital or medical department; or

(v) Any distributor.

(2) No person shall purchase or accept delivery of any physical therapy equipment if he knows or has reason to believe that the delivery of such physical therapy equipment is prohibited by the terms of subparagraph (1) of this paragraph (c).

(d) *Production and shipping schedules and restrictions thereon.* On or before February 25, 1943, and on or before the 15th day of each succeeding calendar month, each manufacturer of physical therapy equipment shall file with the War Production Board in triplicate on Form PD-774, his proposed production and shipping schedule of physical therapy equipment for such period as production and shipping may be planned. Unless the Director General for Operations shall otherwise direct, each production and shipping schedule of physical therapy equipment shall be deemed to be approved as of the first day of the month following the month during which such schedule was required to be filed. Each manufacturer shall produce and ship in accordance with his production and shipping schedule as approved or changed by the Director General for Operations.

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

(f) *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.

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

(h) *Appeals.* Any appeal from the provisions of 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.

(i) *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.

(j) *Correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Safety and Tech-

nical Equipment Division, Washington, D. C., Ref.: L-259.

Issued this 15th day of February 1943.

CURTIS E. CALDER,

Director General for Operations.

[F. R. Doc. 43-2442; Filed, February 15, 1943; 10:10 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL

[MPR 112; Amendment 11]

PENNSYLVANIA ANTHRACITE

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

In § 1340.195, paragraph (b) (3) is amended; in § 1340.197, the text is designated as paragraph (b), a new paragraph (a) is added and the headnote is amended to read as set forth below; in § 1340.200, paragraph (c) (1) is amended.

§ 1340.195 Records and reports.

(b) * * * * *

(3) The cash discounts on all sales and quantity discounts, or rebates, f. o. b. trucks at mines or preparation plants operated as an adjunct to a mine or mines, in effect during the period October 1-15, 1941, inclusive.

§ 1340.197 Applications for adjustment and petitions for amendment.

(a) (1) The Administrator may by order grant an adjustment of the maximum prices to any producer who shows to the satisfaction of the Administrator that (i) the sale of its mine's entire production at the maximum prices would not return a realization equal to its representative cost of production; (ii) such costs of production are of a continuing nature; and (iii) the anthracite produced at the mine has in the past sold at premium prices or is of such quality that there is now a reasonable opportunity for securing premium prices.

(2) The Office of Price Administration may require in connection with any such application, filed under the provisions of this paragraph, full data on costs, profits, price history and other relevant factors. Applications for adjustment pursuant to this paragraph shall be filed in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

(3) Any adjustments granted under this paragraph shall not exceed the amount necessary to permit the producer to obtain a realization on the sale of its mine's entire production approximately equal to the mine's representative cost of production.

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

7 F. R. 2512, 2739, 2818, 2968, 3521, 4294, 4539, 4540, 8948, 10529, 10554, 10714, 8 F. R. 444.

(b) Persons seeking any modification of this Maximum Price Regulation No. 112 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1340.200 Appendix A: Maximum prices for anthracite. * * *

(c) Cash discounts, credit terms and special services. (1) There shall be deducted from the maximum prices established in paragraphs (a) and (b) of this section the cash discounts on all sales and quantity discounts, or rebates, f. o. b. trucks at mines or preparation plants operated as an adjunct to a mine or mines, in effect during the period October 1-15, 1941, inclusive.

This amendment shall become effective Feb. 12, 1943.

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

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2325; Filed, February 12, 1943; 3:24 p. m.]

PART 1340—FUEL

[MPR 120,¹ Amendment 39]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

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

Section 1340.229 (b) is amended to read as set forth below:

Section 1340.229 Appendix R: Maximum prices for bituminous coal produced in District No. 18. * * *

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.

From all mines	Prices and size group Nos.															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Subdistrict No. 1.....	565	530	520	520	470	445	405	340	310	280	225	425	455			
Subdistrict No. 2.....	540	515	505	490	505	480	450	420	350	300	280	240	425	425		
Subdistrict No. 3.....		450						385	285	235		185				
Subdistrict No. 4.....	535	485							245					335	335	
Subdistrict No. 5.....		585						535		385		285			485	
Subdistrict No. 6.....		485			435			385	300	335	255	235		435		
Subdistrict No. 7.....		485						385	300	275	255	210				
Subdistrict No. 8.....		335							235	185	135				285	

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses. The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 110 cents in all size groups.

(3) Maximum prices in cents per net ton for railroad fuel. The maximum prices for railroad fuel shall be those

shown in subparagraph (1) above for Size Group No. 16: Provided, That where no maximum price is specified therein for a particular subdistrict, or where the size of coal involved is not included in Size Group No. 16 the maximum price for such railroad fuel shall be the commercial all-rail maximum price for the grade and size involved.

Exception to (2) above: Sub-District No. 2.

Producer	Mine	Mine index	Movement	Prices and size group Nos.															
				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Albuquerque & Cerrillos Coal Co.	Jones.....	11	Truck.....	555	520	505	520	495	465	435	365	315	295	255	450				

This Amendment No. 39 shall be effective as of February 12, 1943.

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

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2341; Filed, February 12, 1943; 4:31 p. m.]

*Copies may be obtained from the Office of Price Administration.
¹ 7 F.R. 3168.

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

In § 1340.159 (c) (1) (xiii), the text is designated (a) and a new inferior subdivision (b) is added as set forth below:

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

(c) Specific prices. * * *

(1) Crude petroleum. * * *

(xiii) Kentucky. * * *

(b) The maximum price at the receiving tank for crude petroleum produced in the Uniontown field, Union County, Kentucky shall be \$1.37 per barrel.

§ 1340.158a Effective dates of amendments. * * *

(ppp) Amendment No. 67 (§ 1340.159 (c) (1) (xiii) (b)) to Revised Price Schedule No. 88 shall become effective the 18th day of February 1943.

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

Issued this 12th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2324; Filed, February 12, 1943; 3:26 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 226,¹ Amendment 5]

FRUIT PRESERVES, JAMS AND JELLIES

A statement of the considerations involved in the issuance of Amendment No. 5 to Maximum Price Regulation No. 226 has been issued and filed with the Division of the Federal Register.*

In § 1341.302, paragraph (a) (3) is amended by the addition of a word, a new subparagraph (4) is added to paragraph (a), and paragraphs (g) and (h) are added; in § 1341.309a, the first sentence in paragraph (b) (1) is amended and a new paragraph (c) is added; all as shown below.

§ 1341.302 Packer's maximum prices for fruit preserves, jams and jellies. (a) The packer's maximum price per dozen or other unit f. o. b. factory for each kind, flavor, brand and container type and size of fruit preserves, jams and jellies covered by this Maximum Price Regulation No. 226 shall be:

(3) * * * except as limited in paragraph (b) (7) of this section; plus
(4) The difference, if any, per dozen or other unit between the weighted average cost, exclusive of fruit, which the packer actually incurred during the year 1941 in cold-packing fresh fruit of the given flavor for use in his 1941 pack and the weighted average cost which he ac-

¹ 7 F.R. 7490, 8798, 8889, 8890, 8948, 10226; 8 F.R. 1134.

PART 1340—FUEL

[RPS 88,² Amendment 67]

PETROLEUM AND PETROLEUM PRODUCTS

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

² 7 F.R. 1107, 1371, 1798, 1799, 1886, 2132, 2304, 2352, 2634, 2945, 3463, 3482, 3524, 3576, 3895, 3963, 4483, 4653, 4854, 4857, 5491, 5867, 5868, 5988, 5983, 6057, 6167, 6471, 6680, 7242, 7838, 8433, 8478, 9120, 9134, 9335, 9425, 9460, 9620, 9621, 9817, 9820, 10684, 11069, 11112, 11075; 8 F.R. 157, 232, 233, 857, 1227, 1200, 1457, 1312, 1318, 1642.

tually incurred during the year 1942 in cold-packing fresh fruit for use in his 1942 pack. However, in no event shall this difference exceed 1 cent per pound of the frozen fruit.

(g) *Separate maximum prices in sales to wholesalers and retailers.* Any packer who has an established practice of selling an item to wholesalers and retailers at substantially different prices may calculate separate maximum prices to these classes of purchasers. For this purpose, the packer shall accordingly segregate his 1941 prices for the item when calculating weighted average prices charged during the 1941 base period.

(h) *Sales to the United States and agencies.* Any packer selling an item to the United States or its agencies shall take as his maximum price in that sale the maximum price established for him in sales to wholesalers or, if he sells only to retailers, the maximum price established for him in sales to retailers. A packer who sells only to the ultimate consumer shall take as his maximum price the maximum price which the nearest comparable packer who sells to wholesalers or retailers is entitled to charge.

§ 1341.309a *Information which packers must give their customers.*

(b) *Notice from packers to retailers—*
(1) *General package requirement.* Every packer who sells any item of fruit preserves, jams or jellies under his own label during the 90-day period beginning November 6, 1942, whether to a wholesaler or a retailer, shall include with its shipping case (or other package unit in which the retailer usually purchases the product) a "Notice of Retailers Permitted Increase".

(c) *Notification of wholesalers and retailers where the packer's maximum price has again been changed.* In cases where the packer is required to revise his maximum price for an item because of an amendment changing the packer's pricing method, the packer shall insert shipping case notices, in the manner explained above in paragraph (b), for 90 days after the change is made. If the packer previously sent out retailer notices for the item, he shall add the following sentence to the new notice: "OPA has made a new change in the packer's ceiling price and it now directs you to re-figure your ceiling as provided in this notice." The packer shall also notify his wholesalers in the manner explained in paragraph (a), and in each case where a wholesaler notice for the item has already been sent out he shall add the same new sentence and shall request that the wholesaler do likewise when notifying retailers.

§ 1341.317 *Effective dates of amendments.*

(f) Amendment No. 5 (§§ 1341.302 (a), (g), and (h), 1341.309a (b) and (c), and 1341.317 (f)) to Maximum Price Regu-

lation No. 226 shall become effective February 18, 1943.

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

Issued this 12th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2326; Filed, February 12, 1943; 3:24 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,¹ Amendment 12]

MAXIMUM PRICES FOR SPECIFIED FOODS

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

Section 1351.801 (i) is amended to read as set forth below:

§ 1351.801 *Purpose of this regulation.*

(b) *Meaning of the term "listed food products".* Wherever the term "listed food products" appears in this regulation it refers to a particular kind, grade, quality and container size of the food products listed above.

§ 1351.821 *Effective dates of amendments.*

Amendment No. 12 (§ 1351.801 (i)) to Maximum Price Regulation No. 280 shall become effective December 3, 1942. (Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2327; Filed, February 12, 1943; 3:26 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 322]

ALFALFA HAY—CALIFORNIA, OREGON,
WASHINGTON

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for sales of alfalfa hay in California, Oregon and Washington.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emer-

*Copies may be obtained from the Office of Civilian Defense.

¹ 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158 876, 877, 1120, 1468.

gency Price Control Act of 1942, as amended. So far as practicable the Administrator has advised and consulted with members of the industry which will be affected by this regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration after consultation with and with the concurrence of the Secretary of Agriculture, this Maximum Price Regulation No. 322 is hereby issued.

AUTHORITY: §§ 1351.1950 to 1351.1966 inclusive issued under Public Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871.

§ 1351.1950 *Prohibition against sales of alfalfa hay in California, Oregon and Washington above maximum prices.* On and after the effective date of this regulation regardless of any contract or other obligation, no person subject to this regulation shall sell or deliver alfalfa hay and no person subject to this regulation in the course of trade or business shall buy or receive such alfalfa hay at a price higher than the maximum prices permitted by this regulation and no person subject to this regulation shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That the provisions of this regulation shall not apply to sales or deliveries of alfalfa hay otherwise covered by this regulation if prior to the effective date of this regulation such alfalfa hay has been sold to a buyer and has been received by a carrier other than a carrier owned or controlled by the seller for shipment to such buyer. But any resales of such last mentioned alfalfa hay which is so in transit at the effective date of this regulation shall be subject to this regulation.

§ 1351.1951 *Sales at lower than maximum prices.* Lower prices than the maximum prices set forth in this regulation may be charged, demanded, paid or offered.

§ 1351.1952 *Territory and transactions subject to this regulation.* The provisions of this regulation shall apply only to the states of California, Oregon and Washington. It shall govern the sale and delivery of all alfalfa hay produced in such states as well as the sale and delivery of all alfalfa hay produced elsewhere which is sold to a dealer, retailer, feeder or ultimate user located in any of said states.

§ 1351.1953 *Maximum prices for sales by a producer.* (a) "Producer" means a person who grows or raises alfalfa hay.

(b) The maximum price for the sale or delivery of alfalfa hay by a producer shall be \$20.00 per ton loose on the farm except that in a sale or delivery where a certificate signed by a federal or state

hay inspector is furnished the maximum prices for the grade described in the certificate loose on the farm shall be as follows:

	Grade No. 1	Grade No. 2	Grade No. 3
Alfalfa hay	\$22.50	\$20.00	\$17.00
Alfalfa leafy hay		21.00	19.00
Alfalfa extra leafy hay	25.50	22.00	20.00

(c) The maximum delivered price for the sale or delivery of alfalfa hay by a producer shall be the applicable maximum price loose on the farm as above set forth plus actual transportation charges from seller's farm to buyer's receiving point.

§ 1351.1954 *Maximum prices for sales by a dealer.* (a) "Dealer" means a person who buys alfalfa hay from any person and resells it other than at retail.

(b) The maximum price for the sale or delivery of alfalfa hay by a dealer shall be \$1.50 per ton over his cost which must not exceed a producer's maximum price thereon plus all actual transportation charges incurred by such dealer as the seller.

§ 1351.1955 *Maximum prices for sales by a retailer.* (a) "Retailer" means a person who buys alfalfa hay from any person and resells the same in quantities of less than 2 tons to a feeder or ultimate user after unloading and storing the same in his established place of business which must consist of a permanent structure or building such as a feed store or structural warehouse.

(b) The maximum price for the sale or delivery of alfalfa hay by a retailer shall be \$5.00 per ton over his cost which must not exceed a dealer's maximum price thereon plus all actual transportation charges incurred by the retailer as the seller.

§ 1351.1956 *Maximum price for sales in bales.* Where alfalfa hay is sold in bales the cost of baling not exceeding \$4.00 per ton if and as incurred by the seller may be added to the appropriate maximum price above set forth.

§ 1351.1957 *Maximum prices for sales of alfalfa hay imported from a foreign country.* (a) The maximum price for the first sale and delivery of alfalfa hay imported from a foreign country within the States of California, Oregon and Washington after the importation shall be the total of:

(1) The seller's cost not exceeding the maximum price of a producer plus \$1.00 per ton, plus

(2) The maximum mark up for the class of persons to which the seller belongs, plus

(3) Actual transportation charges from the port of entry of the alfalfa hay in question to the buyer's receiving point.

(b) The maximum price for all subsequent sales and deliveries of such alfalfa hay shall be the maximum mark up

of the class of persons to which the seller belongs over his cost not exceeding the maximum price which he could have lawfully have paid a dealer as a first seller thereof plus actual transportation charges incurred by such seller if any.

§ 1351.1958 *Addition of freight tax.* In adding transportation charges under the foregoing sections the seller may add and include as a part thereof the 3 per cent transportation tax when paid provided for under section 620 of the Revenue Act of 1942.

§ 1351.1959 *Limitation on mark ups in sales between dealers or between retailers respectively.* No more than a total of one dealer's mark up of \$1.50 per ton shall be added or included in determining the maximum price of any dealer irrespective of the number of dealers who may have handled the alfalfa hay in question.

No more than the total of one retailer's mark up of \$5.00 per ton shall be added or included in determining the maximum price of any retailer irrespective of the number of retailers who may have handled the alfalfa hay in question.

§ 1351.1960 *Maximum price for export sales.* The maximum price at which any person subject to this regulation may export any alfalfa hay covered by this regulation shall be determined in accordance with Revised Maximum Export Regulation issued by the Office of Price Administration.

§ 1351.1961 *Maximum prices shall not be increased for any special charges.* The maximum prices hereinbefore specified shall not be increased by any other charges whatsoever including but not limited to duties, brokerages, or commissions, storage, insurance, carrying or handling charges or charges for the extension of credit.

§ 1351.1962 *Definitions.* As used in this regulation alfalfa hay and grades of alfalfa hay refer to alfalfa hay and grades of alfalfa hay as established in the Handbook of Official Hay Standards issued by the Department of Agriculture.

§ 1351.1963 *Records and reports.* (a) Every seller subject to this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect his customary records including if any all bills, invoices and other documents relating to every sale or delivery of alfalfa hay after the effective date of this regulation.

(b) Upon demand every such seller shall submit such records to the Office of Price Administration and keep such further records as the Office of Price Administration may from time to time require.

§ 1351.1964 *Evasion.* The maximum prices set forth in this regulation shall not be evaded in any manner whatsoever in connection with any offer, solicitation, agreement, sale, delivery,

purchase or receipt of or relating to alfalfa hay alone or in conjunction with any other charge, discount, premium or privilege or by tying agreement or other trade understanding or by changing a previous business practice.

§ 1351.1965 *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension provisions and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

Persons who have evidence of any violation of this regulation or of any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such violation are urged to communicate with the nearest district, field, state, or regional office of the Office of Price Administration or with its principal office in Washington, D. C.

§ 1351.1966 *Effective date.* This Maximum Price Regulation No. 322 (§§ 1351.1950 to 1351.1966 inclusive) shall become effective on and after February 18, 1943.

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

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2328; Filed, February 12, 1943; 3:26 p. m.]

PART 1372—SEASONAL COMMODITIES

[MPR 210, Amendment 10]

RETAIL AND WHOLESALE PRICES FOR FALL AND WINTER SEASONAL COMMODITIES*

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

A new § 1372.113 is added, as set forth below:

§ 1372.113 *Modification of maximum prices for certain commodities and transactions.* The maximum prices for the commodities and transactions listed below are to be determined as hereinafter provided:

(a) *Sales at retail of bowl or reflector type electric portable heaters*—(1) *Maximum prices.* The maximum price for a sale at retail of a bowl or reflector type portable electric heater is the price set forth below:

Watts 659 and less	\$3.00
Watts 660 to 799	4.00
Watts 800 to 999	5.00
Watts 1,000 and over	6.00

These prices include Federal excise tax.

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

17 F.R. 6789, 7318, 7173, 7912, 8651, 8930, 8937, 8948, 9614, 10109; 8 F.R. 973.

(2) *Application for exception.* Any seller at retail of a bowl or reflector type electric portable heater may apply to the appropriate Regional Office of the Office of Price Administration for an order granting an exception to the provisions of subparagraph (1) and authorizing the use of the pricing formulas contained in §§ 1372.102 to 1372.104 of this Maximum Price Regulation No. 210. Each Regional Administrator is authorized to grant an exception to any applicant who is able to show:

(i) That the manufacturer of the heater has complied with the provisions of Maximum Price Regulation No. 138. Evidence of this may be submitted in the form of an affidavit of the manufacturer setting forth that he is the manufacturer of the heater, and that he determined his price in accordance with Maximum Price Regulation No. 138 and reported it, if required to do so; together with a statement of such price and the method of computing it; and

(ii) If the heater was bought from a wholesaler, that the wholesaler and any prior sellers other than the manufacturer have complied with Maximum Price Regulation No. 210. Evidence of this may be submitted in the form of affidavits of the wholesaler and of any other prior sellers other than the manufacturer setting forth that they sold the heater and determined its price in accordance with Maximum Price Regulation No. 210 or the General Maximum Price Regulation; together with statements of the prices charged and the methods of computing them.

The applicant must also show his own maximum price as computed under Maximum Price Regulation No. 210 and the method of determining it.

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

(j) Amendment No. 10 (§ 1372.113 (a)) to Maximum Price Regulation No. 210 shall become effective February 18, 1943.

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

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2331; Filed, February 12, 1943; 3:25 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5B¹, Amendment 14]

GASOLINE RATIONING REGULATIONS FOR PUERTO RICO

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

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

¹ 7 F.R. 5807, 6389, 6390, 7400, 6871, 7908, 8385, 8385, 9134, 9431, 9817, 10109, 10379, 10530; 8 F.R. 534, 976.

Section 1394.2252 and paragraph (b) of § 1394.2301 are amended to read as follows and paragraph (n) is added to § 1394.3052:

§ 1394.2252 *Basic ration books.* (a) Class A Ration Books shall be issued as basic rations for passenger automobiles, shall contain six (6) pages of eight (8) coupons to each page and shall be valid for transfer of gasoline to holders thereof only during the periods as follows:

Coupons:	Valid period Month of
A-6-----	January 1943
A-7-----	February 1943
A-8-----	March 1943
A-9-----	April 1943
A-10-----	May 1943
A-11-----	June 1943
A-12-----	July 1943

(b) Class D Ration Books marked "basic" shall be issued as basic rations for motorcycles, shall contain six (6) pages of eight (8) coupons to each page and shall be valid for transfers of gasoline to the holders thereof at any time during the semi-annual period commencing February 1st or August 1st for which they shall be issued.

§ 1394.2301 *Supplemental rations.* * * *

(b) Class B and C Ration Books shall be issued as supplemental rations for passenger automobiles, shall contain twelve (12) pages of eight (8) coupons to each page and shall be valid for transfers of gasoline to holders thereof only during periods as follows:

B or C coupons bearing No.:	Valid period—6 days commencing with—
12-----	January 24, 1943
13-----	February 1, 1943
14-----	February 8, 1943
15-----	February 15, 1943
16-----	February 22, 1943
17-----	March 1, 1943
18-----	March 8, 1943
19-----	March 15, 1943
20-----	March 22, 1943
21-----	March 29, 1943
22-----	April 5, 1943
23-----	April 12, 1943
24-----	April 19, 1943

§ 1394.3052 *Effective dates of amendments.* * * *

(n) Amendment No. 14 (§§ 1394.2252 and 1394.2301 (b)) shall become effective at 6:00 p. m. on January 28, 1943.

(Pub. No. 617, 76th Cong., 3rd sess., as amended by Pub. No. 89, 77th Cong., 1st sess., and by Pub. No. 507, 77th Cong., 2nd sess., Pub. No. 421, 77th Cong., 2nd sess., WPB Directive No. 1, Supp. Div. No. 1J as amended (7 F.R. 562, 8731))

Issued this 28th day of January 1943.

WILLIAM B. MEAD,
Director,
Office of Price Administration
for Puerto Rico.

[F. R. Doc. 43-2329; Filed, February 12, 1943; 3:26 p. m.]

[Ration Order 3,¹ Amendment 39]
PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

SUGAR RATIONING REGULATIONS

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

Paragraph (f) is added to § 1407.86 as set forth below:

Institutional and Industrial Users

§ 1407.86 *Allotments.* * * *

(f) Notwithstanding the provisions of paragraph (b), no registering unit may apply for an allotment for the period beginning March 1, 1943, to be used by the registering unit in the preparation or service of food or beverages which the registering unit or the owner of the registering unit will serve to consumers or for an allotment on that part of a base which was established on the basis of such a use: *Provided, however,* That a registering unit that applies on or before February 27, 1943, may obtain an allotment not in excess of one-fourth of the amount which it obtained on the basis of such use pursuant to this section for the January-February period. Any allotment granted pursuant to this paragraph shall be deducted from future allotments for such use (institutional user allotments).

Effective Date

§ 1407.222 *Effective date of amendments.* * * *

(nn) Amendment No. 39 (§ 1407.86 (f)) shall become effective February 12, 1943.

(Pub. Law 421, 77th Cong., W.P.B. Dir. No. 1 and Supp. Dir. No. 1E)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2340; Filed, February 12, 1943; 3:37 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12,² Amendment 15]

COFFEE RATIONING REGULATIONS

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

Section 1407.1041 is amended to read as follows, and paragraph (o) of § 1407-1090a is added as set forth below:

¹ 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8830, 9831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845; 8 F.R. 166, 262, 445, 620, 1028, 1204, 1288.

² 7 F.R. 9710, 10380, 11071, 11072; 8 F.R. 28, 167, 566, 621, 566, 978, 1316, 1366, 1266, 1631.

Transfer and Acquisition of Green Coffee

§ 1407.1041 *Transfer and acquisition of green coffee.* (a) Notwithstanding anything to the contrary contained in Ration Order No. 12, no person shall acquire, except by import or pursuant to §§ 1407.1053, 1407.1054, 1407.1056, 1407.1058, or 1407.1060, green coffee if as the result of such acquisition his existing inventory would exceed 50 percent of his allowable inventory of coffee. If green coffee is acquired by any person by import or pursuant to §§ 1407.1053, 1407.1054, 1407.1056, 1407.1058, or 1407.1060, in an amount which, together with the coffee in his existing inventory, exceeds 50 percent of his allowable inventory of coffee, such person if he does not make an immediate sale of coffee in an amount equivalent to such excess shall, within 24 hours after acquiring such green coffee, offer, through established coffee dealers and brokers, an equivalent amount of coffee for sale in conformity with Ration Order No. 12. If, prior to the acceptance of such offer, such person becomes entitled, as a result of reduction of his existing inventory, to acquire green coffee, coffee in an amount equivalent to the amount which he is so entitled to acquire may be withdrawn from the amount of coffee offered for sale pursuant to this section.

(b) Any person making an offer for sale in accordance with paragraph (a) of this section shall, at the same time, forward a report to the Office of Price Administration, Washington, D. C., stating (1) the amount so offered for sale; (2) whether the coffee offered for sale is from his existing inventory; (3) a description of the coffee offered for sale; (4) the location of the coffee offered for sale; and (5) the names and addresses of the brokers or dealers through whom the offer is being made. In the event of the sale or the withdrawal from offer for sale, pursuant to paragraph (a) of this section, of any such coffee, such person shall forward a report of such sale or withdrawal, within 24 hours thereafter, to the Office of Price Administration, Washington, D. C., stating, in the case of a sale, the name and address of the purchaser, the date of sale, and the amount sold, and, in the case of such withdrawal, the amount withdrawn from the offer for sale.

Effective Date

§ 1407.1090a *Effective dates of amendments.* * * *

(c) Amendment No. 15 (§§ 1407.1041 and 1407.1090a (c)) to Ration Order No. 12 shall become effective February 12, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; WPB Dir. No. 1, Supp. Dir. No. 1-R)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2333; Filed, February 12, 1943; 3:27 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12, Amendment 17]

COFFEE RATIONING REGULATIONS

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

Paragraph (a) of § 1407.1000 is amended to read as follows, and paragraph (c) of § 1407.1000 and a new item to § 1407.1092 are added, as set forth below:

Institutional Users

§ 1407.1000 *Allotment certificates—*
(a) *Application.* Application for allotment certificates shall be made by a registering unit for each period, as provided in this section. The first period for which allotment certificates may be granted shall be the period from the date of registration to January 31, 1943, inclusive, and application therefor shall be made at the time of registration. The second such period shall be from February 1, 1943, to February 28, 1943, inclusive. All subsequent applications for allotment certificates shall be for consecutive two-month periods, the first of which shall commence on March 1, 1943. Applications shall be made not later than the fifth day of the first month of the period for which the application is being made and not earlier than the 15th day of the month preceding the period. The board, in its discretion, may permit an application to be made at any time after the time specified herein but in such case the board shall reduce the allotment by an amount which bears the same proportion to the allotment as the number of days which have elapsed from the start of the period bears to the total number of days in the period.

(c) *Limitation on applications.* Notwithstanding the provisions of paragraph (a) of this section, no registering unit may apply for an allotment for the period beginning March 1, 1943, to be used by the registering unit in the preparation of beverages which the registering unit or the owner thereof will serve to individuals or for an allotment on that part of a base which was established on the basis of such a use: *Provided, however,* That a registering unit that applies on or before February 27, 1943, may obtain an allotment not in excess of one-half of the amount which it obtained on the basis of such use pursuant to Ration Order No. 12 for the period beginning February 1, 1943. Any allotment granted pursuant to this paragraph shall be deducted from future allotments for such use (institutional user allotments).

*Copies may be obtained from the Office of Price Administration.
17 F.R. 9710, 10380, 11071, 11072; 8 F.R. 28, 167, 566, 621, 978, 1286, 1631.

Schedules

§ 1407.1092 *Allotment percentage for institutional users.*

Period	Percentage of base
March 1, 1943, to April 30, 1943, inclusive..	80

This amendment shall become effective February 12, 1943.

(Pub. Law 671, 76th Congress, as amended by Pub. Laws 89, 507, 421, and 729, 77th Congress; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R)

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2334; Filed, February 12, 1943; 3:27 p. m.]

PART 1426—WOOD PRESERVATION AND PRIMARY FOREST PRODUCTS

[MPR 324]

NORTHERN WHITE CEDAR FENCE POSTS

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for sales of Northern white cedar fence posts by a specific maximum price regulation. This commodity designation embraces fence posts produced in a defined area of the northern States. The Price Administrator has ascertained and given due consideration of the prices of Northern white cedar fence posts prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the Industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. A statement of the considerations involved in the issuance of this regulation has been prepared, issued simultaneously herewith, and has been filed with the Division of the Federal Register.* Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, Maximum Price Regulation No. 324 is hereby issued.

* 17 F.R. 8961.

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- Sec.
- 1426.201 Sales of Northern white cedar fence posts at higher than maximum prices prohibited.
- 1426.202 Scope of this regulation.
- 1426.203 Maximum prices for sales to a person other than a consumer.
- 1426.204 Maximum prices for sales to consumers.
- 1426.205 Transportation additions.
- 1426.206 Display of maximum prices.
- 1426.207 Prohibited practices.
- 1426.208 Petitions for adjustment and amendment.
- 1426.209 Records.
- 1426.210 Enforcement and licensing.
- 1426.211 Relation to other regulations.
- 1426.212 Effective date.

§ 1426.201 *Sales of Northern white cedar fence posts at higher than maximum prices prohibited.* (a) On and after February 18, 1943, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of trade or business, any Northern white cedar fence posts at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

§ 1426.202 *Scope of this regulation—* (a) *Products covered.* The term "Northern white cedar fence posts" is used to describe round or split, peeled or unpeeled, fence posts which are cut from white cedar (*Thuja occidentalis*) produced in the states of Michigan, Minnesota, and Wisconsin.

(b) *Persons covered.* Any person who buys (in the course of trade or business) or sells Northern white cedar fence posts is subject to this regulation. The term "person" includes: an individual, corporation, partnership, association, or any other organized groups, their legal successors or representatives; the United States or any government, or any of its political subdivisions; or any agency of the foregoing.

§ 1426.203 *Maximum prices for sales to a person other than a consumer.* (a) The following are the maximum prices at which Northern white cedar fence posts may be sold to any person other than a consumer. These prices are f. o. b. concentration yard or other loading-out point in the producing area. Where sales are made on a delivered basis the maximum price shall be established by adding the appropriate transportation addition as provided in § 1426.205 (*Transportation additions*):

thereafter be the maximum price for that seller for that item. Pending approval or action by the Office of Price Administration, the seller may deliver the item and receive payment therefor, subject to the condition that a refund will be made if the price is in excess of that finally approved by the Office of Price Administration.

(2) For any size of northern white cedar fence posts for which a specific maximum price is not provided, and which cannot be priced under paragraph (a) of this section, the maximum price shall be the price established by the Lumber Branch, Office of Price Administration, Washington, D. C., after full facts have been submitted in support of any request for the establishment of such a maximum price. This maximum price may be established by a letter or telegram.

§ 1426.204 *Maximum prices for sales to consumers.* The maximum delivered prices at which northern white cedar fence posts may be sold to consumers shall be the sum of the following:

- (a) The prices listed in § 1426.203;
- (b) The transportation addition provided in § 1426.205 (a) (2); and
- (c) 3 1/2 percent of the sum of (1) and (2).

§ 1426.205 *Transportation additions.* (a) To the maximum prices set forth in § 1426.203 may be added transportation from the applicable basing point, which as used in this regulation means either Gemmill, Minnesota; Rexton, Michigan; or Rhinelander, Wisconsin. (1) Where sale is made to a person not a consumer, the basing point is the one nearest the shipper's loading out point. (2) When sale is to a consumer, the basing point shall be the one nearest the retailer if sold by a retail yard, or nearest the consumer, if sold by any other person.

For example, a concentration yard operator in computing a delivered price to a retailer must use the basing point nearest the concentration yard. The retailer, selling to consumers, on the other hand, must use the basing point nearest the retail yard in arriving at his maximum price.

(b) The addition shall be computed as follows:

(1) When the estimated weights in § 1426.203 are used, the weight times the carload freight rate from the applicable basing point to the actual destination is the maximum permissible addition, even if the estimated weights are higher than the actual weights. Estimated weights higher than those given in § 1426.203 may not be used.

(2) When estimated weights are not used, the amount for transportation shall be the actual weight times the rate from the applicable basing point.

§ 1426.206 *Display of maximum prices.* Any person selling Northern white cedar fence posts to consumers shall display in a manner plainly visible to and understandable by the purchasing public the maximum prices permitted under this regulation. Such display shall be headed "Ceiling Prices" and shall list the prices by diameter and length.

Diameter at small end (except on quarters which are measured by width of flat side)	Length	Each	Estimated weights	Diameter at small end	Length	Each	Estimated weights
7" to 9" Quarters.....	7'	\$0.14	Lbs. 17	3" round.....	8'	\$0.17	Lbs. 23
Over 9" to 10" Quarters.....	7'	.18	22	4" round.....	8'	.25	35
5" Halves.....	7'	.17	17	5" round.....	8'	.32	45
6" Halves.....	7'	.19	22	6" round.....	8'	.40	60
7" Halves.....	7'	.21	30	7" round.....	8'	.50	75
8" Halves.....	8'	.22	22	8" round.....	8'	.80	90
6" Halves.....	8'	.25	27	6" round.....	9'	.50	68
7" Halves.....	8'	.28	37	4" round.....	10'	.47	45
5" Halves.....	10'	.40	27	5" round.....	10'	.60	55
6" Halves.....	10'	.50	37	6" round.....	10'	.68	75
4" Round.....	6'	.19	14	7" round.....	10'	.90	90
5" Round.....	6'	.21	25	8" round.....	10'	1.30	123
6" Round.....	6'	.23	40	4" round.....	12'	.66	55
2" Round.....	7'	.11	10	5" round.....	12'	.70	75
3" Round.....	7'	.185	17	6" round.....	12'	.80	90
4" Round.....	7'	.23	24	7" round.....	12'	1.40	110
5" Round.....	7'	.26	35	8" round.....	12'	1.95	135
6" Round.....	7'	.30	50	4" round.....	14'	.75	70
7" Round.....	7'	.35	65	5" round.....	14'	.90	85
8" Round.....	7'	.50	75	6" round.....	14'	1.20	110

Additions for selected stock:
All diameters, eight feet long, turning stock posts, add \$0.10 each.
All diameters, ten feet long, turning stock posts, add \$0.20 each.

(b) *Sizes not specifically priced.* Sizes of northern white cedar fence posts not specifically priced in subsection (a) above, are nevertheless subject to this regulation. Maximum prices for such posts shall be determined as follows:

(1) The maximum price shall bear the October 1941 relationship to the "yardstick" size, which is a post 3" round and 7' long. The seller should find the difference between the price received for the "yardstick" size and the item to be priced during October 1941, or the first month prior to October 1941 in which he made sales of both sizes. He should then determine the price at which he sold northern white cedar fence posts 3" round and 7' long during that same month. The difference between these amounts shall be added to the maximum here established for the yardstick

(\$0.185), where the item is of greater value than the "yardstick" size, or subtracted from the maximum established for the yardstick if it is of less value. The resulting amount shall be the tentative maximum price. If the seller made no sales of the "yardstick" size, he may use the nearest comparable size to make this computation.

This tentative price shall be submitted to the Lumber Branch, Office of Price Administration, Washington, D. C., within 10 days of the use of the price, together with certified copies of the invoices of the sales which were used to determine the maximum price. If, within thirty days after receipt of the request for approval, the Office of Price Administration does not adjust or require further justification of the maximum price, it shall be considered approved and shall

§ 1426.207 *Prohibited practices.* (a) *General.* Any practice which obtains the effect of a higher-than-ceiling price without actually raising the price, is as much a violation of this Regulation as an outright over-ceiling price. This applies to the use of commissions, serviced, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings, and the like.

(b) *Adjustable pricing.* A price may not be adjustable to a maximum price which will be in effect at some time after delivery of the product has been completed, but the price may be adjustable to the maximum price in effect at the time of delivery.

§ 1426.208 *Applications for adjustments and petitions for amendment—*

(a) *Government contracts.* (1) Any person who has made or intends to make a "government contract" and who thinks that a maximum price in this regulation is impeding or threatens to impede production of any northern white cedar fence posts which are essential to the war program and which are or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6⁷ issued by the Office of Price Administration.

(2) The term "government contracts" is here used to include any contract with the United States or any of its agencies, or with the Government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An act to promote the defense of the United States". It also includes any subcontract under this kind of contract.

(3) As soon as the application is filed, contracts, deliveries, and payments may be made at the requested price, subject to refund if the requested price is disapproved or lowered. The seller must advise the buyer that the delivery is made subject to this refund.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,⁸ issued by the Office of Price Administration.

§ 1426.209 *Records.* Any person, other than a consumer, who buys or sells 200 or more Northern white cedar fence posts in any one month, must keep records of the items sold, names and addresses of buyers, date of sale, and price. The records must be kept for two years for inspection by the Office of Price Administration.

§ 1426.210 *Enforcement and licensing.*

(a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended.

⁷ 7 F.R. 5087, 5664.

⁸ 7 F.R. 8961.

(b) Persons who have evidence of any violation of this regulation or any regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration of its principal office in Washington, D. C.

(c) The provisions of Supplementary Order No. 18 (§ 1205.22)⁴ licensing persons selling lumber, lumber products, or building materials, are applicable to every person, except producers making sales of Northern white cedar fence posts for which maximum prices are established by this regulation. This order, in brief, provides that a license is necessary, except for producers, to make sales under this regulation. A license is automatically granted to all sellers making these sales. It is not necessary to apply specially for the license, but a registration may later be required. The Emergency Price Control Act of 1942, as amended, and Supplementary Order 18 tell the circumstances under which licenses may be suspended. The license cannot be transferred.

—§ 1426.211 *Relation to other regulations—*(a) *General Maximum Price Regulation.* Any sale or delivery covered by this maximum price regulation is not subject to the General Maximum Price Regulation.

(b) *Maximum Export Price Regulation.* The maximum price for export sales of Northern white cedar fence posts is governed by the Revised Maximum Export Price Regulation.⁵

§ 1426.212 *Effective date.* (a) This Maximum Price Regulation 324 (§§ 1426.201 to 1426.212, inclusive) shall become effective February 18, 1943.

(b) If Northern white cedar fence posts have been received before February 18, 1943, by a carrier, other than one owned or controlled by the seller, for shipment to a buyer, the shipment is not subject to this regulation. It remains subject to the General Maximum Price Regulation.⁶

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

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2335; Filed, February 12, 1943; 3:25 p. m.]

PART 1433—FEATHERS AND DOWN

[Correction to MPR 318¹]

FEATHERS AND DOWN

The reference to March 1, 1943, in §§ 1433.1 and 1433.13² is corrected to read March 15, 1943.

¹ 7 F.R. 7240, 11007.

² 7 F.R. 5059, 7242, 8829, 9000, 10530.

³ 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5057, 5192, 5276, 5365, 5445, 5484, 5565, 5775, 5783, 5784, 6007, 6058, 6081, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8831, 8942, 9004, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

⁴ 8 F.R. 1682.

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

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2336; Filed, February 12, 1943; 3:24 p. m.]

PART 1499—COMMODITIES AND SERVICES

[GMPR,¹ Amendment 43]

DEFINITION OF "SELLER"

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

Section 1499.20 (s) is amended to read as set forth below:

§ 1499.20 *Definitions and explanations.*

(s) "Seller" includes the seller of any commodity or service. Where a seller at retail makes sales or supplies services through more than one selling unit, other than salesmen making sales at uniform prices, each such separate place of business of the seller shall be deemed to be a separate seller. Where a seller other than at retail makes sales or supplies services through more than one selling unit, all selling units whose prices for most of the commodities they sell have customarily been determined centrally by the same office, shall be deemed to be a single seller; but where a seller has by charging different prices for a commodity at his selling units established different classes of purchasers, he will have different maximum prices for the different selling units. For the purposes of Section 16 of this regulation, the owner of a business shall be considered the seller regardless of the number of separate places of business he owns.

§ 1499.23a *Effective dates of amendments.*

(rr) Amendment No. 43 (§ 1499.20 (s)) to General Maximum Price Regulation shall become effective February 18, 1943.

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

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2339; Filed, February 12, 1943; 3:27 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 78 § 1499.3 (b) of GMPR]

NORTON COMPANY

Order No. 78 (§ 1499.292) under § 1499.3 (b) of the General Maximum Price Regulation is hereby revoked.

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

¹ 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, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8831, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454, 8 F.R. 371, 1204, 1317.

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

Issued and effective this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2337; Filed, February 12, 1943;
3:24 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 96 Under § 1499.3 (b) of GMPR]
MAXIMUM PRICES FOR SPECIAL BONDED
ABRASIVES

Order No. 96 (§ 1499.960) under § 1499.3 (b) of the General Maximum Price Regulation is hereby revoked.

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

Issued and effective this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2338; Filed, February 12, 1943;
3:25 p. m.]

PART 1300—PROCEDURE
[Procedural Reg. 9, Amendment 3]
UNIFORM APPEAL PROCEDURE UNDER RATION
ORDERS

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

Paragraph (c) is added to § 1300.610 and paragraph (c) of § 1300.611 is amended as set forth below:

§ 1300.610 *Effective dates of amendments.* * * *

(c) Amendment No. 3 (§ 1300.611 (c)) to Procedural Regulation No. 9 shall become effective February 19, 1943.

§ 1300.611 *Appendix A: List of district and state offices designated by regional administrators to decide appeals.* * * *

(c) *Region III.* Indiana: Indianapolis, South Bend; Kentucky: Louisville; Michigan: Detroit, Grand Rapids, Iron Mountain, Saginaw; Ohio: Cincinnati, Cleveland, Columbus, Toledo; West Virginia: Charleston, Wheeling.

(Pub. Law 507, 77th Cong., W.P.B. Dir. 1, 7 F.R. 562; E.O. 9125, 7 F.R. 2719)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2413; Filed, February 13, 1943;
12:51 p. m.]

PART 1315—RUBBER AND PRODUCTS AND
MATERIALS OF WHICH RUBBER IS A COM-
PONENT

[Ration Order 1A, Amendment 11]

DEALER AND MANUFACTURER TRANSFERS

A rationale for this amendment has been issued simultaneously herewith and

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

¹ 7 F.R. 8796, 8 F.R. 856.

² 7 F.R. 9160, 9392, 9724, 10072, 10336; 8 F.R. 435, 606, 1585, 1623, 1629.

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

Sections 1315.804 (c) (5) (ii), 1315.805 (b) and 1315.1005 (b) are revoked. §§ 1315.804 (e), 1315.805 (a), 1315.805 (c), 1315.806 (j), 1315.807 (e), 1315.808 (b) and 1315.1005 (c) are amended as follows:

§ 1315.804 *Dealer and manufacturer transfers.* * * *

(e) *Transfers without certificate upon authorization.* (1) The following transfers of tires, tubes or camelback may be made (without certificate) upon written authorization of the State Director or District Manager having jurisdiction over the area in which the transferee is located:

(i) From a person, other than a dealer or manufacturer, to a dealer or manufacturer.

(ii) From a retailer to a dealer or manufacturer.

(iii) From a wholesaler to a wholesaler or manufacturer.

(iv) From a manufacturer to a manufacturer.

(2) The following transfers of replenishment portions (Parts B) of certificates or receipts may be made upon authorization of the State Director or District Manager having jurisdiction over the area in which the transferee is located:

(i) From a retailer to a dealer.

(ii) From a wholesaler to a wholesaler.

(3) The application for authority to make any transfer permitted in subparagraphs (1) and (2) shall state the names and addresses of the transferor and transferee, the number of Parts B and the amount, type and grade of tires, tubes or camelback called for thereon and the amount, type and grade of tires, tubes or camelback to be transferred and the reason for the transfer.

§ 1315.805 *Acquisition for retransfer purposes.* (a) Subject to the provisions of paragraph (c) of this section, tires, tubes or camelback may be acquired, without certificate, in the following cases:

(c) *Required transfers.* A person other than a dealer acquiring full title to tires, tubes or camelback hereunder shall, within thirty days, sell such tires, tubes or camelback to a dealer or manufacturer if authorized to make the transfer as provided in section 804 (e), or to the Defense Supplies Corporation.

§ 1315.806 *Transfers without certificate, special authorization or notice.* * * *

(j) *Transfer of unit for unit.* (1) A dealer may, without certificate, transfer tires, tubes or camelback to a dealer in exchange for tires, tubes or camelback of the same amount, type and grade.

(2) A dealer may, without certificate, transfer tires, tubes or camelback to a manufacturer in exchange for tires, tubes or camelback of the same amount and type and of the same or an inferior grade.

§ 1315.807 *Miscellaneous transactions.* * * *

(e) *Lost, stolen or destroyed stock and Parts B.* The State Director or District Manager for the area in which the dealer is located may, upon the dealer's application, issue replenishment portions of certificates to replace tires, tubes, camelback, replenishment portions (Parts B) or certificates which have been lost, stolen, destroyed or irreparably damaged.

§ 1315.808 *Transfers to certain governmental agencies, manufacturers of vehicles or for export.* * * *

(b) *Transfer to manufacturer of vehicles or equipment.* No person may transfer tires or tubes to any manufacturer of vehicles or equipment for mounting as original equipment on a vehicle or equipment made by him, except upon the written approval of the War Production Board.

§ 1315.1005 *Records and reports of transfers.* * * *

(c) *Record of transfers upon authorization.* Any person who acquires or transfers, tires, tubes, camelback or replenishment portions of certificates pursuant to an authorization issued by the Office of Price Administration shall retain a copy of such authorization as part of his records.

§ 1315.1199a *Effective dates of amendments.* * * *

(k) Amendment No. 11 (§§ 1315.804, 1315.805, 1315.806, 1315.807, 1315.808 and 1315.1005) to Ration Order No. 1A shall become effective February 15, 1943.

(Pub. Law No. 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2414; Filed, February 13, 1943;
12:51 p. m.]

PART 1340—FUEL
[MPR 120, Amendment 40]
BITUMINOUS COAL DELIVERED FROM MINE OR
PREPARATION PLANT

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

§§ 1340.218 (b) and 1340.219 (b) are amended to read as set forth below:

§ 1340.218 *Appendix G: Maximum prices for bituminous coal produced in District No. 7.* * * *

(b) The following maximum prices are established in cents per ton of 2,000

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, 6838, 7777, 7670, 7914, 7942, 8354, 8650, 8948, 9783, 10470, 10581, 10780, 10993, 11008, 11012; 8 F.R. 926, 1388.

ports f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

DISTRICT NO. 7—LOW VOLATILE COALS

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix—(i) Special price instructions. (a) The maximum prices from Mine Index No. 133 for 100 mesh x 0 Dust shall not exceed 275 cents per net ton.

(b) The maximum prices for Refuse Coal from Mine Index Nos. 21, 94, 117, 126 and 207 shall not exceed 250 cents per net ton.

(ii) For the methods of shipment and uses indicated in (2) above: 25 cents to Size Group 1 to 6, inclusive.

DISTRICT NO. 7—HIGH VOLATILE COALS

(6) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix—(i) Special price instructions. Price classifications and Size Group Nos. 1 to 23, inclusive, shown below, are the applicable effective minimum price classifications and size group numbers as of October 1, 1942, for all-rail shipment.

Price classifications	Prices and size group Nos.																		
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21	22	23
A	415	415	415	395	375	350	330	315	285	285	285	285	285	285	285	280	280	285	245
B	415	400	390	370	350	325	300	285	280	280	280	280	280	280	280	280	280	280	240
C	385	375	375	360	350	325	300	285	280	280	280	280	280	280	280	280	280	280	240
D	385	375	375	360	350	325	300	285	280	280	280	280	280	280	280	280	280	280	240
E	385	375	375	360	350	325	300	285	280	280	280	280	280	280	280	280	280	280	240
F	385	375	375	360	350	325	300	285	280	280	280	280	280	280	280	280	280	280	240
G	385	375	375	360	350	325	300	285	280	280	280	280	280	280	280	280	280	280	240
H	385	375	375	360	350	325	300	285	280	280	280	280	280	280	280	280	280	280	240
I	385	375	375	360	350	325	300	285	280	280	280	280	280	280	280	280	280	280	240
J	385	375	375	360	350	325	300	285	280	280	280	280	280	280	280	280	280	280	240
K	385	375	375	360	350	325	300	285	280	280	280	280	280	280	280	280	280	280	240
L	385	375	375	360	350	325	300	285	280	280	280	280	280	280	280	280	280	280	240
M	385	375	375	360	350	325	300	285	280	280	280	280	280	280	280	280	280	280	240
N	385	375	375	360	350	325	300	285	280	280	280	280	280	280	280	280	280	280	240
O	385	375	375	360	350	325	300	285	280	280	280	280	280	280	280	280	280	280	240
P	385	375	375	360	350	325	300	285	280	280	280	280	280	280	280	280	280	280	240
Q	385	375	375	360	350	325	300	285	280	280	280	280	280	280	280	280	280	280	240
R	385	375	375	360	350	325	300	285	280	280	280	280	280	280	280	280	280	280	240
S	385	375	375	360	350	325	300	285	280	280	280	280	280	280	280	280	280	280	240

(7) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses. The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 65 cents for Size Groups 1, 2, and 3; 40 cents for Size Groups 4, 5, and 6.

(8) Maximum prices in cents per net ton for railroad locomotive fuel. The maximum prices for Railroad Locomotive Fuel (including Lake and Tidewater Cargo) shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 40 cents per net ton.

(9) In the event any specific maximum price has been adjusted prior to February 9, 1943, the effective maximum price in such case shall not be determined by reference to sub-paragraphs (6) and (7) above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (6) above: 15 cents to Size Groups 1 to 8, inclusive, and Size Group 10.

(ii) For the methods of shipment and uses indicated in (7) above: 25 cents to Size Groups 1 to 6, inclusive.

§ 1340.219 Appendix H: Maximum prices for bituminous coal produced in District No. 8.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

DISTRICT NO. 8—HIGH VOLATILE COALS

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix—(i) Special price instructions. (a) Meadow Creek Coal Company, Solon Mine, Mine Index 432, shall take the same Maximum Prices for shipment to Market Area 114 (Nashville, Tennessee) as are applicable to that mine in all other Market Areas.

(b) Price classifications and size group Nos. 1 to 23, inclusive, shown below, are the applicable effective minimum price classifications and size group numbers as of October 1, 1942, for all-rail shipment.

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix—(i) Special price instructions. (a) The maximum prices from Mine Index Nos. 21, 94, 117, 126 and 207 shall not exceed 250 cents per net ton.

(b) The maximum prices for Refuse Coal from Mine Index Nos. 21, 94, 117, 126 and 207 shall not exceed 250 cents per net ton.

(ii) For the methods of shipment and uses indicated in (2) above: 25 cents to Size Groups 1 to 6, inclusive.

DISTRICT NO. 7—LOW VOLATILE COALS

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix—(i) Special price instructions. (a) The maximum prices from Mine Index No. 133 for 100 mesh x 0 Dust shall not exceed 275 cents per net ton.

(b) The maximum prices for Refuse Coal from Mine Index Nos. 21, 94, 117, 126 and 207 shall not exceed 250 cents per net ton.

Price classifications	Prices and size group Nos.									
	1	2	3	4	5	6	7	8	9	10
A	410	420	385	380	350	335	325	295	290	285
B	370	380	345	340	310	295	285	255	250	245
C	370	380	345	340	310	295	285	255	250	245
D	345	350	315	310	280	265	255	225	220	215
E	345	350	315	310	280	265	255	225	220	215
F	345	350	315	310	280	265	255	225	220	215
G	345	350	315	310	280	265	255	225	220	215
H	345	350	315	310	280	265	255	225	220	215
I	345	350	315	310	280	265	255	225	220	215
J	345	350	315	310	280	265	255	225	220	215
K	345	350	315	310	280	265	255	225	220	215
L	345	350	315	310	280	265	255	225	220	215
M	345	350	315	310	280	265	255	225	220	215
N	345	350	315	310	280	265	255	225	220	215
O	345	350	315	310	280	265	255	225	220	215
P	345	350	315	310	280	265	255	225	220	215
Q	345	350	315	310	280	265	255	225	220	215
R	345	350	315	310	280	265	255	225	220	215
S	345	350	315	310	280	265	255	225	220	215

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses. (i) The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 90 cents per ton.

(ii) The maximum prices from Mine Index No. 316 shall not exceed the following:

Price	Size groups					
	1	2	3	4	5	6
495	495	425	390	345	345	345

(3) Maximum prices in cents per net ton for railroad locomotive fuel. The maximum prices for Railroad Locomotive Fuel (including Lake and Tidewater Cargo) shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 70 cents per net ton.

(4) Maximum prices in cents per net ton for smelting coal. The maximum prices from all mines in all size groups of Smelting Coal shall not exceed 350 cents per net ton.

(5) In the event any specific maximum price has been adjusted prior to February 9, 1943, the effective maximum price in such case shall not be determined by reference to sub-paragraphs (6) and (7) above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (6) above: 15 cents to Size Groups 1 to 8, inclusive, and Size Group 10.

(ii) For the methods of shipment and uses indicated in (7) above: 25 cents to Size Groups 1 to 6, inclusive.

Price classifications	Prices and size group Nos.																					
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21	22	23			
A	415	415	415	395	375	350	330	315	285	285	285	285	285	285	280	280	265	245				
B	415	390	390	370	350	325	290	285	280	350	285	285	285	285	280	280	260	240				
C	395	375	375	360	350	325	290	285	280	350	280	280	280	280	280	260	240					
D	385	375	375	360	350	325	290	285	280	350	280	280	280	280	280	260	255	230				
E	375	365	355	350	350	320	290	285	275	350	280	280	275	275	270	270	245	225				
F	365	360	350	350	335	320	290	285	275	325	275	275	275	275	270	270	245	225				
G	365	355	340	340	325	315	290	285	275	325	275	275	275	275	265	260	240					
H	360	355	340	340	325	315	290	275	260	320				275	265	260	230					
J	355	350	340	340	325	315	285	270	250	320				275	265	260	225					
K	345	340	330	330	325	315	285	265	250	320				265	260	260	225					
L	330	330	325	325	300	300	285	265		320				265	260	260	220					
M	330	330	325	325	300	295	285	265		320				245	240	235	220					
N	330	330	325	325	300	295	275							245	240	235	220					
O	325	320	305	305	290	280	270							245	240	235	210					
P	310	305	300	300	285	280	270							245	240	235	185					
Q	310	305	300	300										245	240	235	185					
R	310	305	300	300										245	240	235	185					
S	310	305	300	300										245	240	235	185					

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses (exclusive of Cannel Coal). The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 65 cents for Size Groups 1, 2, 3, 4 and 5; 40 cents for Size Groups 6, 7 and 8.

Stoker double screened coal with top size not exceeding 1 1/4" and bottom size less than 1/4" which is now included in Size Group No. 5 in the Effective Minimum Price Schedule for District No. 8 for truck shipment, may be sold at maximum prices not exceeding those applicable to Size Group No. 10 coal which is now included in the Schedule of Effective Minimum Prices for District No. 8 for rail shipment from the same mine.

(3) Maximum prices in cents per net ton for Railroad Locomotive Fuel. The maximum prices for Railroad Locomotive Fuel (including lake and tidewater cargo) shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 40 cents per net ton.

(4) Maximum prices in cents per net ton for Cannel Coal. The maximum

prices for rail, truck or wagon shipments to all destinations and for all uses, shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 70 cents per net ton for mines in the Logan Subdistrict, and 45 cents per net ton for mines in all other subdistricts for lump, egg and chip sizes; and 35 cents for machine cuttings in all subdistricts.

(5) In the event any specific maximum price has been adjusted prior to February 9, 1943, the effective maximum price in such case shall not be determined by reference to sub-paragraphs (1) and (2) above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (1) above;

15 cents to Size Groups 1 to 8, inclusive, and Size Group 10.

25 cents to Size Group 9, and Size Groups 15 to 23, inclusive.

(ii) For the methods of shipment and uses indicated in (2) above;

25 cents to Size Groups 1 to 8, inclusive.

DISTRICT NO. 8—LOW VOLATILE COALS

(6) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this Appendix.

February 9, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (6) and (7) above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (6) above;

5 cents to all classifications in Size Groups 1 and 2.

10 cents to classifications A to C, inclusive, and 15 cents to classifications D and E in Size Group 3.

15 cents to all classifications in Size Group 4.

10 cents to classification A and 5 cents to classifications B to E, inclusive, in Size Group 5.

20 cents to all classifications in Size Group 6.

25 cents to classification A and 40 cents to classifications B to D, inclusive, in Size Group 7.

35 cents to classifications A to C, inclusive, 45 cents to classification D, 40 cents to classification E and 35 cents to classifications F to J, inclusive, in Size Group 8.

35 cents to classifications A and E, 30 cents to classification C, 40 cents to classifications D and E and 35 cents to classifications F to J, inclusive, in Size Group 9.

35 cents to classifications A to D, inclusive, 40 cents to classification E and 35 cents to classifications F to J, inclusive, in Size Group 10.

(ii) For the methods of shipment and uses indicated in (7) above;

25 cents to Size Groups 1 to 8, inclusive.

This amendment shall be effective as of February 13, 1943.

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

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2415; Filed, February 13, 1943; 12:48 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[Correction to MPR 312¹]

MAPLE SYRUP

The reference to "paragraph (c)" in § 1351.1615 (d) (3) is corrected to read "paragraph (d)"

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

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2416; Filed, February 13, 1943; 12:49 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12,² Amendment 16]

COFFEE RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and

¹ 8 F.R. 1266.

² 7 F.R. 9710, 10380, 11071, 11072; 8 F.R. 28, 167, 566, 621, 978, 1316, 1366, 1286, 1631.

Price classifications	Prices and size group Nos.									
	1	2	3	4	5	6	7	8	9	10
A	410	420	385	330	320	355	325	295	290	285
B	370	380	375	315	300	355	325	295	290	285
C	370	380	375	315	300	350	295	290	285	280
D	345	365	355	315	300	350	295	285	280	275
E	345	360	350	310	275	330		280	275	270
F	340	360						275	270	265
G								275	270	265
H								275	270	265
I								275	270	265
J								275	270	265

(7) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses. (a) The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 9¢ cents per ton.

(8) Maximum prices in cents per net ton for Railroad Locomotive Fuel. The maximum prices for Railroad Locomotive Fuel (including Lake and Tidewater Cargo) shall be the applicable effective

minimum prices as of October 1, 1942, for all-rail on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 70 cents per net ton.

(9) Maximum prices in cents per net ton for Smithing Coal. The maximum prices from all mines in all size groups for Smithing Coal shall not exceed 350 cents per net ton.

(10) In the event any specific maximum price has been adjusted prior to

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

Paragraph (b) of § 1407.1071 is amended to read as follows, and paragraph (p) of § 1407.1090a is added as set forth below:

Reports and Records

§ 1407.1071. *By persons transferring or acquiring coffee.* * * *

(b) Every person, other than the Army, Navy, Marine Corps, and Coast Guard, and Commodity Credit Corporation, who transfers or acquires green coffee shall monthly, beginning in January 1943, prepare a report in triplicate, showing, with respect to the previous month, (1) the names and addresses of the persons to whom green coffee was transferred and from whom green coffee was acquired, together with the dates and amounts of such transfers and acquisitions, and (2) his inventory of green and roasted coffee as of the first day of the month in which the report is prepared.

Effective Date

§ 1407.1090a. *Effective dates of amendments.* * * *

(p) Amendment No. 16 (§§ 1407.1071 (b) and 1407.1090a (p)) to Ration Order No. 12 shall become effective February 19, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; W.B.P. Dir. 1, Supp. Dir. 1-R)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2417; Filed, February 13, 1943; 12:51 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 280 Under § 1499.3 (b) of GMPR]

P. D. RIDENOUR SALES COMPANY

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

§ 1499.1716. *Authorization of maximum prices for sales of "Little Major" Brand, Dehydrated Spinach Flakes, in one-ounce paper packages by P. D. Ridenour Sales Company, Merchandise Mart, Chicago, Illinois, and by wholesalers and retailers.* (a) On and after February 15, 1943, the maximum price for sales by the P. D. Ridenour Sales Company, Merchandise Mart, Chicago, Illinois of "Little Major" Brand, Dehydrated Spinach Flakes, packed in one-ounce paper packages, shall be \$1.15 per dozen f. o. b. Chicago, Illinois.

(b) The wholesale grocers' maximum prices for "Little Major" Brand, Dehydrated Spinach Flakes, packed in one-ounce paper packages, shall be \$1.35 per dozen.

(c) Retail grocers' maximum prices for "Little Major" Brand, Dehydrated Spinach Flakes, packed in one-ounce paper packages, shall be 15¢ per one-ounce package.

(d) No seller, except a seller at retail, shall change his customary discounts,

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

allowances and price differentials applying to comparable items in making sales of one-ounce size paper packages of "Little Major" Brand, Dehydrated Spinach Flakes unless such change in these customary discounts, allowances and price differentials result in lower selling prices.

(e) On and after February 15, 1943, the P. D. Ridenour Sales Company shall supply a written notification to each wholesaler at the time of the first delivery of one-ounce paper packages of "Little Major" Brand, Dehydrated Spinach Flakes, to such wholesaler and for a period of three months thereafter, and shall include with each shipping unit of one-ounce paper packages of "Little Major" Brand, Dehydrated Spinach Flakes a written notification to retailers. If such retailer notification is enclosed within a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's notice enclosed." The written notification for each type of purchaser shall include the following statements:

Notification from P. D. Ridenour Sales Company to wholesalers:

The OPA has authorized us to charge wholesalers \$1.15 per dozen f. o. b. Chicago, Illinois for one-ounce paper packages of "Little Major" Brand, Dehydrated Spinach Flakes subject to all customary allowances and discounts. Wholesalers are authorized to establish a ceiling price of \$1.35 per dozen. Retailers are authorized to establish a ceiling price of 15¢ per one-ounce paper package. A copy of notification to retailers is included in every shipping unit of these items. If the initial sale of these items to any retailer is a split case sale, wholesalers are required to provide such retailer with a copy of the retail notification so enclosed. OPA requires that you keep this notice for examination.

Notification from P. D. Ridenour Sales Company to retailers:

The OPA authorizes retailers to establish ceiling prices for "Little Major" Brand, Dehydrated Spinach Flakes packed in one-ounce paper packages of 15¢ per one-ounce package. OPA requires that you keep this notice for examination.

(f) This Order No. 280 may be revoked or amended by the Price Administrator at any time.

(g) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

(h) This Order No. 280 (§ 1499.1716) shall become effective on February 15, 1943.

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

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2398; Filed, February 13, 1943; 12:59 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 281 Under § 1499.3 (b) of GMPR]

CREAMERY PACKAGE MFG. COMPANY

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

§ 1499.1717. *Approval of maximum prices for sales of victory type milk shipping containers manufactured by The Creamery Package Mfg. Company.* (a) Any person may sell and deliver and any person may buy or receive victory type milk shipping containers manufactured by The Creamery Package Mfg. Company of 1243 West Washington Boulevard, Chicago, Illinois, at the following maximum prices:

MAXIMUM PRICE EACH

	Car-load	300 or over	25 to 299	24 or less
"Victory Type" Climax, 20-quart, 6 3/4" neck	\$2.80	\$3.00	\$3.10	\$3.25
"Victory Type" Tiger, 32-quart, 6 3/4" neck	3.65	3.85	4.00	4.20
"Victory Type" Tiger, 40-quart, 6 3/4" neck	3.80	4.00	4.15	4.35
"Victory Type" Cleveland, 32-quart, 7 3/4" neck	3.95	4.25	4.40	4.60
"Victory Type" Cleveland, 40-quart, 7 3/4" neck	4.10	4.35	4.50	4.70
"Victory Type" Solderless, 32-quart, 7 3/4" neck	4.50	4.80	4.95	5.15
"Victory Type" Solderless, 40-quart, 7 3/4" neck	4.65	4.90	5.05	5.25

(b) All freight equalization practices and allowances, and discounts, applicable to the sale of the old-type cans for which these new cans are now being substituted, whether based on quantity, type of purchaser or any other cause shall be applicable to the sales of these new cans.

(c) The Creamery Package Mfg. Company must advise all brokers, wholesalers, jobbers, or retailers to whom it sells, and such brokers, wholesalers and jobbers must advise all retailers to whom they sell, of the maximum prices established by this order, in the following manner:

The maximum price of "Victory Type" _____ quart size, has been established by the Office of Price Administration at \$_____ each. The steel content of this container has been reduced in order to release steel for essential war purposes. This price does not disturb any allowances and discounts which you have formerly received.

(d) This Order No. 281 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 281 (§ 1499.1717) shall become effective February 15, 1943.

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

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2399; Filed, February 13, 1943; 12:54 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Correction to Order 163 Under § 1499.18 (b) of GMPR]

TOBIN PACKING COMPANY

Correction to Order No. 163 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-669.

It is ordered that in paragraph (a) of § 1499.1064 in Order No. 163 under § 1499.18 (b) of the General Maximum Price Regulation, the reference to "Los Angeles, California" be corrected to read "Fort Dodge, Iowa."

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

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2400; Filed, February 13, 1943; 12:49 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 195 Under § 1499.18 (b) of GMPR]

ROYCE CHEMICAL COMPANY

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

§ 1499.1096 *Adjustment of maximum prices for sales of Royox in 8-ounce bottles by Royce Chemical Company.* (a) The maximum price for sales by the Royce Chemical Company, Carlton Hill, New Jersey, of Royox in 8-ounce bottles shall be \$2.88 per case of 24 bottles.

(b) All discounts, allowances, and trade practices in effect with respect to sales of this product by the Royce Chemical Company during March 1942, shall remain in effect under this Order No. 195 except that the Royce Chemical Company shall not be required to continue giving one free 8-ounce bottle, as a bonus or special deal, with each 8-ounce bottle purchased.

(c) At the time of the first delivery of this product to each purchaser at a price determined under this Order No. 195, the Royce Chemical Company shall give to each purchaser a notice reading as follows:

The Office of Price Administration has permitted us to discontinue our bonus offer of one free 8-ounce bottle of Royox with each 8-ounce bottle purchased. This permission was granted us with the understanding that retail prices would not be raised thereby. Your maximum prices for sales of 8-ounce bottles of Royox will be the same as they were in March 1942 except that you will not be required to give one free bottle with each bottle sold.

(d) This Order No. 195 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 195 (§ 1499.1096) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 195 (§ 1499.1096) shall become effective February 15, 1943.

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

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2418; Filed, February 13, 1943; 12:52 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 196 Under § 1499.18 (b) of GMPR]

FRANK COLLADAY HARDWARE COMPANY

Order No. 196 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-3061.

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

§ 1499.1097 *Authorization of adjustment of maximum prices on Barrett "Panamoid" Smooth Surfaced Roll Roofing sold by the Frank Colladay Hardware Company of Hutchinson, Kansas.*

(a) The Frank Colladay Hardware Company is authorized to sell, deliver and offer for sale, and all persons are authorized to receive or buy from it in the course of trade, Barrett "Panamoid" Smooth Surfaced Roll Roofing, in medium (45 pounds per roll) and heavy (55 pounds per roll) weight, at the price of \$1.39 per roll for the medium weight and \$1.61 per roll for the heavy weight, at the Company's place of business.

(b) All discounts and allowances customarily allowed, and all services rendered, by the Frank Colladay Hardware Company on sales of Barrett "Panamoid" Smooth Roll Roofing in medium and heavy weight during March 1942, shall continue to be allowed by the Company on such sales.

(c) This Order No. 196 (§ 1499.1097) may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 196 (§ 1499.1097) shall become effective February 15, 1943.

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

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2419; Filed, February 13, 1943; 12:53 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 197 Under § 1499.18 (b) of GMPR]

ELDER MANUFACTURING COMPANY

Order No. 197 Under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2166.

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

§ 1499.1098 *Adjustment of maximum prices for men's dress shirts, style No. D180, manufactured by the Elder Manufacturing Company.* (a) Elder Manufacturing Company, of St. Louis, Missouri, may sell and deliver and any person may buy and receive the following commodity at prices not higher than those set forth below:

(1) \$17.50 per dozen for men's dress shirts, style No. D180, manufactured by the Elder Manufacturing Company, having the same specifications as to quality of fabrics and trimmings, standard of construction and garment dimensions as those for which Elder Manufacturing Company established \$15.75 under § 1499.2 of the General Maximum Price Regulation.

(b) The adjustment granted to Elder Manufacturing Company in paragraph (a) is subject to the following conditions:

(1) All discounts, trade practices, and practices relating to shipping and shipping charges in effect in March 1942,

shall be applicable to the maximum price set forth in paragraph (a) hereof.

(2) Elder Manufacturing Company shall mail to every person who purchases style No. D180 a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you of our men's dress shirts, Style No. D180, from \$15.75 to \$17.50 per dozen. This amount represents increases in costs which we are unable to absorb, and it was granted with the understanding that wholesale and retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise your maximum prices for these shirts.

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

(d) This Order No. 197 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 197 is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 197 shall become effective February 15, 1943.

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

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2420; Filed, February 13, 1943; 12:53 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 198 Under § 1499.18 (b) of GMPR]

KICKAWAY GARMENTS, INC.

Order No. 198 under § 1499.18 (b) of the General Maximum Price Regulation—Docket No. GF3-2047.

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

§ 1499.1099 *Adjustment of maximum prices for certain wholesalers selling children's knitted rayon panties manufactured by Kickaway Garments, Inc.*

(a) East Coast Merchandise Co., Inc., New York, New York; Hilb and Company, Inc., Denver, Colorado; George Kern and Company, Minneapolis, Minnesota; The Krolik Corp., Detroit, Michigan; Markovitz Brothers, Philadelphia, Pennsylvania; Millman Underwear Company, Baltimore, Maryland; M. R. Sanders and Sons, Inc., Cincinnati, Ohio; Schneider, Battinus and Simon, Chicago, Illinois; Tootle-Campbell Dry Goods Company, St. Joseph, Missouri; Hibben, Hollweg and Company, Indianapolis, Indiana; and Butler Bros. of Chicago, Illinois, may sell and deliver and any person may buy and receive from them, children's knitted rayon panties, Style No. 6280, manufactured by Kickaway Garments, Inc. at a maximum price of \$2.75 per dozen.

(b) The adjustment granted in paragraph (a) is subject to the following conditions:

(1) All discounts, trade practices, and all practices relating to shipping and shipping charges in effect in March 1942, shall be applicable to the maximum prices set forth in paragraph (a) hereof.

(2) East Coast Merchandise Co., Inc., New York, New York; Hilb and Company, Inc., Denver, Colorado; George Kern and Company, Minneapolis, Minnesota; The Krolik Corp., Detroit, Michigan; Markovitz Brothers, Philadelphia, Pennsylvania; Millman Underwear Company, Baltimore, Maryland; M. R. Sanders and Sons, Inc., Cincinnati, Ohio; Schneider, Battinus and Simon, Chicago, Illinois; Tootle-Campbell Dry Goods Company, St. Joseph, Missouri; Hibben, Hollweg and Company, Indianapolis, Indiana; and Butler Bros., Chicago, Illinois, shall mail to their respective purchasers of children's knitted rayon panties, Style No. 6280, manufactured by Kickaway Garments, Inc., a notice reading as follows:

The Office of Price Administration has permitted us to raise our prices for sales to you of children's knitted rayon panties manufactured by Kickaway Garments, Inc., Style No. 6280, from \$2.50 to \$2.75 per dozen. This amount represents only that part of cost increases which we were unable to absorb and the increase was granted with the understanding that retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of these panties. In order that we may continue to provide you with these panties it will be necessary for you to accept this reduction in your margin.

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

(d) This order No. 198 may be revoked or amended by the Price Administration at any time.

(e) This Order No. 198 is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 198 shall become effective February 15, 1943.

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

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2421; Filed February 13, 1943; 12:52 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Amendment 2 to Rev. Supp. Reg. 12¹ to GMPR²]

SALES OR DELIVERIES OF IMPORTED COMMODITIES

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

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

¹ 7 F.R. 10532; 8 F.R. 611.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4239, 4287, 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, 9916, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

In § 1499.1404 (a) (2), subdivision (v) is added, to read as set forth below:

§ 1499.1404 *Exceptions.* (a) * * *

(2) * * * (v) Lumber and wood shingles produced in and imported from Canada or Mexico.

§ 1499.1410 *Effective dates of amendments.* * * *

(b) Amendment No. 2 (§ 1499.1404 (a) (2) (v)) shall become effective February 15, 1943.

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

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2401; Filed, February 13, 1943; 12:51 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Amendment 112 to Supp. Reg. 14¹ to GMPR²]

FRUIT, BERRY AND GRAPE WINES, ETC.

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

Subparagraph (61) (i) (a) (2) of paragraph (a) of § 1499.73 is amended to read as follows:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(61) *Fruit wines, berry wines and grape wines (other than California grape wines)*—(i) *Maximum prices for sellers other than sellers at retail*—(a) *Permitted increases; specific types of wine.* * * *

(2) *Fruit wines containing less than 18% alcohol by volume.*

¹ 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5487, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 3794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

Group classification	Type of fruit wine	Permitted increase per gallon
		Cents
Group C	Apricot	12
C	Apple	12
C	Cantaloupe	12
C	Cherry	12
C	Papaya	12
C	Pawpaw	12
C	Pear	12
C	Peach	12
C	Pineapple	12
C	Plum	12
C	Prune	12

This amendment shall become effective February 19, 1943.

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

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2397; Filed, February 13, 1943; 12:51 p. m.]

PART 1300—PROCEDURE

[Procedural Regulation 4, Amendment 1]

PROCEDURE IN ISSUANCE OF RATIONING SUSPENSION ORDERS

Section 1300.181 of Procedural Regulation No. 4 is hereby amended to read as set forth below:

§ 1300.181 *Effective date.* Procedural Regulation No. 4 (§§ 1300.151 to 1300.181, inclusive) shall become effective at 12:01 A. M. on March 1, 1943. It governs all proceedings in cases instituted on and after that date. Unless the Hearing Administrator otherwise directs, it shall also govern all further proceedings in cases then pending; *Provided, however,* That the procedure which was formerly applicable shall govern review of orders issued prior to March 1, 1943, and the provisions establishing such procedure are continued in effect for this purpose.

This Amendment No. 1 to Procedural Regulation No. 4 shall become effective February 13, 1943.

(Pub. Law No. 671, 76th Cong., as amended by Pub. Laws No. 89 and 507, 77th Cong., Pub. Law No. 421, 77th Cong., E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, as supplemented, E.O. 9280, 7 F.R. 10179, issued December 5, 1942, Food Directive 1 of the Secretary of Agriculture, 8 F.R. 827)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2424; Filed, February 13, 1943; 4:09 p. m.]

¹ 8 F.R. 1744.

PART 1337—RAYON

[MPR 90]

RAYON WASTE

The preamble of Revised Price Schedule No. 90,¹ Rayon Waste, is amended and §§ 1401.51 to 1401.61, inclusive, are renumbered, redesignated and amended as set forth below:

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 90 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

So far as practicable, the Price Administrator has advised and consulted with representative members of the rayon waste industry. In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and comply with the requirements of the Emergency Price Control Act of 1942, as amended, and will effectuate the purposes of said act.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1² issued thereunder by the Office of Price Administration, Maximum Price Regulation No. 90 is hereby issued.

Sec.

- 1337.101 Prohibition against dealing in rayon waste at prices above the maximum or engaging in certain other practices; lower prices permitted.
- 1337.102 To what transactions, products, persons and geographical areas this regulation applies.
- 1337.103 The maximum prices.
- 1337.104 What records must be kept.
- 1337.105 Adjustable pricing.
- 1337.106 Enforcement.
- 1337.107 Who may file petitions for amendment.
- 1337.108 Effective date of this regulation.

AUTHORITY: §§ 1337.101 to 1337.108, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; Executive Order 9250, 7 F.R. 7871.

§ 1337.101 *Prohibition against dealing in rayon waste at prices above the maximum or engaging in certain other practices; lower prices permitted—(a) Prohibition against dealing in rayon waste at prices above the maximum.* No person shall sell or deliver and no person shall buy or receive any rayon waste at prices higher than the maximum prices established by this regulation and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That until March 19, 1943, deliveries may be made against contracts entered into prior to February 19, 1943, at prices in compliance with the maximum prices established by Revised Price Schedule No. 90.

(b) *Less than maximum prices.* Prices lower than the maximum prices established by this regulation may be charged, demanded, paid or offered.

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

¹ 7 F.R. 728, 954, 822, 1377, 3829, 8948.

² 7 F.R. 8961.

(c) *Other prohibited practices.* Any practice which is a device to obtain the effect of a higher-than-ceiling price without actually raising the ceiling price is as much a violation of this regulation as an outright over-ceiling price. This applies to commissions, premiums, extra charges for services, tying agreements, trade understandings and similar devices.

§ 1337.102 *To what transactions, products, persons and geographical areas this regulation applies—(a) What transactions are covered.* This regulation covers all sales and deliveries of rayon waste. Such sales and deliveries are not subject to the General Maximum Price Regulation³ or Supplementary Regulation No. 1.⁴ However, the maximum price at which rayon waste may be exported shall be determined in accordance with the Revised Maximum Export Price Regulation.⁵ This regulation does not cover sales of rayon tops and rayon noils.⁶

(b) *What products are covered.* As used herein, the term "rayon waste" means unprocessed waste resulting from the manufacture of staple fiber and continuous filament yarn produced chemically from cellulose or with a cellulose base. The regulation does not cover waste resulting from the manufacture of such products as spun yarns, knitted and woven fabrics and garments made from rayon staple fiber or continuous filament yarn. Nor does the regulation cover processed waste; i. e., waste which has been subjected to such mechanical operations as stripping, picking, carding or garnetting.

(c) *What persons are covered.* This regulation covers all persons, including any individual, corporation, partnership, association, or any other organized group, their legal successors or representatives, the United States, or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(d) *What geographical areas are covered.* This regulation applies to the continental United States, including the District of Columbia, and the territories and possessions of the United States.

§ 1337.103 *The maximum prices—(a) Terms of sale.* The following maximum prices are established on a basis of f. o. b. shipping point, net weight and

³ 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5545, 5565, 5484, 5775, 5784, 5783, 8058, 8081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317. Sellers of rayon waste, are, however, subject to the Licensing provisions of Supplementary Order No. 5 to the General Maximum Price Regulation. See § 1337.106 (b).

⁴ 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, 10557, 11118; 8 F.R. 130, 265, 927, 1454.

⁵ 7 F.R. 5059, 7242, 8829, 9000, 10530.

⁶ Rayon tops and rayon noils which were formerly defined as rayon waste and covered by Revised Price Schedule No. 90 are now covered by Maximum Price Regulation No. 325, Rayon Tops and Rayon Noils.

net 10 days. The maximum prices include all commissions and other charges except those expressly provided for herein.

(b) *Maximum prices for sales of rayon waste by producers.* The prices set forth below are maximum prices for sales of rayon waste by producers, including any person who owns or controls a plant which produces rayon waste.

TABLE I

Grade	Price per pound
Bleached open waste, coarse.....	\$0.17
Bleached open waste, semi-coarse.....	.16
Bleached open waste, fine.....	.15
Bleached open waste, mixed deniers.....	.155
Unbleached open waste, coarse.....	.165
Unbleached open waste, semi-coarse.....	.155
Unbleached open waste, fine.....	.145
Undesulphured open waste, coarse.....	.16
Undesulphured open waste, semi-coarse.....	.15
Undesulphured open waste, fine.....	.14
Undesulphured or unbleached open waste, mixed deniers.....	.15
Bleached threads, coarse.....	.14
Bleached threads, semi-coarse.....	.13
Bleached threads, fine.....	.12
Bleached threads, mixed deniers.....	.125
Unbleached threads, coarse.....	.135
Unbleached threads, semi-coarse.....	.125
Unbleached threads, fine.....	.115
Undesulphured threads, coarse.....	.13
Undesulphured threads, semi-coarse.....	.12
Undesulphured threads, fine.....	.11
Mixed open and thread waste, mixed deniers, bleached and/or unbleached.....	.12
Undesulphured or unbleached threads, mixed deniers.....	.12
Staple fiber waste.....	.11

As used herein, "coarse" includes all deniers over 5, "semi-coarse" includes all deniers from 2½ to 5, inclusive, and "fine" includes all deniers less than 2½; "unbleached" waste is waste which has been washed at least twice in a solution customarily used for the removal of sulphur from rayon waste; and "undesulphured" waste is waste which has never been desulphured or bleached.

(c) *Maximum prices for sales of rayon waste by persons other than producers.* The maximum price for the sale of rayon waste by a person other than a producer shall be the applicable maximum price set forth in Table I plus an amount equal to 7 per cent of this price.

§ 1337.104 *What records must be kept.* Every person making sales of rayon waste after February 18, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect complete and accurate records showing for each sale of rayon waste: (a) the date; (b) the name and address of the purchaser; (c) the grade of rayon waste sold; (d) the price contracted for or received therefor; and (e) the quantity sold.

§ 1337.105 *Adjustable pricing.* No seller shall enter into an agreement which provides that the price of rayon waste shall be adjusted to a price in excess of the applicable maximum price established by this regulation unless he first secures permission from the Price Administrator. Where a petition for amendment requires extended consideration, the Price Administrator may,

upon request, grant permission to the seller to agree with the buyer to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1337.106 *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) The provisions of Supplementary Order No. 5,¹ Licensing, are applicable to every dealer selling rayon waste to consumers. Insofar as such sales are subject to Supplementary Order No. 5, the term "consumer" includes any person who performs for his own account any or a combination of the processes of sterilizing, dusting, stripping, dyeing, picking, carding, oiling or garnetting on rayon waste or who uses rayon waste in any manufacturing process.

§ 1337.107 *Who may file petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1337.108 *Effective date of this regulation.* This regulation (§§ 1337.101 to 1337.108, inclusive) shall become effective February 19, 1943.

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2425; Filed, February 13, 1943; 4:11 p. m.]

PART 1337—RAYON

[MPR 325]

RAYON TOPS AND RAYON NOILS

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 325 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

So far as practicable, the Price Administrator has advised and consulted with representative members of the rayon tops and rayon noils industry. In the judgment of the Price Administrator, the maximum prices established by this regulation are, and will be, generally fair and equitable and comply with the requirements of the Emergency Price Control Act of 1942, as amended, and will effectuate the purposes of said act.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Revised Procedural Regulation No. 1² issued thereunder by the Office of Price Administration, Maximum Price Regulation No. 325 is hereby issued.

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

¹ 7 F.R. 3403, 6077, 9723; 8 F.R. 605.

² 7 F.R. 8961.

Sec.

- 1337.126 Prohibition against dealing in rayon tops and rayon noils at prices above the maximum or engaging in certain other practices; lower prices permitted.
- 1337.127 To what transactions, products, persons and geographical areas this regulation applies.
- 1337.128 The maximum prices.
- 1337.129 What records must be kept.
- 1337.130 Adjustable pricing.
- 1337.131 Enforcement.
- 1337.132 Who may file petitions for amendment.
- 1337.133 Effective date of this regulation.

AUTHORITY: §§ 1337.126 to 1337.133, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; Executive Order 9250, 7 F.R. 7871.

§ 1337.126 *Prohibition against dealing in rayon tops and rayon noils at prices above the maximum or engaging in certain other practices; lower prices permitted—(a) Prohibition against dealing in rayon tops and rayon noils at prices above the maximum.* No person shall sell or deliver and no person shall buy or receive any rayon tops or rayon noils at prices higher than the maximum prices established by this regulation and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That until March 19, 1943 deliveries may be made against contracts entered into prior to February 19, 1943, at prices in compliance with the maximum prices established by Revised Price Schedule No. 90³ or the General Maximum Price Regulation.⁴

(b) *Less than maximum prices.* Prices lower than the maximum prices established by this regulation may be charged, demanded, paid or offered.

(c) *Other prohibited practices.* Any practice which is a device to obtain the effect of a higher-than-ceiling price without actually raising the ceiling price is as much a violation of the regulation as an outright over-ceiling price. This applies to commissions, premiums, extra charges for services, tying agreements, trade understandings and similar devices.

§ 1337.127 *To what transactions, products, persons and geographical areas this regulation applies—(a) What transactions are covered.* This regulation covers all sales and deliveries of rayon tops and rayon noils. Such sales and deliveries are not subject to the General Maximum Price Regulation or to Supplementary Order No. 5, Licensing.⁵ However, the maximum price at which rayon tops and rayon noils may be exported shall be determined in accordance with the Revised Maximum Export Price Regulation.⁶

(b) *What products are covered.* As used herein, the term "rayon top" means a continuous sliver of acetate or viscose process rayon staple fiber or rayon waste wound into a ball weighing approxi-

¹ 7 F.R. 1377, 2132, 3829, 8948.

² 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5545, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6989, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

³ 7 F.R. 3403, 6517, 9723; 8 F.R. 605.

⁴ 7 F.R. 5059, 7242, 8829, 9000, 10580.

mately ten pounds and the term "rayon noil" means the short rayon fibers that are combed out in the process of manufacturing rayon tops.

(c) *What persons are covered.* This regulation covers all persons, including any individual, corporation, partnership, association, or any other organized group, their legal successors or representatives, the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(d) *What geographical areas are covered.* This regulation applies to the continental United States, including the District of Columbia, and the territories and possessions of the United States.

§ 1337.128 *The maximum prices—(a) Terms of sale.* The following maximum prices are established on a basis of f. o. b. shipping point, net weight and net 10 days. These maximum prices include all commissions and other charges.

(b) *Maximum prices for rayon tops and rayon noils.*

TABLE I—RAYON TOPS

Type	Price per pound
Viscose staple fiber tops:	
Lustrous, 5½ denier.....	\$.375
Dull, 5½ denier.....	.385
Lustrous, 3 denier.....	.385
Dull, 3 denier.....	.395
Acetate staple fiber tops:	
Lustrous or dull, 8 denier or less:	
Untinted.....	.60
Tinted.....	.62
Lustrous or dull, over 8 denier:	
Untinted.....	.625
Tinted.....	.645
Rayon waste tops:	
Lustrous or dull, all deniers.....	.355

TABLE II—RAYON NOILS

Type	Price per pound
Viscose staple fiber, lustrous or dull, all deniers.....	.15
Acetate staple fiber noils, lustrous or dull, all deniers.....	.28
Rayon waste noils, lustrous or dull, all deniers.....	.15

(1) *Maximum prices for other types of rayon tops and rayon noils.* The maximum price for any rayon tops or rayon noils for which maximum prices are not set forth in Tables I and II above shall be the price issued by the Price Administrator. An application for such a maximum price must be submitted by the seller to the Office of Price Administration, Washington, D. C. and shall contain a description of the type of rayon top or rayon noil, including the denier and luster of the fibers, and the maximum price requested by the seller.

§ 1337.129 *What records must be kept.* Every person making sales of rayon tops or rayon noils after February 18, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect complete and accurate records. These records shall show for each sale of rayon tops or rayon noils: (a) the date; (b) the name and address of the purchaser; (c) the type of rayon tops or rayon noils sold; (d) the price contracted for or received therefor; and (e) the quantity sold.

§ 1337.130 *Adjustable pricing.* No seller shall enter into an agreement which provides that the price of rayon tops or rayon noils shall be adjusted to a price in excess of the applicable maximum price established by this regulation unless he first secures permission from the Price Administrator. Where a petition for amendment requires extended consideration, the Price Administrator may, upon request, grant permission to the seller to agree with the buyer to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1337.131 *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) The provisions of Supplementary Order No. 36, licensing persons selling yarns, textiles, textile products, and services related thereto, are applicable to every person selling rayon tops and rayon noils.

§ 1337.132 *Who may file petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

§ 1337.133 *Effective date of this regulation.* This regulation (§§ 1337.126 to 1337.133, inclusive) shall become effective February 19, 1943.

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2426; Filed, February 13, 1943; 4:11 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280, Amendment 13]

MAXIMUM PRICES FOR SPECIFIC FOOD PRODUCTS

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

Section 1351.807a is amended as set forth below:

§ 1351.807a *Special provision for foreign-type cheese.* Sellers of cheese, except processed cheese of all kinds, Cheddar cheese covered by Maximum Price Regulation No. 289, aged Cheddar cheese covered by Maximum Price Regulation No. 280 and cheese of less than 20% butterfat content in the water free substance, may add 3¢ per pound to the maximum prices provided in § 1351.803 hereof: *Provided,* That this 3¢ increase shall not be applied to those stocks of cheeses which were in the seller's pos-

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

7 F. R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F. R. 158, 876, 877, 1120, 1468, 1741.

7 F. R. 10996; 8 F. R. 490, 1458.

session prior to February 10, 1943. However, a cheese factory may apply this increase to cheeses which it has manufactured and delivers on or after February 10, 1943, regardless of whether such cheeses were manufactured before or after that date.

This amendment shall become effective February 13, 1943.

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

Issued this 13th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2428; Filed, February 13, 1943; 4:09 p. m.]

PART 1351—FOODS AND FOOD PRODUCTS

[MPR 329]

PURCHASES OF MILK FROM PRODUCERS FOR RESALE AS FLUID MILK

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, to establish maximum prices for purchases of "milk" from producers at the highest prices paid by individual buyers for milk delivered during January 1943.

The Price Administrator has ascertained and given due consideration to the prices received by producers for "milk" prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined to be of general applicability.

In the judgment of the Price Administrator, the maximum prices established by this Regulation are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. A statement of the considerations involved in the issuance of this Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

The maximum prices established are not below the highest of the price standards required by the provisions of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, and after consultation with and with the approval of the Secretary of Agriculture, Maximum Price Regulation No. 329 is hereby issued.

- Sec.
1351.401 Prohibition against purchases of "milk" from producers above maximum prices.
1351.402 Maximum prices for purchases of "milk" from producers.
1351.403 Transfer of business or stock in trade.
1351.404 Definitions.

*7 F. R. 8961.

- Sec.
1351.405 Exempt sales.
1351.406 Records and reports.
1351.407 Petitions for amendment.
1351.408 Petitions for adjustment.
1351.409 Adjustable pricing.
1351.410 Evasion.
1351.411 Enforcement.
1351.412 General Maximum Price Regulation and Maximum Price Regulation No. 280 superseded.
1351.413 Export sales.
1351.414 Geographical applicability.

AUTHORITY: §§ 1351.401 to 1351.414, inclusive, issued pursuant to Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F. R. 7871.

§ 1351.401 *Prohibition against purchases of "milk" from producers above maximum prices.* On and after February 13, 1943, regardless of any contract, agreement, or other obligation, no purchaser, in the course of trade or business, shall buy or receive "milk" from any producer at a price higher than the maximum permitted by this regulation. No purchaser shall agree, offer, solicit, or attempt to do any of the foregoing. Lower prices may be charged, demanded, paid, or offered.

§ 1351.402 *Maximum prices for purchases of "milk" from producers.* (a) The maximum price for each grade of "milk" shall be the highest price each purchaser of "milk" from a producer paid that producer for "milk" of the same grade received during January 1943, or the minimum producers' price established under the provisions of the Agricultural Marketing Agreement Act of 1937, as amended, whichever is higher.

(b) If the purchaser's maximum price cannot be determined under the above paragraph (a), his maximum price shall be the weighted average price he paid to producers for the lowest priced 60% (by volume) of "milk" of the same grade received during January 1943.

Example. Distributor A received milk during January 1943 from 5 producers, as shown below:

Producer	Pounds of milk	Butterfat test	Basic test	Price f. o. b. plant per cwt. for milk of basic test ¹
No. 1.....	6,000	Percent 3.8	Percent 3.5	\$3.30
No. 2.....	11,000	3.9	3.5	3.30
No. 3.....	9,000	3.6	3.5	3.30
No. 4.....	10,000	3.7	3.5	3.45
No. 5.....	9,000	3.8	3.5	3.45
Total.....	45,000			

¹ Butterfat differential = 5 cents per point of butterfat.

60% of total receipts = 27,000 pounds. Since 26,000 pounds were purchased at \$3.30 f. o. b. plant for 3.5% milk from producers 1, 2, and 3, 1,000 pounds of the higher priced milk purchased from producer No. 4 will be added to determine the average price for the lowest priced 60% of total milk receipts, as follows:

Pounds of milk	Price for milk of basic test (3.5%)
6,000 or 60 cwt. X \$3.30 per cwt. =	\$198.00
11,000 of 110 cwt. X 3.30 per cwt. =	363.00
9,000 or 90 cwt. X 3.30 per cwt. =	297.00
1,000 or 10 cwt. X 3.45 per cwt. =	34.50
Total.....	27,000 or 270 cwt. 892.50

To determine the weighted average price for the lowest priced 60% of distributor A's milk receipts during January, divide the total of \$892.50 by 270 cwt. This results in a price of \$3.30½, which is the maximum price for milk of basic test (3.5%).

To determine the maximum price for milk of other than the basic butterfat test, the butterfat differential should be applied.

(c) If a purchaser did not purchase milk received during January 1943 on a butterfat test basis, but purchased it on a weight or volume basis, he may continue to purchase on the same basis.

If he desires to change to a butterfat basis for payment to producers, he shall apply to the Regional Administrator for the determination of the butterfat basis and differential on which to pay producers.

(d) No purchaser shall participate in any change of customary allowances, discounts, price differentials, or other trade practices applicable to purchases made by him unless such change results in a lower price.

(e) No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of "milk" than he paid on deliveries during January 1943.

§ 1351.403 *Transfer of business or stock in trade.* If the business, assets, or stock in trade of any purchaser is sold or otherwise transferred on or after February 13, 1943, the maximum prices for purchases by the transferee shall be the same as those to which his transferor would have been subject if no transfer had occurred, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the latter to maintain records required by this regulation.

§ 1351.404 *Definitions.* When used in this regulation, the term:

(a) "Milk" means liquid cows' milk in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized, and not sold and delivered in glass or paper containers.

(b) "Grade" refers to the butterfat content and the quality standards established by public health authorities, except as provided in paragraph (c) of § 1351.402.

(c) "Producer" means a farmer, or other person or representative, who owns, superintends, manages, or otherwise controls the operation of a farm on which milk is produced. Farmers' cooperatives are producers, and hence their sales of "milk" are covered by this regulation when (1) they do not own or lease physical facilities for receiving, processing, or distributing milk, and (2) they do own or lease physical facilities for receiving, processing, or distributing milk, but they act as selling agents for producers, whether members or not.

(d) "Purchaser" means any person who buys "milk" from a producer for resale.²

² A farmers' cooperative is a "purchaser" whenever it purchases "milk", and its pur-

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

(f) Unless the context manifestly otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and the General Maximum Price Regulation, as amended,³ issued by the Office of Price Administration, shall apply to other terms herein.

§ 1351.405 *Exempt sales.* (a) This regulation shall not apply to sales and deliveries of "milk" at retail; or at wholesale in glass or paper containers, as defined and covered by the General Maximum Price Regulation; and it shall not apply to those bulk sales and deliveries at wholesale in any other type of container covered by Maximum Price Regulation No. 280.⁴

(b) This regulation shall not apply to purchases of "milk" from a producer at a price lower than \$2.75 per cwt. for milk of 4% butterfat content.

(c) This regulation shall not apply to purchases of bulk milk from producers for use in manufactured dairy products, such as butter, cheese, evaporated or condensed milk, powdered milk, casein, ice cream, and commercial or industrial milk products.

§ 1351.406 *Records and reports.* (a) Every person who purchases "milk" from a producer shall preserve for examination by the Office of Price Administration all his existing records relating to prices paid for such products received during January 1943, together with the name and address of each producer, and shall prepare on or before February 13, 1943, on the basis of available information or records, and keep for examination by the Office of Price Administration, a statement, showing:

(1) The highest price paid each producer for said products received during January 1943; and

(2) The customary allowances, discounts, and other price differentials applicable to himself.

(b) Every person who purchases "milk" from a producer shall keep and make available for examination by the Office of Price Administration records of the same kind that he customarily kept relating to prices which he paid to producers for milk received during January 1943, and, in addition, records showing prices paid to each producer since January 1943.

chases from both member and nonmember producers are, therefore, covered by the regulation. The fact that a farmers' cooperative may also be a producer, as defined in this section, is immaterial.

³ 7 F.R. 3,53, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5783, 5784, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 8942, 9004, 9435, 9615, 9616, 9732, 10156, 10454; 8 F.R. 371, 1204, 1317.

⁴ 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158, 876, 877, 1120, 1468, 1741.

(c) Such person shall submit reports to the Office of Price Administration and keep other records, in addition to or in lieu of those required in paragraphs (a) and (b) of this section, which the Office of Price Administration may from time to time require.

§ 1351.407 *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for Amendment in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

§ 1351.408 *Petitions for adjustment.* (a) Any person seeking an adjustment of maximum prices established by this regulation may file a petition for adjustment in accordance with Revised Procedural Regulation No. 1 where:

(1) An existing or threatened shortage in the supply of "milk" for any particular locality will be substantially reduced or eliminated by adjusting maximum producers' prices; and

(2) The adjustment will not tend to create a shortage or need for price increases in other localities, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

(b) In any locality where the prices for producers' sales of "milk" are regulated by an order, agreement, or license issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended, the Regional Administrator may not adjust maximum prices below the required minimum fixed by such order, agreement, or license.

(c) Any person may file a petition for adjustment in accordance with Revised Procedural Regulation No. 1, requesting an increase in the maximum prices payable to producers under this regulation with respect to any particular locality, wherever such increase will not necessitate, under the provisions of the Emergency Price Control Act of 1942, as amended, any increase in the maximum prices for fluid milk sold at wholesale or retail.

(d) Such petitions for adjustment shall be filed with the appropriate regional office. Each Regional Administrator is authorized to act upon petitions under paragraphs (a) and (c) of this section, and is authorized further to make such adjustments of the maximum prices within his region as are necessary to keep prices in the various localities within his region in appropriate relationship to one another and in appropriate relationship to the prices in other regions.

§ 1351.409 *Adjustable pricing.* Any person may offer or agree to adjust or fix prices to and at prices not in excess of the maximum prices in effect at the time of delivery. In appropriate situations where a petition for amendment requires extended consideration, the Price Administrator may, upon application, grant permission that the parties agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition thereof.

§ 1351.410 *Evasion.* The price limitations of this Regulation shall not be evaded by direct or indirect methods, by means of, or in connection with, any

offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to "milk", alone or in conjunction with any other commodities, or by way of, or in connection with, any commission, service, transportation, or other charge or discount, premium, or privilege, tying agreement, trade understanding, or change in any business or trade practice.

§ 1351.411 *Enforcement.* (a) Purchasers violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspensions of licenses provided by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence or knowledge of any violation of this regulation, or of any price schedule, regulation, or order issued by the Office of Price Administration, or of any acts or practices which constitute a violation, should communicate the information to the nearest district, state, field, or regional office of the Office of Price Administration, or the National Office in Washington, D. C.

§ 1351.412 *General Maximum Price Regulation and Maximum Price Regulation No. 280 superseded.* This regulation supersedes Maximum Price Regulation No. 280 with respect to certain bulk sales and deliveries of milk at wholesale by producers, and any purchases of "milk" from producers as herein defined covered by the General Maximum Price Regulation.

§ 1351.413 *Export sales.* The maximum price at which a producer may export "milk" shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation,¹ issued by the Office of Price Administration.

§ 1351.414 *Geographical applicability.* This regulation shall be applicable only to the 48 States of the United States and the District of Columbia.

This Maximum Price Regulation No. 329 shall become effective February 13, 1943 and terminate on April 9, 1943.

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 43-2427; Filed, February 13, 1943;
4:10 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RPS 85,² Amendment 9]

NEW PASSENGER AUTOMOBILES

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

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

¹ 7 F.R. 5059, 7242, 8829, 9000, 10530.

² 7 F.R. 1364, 1675, 2134, 2132, 6048, 6897, 7100, 7436, 7942, 8948, 9899; 8 F.R. 1450.

In § 1360.52 (d) the date March 15, 1943 is substituted for the date February 15, 1943 wherever the latter date appears.

This Amendment No. 9 shall become effective February 14, 1943.

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

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2429; Filed, February 13, 1943;
4:10 p. m.]

PART 1381—SOFTWOOD LUMBER

[MPR 219,¹ Amendment 2]

NORTHEASTERN SOFTWOOD LUMBER

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

In § 1381.316, Table 1 is amended to read as follows:

§ 1381.316 *Maximum prices for Northeastern white pine lumber processed round edge where shipment originates at a mill.* (a) * * *

TABLE 1

	On sticks	Loaded on trucks	Loaded on rail-road cars
DRY			
4/4" and thicker, log run—	\$27.50	\$28.50	\$29.50
Box sides—	17.50	18.50	19.50

* * * * *

This amendment shall become effective February 19, 1943.

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

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2430; Filed, February 13, 1943;
4:10 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[Ration Order 17,² Amendment 1]

SHOES

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

The heading of Part 1404 is amended to read as set forth above. In Ration Order 17, Sec. 1.4 and the last sentence of the definition of "used" in Sec. 3.13 are revoked; a new Sec. 1.4 is added; and paragraph (a) of Sec. 1.14 is amended; all to read as set forth below:

Article I—How Consumers Buy Shoes

SEC. 1.4 *Consumers may get extra shoes for use outside the United States.* Any District Office, or a Board when au-

¹ 7 F.R. 7285, 7747, 8948; 8 F.R. 368.

² 8 F.R. 1749.

thorized by the District Office, may issue Stamps (or Temporary Shoe Purchase Certificates) to permit the acquisition of the number of pairs of shoes needed for personal use by a person who is or will be living outside of the continental United States because of work related to the war or by a member of his family residing with him. Application shall be made in writing, containing all information on which the eligibility of the applicant is based, and such other information as the District Office or Board may require. The application may be signed by an agent.

SEC. 1.14 *Members of armed services may acquire shoes.* (a) Any member of the armed services of the United Nations may acquire shoes furnished or sold him by a branch of the armed services of the United States, without surrendering ration currency.

Effective Date

Amendment No. 1 (Secs. 1.4, 3.13, 1.14) shall become effective February 13, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 429, 77th Cong., W.P.B. Dir. 1, 7 F.R. 562, E.O. 9125, 7 F.R. 2719)

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2431; Filed, February 13, 1943;
4:09 p. m.]

PART 1427—MAGNESIUM

[MPR 314,¹ Amendment 1]

MAGNESIUM AND MAGNESIUM ALLOY INGOT

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

Section 1427.52 is amended, and a new § 1427.59a is added, as set forth below:

§ 1427.52 *Prohibition.* (a) On and after February 1, 1943, regardless of any contract or other obligation,

(1) No person shall sell or deliver magnesium or magnesium alloy ingot at a price higher than the maximum price established by this regulation; and

(2) No person in the course of trade or business shall buy or receive magnesium or magnesium alloy ingot at a price higher than the maximum price established by this regulation; and

(3) No person shall agree, offer, solicit or attempt to do any of the acts prohibited in subparagraphs (1) and (2) of this paragraph; *Provided*, That if any person on February 1, 1943 had on hand or in transit magnesium ingot purchased by him at a price higher than the maximum price established by this regulation, he may, until March 1, 1943 or until the equivalent of such inventory has been delivered by him, whichever is earlier, carry out at contract prices any contract entered into prior to February 1, 1943 for the sale of magnesium alloy ingot to the United States or any agency thereof.

(b) The maximum prices established by this regulation shall have no applica-

tion to sales to, or purchases by, the Metals Reserve Company.

(c) Prices lower than the maximum prices established by this regulation may be charged, demanded, paid or offered.

§ 1427.59a *Effective dates of amendments.* (a) Amendment No. 1 to Maximum Price Regulation No. 314 (§ 1427.52) shall be effective as of February 1, 1943.

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

Issued this 13th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2432; Filed, February 13, 1943; 4:11 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Amendment 110 to Supp. Reg. 14¹ to GMPR²]

CORRECTIVE EYE GLASSES

A statement of considerations involved in the issuance of Amendment No. 110 has been prepared and filed with the Division of the Federal Register.* A new subparagraph (68) is added to paragraph (a) of § 1499.73 to read as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of the General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(68) *Corrective eye glasses sold to the ultimate user and services involving the examination and refraction of eyes.* (1) The extent to which sales to the ultimate user of corrective eye glasses and of services involving the examination and refraction of eyes are subject to the General Maximum Price Regulation shall be as follows:

(a) All sales other than manufacturers' sales of corrective eye glasses and spectacles are subject to the General Maximum Price Regulation.

(b) The charge to a person for services involving the examination and refraction of eyes is not subject to the General Maximum Price Regulation if the seller is not selling corrective eye glasses or spectacles to that person,

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

¹ 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7536, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 10381, 9639, 9496, 9788, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10583, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 980, 1030, 876, 878, 1139, 1590, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467.

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, 1204, 1317.

either as part of the same transaction or as part of the general course of dealing.

(c) If a seller is rendering to any person services involving the examination and refraction of eyes, and he is also selling corrective eye glasses or spectacles to that person, either as part of the same transaction or as part of the same general course of dealing, the following rules apply:

(1) If the seller makes a single charge for the sale of both the glasses and the services, the joint sale is subject to the General Maximum Price Regulation.

(2) If the seller makes a separate charge for the sale of the glasses and a separate charge for the sale of the services, and during March 1942 he customarily made separate charges, then the charge for the services is not subject to the General Maximum Price Regulation. The sale of the glasses, however, is subject to the General Maximum Price Regulation.

(3) If the seller makes a separate charge for the sale of the glasses and a separate charge for the sale of the services, but in March 1942 he did not customarily make separate charges, and made a single charge for the services and the glasses, then the sum of the charge for the examination and refraction of eyes, plus the charge for the sale of the glasses shall not exceed the highest charge made in March 1942 for the same combination of services and glasses. In order to maintain the correct maximum prices on the sale of the eye glasses, the sale of the glasses and the sale of the services shall be treated as a joint sale of the glasses and the services and shall be subject to the General Maximum Price Regulation.

(b) *Effective dates.* * * * (170) Amendment No. 110 to Supplementary Regulation No. 14 (§ 1499.73 (a) (68)) shall become effective February 19, 1943.

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

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2433; Filed, February 13, 1943; 4:10 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Amendment 114 to Supp. Reg. 14¹ to GMPR²]

MODIFICATION OF MAXIMUM PRICES FOR CERTAIN COMMODITIES, SERVICES, AND TRANSACTIONS

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

¹ 7 F.R. 5486, 5709, 6008, 5911, 6271, 6369, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 9082, 8950, 9131, 8953, 8954, 8955, 8959, 9043, 9196, 9397, 9391, 9495, 9496, 9637, 9786, 9900, 9901, 10069, 10111, 10022, 10151, 10231, 10294, 10346, 10381, 10480, 10537, 10557, 10583, 10705, 10865, 11005; 8 F.R. 276, 439, 535, 494, 589, 863, 1139, 1590, 980, 1030, 876, 1121, 878, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813.

² F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565,

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

In § 1499.73 (a) (19) (iv) (a) the date March 15, 1943 is substituted for the date February 15, 1943 wherever the latter date appears.

This Amendment No. 114 shall become effective February 14, 1943.

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2434; Filed, February 13, 1943; 4:10 p. m.]

Chapter XIII—Petroleum Administration for War

PART 1510—SUPPLY

[Petroleum Directive 59, Amendment]

(a) Section 1510.28 Petroleum Directive 59, as Amended December 12, 1942, (7 F.R. 10621) is hereby amended by changing § 1510.23 to read as follows:

§ 1510.28 *Petroleum supply program.* The Director of Petroleum Supply, Office of Petroleum Coordinator for War, shall prepare and forward to the General Committees of Districts One, Two, and Three statements showing the petroleum supply forecasts for Districts One, Two, and Three, the quantities of crude petroleum required for refining within each District and for movement between districts, the quantities of the Principal Petroleum Products to be manufactured within each District, and the specific inter-district movements. The supply forecast for District One will show the amount of each of the Principal Petroleum Products expected to be available for distribution within each zone, including the amounts of Principal Petroleum Products to be produced, imported, and withdrawn from inventories. The appropriate committee or subcommittee in Districts Two and Three, as designated by the General Committees for Districts Two and Three, shall prepare and submit in quadruplicate to the said Director a suggested monthly schedule for the succeeding month showing the points of origin of the supplies available for shipment from Districts Two and Three which will permit maximum efficient use of transportation facilities. These schedules shall give the name of the suppliers, the quantity available at each point of origin, a general description of the quality, including, in case of heavy fuel oil, sulphur content, of the products available for shipment, and such other information as may from time to time be specified by the Director of Petroleum Supply. Such committees or subcommittees shall, subject to the direction of the Director of Petroleum Supply of the Office of Petroleum Coordinator for War or such District Director as he may designate, arrange for purchases, sales, exchanges, or loans of the Principal Petroleum Products and for the common use of facilities among those engaged in

5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 9732, 10155, 10454; 8 F.R. 371, 1204, 1317.

the petroleum industry in the area over which such committee has jurisdiction so as to provide, so far as possible, for the concentration of supplies of Principal Petroleum Products at points which will permit the maximum efficient use of available transportation facilities. The Director of Refining, Office of Petroleum Coordinator for War, shall furnish to the Director of Petroleum Supply, a suggested monthly schedule for the succeeding month assigning among the several refineries in District One the crude petroleum to be shipped into District One and showing the monthly quantity and the quality of the Principal Petroleum Products to be manufactured at each refinery in District One during such month. Copies of all suggested schedules provided for in this section, effective for the following calendar month, shall be forwarded to the appropriate committees or subcommittees and to the Persons named therein.

(b) Section 1510.29 Petroleum Directive 59, as Amended December 12, 1942, (7 F.R. 10621) is hereby amended by changing § 1510.29 (a) and (e) to read as follows:

§ 1510.29 *Supply and distribution program for District One.* (a) A suggested schedule showing the sales position of each original supplier in each of the six zones described in Exhibit A hereof and for all of District One for each of the principal petroleum products. The determination shall be based on sales made during the calendar year 1941, and shall be expressed as a percentage of the total sales of each of such products made by all original suppliers in the same areas and for the same period. In making such determination the subcommittee may make allowances for seasonal variations in sales volume on a monthly basis. In order to avoid duplication in the determination of the sales position of any Person, sales and deliveries made by one original supplier to another original supplier shall be included as sales of the receiving supplier and deducted from the sales made by the delivering supplier. In order to reflect true zone sales positions in the preparation of such schedules, adjustments shall be made for sales made in one zone for shipment to another zone and for any complete or substantial discontinuance of any class of business in any zone since January 1, 1942.

(e) Subject to the supervision of the District Director of Marketing, District One, the subcommittee shall arrange for purchases, sales, exchanges, and loans of the Principal Petroleum Products among the original suppliers so as to provide each such original supplier with a proportionate part of each of the principal petroleum products available for distribution in each zone on the basis of the sales position of each such original supplier as determined under § 1510.29 (a) hereof. Subject to the supervision of the said Director, the subcommittee may withhold from the amount of each product expected to be available for distribution as shown by the supply forecasts referred to in § 1510.28 hereof, an amount not to exceed three per cent of motor fuel and five per cent of the other

principal petroleum products as a supply subject to distribution to original suppliers by the subcommittee under the supervision of the said Director to meet emergency, extraordinary, or unexpected conditions that may arise with respect to any original supplier. The terms and conditions of any sale, loan, or exchange to be made pursuant to this section shall be negotiated between the individual parties to any such transaction: *Provided, however, That:* * * * (E.O. 9276, 7 F.R. 10091)

Issued this 10th day of February 1943.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 43-2476; Filed, February 15, 1943;
11:57 a. m.]

War Department

ISSUANCE OF NECESSITY CERTIFICATES

Amendments to regulations prescribed by the Secretary of War and the Secretary of the Navy, with the approval of the President, governing the issuance of necessity certificates under section 124 (f) of the Internal Revenue Code.

The regulations governing issuance of necessity certificates under section 124 (f) of the Internal Revenue Code, prescribed by the Secretary of War and the Secretary of the Navy and approved by the President May 22, 1942 (7 F.R. 4233), are amended as follows:

1. In paragraph 1 strike out the word "corporations" appearing in the first sentence and substitute in lieu thereof the word "persons".

2. In paragraph 2 (a) strike out "June 10, 1940" and substitute in lieu thereof "December 31, 1939".

3. In paragraph 2 (b) strike out "June 10, 1940" and substitute in lieu thereof "January 1, 1940".

4. Paragraph 2 (c) is amended to read as follows:

"Taxpayer" means a person as that term is defined in section 3797 (a) (1) of the Internal Revenue Code.

5. In paragraph 5 (a) strike out "June 10, 1940" and substitute in lieu thereof "December 31, 1939".

6. Paragraph 6 is amended to read as follows:

Form of application. The standard form of application for a necessity certificate with accompanying instructions may be obtained from the certifying authority. In cases where time does not permit preparation of a formal application, an informal written application will be accepted, pending the filing of a formal application. The formal application need not follow the standard form nor repeat any of the language of these regulations; but it should clearly and concisely set forth the information called for in the standard form, with particular reference to such of the considerations set forth in Article 3 of these regulations as may be relevant to the application. The application must be duly sworn to

and should give the name of the person authorized to represent the taxpayer for the purpose of the application.

7. Paragraph 7 is amended to read as follows:

Place and time of filing of application; making of election. An application for a necessity certificate is filed when received at the office of the certifying authority in Washington, D. C., or at any other office designated by the certifying authority. The application must be thus filed within six months after the beginning of the construction, reconstruction, erection, or installation, or the date of acquisition, of the facilities sought to be certified, or before December 1, 1941, whichever is later; except that (a) in the case of an emergency facility completed or acquired by a corporation after December 31, 1939, and before June 11, 1940, the application must be filed on or before April 21, 1943, and (b) in the case of an emergency facility completed or acquired after December 31, 1939, by a person other than a corporation, the application must be filed before the expiration of six months after the beginning of construction, reconstruction, erection, or installation of the emergency facility or the date of its acquisition, or on or before April 21, 1943, whichever is later.

The part of any facility which was constructed, reconstructed, erected, or installed not earlier than six months prior to the filing of an application for a certificate, is deemed a separate facility for the purpose of determining the timeliness of the filing, notwithstanding that the other part of such facility was constructed, reconstructed, erected, or installed earlier than six months prior to the filing of the application.

The application should be filed in time to enable the certifying authority to issue a necessity certificate before expiration of the taxpayer's time of making of election, as set forth in section 124 (f) (3) of the Internal Revenue Code.

These amendments shall be effective as of October 21, 1942.

HENRY L. STIMSON,
Secretary of War.

JAMES FORRESTAL,
Acting Secretary of the Navy.

Approved: February 1, 1943.

FRANKLIN D. ROOSEVELT,
President.

[F. R. Doc. 43-2457; Filed, February 15, 1943;
10:21 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

SNOHOMISH RIVER, WASH.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), the provisions of § 203.805 of Bridge Regulations are extended to include the State

of Washington highway bridge at Snohomish, Washington, and are amended by deleting paragraph (f) therefrom, the title being amended as follows:

§ 203.805 *Snohomish River, Wash.; Northern Pacific Railway and Great Northern Railway bridges and the State of Washington highway bridge at Snohomish, Wash.* * * *

(f) [Rescinded] [Regs., February 5, 1943 (CE 823 (Snohomish R.—Snohomish, Wash.) (Mile 15)—SPEON)]

[SEAL]

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

[F. R. Doc. 43-2453; Filed, February 15, 1943; 10:19 a. m.]

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

PART 307—WAR SHIPPING ADMINISTRATION PRICE ADJUSTMENT BOARD

[General Order 30]

ESTABLISHMENT OF PRICE ADJUSTMENT BOARD

Establishing the War Shipping Administration Price Adjustment Board for the renegotiation of war contracts of the War Shipping Administration.

Sec.

307.1 Creation of War Shipping Administration Price Adjustment Board.

307.2 Membership of Price Adjustment Board.

307.3 Delegation of authority by the Administrator, War Shipping Administration.

307.4 Records of the Board.

AUTHORITY: §§ 307.1 to 307.4, inclusive, issued under E.O. 9001, 9054, 9127, 9244; 6 F.R. 6787; 7 F.R. 837, 2753, 7327; Pub. Laws 528, 753, 77th Cong.

§ 307.1 *Creation of War Shipping Administration Price Adjustment Board.* By virtue of the authority vested in the Administrator, War Shipping Administration, by the Statutes of the United States and Executive Orders 9001, 9054, 9127 and 9244, dated December 27, 1941; April 10, 1942; February 7, 1942 and September 16, 1942, respectively, including section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942 (Pub Law 528, 77th Congress), approved April 28, 1942, as amended by section 801 of the Revenue Act of 1942 (Public Law 753, 77th Congress), approved October 21, 1942, and in order to control profits and costs under war contracts of the War Shipping Administration through adjustments with contractors, it is ordered and there is created a board to be known as the "War Shipping Administration Price Adjustment Board".

§ 307.2 *Membership of Price Adjustment Board.* The Price Adjustment Board established by this Order will consist of representatives of the Fiscal, Operations and Legal Divisions of the War Shipping Administration together with a fourth member to be selected with the approval of the Chairman of the War Production Board as his representative. Additional members of the Board shall be

appointed by the Administrator from time to time should it appear advisable. The Administrator shall designate the member who shall act as Chairman of the Price Adjustment Board.

§ 307.3 *Delegation of authority by the Administrator, War Shipping Administration.* To effect an expeditious and reasonable renegotiation of contract prices, the use of the authority of enforcement conferred upon the Administrator, War Shipping Administration, by the Statutes and Executive Orders aforesaid, is authorized and may be exercised by the War Shipping Administration Price Adjustment Board, which hereby is charged with the responsibility for bringing about such review of contract and subcontract prices as it may deem to be desirable, renegotiating, or causing to be renegotiated, such contract prices when in its judgment, such action is necessary or desirable, and making such recommendations to the Administrator for approval as may be appropriate to effectuate the results of such renegotiations. To expedite this purpose the Board may delegate to any one or more of its members the power to initiate investigations, request information and assistance on behalf of the Board and to represent the Board in negotiations with contractors. The Board is authorized and instructed whenever appropriate to function jointly with representatives or agencies of the United States Maritime Commission, the Navy Department, the War Department, the War Production Board, the Treasury Department, and other Departments or agencies of the Government.

§ 307.4 *Records of Board.* The Board shall keep a written record of each action taken by it.

[SEAL]

E. S. LAND,
Administrator.

FEBRUARY 12, 1943.

[F. R. Doc. 43-2394; Filed, February 13, 1943; 11:28 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 15—RULES AND REGULATIONS GOVERNING ALL RADIO STATIONS IN THE WAR EMERGENCY RADIO SERVICE¹

Correction

Attention is directed to the following omissions from material published in the Saturday, January 23, 1943 issue of the FEDERAL REGISTER:

Section 15.62 (a) (4): Change the period to a comma and add "including method of compliance with Restricted Order No. 2."

Section 15.82 (d): Change the period to a comma and add "including method of compliance with Restricted Order No. 2."

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-2448; Filed, February 15, 1943; 10:22 a. m.]

¹ 8 F.R. 1077.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 112—RECORDS OF ELECTRIC RAILWAY COMPANIES

DESTRUCTION OF RECORDS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 6th day of February 1943.

The regulations to govern the destruction of records of electric railway companies, being under consideration by the division pursuant to authority of section 20 of the Interstate Commerce Act, and the division having found need for modifications and amendments of the regulations to govern the destruction of records of electric railway companies, the modifications and amendments attached hereto and made a part hereof being found necessary for administration of the provisions of Part I of the Act, are hereby approved; and

It is ordered. That all carriers operating independently as electric railroad lines, herein referred to as electric railway companies, subject to the provisions of the Interstate Commerce Act, and every trustee, executor, administrator, or assignee of any such carrier be, and they are hereby required to comply with the regulations to govern the destruction of records of electric railway companies as hereby modified and amended;

It is further ordered. That this order shall become effective July 1, 1943.

And it is further ordered. That a copy of this order shall be served upon every electric railway company subject to the Act and upon every trustee, executor, administrator, or assignee of any such electric railway company and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register,¹ the National Archives.

By the Commission, Division 1.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 43-2474; Filed, February 15, 1943; 11:21 a. m.]

Notices

TREASURY DEPARTMENT.

Fiscal Service: Bureau of Public Debt

THREE AND THREE-EIGHTHS PERCENT TREASURY BONDS OF 1943-47

NOTICE OF CALL FOR REDEMPTION

1. Public notice is hereby given that all outstanding 3¾ percent Treasury Bonds of 1943-47, dated June 15, 1927, are hereby called for redemption on June

¹ A list of modifications to be made in § 112.1, *List of accounts, records, and memoranda, and periods of retention*, was filed with the Division of the Federal Register.

15, 1943, on which date interest on such bonds will cease.

2. Full information regarding the presentation and surrender of the bonds for redemption under this call will be found in Department Circular No. 666, dated July 21, 1941.

3. These bonds will be redeemed at par, and holders will not be offered other obligations of the United States in exchange for their called bonds.

HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

FEBRUARY 13, 1943.

[F. R. Doc. 43-2382; Filed, February 13, 1943;
10:07 a. m.]

WAR DEPARTMENT.

WOW BANDANNA DESIGNED FOR ORDNANCE WORKERS

A design for a bandanna for women Ordnance workers has been approved by the Secretary of War. The purchasing and wearing of this article, known as the "WOW Bandanna", is optional with the workers for whom it is designed. The "WOW Bandanna" makes use of the Ordnance Department insignia and, in accordance with paragraph 7, Army Regulations No. 600-90 (§ 7.6, Title 10, Code of Federal Regulations), its manufacture may be authorized, subject to the following conditions, upon application to the Office of the Chief of Ordnance, Executive Branch, War Department, Washington, D. C.

1. *Design.* A. The design of the "WOW Bandanna" shall conform to the sketch depicted in Figure One, attached hereto,¹ which is incorporated and made a part of this condition. The Ordnance Department insignia of a shell and flame shall be scattered or "tossed about" in the "WOW Bandanna" without following any regular arrangement. The insignia shall not be presented in parallel rows. The number of insignia used in the bandanna shall be in the following proportion: from ninety-five (95) to one hundred-and-fifteen (115) for each square yard of cloth.

B. The "WOW Bandanna" may be made with or without a border. If a border is used, it shall occur at the edges of the bandanna.

C. The insignia of the Army Ordnance Department used in the design pattern shall be that shown in the sketch in Figure Two,¹ attached hereto, which is incorporated and made a part of this condition. The size of the insignia, as reproduced in the "WOW Bandanna" shall be as follows: diameter of shell, one (1) inch; length of flame above shell, one (1) inch. The over-all length of the insignia, from the bottom of the shell to the tip of the flame shall be two (2) inches.

2. *Color.* A. The basic color scheme authorized is as follows:

(1) The background color of the "WOW Bandanna" shall be "Army Ord-

nance Red," or as near to that shade as possible.* * *

(2) The Ordnance Department insignia of a shell and flame shall be in white.

(3) If the red bandanna is made with a border, the border shall be white, and this border shall occur at the edges of the bandanna.

B. The following optional color scheme is also authorized, since this color combination may be desirable for summer wear:

(1) The background color may be white.

(2) The Ordnance Department insignia will be in "Army Ordnance Red" or as near to that shade as possible.

(3) If the white bandanna is made with a border, the border shall be in "Army Ordnance Red," and this border shall occur at the edges of the bandanna.

3. *Size and shape.* The minimum size of the "WOW Bandanna" shall be a twenty-seven (27) inch square.

4. *Washable.* The "WOW Bandanna" must be washable and able to withstand frequent laundering without undue fading or running of colors.

5. *Samples.* A. A sample of the "WOW Bandanna" manufactured under this license shall be submitted by the manufacturer to the Ordnance Department for approval before making bulk shipments of the bandannas from which the sample is taken.

B. At the time the sample is submitted to the Ordnance Department the manufacturer shall state the price at which it is planned to merchandise the bandannas from which the sample is taken.

C. The sample and price statement should be sent to The Chief of Ordnance, War Department, Washington, D. C., Attention: Capt. James D. Allen, Executive Branch.

6. *Representations.* No representations shall be made, by advertising or otherwise, that the "WOW Bandanna" * * * conforms to safety specifications of the Army Ordnance Department, or that the War Department approves or recommends this particular type of headgear, or that it recommends the product of any individual manufacturer. Advertisements of the "WOW Bandanna" must be submitted for approval to the Review Branch, War Department Bureau of Public Relations, Washington, D. C., prior to publication.

Special Note to Manufacturers and Others Concerned

1. *Merchandising.* No conditions are imposed concerning the merchandising of the "WOW Bandanna" * * *. Manufacturers may elect to merchandise either by direct sale to war plants or through regular retail channels, or both.

2. *Cloth.* No conditions other than those hereinbefore set forth are imposed concerning specifications for the cloth used in "WOW Bandannas".

* A color sample of "Army Ordnance Red" will be furnished to manufacturers in connection with authorizations.

3. *Safety features.* Manufacturers are notified that clothing worn in explosive areas in plants and in certain machine shops are required to meet safety standards in effect at such establishments. In the event of direct sale to such establishments, samples of the cloth to be used should be submitted to the establishment for approval of its safety features.

(42 Stat. 1286 as amended by 45 Stat. 437; 10 U.S.C. 1425, and 47 Stat. 342 as amended by 53 Stat. 752; 18 U.S.C. 76a, 76b) [Letter of authorization to manufacture and sell "WOW Bandanna", Office of the Chief of Ordnance]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-2454; Filed, February 15, 1943;
10:21 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1812]

DISTRICT BOARD 17

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 17 for the elimination of Price Instruction and Exception No. 15 from the schedule of effective minimum prices for District No. 17 for all shipments.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on March 22, 1943 at 10:00 o'clock in the forenoon of that day at a hearing room of the Division Circuit Court Room, P. O. Building, Denver, Colorado.

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

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

¹ Filed with the Division of the Federal Register.

sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 18, 1943.

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

The matter concerned herewith is in regard to the petition of District Board No. 17 for revision of the effective minimum prices for coals produced and shipped by truck from Subdistricts 1, 2, 3, 6, 7 and 8 in District No. 17 by eliminating Price Instruction and Exception No. 15 from the Schedule of Effective Minimum Prices for District No. 17 for All Shipments.

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2385; Filed, February 13, 1943; 10:27 a. m.]

[Docket No. A-1840]

A. & M. COAL CO., INC.

NOTICE OF AND ORDER FOR HEARING AND ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of the A. & M. Coal Co., Inc., c/o Jay D. Hill, for revision of price classifications and minimum prices for the coals of the A. & M. Coal Company Mine, Mine Index No. 40, District No. 14.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting changes, both temporary and permanent in the price classifications and minimum prices for the coals of its A. & M. Coal Company Mine, Mine Index No. 40 in District No. 14; and

It appearing that no final determination should be made at this time with respect to the establishment of permanent price classifications and minimum prices for the coals of the aforesaid mine as requested; and

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

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

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

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief be and the same hereby is granted as follows: Commencing forthwith, the Schedules of Effective Minimum Prices for District No. 14 for All Shipments Except Truck and for Truck Ship-

ments are amended to include the following price classifications and minimum prices in lieu of those heretofore in effect for the coals of the A. & M. Coal Company Mine, Mine Index No. 40 in District No. 14 as follows:

	Size groups							
	4	6	7	8	9	10	11	18
For all shipments except truck.....	A	A	B	B	A	C	C	B
Truck shipments.....	510	510	510	510	485	435	420	475

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of the Bituminous Coal Act of 1937 and the rules of the Division be held on March 19, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division at Sebastian County Circuit Court Room, Fort Smith, Arkansas.

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

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 15, 1943.

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

The matter concerned herewith is in regard to the petition of the A. & M. Coal Company, Inc. requesting the following changes in the price classifications and minimum prices for the coals of its A. & M. Coal Company Mine, Mine Index No. 40, District No. 14, for All Shipments Except Truck and for Truck Shipments:

	Size groups							
	4	6	7	8	9	10	11	18
For all shipments except truck:	C	C	D	D	C	E	D	C
From.....	A	A	B	B	A	C	C	B
To.....								
Truck shipments:	490	490	490	490	465	415	400	455
From.....	510	510	510	510	485	435	420	475
To.....								

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2383; Filed, February 13, 1943; 10:27 a. m.]

[Docket No. B-362]

ALDER RUN MINING CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of Leroy Hubler, trading under the name and style of Alder Run Mining Company, Code Member.

A complaint dated January 28, 1943, pursuant to the provisions of section 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on January 27, 1943, by Bituminous Coal Producers Board for District No. 1, complainant, a district board with the Bituminous Coal Division (the "Division"), alleging wilful violation by Leroy Hubler, trading under the name and style of Alder Run Mining Company, (the "Code Member"), of the Bituminous Coal Code (the "Code"), or rules and regulations thereunder:

It is ordered, That a hearing in respect to the subject matter of such complaint be held on March 19, 1943, at 10 a. m., at a hearing room of the Bituminous Coal Division at Community Room, Altoona, Pennsylvania.

It is further ordered, That Edward J. Hayes, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to take evidence, and to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Code Member and to all other parties herein and to all persons and entities having an interest in this proceeding. Any person or entity eligible under § 301.123 of the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to sections 4 II (j) and 5 (b) of the Act, may file a petition for intervention not later than five (5) days before the date herein set for hearing on the complaint.

Notice is hereby given that answer to the complaint must be filed with the Division at its Washington Office or with any one of the statistical bureaus of the Division, within twenty (20) days after date of service thereof on the Code Member; and that failure to file an answer within such period, unless otherwise ordered, shall be deemed to be an admission of the allegations of the complaint herein and a consent to the entry of an appropriate order on the basis of the facts alleged.

Notice is also hereby given that if it shall be determined that the Code Member has wilfully committed any one or more of the violations alleged in the complaint, an order may be entered either revoking the membership of the Code Member in the Code and the Code Member's right to an exemption from the taxes imposed by section 3520 (b) (1) of the Internal Revenue Code, or directing the Code Member to cease and desist from violating the Code and regulations made thereunder.

All persons are hereby notified that the hearing in the above entitled matter and orders entered therein may concern, in addition to the matters specifically alleged in the complaint herein, other matters incidental and related thereto, whether raised by amendment of the complaint, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Notice is also hereby given that any application, pursuant to § 301.132 of the Rules of Practice and Procedure before the Division for the disposition of this proceeding without formal hearing, must be filed not later than (15) days after receipt by the Code Member of the complaint herein.

The matter concerned herewith is in regard to the complaint filed by said complainant alleging that Leroy Hubler, trading under the name and style of Alder Run Mining Company, R. F. D. No. 1, Morrisdale, Pennsylvania, whose code membership became effective as of September 13, 1938, operator of the Shannon Mine, Mine Index No. 461, located in Subdistrict No. 8, District No. 8, Clearfield County, Pennsylvania, has wilfully violated the Act, the Code, and rules and regulations promulgated thereunder by selling and delivering, coal produced at the aforesaid mine, in the following transactions:

I. By selling and delivering for rail shipment, subsequent to October 14, 1940, substantial tonnages of coal produced by said code member at the aforesaid mine, notwithstanding the fact that minimum prices, temporary or final, had not been established therefor by the Division including:

Sales during the period October 21, 1940, to March 25, 1941, both dates inclusive, of approximately 3,218.05 net tons of run of mine coal to R. S. Walker, trading under the name and style of Bradford Coal Company ("Walker"), Bigler, Pennsylvania, and delivering said coal at rail sidings other than at Alder Run, Pennsylvania, to Walker at his railroad sidings located at Bigler, Munson, Shawville, and Morrisdale, Pennsylvania, who resold and shipped said coal

by rail from his said rail sidings to various purchasers, so that each such transaction constituted a wilful violation of the Order of the Director issued in General Docket No. 19 dated October 9, 1940, which became effective October 14, 1940; or

II. By selling and delivering by truck subsequent to September 30, 1940, coal produced at the aforesaid Shannon Mine at prices below the effective minimum price for said coal plus transportation charges, handling, or incidental charges from the transportation facilities at the mine to the points at which all such charges were assumed and directly paid by the purchaser, including the following transactions:

The sale and delivery during the period from October 21, 1940, to March 25, 1941, both dates inclusive, of approximately 3,222.05 net tons of run of mine coal to Walker at prices ranging from \$1.85 to \$2.00 per net ton f. o. b. his railroad sidings, located at Bigler, Munson, Shawville, and Morrisdale, Pennsylvania, whereas such coal was classified as Size Group No. 3 and priced at \$2.25 per net ton f. o. b. said mine, to which minimum price there should have been added, as required by the applicable price instruction, the transportation, handling, and other charges from the transportation facilities at the mine to said points of delivery, where all such charges were assumed and directly paid by said purchaser, so that each of said transactions constituted a sale and delivery of coal in wilful violation of section 4, Part II (e) and (g) of the Act and Part II (e) and (g) of the Code.

III. By selling subsequent to September 30, 1940, below the effective minimum prices therefor, coal produced at his aforesaid mine, including the sale and delivery of approximately 454,525 net tons of run of mine coal (Size Group 3) during the period October 5, 1940, to January 31, 1941, both dates inclusive, to Kristianson & Johnson Coal Company, Inc., ("Kristianson") Lanse, Pennsylvania, and allowing Kristianson deductions, unauthorized discounts, or commissions in the amount of 12 cents per net ton from the applicable f. o. b. mine price at \$2.25 per net ton established therefor, resulting in sales by said Code Member at \$2.13 per net ton for said coal to Kristianson, so that each such transaction constituted a wilful violation of section 4 Part II (e) of the Act and Part II (e) of the Code.

Dated: February 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2384; Filed, February 13, 1943;
10:27 a. m.]

APPLICATION FOR REGISTRATION AS DISTRIBUTOR

To all district boards, code members, distributors, the Consumers' Counsel and other interested persons.

An application for registration as a distributor has been filed by each of the following and is under consideration by the Director:

Name and address	Date application filed
French McC. Emmons, 1006 Commercial Trust Bldg., Philadelphia, Pa.	Feb. 2, 1943
J. H. Weaver Co., 1617 Pennsylvania Blvd., Philadelphia, Pa.	Jan. 26, 1943

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of any of the above-named applicants for registration as distributors under the provisions of the Bituminous Coal Act and the Rules and Regulations for the Registration of Distributors, is invited to furnish such information to the Division on or before March 15, 1943. This information should be mailed or presented to the Bituminous Coal Division, Department of the Interior, Washington, D. C.

Dated: February 13, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2462; Filed, February 15, 1943;
10:55 a. m.]

[Docket No. A-1422]

DISTRICT BOARD 11

ORDER DISMISSING PETITION

In the matter of the petition of District Board No. 11 for preliminary or temporary and permanent order for increase in the minimum prices for coals produced in said district.

A petition having been filed on April 21, 1942, with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, by District Board No. 11, requesting that an order be issued increasing temporarily by 20 cents per net ton the effective minimum prices applicable to the coals produced for shipment into all market areas by all code members in Minimum Price Areas Nos. 1 and 2; that this petition be consolidated with other petitions filed on behalf of code members or district boards in Minimum Price Areas Nos. 1 and 2 and set for hearing with any hearing to be held on the second phase of General Docket No. 21; and that the petitioner herein and the code members in District No. 11, and the code members in Minimum Price Area No. 2 be granted such other relief as may be appropriate;

A notice and order concerning consolidation and hearing having been issued on May 4, 1942, 7 F.R. 3374, consolidating the matters in Dockets Nos. A-1299, A-1360, A-1423 and A-1424 for all purposes with General Docket No. 21 and denying District Board No. 11's request for consolidation of Docket No. A-1422 with General Docket No. 21;

A memorandum opinion and order denying temporary relief having been issued in this matter on June 3, 1942, 7 F.R. 4280;

A motion having been filed by District Board No. 11 requesting that its petition in this matter be withdrawn;

An order in General Docket No. 21 having been issued on August 28, 1942, 7 F.R. 6943, effective October 1, 1942, con-

cerning, inter alia, the minimum prices for coals produced in Minimum Price Areas Nos. 1 and 2, and it appearing, therefore, that the motion of District Board No. 1, should be granted:

Now, therefore, it is ordered, That the petition of District Board No. 11 herein for temporary relief be, and it hereby is, dismissed.

Dated: February 13, 1943.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 43-2463; Filed, February 15, 1943;
10:55 a. m.]

[Docket No. A-1424]

DISTRICT BOARD 9

ORDER DISMISSING PETITION

In the matter of the petition of District Board No. 9 for preliminary or temporary and permanent order for increase in the minimum prices for coals produced in said district.

A petition having been filed on April 22, 1942, with the Bituminous Coal Division, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, by District Board No. 9, requesting that an order be issued increasing temporarily by 20 cents, per net ton the effective minimum prices applicable to the coals produced for shipment into all market areas by all code members in Minimum Price Areas Nos. 1, 2 and 3; that this petition be consolidated with other petitions filed on behalf of code members or district boards in Minimum Price Areas Nos. 1, 2, and 3 and set for hearing with any hearing to be held on the second phase of General Docket No. 21, and that the petitioner herein and the code members in District No. 9, and the code members in Minimum Price Area No. 2 be granted such other relief as may be appropriate;

A Notice and Order Concerning Consolidation and Hearing having been issued on May 4, 1942, 7 F.R. 3374, consolidating the matters in Dockets Nos. A-1299, A-1360, A-1423 and A-1424 for all purposes with General Docket No. 21 and denying District Board No. 11's request for consolidation of Docket No. A-1422 with General Docket No. 21;

A Memorandum Opinion and Order Denying Temporary Relief having been issued in this matter on June 3, 1942, F.R. 4280;

A motion having been filed by District Board No. 9 requesting that its petition in this matter be withdrawn;

An Order in General Docket No. 21 having been issued on August 28, 1942, 7 F.R. 6943, effective October 1, 1942, concerning, inter alia, the minimum prices for coals produced in Minimum Price Areas Nos. 1, 2, and 3, and it appearing, therefore, that the motion of District Board No. 9 should be granted;

Now, therefore, it is ordered, That the petition of District Board No. 9 herein for temporary relief be, and it hereby is, dismissed.

Dated: February 13, 1943.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 43-2466; Filed, February 15, 1943;
10:54 a. m.]

[Docket Nos. A-1847, A-1847, Part II]

DISTRICT BOARD 18

MEMORANDUM OPINION, ETC.

In the matter of the petition of District Board No. 18 for the establishment of price classifications and minimum prices for the Green Raney Mine.

In the matter of the petition of District Board No. 18 for revision of the boundaries of District No. 18 to include therein all coal producing counties in the state of Arizona.

Memorandum opinion and order severing Docket No. A-1847 Part II from Docket A-1847, and notice of and order for hearing in Docket No. A-1847 Part II.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with this Division by the above-named party requesting (1) the establishment of price classifications and minimum prices for the coals of the Green Raney Mine, Mine Index No. 176, of Gus D. Raney, in Subdistrict 6 of District No. 18 for shipment by truck; and (2) revision of the boundaries of District No. 18 to include therein all coal producing counties in the State of Arizona and all coal producing counties in the State of New Mexico, except Colfax County, New Mexico.

As stated in the order issued in Docket No. A-1847, a reasonable showing of necessity has been made for the granting of the relief requested by petitioner as to the establishment of price classifications and minimum prices for the coals of the Green Raney Mine, Mine Index No. 176, of Gus D. Raney in Subdistrict 6 of District No. 18 for shipment by truck. Further, as stated in the above-mentioned order, petitioner's request that all coal producing counties in the State of New Mexico, except Colfax County, be included in District No. 18, appears to have been satisfied by the order issued in Docket No. 898-FD, on October 23, 1940.

The Director is of the opinion that no relief, either temporary or permanent, should be granted in connection with petitioner's request that the boundary of District No. 18 be revised to include therein all coal producing counties in the State of Arizona, pending a hearing in this matter.

Now, therefore, it is ordered, That the portion of Docket No. A-1847 relating to the proposed revision of boundaries of District No. 18 to include all coal producing counties in the State of Arizona be, and the same hereby is, severed from the remainder of Docket No. A-1847 and designated as Docket No. A-1847, Part II.

It is further ordered, That a hearing in Docket No. A-1847 Part II, under the applicable provisions of said Act and the rules and regulations of the Division be held on March 15, 1943, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Washington, D. C.

It is further ordered, That W. A. Cuff, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said

hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before March 11, 1943.

All persons are hereby notified that the hearing in Docket No. A-1847, Part II, and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 18 for revision of the boundaries of District No. 18 to include therein all coal producing counties in the State of Arizona.

Dated: February 12, 1943.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 43-2464; Filed, February 15, 1943;
10:54 a. m.]

[Docket No. B-185]

OLD BEN COAL CORPORATION

ORDER WITHDRAWING NOTICE OF AND ORDER FOR HEARING AND TERMINATING MATTER WITHOUT PREJUDICE

In the matter of Old Ben Coal Corporation, registered distributor, Registration No. 6983.

The above-entitled matter having been instituted by Notice of and Order for Hearing dated January 26, 1942, and the hearing herein having been indefinitely postponed by subsequent order of the Director to a date and place to be thereafter designated by an appropriate order; and

The Director deeming it advisable that said Notice of and Order for Hearing be withdrawn;

Now, therefore, it is ordered, That the said Notice of and Order for Hearing dated January 26, 1942, be and the same is hereby withdrawn, and that the above-entitled matter be, and the same hereby is, terminated without prejudice.

Dated: February 13, 1943.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 43-2465; Filed, February 15, 1943;
10:54 a. m.]

[Docket No. B-367]

FRANK DUNNING, INC.

NOTICE OF AND ORDER FOR HEARING

The Bituminous Coal Division (the "Division") finds it necessary in the proper administration of the Bituminous Coal Act of 1937 (the "Act") and the Bituminous Coal Code (the "Code") promulgated thereunder to determine:

(A) Whether Frank Dunning, Inc., Registered Distributor, Registration No. 2566, hereinafter sometimes referred to as (the "Distributor"), whose address is 1419 Midland Building, Cleveland, Ohio, has violated any provisions of the Act, the Code, and Orders of the Division, including the Marketing Rules and Regulations, Rules and Regulations for the Registration of Distributors (the "Distributor's Rules"), and its Distributor's Agreement (the "Agreement"), dated August 15, 1940, and filed by said Distributor pursuant to an Order of the National Bituminous Coal Commission dated March 24, 1939, entered in General Docket No. 12, which was adopted and ratified as an Order of the Division on July 1, 1939, and more particularly whether subsequent to September 30, 1940, said Distributor:

1. (a) During the period October 1, 1940, to and including April 8, 1941, while acting as distributor, purchased approximately 1,048.27 net tons of various sizes of coal from John H. Ridgway (Ridgway Coal Company), operator of the Ridgway Mine (Mine Index No. 1804), Uhrichsville, Ohio, code member, and resold or delivered said coal to or through Dunning Sales Corporation, Cleveland, Ohio; and

(b) During the period October 8, 1940, to and including January 24, 1941, while acting as distributor, purchased approximately 199.16 net tons of various sizes of coal from said John H. Ridgway (Ridgway Coal Company), and resold said coal to Sibila Trucking Company, Massillon, Ohio; and

(c) On December 24, 1940, while acting as distributor, purchased from said John H. Ridgway (Ridgway Coal Company) approximately 13.45 net tons of 2" nut and slack coal, and resold said coal to Sterling Coal Sales Company; and

(d) During the period November 1, 1940, to and including May 12, 1941, while acting as distributor, purchased approximately 266.15 net tons of various sizes of coal from William Carlisle (Wainwright Coal Company), operator of the Wainwright Mine (Mine Index No. 1711), Wainwright, Ohio, code member, and resold said coal to or through Dunning Sales Corporation, Cleveland, Ohio; and

(e) During the period November 5, 1940, to and including December 31, 1940, while acting as distributor, purchased approximately 75.3 net tons of various sizes of coal from said William Carlisle (Wainwright Coal Company) and resold said coal to Sibila Trucking Company, Massillon, Ohio; and

(f) On November 16, 1940, while acting as a distributor, purchased approximately 11.9 net tons of 2 inch lump coal from said William Carlisle (Wainwright Coal Company) and resold said coal to

Cardinal Fuel & Supply Company, Columbus, Ohio; and

(g) On February 3, 1940, while acting as a distributor, purchased approximately seven tons of nut and slack coal from Victor H. Espenschied, operator of the Espenschied Mine (Mine Index No. 1732), Dover, Ohio, code member, and resold said coal to or through Dunning Sales Corporation, Cleveland, Ohio;

and accepted and retained distributor's discounts in the amount of 12 cents per ton on said coal, whereas in respect to each of the above transactions, said distributor (1) failed to reduce to writing and to file copies of all spot orders or written confirmations thereof, within ten (10) business days after the date of the making of spot orders or the written confirmations thereof, with the Statistical Bureau for District No. 4, in violation of Rules 1 and 3 of section V of the Marketing Rules and Regulations (the "Marketing Rules"), and Paragraphs (e) and (f) of the Agreement; and (2) failed to file with said Statistical Bureau copies of sales slips or invoices relating to the resale of said coal by truck or wagon, in violation of Division's Orders Nos. 301, 307, and 312, issued August 8, 1940, December 11, 1940, and February 24, 1941, respectively, and paragraphs (e) and (f) of the agreement; and (3) actually resold and delivered said coal in trucks in less than carload lots and in a noncontinuous flow to its vendees, in violation of paragraph (d) of the Agreement; and

2. While engaging in the transactions in subparagraphs (a), (d), and (g) of paragraph 1, hereinabove described, distributor purchased approximately 1321.42 net tons of various sizes of coal and resold or delivered said coal to or through Dunning Sales Corporation (retailer) for consumption and use by Hotel Hollenden, Cleveland, Ohio, and accepted and retained distributor's discounts in the amount of 12 cents per net ton of said coal, whereas said retail outlet financially or otherwise controlled said distributor and distributor engaged in said method of disposing of said coal for the purpose of unjustly enriching said distributor, resulting in violations of paragraph 12 of section 4 II (i) of the Act, §§ 304.12 (b) 8 and 304.19 (a) and (c) of the distributor's rules, Rule 12 of section XIII of the marketing rules and paragraphs (c), (d), and (g) of the agreement.

(B) Whether the registration of said Frank Dunning, Inc., registered distributor, Registration No. 2566, should be revoked or suspended or other appropriate penalties imposed.

It is, therefore, ordered, That a hearing pursuant to § 304.14 of the rules and regulations for the registration of distributors, to determine whether the aforementioned Frank Dunning, Inc., has committed violations in the respects heretofore described and whether the registration of said distributor should be revoked or suspended, or other appropriate penalties imposed, be held at 10 a. m., March 25, 1943, at a hearing room of the Division at Rm. 518, Bulkeley Bldg., Cleveland, Ohio.

It is further ordered, That Joseph A. Huston, or any other officer or officers of

the Division duly designated for that purpose shall preside at the hearing in such matter. The officer so designated to preside at such hearing is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit proposed findings of fact and conclusions and recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Distributor and to all persons and entities having an interest in such proceeding.

Notice is hereby given that answer setting forth the position of said Distributor with reference to the matters hereinbefore described, shall be filed with the Bituminous Coal Division at its Washington Office or with any one of the field offices of the Division, within twenty (20) days after date of service hereof on said Distributor, and that failure to file an answer herein within such period, unless the presiding officer shall otherwise order, shall be deemed to be an admission by said Distributor so failing of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application or applications pursuant to § 301.132 of the Rules of Practice and Procedure Before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by said Distributor of this Notice of and Order for Hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered therein may concern, in addition to the matters specifically alleged herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: February 13, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2467; Filed, February 15, 1943;
10:54 a. m.]

[Docket No. B-274]

EDWARDSVILLE COAL CO., INC.

ORDER GRANTING APPLICATION FOR RESTORATION OF CODE MEMBERSHIP

A written complaint dated June 3, 1942, having been filed on June 6, 1942, by the Bituminous Coal Producers Board for District No. 10, pursuant to sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), alleging wilful violation by Edwarsville Coal Co., Inc., a corporation, Marine Road, Edwarsville, Illinois, code member in District No. 10, of the Act, of the Bituminous Coal Code (the "Code"), and the rules and regulations thereunder; and

An order having been issued herein on December 1, 1942, cancelling and revoking the code membership of said Edwardsville Coal Co., Inc., effective as of the date of said order; and said order of cancellation and revocation having been duly served on December 12, 1942, on said Edwardsville Coal Co., Inc.; and

Edwardsville Coal Co., Inc., having filed with the Bituminous Coal Division (the "Division") on February 6, 1943, its application for restoration of its code membership to become effective simultaneously with the effective date of the order entered in Docket No. B-274 issued December 1, 1942, cancelling and revoking the code membership of said Edwardsville Coal Co., Inc., in the said Code; and

It appearing from said application and other information in the possession of the Division, that the said Edwardsville Coal Co., Inc., paid to the Collector of Internal Revenue at Springfield, Illinois, on January 15, 1943, the sum of \$286.84 pursuant to the order issued December 1, 1942 in the above-entitled matter, as a condition precedent to the restoration of its code membership.

Now, therefore, It is ordered, That, said application of Edwardsville Coal Co., Inc., filed with the Division on February 6, 1943, for restoration of its code membership be, and the same hereby is, granted.

It is further ordered, That, said restoration of the code membership of Edwardsville Coal Co., Inc., be, and the same hereby is effective simultaneously with the effective date of the order entered in Docket No. B-274 cancelling and revoking the code membership of said Edwardsville Coal Co., Inc., in the Code. Dated: February 12, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-2461; Filed, February 15, 1943;
10:55 a. m.]

Bureau of Mines.

J. H. SMITH, DRAGON, ARIZ.

ORDER REVOKING LICENSE AND DIRECTING ITS SURRENDER

Proceedings for revocation of the Federal explosives license, issued under the Federal Explosives Act of December 26, 1941 (55 Stat. 863) to the above-named licensee, were begun on October 30, 1942, by the filing of Specification of Charges setting forth violations of the act and regulations by J. H. Smith. Following receipt of a reply from the licensee, dated November 7, 1942, a Notice of Hearing, dated December 4, 1942, was transmitted to him. A hearing was held on the charges on December 18, 1942, in Phoenix, Arizona, before the Hearing Officer duly designated by me, at which hearing the licensee failed to appear, although he received due notice thereof, and evidence was adduced bearing upon these charges.

The Report of the Hearing Officer, transmitted to me on December 24, 1942,

found in its findings of fact and conclusions of law that the licensee had violated various provisions of the act and regulations and recommended the revocation of his license and that he be denied any future license. A copy of the Hearing Officer's Report, together with notification of the transmittal of the case record and Hearing Officer's Report to me, were sent to the licensee on December 24, 1942, and he was advised that he was allowed 15 days from the date of the receipt thereof to file an original and two copies of a statement in writing setting forth such exceptions to the Report or to any other part of the record or proceedings (including rulings upon all motions and objections) as he might desire and an original and two copies of a brief in support of his exceptions. The licensee was also advised of his right to request permission to argue the matter orally before me. The time granted to the licensee within which to file exceptions and brief, allowing a reasonable time for the delivery of the notice, has expired and nothing has been received from the licensee.

Now, therefore, by virtue of the authority vested in me by sections 8 and 18 of the Federal Explosives Act and § 301.22 of the regulations issued pursuant thereto (7 F.R. 5901), I, R. R. Sayers, Director of the Bureau of Mines, having reviewed the record,

Order

That the Hearing Officer's Report, including its findings, conclusions and recommendations be and it is hereby approved and adopted as my own;

That Vendor's License No. 235577 and any and all other Federal explosives licenses heretofore issued to J. H. Smith of Dragoon, Arizona, be and they are hereby revoked;

That the licenses mentioned in the preceding paragraph shall be surrendered by delivering them to me on or before March 1, 1943, or by depositing them on or before that date in the United States Mail with postage prepaid addressed to me; and

That the revocation of the licenses mentioned above shall be with prejudice to the right of the licensee to secure new licenses under the Federal Explosives Act and regulations, and no such license shall be granted to him in the future.

Dated: February 10, 1943.

R. R. SAYERS,
Director.

[F. R. Doc. 43-2455; Filed, February 15, 1943;
10:20 a. m.]

General Land Office.

[Public Land Order 85]

SOUTH DAKOTA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS A BOMBING RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, It is ordered, As follows:

Subject to valid existing rights, the public lands in the following-described

areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department as a bombing range:

BLACK HILLS MERIDIAN

T. 8 N., R. 9 E.,
Secs. 3, 4, 5, and 6.

T. 9 N., R. 9 E.,

Secs. 19 to 22, inclusive, and secs. 27 to 34, inclusive.

The areas described, including both public and non-public lands, aggregate 10,002.03 acres.

This order shall take precedence over, but shall not rescind or revoke, the withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,

Acting Secretary of the Interior.

JANUARY 29, 1943.

[F. R. Doc. 43-2449; Filed, February 15, 1943;
10:19 a. m.]

[Public Land Order 87]

NEVADA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS A SAFETY ZONE FOR RIFLE RANGES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 10 of the act of December 29, 1916, 39 Stat. 865 (U.S.C., title 43, sec. 300), and also to section 1 of the act of June 28, 1934, as amended, 48 Stat. 1269 (U.S.C., title 43, sec. 315), It is ordered, As follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department as a safety zone for rifle ranges:

MOUNT DIABLO MERIDIAN

T. 3 N., R. 44 E.,

Secs. 3, 4, 5, 8, 9, 10, 16, 17, and 21.

The areas described aggregate 5,763.72 acres.

This order shall take precedence over, but shall not rescind or revoke, (1) the order of March 6, 1919, of the Secretary of the Interior withdrawing lands for stock driveway purposes (Stock Driveway No. 62), and (2) the order of November 24, 1937, of the Secretary of the Interior withdrawing lands for a proposed grazing district, so far as such orders affect any of the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the In-

terior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

FEBRUARY 3, 1943.

[F. R. Doc. 43-2450; Filed, February 15, 1943;
10:20 a. m.]

[Public Land Order 88]

UTAH

WITHDRAWING PUBLIC LANDS FOR USE OF THE
WAR RELOCATION AUTHORITY AS A JAPA-
NESE RELOCATION CENTER

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, 48 Stat. 1269 (U.S.C., title 43, sec. 315), it is ordered, As follows:

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Relocation Authority as a Japanese Relocation Center:

SALT LAKE MERIDIAN

T. 16 S., R. 8 W.,

Secs. 1 to 4, inclusive, secs. 9 to 16, inclusive, secs. 19 to 24, inclusive, secs. 27, 28, 29, 32, 33, and 34.

T. 17 S., R. 8 W.,

Secs. 3, 4, 5, N $\frac{1}{2}$ sec. 8, N $\frac{1}{2}$ sec. 9, N $\frac{1}{2}$ sec. 10.

The areas described, including both public and non-public land, aggregate 18,864.88 acres.

The order of April 8, 1935, of the Secretary of the Interior, establishing Utah Grazing District No. 3, is hereby modified to the extent necessary to permit the use of the lands as herein provided.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,
Acting Secretary of the Interior.

FEBRUARY 6, 1943.

[F. R. Doc. 43-2451; Filed, February 15, 1943;
10:20 a. m.]

Grazing Service.

NEW MEXICO GRAZING DISTRICT
RANGE CONSERVATION COMMITTEE

Amendment of section 2, paragraph d of the Rules for the Administration of New Mexico Grazing District No. 7 under the Act of June 28, 1934 (48 Stat. 1269), as amended by the Act of June 26, 1936 (49 Stat. 1976), and the Act of July 14, 1939 (Pub. No. 173, 76th Cong.)

Pursuant to the provisions of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended by the act of June 26, 1936 (49 Stat. 1976), and the act of July 14, 1939 (Pub. No. 173, 76th Cong.), paragraph d of section 2 of the Rules for the Administration of New Mexico Grazing District No. 7, approved

on September 1, 1939 (4 F.R. 3965), is amended to read as follows:

Section 2, Par. d. *Range Conservation Committee: Members; organization; duties and functions.* The range conservation committee is authorized to assist the regional grazer in the administration of the district, to establish proper cooperative relations with other interested Federal agencies, to review the recommendations of the district advisers and to perform such other duties relating to the management of the district as the Secretary of the Interior may direct. It shall consist of a representative of the Office of Indian Affairs, nominated by the Commissioner of Indian Affairs; a representative of the General Land Office, nominated by the Commissioner; and a representative of the Grazing Service, nominated by the Director of Grazing. The members of the range conservation committee after appointment by the Secretary of the Interior shall meet at district headquarters at least once a month and as often as business may require at the call of the chairman who shall be the representative of the Office of Indian Affairs.

The duties of the range conservation committee shall be:

(1) To arrange for cooperative range, economic, conservation, agronomic, engineering, and other surveys necessary for the proper and effective use and administration of the Federally owned and controlled lands in the district and to formulate range management and conservation plans based on these surveys.

(2) To formulate and negotiate cooperative field agreements between the interested Federal agencies for the making of such surveys and for the execution of the conservation and range management plans authorized in the preceding paragraph.

(3) To review the recommendations of the district advisory board concerning applications for grazing licenses and permits prior to action by the regional grazer on such applications.

(4) To review the recommendations of the district advisory board on modifications of the rules and of the district boundaries and to present its findings of fact and advice concerning these matters to the Director of Grazing or the Secretary of the Interior.

(5) To interpret the economic and dependency surveys and to recommend to the Secretary of the Interior such protective, maximum, and other limits as will facilitate the conservative use of Federally owned and controlled lands by the largest number of qualified users.

ARCHIE D. RYAN,
Acting Director of Grazing.

JANUARY 19, 1943.

I concur:

JOHN COLLIER,
Commissioner of Indian Affairs.

JANUARY 20, 1943.

FRED W. JOHNSON,
Commissioner, General Land
Office.

JANUARY 30, 1943.

Approved: February 10, 1943.

ABE FORTAS,
Under Secretary.

[F. R. Doc. 43-2471; Filed, February 15, 1943;
10:20 a. m.]

DEPARTMENT OF AGRICULTURE.

Food Distribution Administration
Sugar Branch.

NOTICE OF HEARINGS AND DESIGNATION OF
PRESIDING OFFICERS

Pursuant to the authority contained in subsections (b) and (d) of section 301 and section 511 of the Sugar Act of 1937 (Public, No. 414, 75th Congress), as amended, notice is hereby given that public hearings will be held as follows:

At Sacramento, California, in the County Court House, Supervisor's room, on February 22, 1943, at 9:30 a. m.; at Los Angeles, California, in the Patriotic Hall, 1916 South Figueroa Street, on February 24, 1943, at 9:30 a. m.; at Salt Lake City, Utah, in the Newhouse Hotel, on February 26, 1943, at 9:30 a. m.; at Denver, Colorado, in the Empire Room, Shirley Savoy Hotel, on March 1, 1943, at 9:30 a. m.; at Billings, Montana, in the Commercial Club Hall, on March 4, 1943, at 9:30 a. m.; at St. Paul, Minnesota, in the Auditorium, State Office Building, on March 6, 1943 at 9:30 a. m.; at Detroit, Michigan, Room 859, Federal Building, on March 8, 1943 at 9:30 a. m.

The purpose of such hearings is to receive evidence likely to be of assistance to the Secretary of Agriculture in determining (1), pursuant to the provisions of section 301 (b) of the said act, fair and reasonable wages for persons employed in the production, cultivation, or harvesting of the 1943 crop of sugar beets on farms with respect to which applications for payments under the said act are made, and (2), pursuant to the provisions of section 301 (d) of the said act, fair and reasonable prices for the 1943 crop of sugar beets to be paid under either purchase or toll agreements, by processors who, as producers, apply for payments under the said act; and to receive evidence likely to be of assistance to the Secretary of Agriculture in making recommendations, pursuant to the provisions of section 511 of the said act, with respect to the terms and conditions of contracts between producers and processors of sugar beets and with respect to the terms and conditions of contracts between laborers and producers of sugar beets.

Joshua Bernhardt, C. R. Oviatt, and H. H. Simpson are hereby designated as presiding officers to conduct, either jointly or severally, the foregoing hearings.

Done at Washington, D. C. this 13th day of February 1943. Witness my hand and the seal of the Department of Agriculture.

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

[F. R. Doc. 43-2470; Filed, February 15, 1943;
11:25 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order 175]

MISCELLANEOUS TEXTILE, LEATHER, FUR,
STRAW, AND RELATED PRODUCTS INDUS-
TRIES

APPOINTMENT OF INDUSTRY COMMITTEE
NO. 55

1. By virtue of and pursuant to the authority vested in me by the Fair Labor

Standards Act of 1938, I. L. Metcalfe Walling, Administrator of the Wage and Hour Division, U. S. Department of Labor, do hereby appoint and convene for the miscellaneous textile, leather, fur, straw, and related products industries (as such industry is defined in paragraph 2) an industry committee composed of the following representatives:

For the Public: Max Meyer, Chairman, New York, New York; Ruth Allen, Austin, Texas; R. Walston Chubb, St. Louis, Missouri; Mary Bernet Gilson, Providence, Rhode Island; David A. McCabe, Princeton, New Jersey; Willard L. Thorpe, New York, New York; Ernst Correll, Washington, D. C.; Herman Michl, Philadelphia, Pennsylvania; Charles S. Johnson, Nashville, Tennessee; Rev. Harlan Frost, Toledo, Ohio; Richard Lester, Chapel Hill, North Carolina; Rev. L. L. Mann, Chicago, Illinois.

For the Employers: Harry Bloom, New York, New York; F. J. Bowman, Chicago, Illinois; A. L. Clifton, Waco, Texas; Jack Gantz, New York, New York; Charles A. Gotthelf, New York, New York; Michael Hollander, Newark, New Jersey; Fred Katzner, New York, New York; William Regnery, Chicago, Illinois; W. W. Rushton, Atlanta, Georgia; Sam Spector, New York, New York; L. H. Sudderth, Buford, Georgia; Edward Wittcoff, St. Louis, Missouri.

For the Employees: Solomon Barkin, New York, New York; S. H. Dalrymple, Akron, Ohio; Anthony H. Esposito, New York, New York; Sal B. Hoffmann, Philadelphia, Pennsylvania; Marx Lewis, New York, New York; Morris Muster, New York, New York; F. H. Niyork, Chicago, Illinois; Irving Potash, New York, New York; Boris Shishkin, Washington, D. C.; Lazare Teper, New York, New York; J. Raymond Walsh, Washington, D. C.; William E. G. Batty, New Bedford, Massachusetts.

Such representatives having been chosen with due regard to the geographical regions in which such industry is carried on.

2. The term "Miscellaneous Textile, Leather, Fur, Straw, and Related Products Industries" as used in this order shall, except as specifically provided herein, include:

(a) The coating, impregnating, and other processing of textiles, including, but without limitation, the production of oilcloth, artificial leather, linoleum, and felt base floor coverings.

(b) The manufacture of any product from textile yarn or fabric (made from any animal, mineral, vegetable or synthetic fiber or mixtures of any of these fibers), impregnated or coated textiles, hair, bristles, straw, leather, feathers, and similar materials; except the weaving of fabric from mineral fibers or yarn.

(c) The dressing, dyeing, and other processing or handling of fur skins or pelts, and the manufacture of any product from fur skins or pelts.

(d) The manufacture of men's or boys' straw or harvest hats, the term "straw" being used in the trade sense and not being confined to materials made from natural fibers.

Provided, however, That this industry shall not include any product or part (other than men's and boys' straw or harvest hats) the manufacture of which is covered by the definition of an industry for which a wage order has been issued or for which an industry committee has been appointed under the Fair Labor Standards Act.

3. The definition of the miscellaneous textile, leather, fur, straw, and related products industries covers all occupa-

tions in the industry which are necessary to the production of the articles covered by the definition, including clerical, maintenance, shipping, and selling occupations: *Provided, however,* That this definition does not cover clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department, physically segregated from the other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale: *And provided further,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

4. Any person who, in the opinion of the committee, having a substantial interest in the proceeding and who is prepared to present material pertinent to the question under consideration, may, with the approval of the committee, appear on his own behalf or on behalf of any other person.

5. The industry committee herein created shall meet at 10:00 a. m. on March 2, 1943 at the Astor Hotel, New York, New York, and, in accordance with the provisions of the Fair Labor Standards Act of 1938 and rules and regulations promulgated thereunder, shall proceed to investigate conditions in the industry and recommend to the Administrator minimum wage rates for all employees thereof who within the meaning of said Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

Signed at New York, New York, this 11th day of February 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-2323; Filed, February 12, 1943; 2:44 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

J. H. COWNIE CO., KENOSHA, WIS.

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective February 15, 1943.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite

the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

J. H. Cownie Company, 2323 Sixtieth Street, Kenosha, Wisconsin; Parachutes, Army jackets, work clothing, wool and leather work gloves; 10 percent (T); machine operator, hand sewer, presser for a learning period of 320 hours at 30¢ per hour until February 15, 1944.

Signed at New York, N. Y., this 13th day of February 1943.

PAULINE C. GILBERT,
Authorized Representative
of the Administrator.

[F. R. Doc. 43-2437; Filed, February 15, 1943; 9:05 a. m.]

LEARNER EMPLOYMENT CERTIFICATES ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4723), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order of regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective February 15, 1943. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

Hardwick Woolen Mills, Inc., Church Street, Cleveland, Tennessee; Men's and boys' clothing (pants); 5 percent (T); February 15, 1944.

New York Handkerchief Manufacturing Company, 1021 W. Adams Street, Chicago, Illinois; Handkerchiefs; 5 percent (T); February 15, 1944.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-lined Garments Divisions of the Apparel Industry

A. & B. Brassiere Company, 1 Little Burnet Street, New Brunswick, New Jersey; Brassieres; 2 learners (T); February 15, 1944.

Alpha Manufacturing Company, 18 Front Street, Hammonton, New Jersey; Dresses, pants, ladies' skirts and raincoats; 6 learners (T); February 15, 1944.

Beverly Frocks, 108-110 East 22nd Street, Chicago Heights, Illinois; Ladies' wash dresses; 10 learners (T); February 15, 1944.

Cadillac Shirt Company, 374 Elm Street, Perth Amboy, New Jersey; Shirts, shorts; 11 learners (T); February 15, 1944.

Hamilton Carhartt Overall Company, Irvine, Kentucky; Overalls, trousers, coats and caps; 10 percent (T); February 15, 1944.

Castro-Walsh, Incorporated, Camden, Maine; Infants' wear; 10 learners (T); February 15, 1944.

Co-Ed Frocks, Incorporated, Assumption, Illinois; Cotton outer clothing, service clothing; 10 learners (T); February 15, 1944.

Iron King Overall Company, 113 S. Hanover Street, Baltimore, Maryland; Men's work clothing, overalls, pants; 10 learners (T); February 15, 1944.

Juvenile Manufacturing Company, Incorporated, 327 N. Flores, San Antonio, Texas; Infants' and children's apparel, Government mosquito bars; 10 percent (T); February 15, 1944.

Morris Kinwald, 1139 South 4th Street, Camden, New Jersey; Children's cotton

dresses; 2 learners (T); February 15, 1944.

R. O. Layfield, 105 College Street, Burlington, Vermont; Ladies' night gowns and pajamas; 40 learners (E); August 15, 1943.

Malough Brothers, 39 E. Federal Avenue, Logan, Utah; Ladies' and children's wearing apparel; 76 learners (E); August 15, 1943.

J. B. Pearson Company, Main Street, Thomaston, Maine; Sheep skin lined coats, trousers, mackinaws; 10 learners (T); February 15, 1944.

S & S Clothing Corporation, 44 Lehigh Street, Wilkes-Barre, Pennsylvania; Boys' pants; 10 percent (T); February 15, 1944.

Stamco Uniform, Incorporated, Madison, Georgia; Tents, shelter bags, shirts and pants; 10 percent (T); February 15, 1944.

Alperin Strauss Company, Incorporated, Loogootee, Indiana; White undress Navy middies; 10 percent (T); February 15, 1944.

Hosiery Industry

Chipman LaCrosse Mills Company, Incorporated, 125 E. Caswell Street; Hendersonville, North Carolina; Seamless hosiery; 5 percent (T); February 15, 1944.

Russell Hosiery Mill, Star, North Carolina; Seamless hosiery; 5 percent (T); February 15, 1944.

Sterling Hosiery Mills, Incorporated, Spindale, North Carolina; Full-fashioned hosiery; 5 percent (T); February 15, 1944.

West Creek Hosiery Company, Sprague Avenue, West Creek, New Jersey; Full-fashioned hosiery; 1 learner (T); February 15, 1944.

Gloves Industry

Menominee Glove Company, Sheridan Road, Menominee, Michigan; Leather dress gloves; 50 learners (E); August 15, 1943.

Knitted Wear Industry

Emple Knitting Mills, 27 Columbia Street, Bangor, Maine; Knitted outerwear; 5 learners (T); February 15, 1944.

H. L. Miller & Son, Coal Street, Carbon, Pennsylvania; Knitted underwear; 5 percent (T); February 15, 1944.

Textile Industry

Charles H. Bacon Company, Lenoir City, Tennessee; Combed peeler cotton yarn; 3 percent (T); February 15, 1944.

Carolyn Manufacturing Company, Whitesburg, Georgia; Cotton yarn; 3 percent (T); February 15, 1944.

Reid Mills, Hogansville, Georgia; Number duck; 3 percent (T); February 15, 1944.

Pacific Mills—Granby Plant, Heyward Street, Columbia, South Carolina; Yarn & thread; 3 percent (T); February 15, 1944.

Pacific Mills—Olympia Plant, Heyward Street, Columbia, South Carolina; Yarn

and thread; 3 percent (T); February 15, 1944.

Pacific Mills—Richland Plant, Heyward Street, Columbia, South Carolina; Yarn and thread; 3 percent (T); February 15, 1944.

Tennessee Tufting Company, 2404 Heiman Street, Nashville, Tennessee; Tufted bed spreads; 5 percent (T); February 15, 1944.

Cigar Industry

Consolidated Cigar Corporation, Railroad and Furnace Streets, Allentown, Pennsylvania; Cigars: 30 learners (E); 15 stripping machine operators and 15 hand strippers for a learning period of 160 hours at 75% of the applicable minimum wage until May 14, 1943.

Signed at New York, N. Y., this 13th day of February 1943.

PAULINE C. GILBERT,
Authorized Representative
of the Administrator.

[F. R. Doc. 43-2438; Filed, February 15, 1943; 9:04 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5817]

WEST COAST POWER COMPANY

NOTICE OF APPLICATION

FEBRUARY 8, 1943.

Notice is hereby given that on February 8, 1943, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by West Coast Power Company, a corporation organized under the laws of the State of Delaware and doing business in the States of Oregon and Idaho, with its principal business office at Portland, Oregon, seeking an order authorizing the sale of certain of its electrical facilities located in Columbia and Clatsop Counties, Oregon, including a 2300/11,000-Volt Substation, 1500 KVA capacity, located in Westport, Oregon, and 11 KV transmission line commencing at said substation and extending in a northeasterly direction to the south bank of the Columbia River, where it connects with facilities of the Bonneville Power Administration. The consideration to be paid for the facilities, the application states, is \$150,000, subject to certain adjustments; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 28th day of February 1943, file with the Federal Power Commission a petition or protest in accordance with the Commission's Rules of Practice and Regulations.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-2395; Filed, February 13, 1943; 11:25 a. m.]

OFFICE OF THE ALIEN PROPERTY CUSTODIAN.

[Vesting Order 591]

CERTAIN COPYRIGHTS AND INTERESTS THEREIN

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest of every kind or nature whatsoever of the original authors of each and all of the publications described in Exhibit A attached hereto and made a part hereof, in, to and under each and all of the copyrights described in said Exhibit A, including but not limited to all accrued royalties, all right to receive royalties, and all damages and profits recoverable at law or in equity from any or all persons, firms, corporations or governments for past infringement thereof, all contractual rights of whatsoever kind or nature arising by virtue of said copyrights, and all rights of renewal subject to be exercised by such authors or by their widows, children, executors or next of kin, in, to and under each and all of the copyrights described in said Exhibit A,

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of foreign countries, and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national

interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on December 29, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

Copyright Nos.	Nature of works	Titles of works	Name and last known addresses of authors of original works	Last known nationality of authors of original works
A-476543	Book	The Montessori Elementary Material (Vol. 2—The Advanced Montessori Method).	Maria Montessori, Amsterdam, Holland.	Unknown.
A-43972	Book	The Romance of French Weaving.	Paul Rodier, Paris, France	French.
A-101879	Book	Reise In Die Literatur	Otto Koischwitz, Germany	German.
A-44805	Book	The French Boy	Paul Vaillant-Courtourier, Paris, France.	Unknown.
A-48569	Book	French History	Emile Sallens, Neuilly-sur-Seine, France.	French.
A-83985	Book	The Birth of Rome (with 35 illustrations by H. O. Pitz).	Laura Orvieto, Florence, Italy	Unknown.
A-972251	Book	French Provincial Furniture	H. Longnon, Paris, France	Unknown.
A-87307	Book	Burners of Men	Marcel Griaule, Paris IX, France	Unknown.
A-70801	Book	Two Loves I Have	Courtesse Clara Longworth de Chambrun, Paris VI, France.	French.
A-161639	Book	Honore De Balzac	Mdme. F. Brunetierre, Paris, France.	Unknown.
A-109148	Book	Tilio—A Boy of Papua	R. Voorhoeve, Amsterdam, Netherlands.	Unknown.

[F. R. Doc. 43-2343; Filed, February 13, 1943; 9:36 a. m.]

[Vesting Order 826]

ESTATE OF EMMA ALBERS

In re: Estate of Emma Albers, deceased—File D-28-1892; E. T. sec. 1658.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, Bronx County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Bertha Linnfeld	Germany.
Dr. Helmuth Linnfeld	Germany.
Wilhelm Linnfeld	Germany.
Emma Carola Linnfeld	Germany.
Martha Beindorff	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Bertha Linnfeld, Dr. Helmuth Linnfeld, Wilhelm Linnfeld, Emma Carola Linnfeld, and Martha Beindorff, and each of them, in and to the Estate of Emma Albers, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2344; Filed, February 13, 1943; 9:34 a. m.]

[Vesting Order 827]

TRUST UNDER WILL OF HENRY BOHLS

In re: Trust under Will of Henry Bohls, deceased—File D-28-2087; E. T. sec. 2424.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Bank of California National Association, 400 California Street, San Francisco, California, Trustee, acting under the judicial supervision of Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Frida Bohls, whose last known address is Germany; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Frida Bohls, in and to the trust estate created under the Last Will and Testament of Henry Bohls, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2345; Filed, February 13, 1943;
9:33 a. m.]

[Vesting Order 828]

ESTATE OF ALIDA MALATISTA BRIZZOLARA

In re: Estate of Alida Malatista Brizzolara, also known as Adelida Brizzolara, deceased—File D-38-1034; E. T. sec. 2877.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Angelo Brizzolara, Administrator, c/o Alvin Gerlack, 1565 Russ Building, 235 Montgomery Street, San Francisco, California, acting under the judicial supervision of Superior Court of the State of California, in and for the City and County of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely, Mrs. Louisa Raggi, whose last known address is Italy; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Louisa Raggi in and to the estate of Alida Malatista Brizzolara, also known as Adelida Brizzolara, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2346; Filed, February 13, 1943;
9:33 a. m.]

[Vesting Order 829]

ESTATE OF GUSTAVE LOUIS BRUMMER

In re: Estate of Gustave Louis Brummer, deceased—File D-28-1711; E. T. sec. 723.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depository acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Alexander Louis Dubossarsky	Germany.
Boris Dubossarsky	Germany.
Lida Sauer	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the na-

tional interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Alexander Louis Dubossarsky, Boris Dubossarsky and Lida Sauer, and each of them, in and to the Estate of Gustave Louis Brummer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian, a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2347; Filed, February 13, 1943;
9:33 a. m.]

[Vesting Order 830]

ESTATE OF LOUIS CATALDI

In re: Estate of Louis Cataldi, deceased—File D-38-998; E. T. sec. 2000.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Surrogate of Passaic County, New Jersey, Depository, acting under the judicial supervision of Surrogate Court of Passaic County, State of New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	Last known address:
Vincenzo Cataldi	Italy.
Concella Scamale	Italy.
Salvatore Russo	Italy.
Agatha Russo	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Vincenzo Cataldi, Concetta Scamale, Salvatore Russo, and Agatha Russo, and each of them, in and to the estate of Louis Cataldi, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2348; Filed, February 13, 1943; 9:33 a. m.]

[Vesting Order 831]

ESTATE OF LOUIS DEMBITZER

In re: Estate of Louis Dembitzer, deceased—File F-7-1055; E. T. sec. 1174.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depository acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Baron Rothschild Hospital of Vienna, whose last known address is (Austria) Germany;

No. 32—8

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest and claim of any kind or character whatsoever of Baron Rothschild Hospital of Vienna in and to the Estate of Louis Dembitzer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2349; Filed, February 13, 1943; 9:33 a. m.]

[Vesting Order 832]

ESTATE OF ARTHUR M. EISIG

In re: Estate of Arthur M. Eisig, deceased—File D-28-1939; E. T. sec. 1940.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Chemical Bank & Trust Company and Arthur J. Cohen, Executors and Trustees, acting under the judicial supervision of Surrogate's Court in and for the County of Westchester, State of New York.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:

	<i>Last known Address</i>
Elsa Bauml.....	Germany.
Ida Heske.....	Germany.
Ada Thiel (Thiel).....	Germany.
Thekla Klinger.....	Germany.
Hedwig Intichar.....	Germany.
Hede Intichar.....	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever, of Elsa Bauml, Ida Heske, Ada Thiel (Thiel), Thekla Klinger, Hedwig Intichar and Hede Intichar, and each of them, in and to the trust created under the will of Arthur M. Eisig, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2350; Filed, February 13, 1943; 9:31 a. m.]

[Vesting Order 833]

ESTATE OF JOHANNE FEDDE

In re: Estate of Johanne Fedde, also known as Augusta Elise Johanne Fedde, deceased—File F-28-17505; E. T. sec. 1858.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Hugh L. Nehring, Ancillary Administrator, acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National: Last known address
Heinrich Georg Karl Fedde----- Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Heinrich Georg Karl Fedde in and to the Estate of Johanne Fedde, also known as Augusta Elise Johanne Fedde, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2351; Filed, February 13, 1943;
9:31 a. m.]

[Vesting Order 834]

TRUST UNDER WILL OF THERESE C.
FRAENCKEL

In re: Trust under will of Therese C. Fraenckel, deceased—File F-28-1954; E. T. sec. 1911.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Carl H. Fraenckel, Trustee, c/o The Continental Bank and Trust Company of New York, acting under the judicial supervision of Surrogate's Court of New York County, State of New York;

(2) Such property and interests are payable or delivered to, or claimed by, a national of a designated enemy country, Germany, namely, Johanna von Passow, whose last known address is Germany; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Johanna von Passow in and to the trust estate created under the Last Will and Testament of Therese C. Fraenckel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2352; Filed, February 13, 1943;
9:31 a. m.]

[Vesting Order 835]

TRUST UNDER WILL OF EMIL FUCHS

In re: Trust under will of Emil Fuchs, deceased—File D-28-1961; E. T. sec. 2016-A.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Guaranty Trust Company of New York, Trustee, 624 Fifth Avenue, New York, N. Y., acting under the judicial supervision of the Surrogate's Court of New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Melitta Strakosch Lindner whose last known address is Germany; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Melitta Strakosch Lindner in and to the trust estate created under Article Thirteenth of the Last Will and Testament of Emil Fuchs, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2353; Filed, February 13, 1943;
9:31 a. m.]

[Vesting Order 836]

TRUST UNDER WILL OF EMIL FUCHS

In re: Trust under will of Emil Fuchs, deceased—File D-28-1961; E. T. sec. 2016-B.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Guaranty Trust Company of New York, Trustee, 524 Fifth Avenue, New York, N. Y., acting under the judicial supervision of the Surrogate's Court of New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National: *Last known address*
Hermance Strakosch Matzner--- Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Hermance Strakosch Matzner in and to the trust estate created under Article Ninth of the Last Will and Testament of Emil Fuchs, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2354; Filed, February 13, 1943; 9:31 a. m.]

[Vesting Order 837]

TRUST UNDER WILL OF EMIL FUCHS

In re: Trust under will of Emil Fuchs, deceased—File D-28-1961; E. T. sec. 2016-C.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Guaranty Trust Company of New York, Trustee, 524 Fifth Avenue, New York, N. Y., acting under the judicial supervision of the Surrogate's Court of New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely, Mika Strakosch, whose last known address is Germany; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mika Strakosch in and to the trust estate created under Article Ninth of the Last Will and Testament of Emil Fuchs, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2355; Filed, February 13, 1943; 9:30 a. m.]

TRUST UNDER WILL OF EMIL FUCHS

[Vesting Order 838]

In re: Trust under the will of Emil Fuchs, deceased—File D-28-1961; E. T. sec. 2016-D.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Guaranty Trust Company of New York, Trustee, acting under the judicial supervision of Surrogate's Court of New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany (Austria), namely,

National: *Last known address*
Paul Rosenbaum---- Province of Austria, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany (Austria); and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Paul Rosenbaum in and to the trust estate created under the Eleventh Article of the Last Will and Testament of Emil Fuchs, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2356; Filed, February 13, 1943; 9:30 a. m.]

[Vesting Order 839]

TRUST UNDER WILL OF EMIL FUCHS

In re: Trust under will of Emil Fuchs, deceased—File D-28-1961; E. T. sec. 2016-E.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Guaranty Trust Company of New York, Trustee, 524 Fifth Avenue, New York, N. Y., acting under the judicial supervision of the Surrogate's Court of New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Italy, namely, Adriana Leoni, whose last known address is Italy; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Adriana Leoni in and to the trust estate created under Article Twelfth of the Last Will and Testament of Emil Fuchs, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 43-2357; Filed, February 13, 1943; 9:30 a. m.]

[Vesting Order 840]

ESTATE OF JOSEPH GABLER

In re: Estate of Joseph Gabler, deceased—File D-28-2185; E. T. sec. 3089. Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The First National Bank, Mrs. Hedwig Gabler, and Mrs. Eva L. Kershaw, Executors, acting under the judicial supervision of the Orphans' Court of the State of Pennsylvania, in and for Luzerne County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National: Last known address
Eva Sauerling----- Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Eva Sauerling in and to the Estate of Joseph Gabler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 43-2358; Filed, February 13, 1943; 9:30 a. m.]

[Vesting Order 841]

ESTATE OF GAETANO GRASSIA

In re: Estate of Gaetano Grassia, also known as Gaetano Grazzia, deceased—File No. D-9-100-38-1008; E.T. sec. 2177.

Under the authority of the Trading with the Enemy Act as amended, Executive Order No. 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as depositary, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals: Last known address
Carmelo Grassia----- Italy.
Alfonso Grassia----- Italy.
Guiseppa Grassia----- Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Carmelo Grassia Alfonso Grassia and Guiseppa Grassia, in and to the estate of Gaetano Grassia, also known as Gaetano Grazzia, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 43-2359; Filed, February 13, 1943; 9:30 a. m.]

[Vesting Order 842]

ESTATE OF SIMON HANDLER

In re: Estate of Simon Handler, deceased—File D-34-89; E.T. sec. 1969.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Adolph Handler, Administrator, 500 Southern Boulevard, Bronx, New York, acting under the judicial supervision of Surrogate's Court of New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals:	<i>Last known address</i>
Anna Cohen.....	Hungary.
Lilly Heinrich.....	Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna Cohen and Lilly Heinrich, and each of them, in and to the estate of Simon Handler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2360; Filed, February 13, 1943; 9:29 a. m.]

[Vesting Order 843]

ESTATE OF ANNA GESINE HANISH

In re: Estate of Anna Gesine Hanish, deceased—File D-28-1885; E. T. sec. 1650.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depository acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	<i>Last known address</i>
Dietrich Murken.....	Germany.
John William Murken.....	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Dietrich Murken and John William Murken and each of them in and to the Estate of Anna Gesine Hanish, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2361; Filed, February 13, 1943; 9:36 a. m.]

[Vesting Order 844]

ESTATE OF SOPHIE ADELHEID HILLMANN

In re: Estate of Sophie Adelheid Hillmann, deceased—File D-28-1986; E.T. sec. 2063.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Marshal Stearns, Ancillary Administrator, acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	<i>Last known address</i>
Luise Marie Hauck.....	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Luise Marie Hauck in and to the Estate of Sophie Adelheid Hillmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in Section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2362; Filed, February 13, 1943; 9:37 a. m.]

[Vesting Order 845]

ESTATE OF FRANZISKA VALESKA ELIZABETH HORMMANN

In re: Estate of Franziska Valeska Elizabeth Hormmann, deceased—File No. D-28-1824; E. T. sec. 1599.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depository acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Richmond County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Ruth Pfautsch.....	Germany.
Kurt Glaser.....	Germany.
Heinz Glaser.....	Germany.
Charlotte Glaser.....	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ruth Pfautsch, Kurt Glaser, Heinz Glaser and Charlotte Glaser, and each of them, in and to the Estate of Franziska Valeska Elizabeth Hormmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.[F. R. Doc. 43-2363; Filed, February 13, 1943;
9:37 a. m.]

[Vesting Order 846]

TRUST UNDER WILL OF JOSEPH HUND

In re: Trust under the will of Joseph Hund, deceased; File D-28-1866; E. T. sec. 1277.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Land Title Bank and Trust Company, substituted trustee, acting under the judicial supervision of the Orphans Court, Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
August Hund.....	Germany
Free Fire Department.....	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of August Hund and the Free Fire Department, operating in Ottersweier, Amt. Buhl, Baden, Germany, in and to the estate of Joseph Hund, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date

hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.[F. R. Doc. 43-2364; Filed, February 13, 1943;
9:37 a. m.]

[Vesting Order 847]

ESTATE OF ELIZABETH KUNTZ

In re: Estate of Elizabeth Kuntz, deceased; File D-28-2010; E. T. sec. 2168.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by George J. Christman, Executor of the estate of Elizabeth Kuntz, deceased, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
August Kunz.....	Germany.
Friedrich Schmitt.....	Germany.
Jacob Schmitt.....	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of August Kunz, Friedrich Schmitt and Jacob Schmitt and each of them, in and to the Estate of Elizabeth Kuntz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2365; Filed, February 13, 1943; 9:37 a. m.]

[Vesting Order 848]

ESTATE OF WILLIAM LENZ

In re: Estate of William Lenz, deceased; File D-28-1886; E.T. sec. 1651.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depository acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Theresa Muller.....	Germany
Maria Muller.....	Germany
Joseph Lenz.....	Germany

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said executive order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Theresa Muller, Maria Muller and Joseph Lenz and each of them in and to the Estate of William Lenz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indi-

cate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2366; Filed, February 13, 1943; 9:37 a. m.]

[Vesting Order 849]

ESTATE OF OTTO LICHTEN

In re: Estate of Otto Lichten, deceased—File D-28-1685; E. T. sec. 629.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depository acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Arthur Lichten, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Arthur Lichten in and to the Estate of Otto Lichten, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit

the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2367; Filed, February 13, 1943; 9:36 a. m.]

[Vesting Order 850]

ESTATE OF WILLIAM MANZ

In re: Estate of William Manz, deceased; File D-28-2050; E. T. sec. 2351.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Wilhelmina Manz Mercer, Executrix, acting under the judicial supervision of the Orphans' Court of the State of Pennsylvania, in and for Philadelphia County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:	Last known address
Georg Schloner.....	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Georg Schloner in and to the Estate of William Manz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2368; Filed, February 13, 1943;
9:36 a. m.]

[Vesting Order 851]

ESTATE OF FREDERICK AUGUST MENGE

In re: Estate of Frederick August Menge, deceased; File No. D-28-1367; E.T. sec. 75.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Theodore F. Anderson, as administrator, acting under the judicial supervision of the Court of Probate, District of Stonington, Stonington, Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Wilhelmina Menge whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Wilhelmina Menge in and to the Estate of Frederick August Menge, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the

interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2369; Filed, February 13, 1943;
9:36 a. m.]

[Vesting Order 852]

ESTATE OF RUDOLPH MOLL

In re: Estate of Rudolph Moll, deceased; File F-28 62; E. T. sec. 1693.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as depository acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Rudolph Moll.....	Germany.
Paul Moll.....	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Rudolph Moll

and Paul Moll, and each of them, in and to the estate of Rudolph Moll, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2370; Filed, February 13, 1943;
9:35 a. m.]

[Vesting Order 853]

ESTATE OF ERIC PLACK

In re: Estate of Eric Plack, also known as Erick Plack, also known as E. Plack, and also known as Eric Plach, deceased—File D-6-143; E. T. sec. 1782.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Lester W. Kimball, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for Riverside County;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Austria, namely,

Nationals:	Last known address
Karl Plack, or his surviving issue...	Austria.
Christine Kraupar, or her surviving issue...	Austria.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Austria; and

Having made all determinations and taken all action, after appropriate consultation and

certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Karl Plach, or his surviving issue and Christine Kraupar, or her surviving issue and each of them in and to the Estate of Eric Plach, also known as Erick Plach, also known as E. Plach, and also known as Eric Plach, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2371; Filed, February 13, 1943; 9:35 a. m.]

[Vesting Order 854]

ESTATE OF ANDREW RORDEN

In re: Estate of Andrew Rorden, deceased; File D-28-1772; E. T. sec. 908.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Martin Bandixen, Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Orange;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Dorothea Hassold.....	Germany.
Nichels Hinrichsen.....	Germany.
Kreske Johannsen.....	Germany.

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Nationals—Continued.	Last known address
Gardina Rorden.....	Germany.
Gerrett Jansen Rorden.....	Germany.
Henriette Knudtsen.....	Germany.
Tyra Petersen.....	Germany.
Frida Hansen.....	Germany.
Paula Arfsten.....	Germany.
Theodor Knudtsen.....	Germany.
Max Boyens.....	Germany.
Josephine Boyens Toitzik.....	Germany.
John Boyens.....	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Dorothea Hassold, Nichels Hinrichsen, Kreske Johannsen, Gardina Rorden, Gerrett Jansen Rorden, Henriette Knudtsen, Tyra Petersen, Frida Hansen, Paula Arfsten, Theodor Knudtsen, Max Boyens, Josephine Boyens Toitzik and John Boyens and each of them in and to the Trust Estate created under the Will of Andrew Rorden, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2372; Filed, February 13, 1943; 9:35 a. m.]

[Vesting Order 855]

ESTATE OF MARY SALAY

In re: Estate of Mary Salay or Szall, deceased; File D-34-93; E. T. sec. 2080.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John M. Huston, Clerk of Court, acting under the judicial supervision of the Orphans Court of Allegheny County, Pittsburgh, Penna.;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals:	Last known address
Julia Glowski.....	Hungary.
Andrew Shedlock.....	Hungary.
Iona Toth.....	Hungary.
Joseph Acsai.....	Hungary.
Elizabeth Acsai.....	Hungary.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Julia Glowski, Andrew Shedlock, Iona Toth, Joseph Acsai, Elizabeth Acsai and each of them, in and to the Estate of Mary Salay or Szall, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2373; Filed, February 13, 1943; 9:35 a. m.]

[Vesting Order 856]

ESTATE OF FRANK SANTULLI

In re: Estate of Frank Santulli, deceased; File D-38-456; E. T. sec. 788.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depository acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely Amelia Amodeo whose last known address is Italy;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Amelia Amodeo in and to the Estate of Frank Santulli, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2374; Filed, February 13, 1943;
9:35 a. m.]

[Vesting Order 857]

ESTATE OF BARTOLO SEBEN

In re: Estate of Bartolo Seben, deceased; File D-38-343; E. T. sec. 399.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the McDowell County National Bank, Administrator, acting under the judicial supervision of McDowell County Court, Welch, West Virginia;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	Last known address
Alessandro Seben.....	Italy.
Antonio Seben.....	Italy.
Erma Seben.....	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Alessandro Seben, Antonio Seben and Erma Seben and each of them in and to the Estate of Bartolo Seben, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2375; Filed, February 13, 1943;
9:34 a. m.]

[Vesting Order 858]

ESTATE OF JOSEPH SIEBER

In re: Estate of Joseph Sieber, deceased; File D-28-6335; E. T. sec. 2079.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John M. Huston, Clerk of Court, acting under the judicial supervision of the Orphans Court of Allegheny County, Pittsburgh, Penna.;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Caroline Plendel.....	Germany.
Creszenz Singer.....	Germany.
Martin Sieber.....	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Caroline Plendel, Creszenz Singer, Martin Sieber and each of them, in and to the Estate of Joseph Sieber, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on

Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2376; Filed, February 13, 1943; 9:29 a. m.]

date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2377; Filed, February 13, 1943; 9:29 a. m.]

Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2378; Filed, February 13, 1943; 9:29 a. m.]

[Vesting Order 859]

ESTATE OF MARI SOEHL

In re: Estate of Mari Soehl, deceased; File D-28-1880; E. T. sec. 1645.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depository acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interest are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Irma Hejhal, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest and claim of any kind or character whatsoever of Irma Hejhal in and to the Estate of Mari Soehl, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interest and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the

[Vesting Order 860]

ESTATE OF JAKOBINE CHRISTINE SOFFNER

In re: Estate of Jakobine Christine Soffner, deceased; File No. D-28-1883; E.T. sec. 1648.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depository acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national, of a designated enemy country, Germany, namely, Ludwig Soffner, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ludwig Soffner in and to the Estate of Jakobine Christine Soffner, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on

[Vesting Order 861]

ESTATE OF WILHELM STAPEL

In re: Estate of Wilhelm Stapel, deceased; File No. D-9-100-28-1952; E. T. sec. 2296.

Under the authority of the Trading with the Enemy Act as amended, Executive Order No. 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as depository, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany.

Last known address

Nationals:		
Christian Stapel.....	Germany.	
Anna Domeyer.....	Germany.	
Frida Schunemann.....	Germany.	
Karl Thies.....	Germany.	

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Christian Stapel, Anna Domeyer, Frida Schunemann and Karl Thies, in and to the estate of Wilhelm Stapel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2379; Filed, February 13, 1943; 9:34 a. m.]

[Vesting Order 862]

ESTATE OF DAVID STORCK

In re: Estate of David Storck, deceased; File D-28-2011; E. T. sec. 2100.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Harry Storck, Administrator, acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Westchester County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

	<i>Last known address</i>	
National:		
Ida Schweyer.....		Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Ida Schweyer in and to the Estate of David Storck, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2380; Filed, February 13, 1943; 9:34 a. m.]

[Vesting Order 863]

ESTATE OF EMMA EMILIE WOLTMANN

In re: Estate of Emma Emilie Woltmann, deceased; File D-28-1889; E. T. sec. 1655.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York as depository acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national, of a designated enemy country, Germany, namely, Peter Wilhelm Niebuhr whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Peter Wilhelm Niebuhr in and to the Estate of Emma Emilie Woltmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: February 8, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-2381; Filed, February 13, 1943; 9:34 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT W-2]

AMERICAN BARGE LINE CO. ET AL.

COORDINATION OF TOWAGE OPERATIONS

Directing coordinated towage operations of carriers by water on inland waterways in the United States.

Upon consideration of the application for authority to coordinate towage operations with respect to the transportation of property by water on inland waterways in the United States, filed with this Office by American Barge Line Company, Campbell Transportation Company, Inland Waterways Corporation (Federal Barge Lines), Union Barge Line Corporation, and Mississippi Valley Barge Line Company, and in order to assure maximum utilization of the facilities, services, and equipment of carriers of property by water, and to conserve and providently utilize vital equipment, material, and supplies, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. American Barge Line Company, Campbell Transportation Company, Inland Waterways Corporation (Federal Barge Lines), Union Barge Line Corporation, and Mississippi Valley Barge Line Company, in the transportation of property by water on inland waterways in the United States, may, subject to terms and conditions acceptable to each such company, tow barges or other craft for one another whether such barges or other craft be laden with cargo or otherwise.

2. Nothing in this order shall be construed as authorizing the carriers through joint action to initiate or establish the rates or charges for towage for the public, or for the transportation of property for the public, or as affecting the liability of the carriers for loss of or damage to the property transported, or the authority of the respective carriers, for which the towage is performed, to engage in the transportation.

This order shall become effective February 15, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as

the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 15th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-2484; Filed, February 15, 1943;
11:58 a. m.]

[Supplementary Order ODT 3, Revised-15]

ADVANCE EXPRESS CO. ET AL.

COORDINATED OPERATION AT EAU CLAIRE, WIS.

Charles Hildenbrand and Elias Hildenbrand, doing business as Advance Express Co., et al.

Upon consideration of the application to coordinate common carrier motor vehicle service at the City of Eau Claire, Wisconsin, filed with the Office of Defense Transportation by Charles Hildenbrand and Elias Hildenbrand, doing business as Advance Express Co., Milwaukee, Wisconsin, Briggs Transfer Company, Whitehall, Wisconsin, Britton Motor Service, Inc., Chicago, Illinois, Cary Transfer Company, Inc., Eau Claire, Wisconsin, Consolidated Freightways, Inc., Portland, Oregon, Glendenning Motorways, Inc., St. Paul, Minnesota, A. G. Henneman, doing business as A. G. Henneman Transfer, Bloomer, Wisconsin, Green Bay Transport, Inc., Green Bay, Wisconsin, George Hart, doing business as Hart Motor Express, Minneapolis, Minnesota, Carl Mueller, doing business as Mueller Transportation Co., Eau Claire, Wisconsin, Fred B. Wines, doing business as United Shipping Company, Minneapolis, Minnesota, Wheeler Transportation Company, Menasha, Wisconsin, as governed by § 501.9 of General Order ODT 3, Revised, as amended, and

It appearing that such appointment will result in coordination of transportation of property by motor vehicle and that such coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies, to assure the maximum utilization of such transportation equipment, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. Charles Hildenbrand and Elias Hildenbrand, doing business as Advance Express Co., Briggs Transfer Company, Britton Motor Service, Inc., Consolidated Freightways, Inc., Glendenning Motorways, Inc., A. G. Henneman, doing business as A. G. Henneman Transfer, Green Bay Transport, Inc., George Hart, doing business as Hart Motor Express, Carl Mueller, doing business as Mueller Transportation Co., Fred B. Wines, doing business as United Shipping Company, Wheeler Transportation Co., (hereinafter collectively called the carriers) in the performance of transportation of property as common carriers by motor vehicle, shall appoint the Cary Transfer Co., Inc., as their common agent at the City of Eau Claire, Wisconsin, upon such terms as shall be agreed upon by the car-

riers or, in the event of their disagreement, as the Office of Defense Transportation shall find to be just and reasonable.

2. The Cary Transfer Co., Inc., shall act as common agent of the carriers and in such capacity shall perform collection and delivery service at the City of Eau Claire, Wisconsin, and shall interchange and divert such shipments as may be agreed upon by the carriers and shall divert such shipments as may be necessary to comply with the provisions of General Order ODT 3, Revised, as amended.

3. The carrier to whom a shipment has been diverted shall forward such shipment on the billing and pursuant to the lawfully applicable rates, charges, rules and regulations of the carrier issuing the bill of lading.

4. Except as may be otherwise provided by agreement between the carriers, or prescribed by the Interstate Commerce Commission or by appropriate State regulatory body, the division of revenues derived from the transportation performed pursuant hereto shall be as determined by the Office of Defense Transportation.

5. The records of the carriers and their common agent, the Cary Transfer Co., Inc., shall be available for examination and inspection at all reasonable times by a representative of the Office of Defense Transportation.

6. The provisions of this order shall not be so construed or applied as to require or permit the motor carriers named herein to perform any transportation service, the performance of which by it is not authorized or sanctioned by law, or to render any service beyond its transportation capacity, or to alter its legal liability to any shipper.

7. Each of the carriers shall file forthwith with the appropriate regulatory body or bodies having jurisdiction over the operations affected by this order, and publish in accordance with law, and continue in effect until further order, tariffs, setting forth any changes in fares, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

8. Communications concerning this order should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Supplementary Order ODT 3 Revised-15."

This order shall become effective February 25, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the office of Defense Transportation by further order may designate.

Issued at Washington, D. C. this 15th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-2482; Filed, February 15, 1943;
11:57 a. m.]

[Supplementary Order ODT 3, Revised-16]

CONSOLIDATED FREIGHTWAYS, INC. AND
NORTHERN PACIFIC TRANSPORT COM-
PANY

COORDINATED OPERATION BETWEEN BILLINGS
AND SIDNEY, MONT.

Upon consideration of the application to coordinate common carrier motor vehicle service between Billings and Sidney, Montana, filed by Consolidated Freightways, Inc., Portland, Oregon, and Northern Pacific Transport Company, Billings, Montana, as governed by § 501.9 of General Order ODT 3, Revised, as amended,¹ and

It appearing that such coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies, and to assure the maximum utilization of such transportation equipment, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. Consolidated Freightways, Inc., shall:

(a) Suspend its operations between Glendive and Sidney, Montana, including service to the intermediate points of Stipek, Intake, Savage, and Crane, Montana, and divert to the Northern Pacific Transport Company at Glendive, Montana, such shipments as are destined to Stipek, Intake, Savage, Crane, and Sidney, Montana.

(b) Accept from Northern Pacific Transport Company at its terminal in Billings, Montana, such shipments as are destined to Glendive, Terry, Miles City, Forsyth, Hysham, and Custer, Montana, and transport such shipments in its own vehicles to the terminals of Northern Pacific Transport Company at points of destination.

2. Northern Pacific Transport Company shall:

(a) Accept from Consolidated Freightways, Inc., at Glendive, Montana, such shipments as are destined to Stipek, Intake, Savage, Crane, and Sidney, Montana, and transport such shipments in its own vehicles to points of destination.

(b) Pick up at Sidney, Crane, Savage, Intake, and Stipek, Montana, shipments consigned on bills of lading of Consolidated Freightways, Inc., to Glendive, Montana, and points beyond and shall transport such shipments in its own vehicles to the terminal of Consolidated Freightways, Inc., at Glendive, Montana.

(c) Divert to Consolidated Freightways, Inc., at Northern Pacific Transport Company's terminal, Billings, Montana, such shipments as are destined to Glendive, Terry, Miles City, Forsyth, Hysham, and Custer, Montana, whenever it has less than a capacity load, or does not have equipment available to transport such shipments.

3. The carrier to whom a shipment has been diverted shall forward such shipment on the billing and pursuant to the lawfully applicable rates, charges, rules and regulations of the carrier issuing the bill of lading.

4. Except as may be otherwise provided by agreement between the carriers,

¹ 7 F.R. 5445, 6689, 7694.

¹ 7 F.R. 5445, 6689, 7694.

or prescribed by the Interstate Commerce Commission or by appropriate State regulatory body, the division of revenues derived from the transportation performed pursuant hereto shall be as determined by the Office of Defense Transportation.

5. The records of the carriers shall be available for examination and inspection at all reasonable times by a representative of the Office of Defense Transportation.

6. The provisions of this order shall not be so construed or applied as to require or permit the motor carriers named herein to perform any transportation service, the performance of which by it is not authorized or sanctioned by law, or to render any service beyond its transportation capacity, or to alter its legal liability to any shipper.

7. Each of the carriers shall file forthwith with the appropriate regulatory body or bodies having jurisdiction over the operations affected by this order, and publish in accordance with law, and continue in effect until further order, tariffs, or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order, together with a copy of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on one day's notice.

8. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-16", and should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

9. This order shall become effective February 25, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 15th day of February 1943.

JOSEPH B. EASTMAN,
Director.

[F. R. Doc. 43-2483; Filed, February 15, 1943;
11:56 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Amendment 2 to Order 1 Under MPR 169]

WILLIAM DAVIES Co.

ORDER TO REFUND EXCESS CHARGES

Amendment No. 2 to Order No. 1 under Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts.

An opinion accompanying this amendment to Order No. 1 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Paragraph (b) is amended by adding the following sentence:

(b) * * *

With respect to deliveries made before December 19, 1942 by the William Davies

Company of Chicago, Illinois (3169-33 and 3169-34) of sheep casing frankfurters and bologna, such applicant shall refund to the purchaser the difference between the requested price received and the maximum prices established for the sale of such sausage items by Maximum Price Regulation No. 286, Certain Sausage Products for War Procurement Agencies.

(f) This Amendment No. 2 to Order No. 1 under Maximum Price Regulation No. 169 shall become effective as of December 19, 1942.

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

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2313; Filed, February 12, 1943;
11:34 a. m.]

[Amendment 1 to Order 8 Under MPR 169]

HOUSTON PACKING CO. AND ARMOUR
AND CO.

ORDER TO REFUND EXCESS CHARGES

Amendment No. 1 to Order No. 8 under Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts.

An opinion accompanying this amendment to Order No. 1 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Paragraph (b) is amended by adding the following sentence:

(b) * * *

With respect to deliveries made before December 19, 1942 by the Houston Packing Company of Houston, Texas, (3169-93, 3169-94 and 3169-96) and Armour and Company of Delaware, of Chicago, Illinois (3169-116, 3169-117, 3169-121 and 3169-122) of sheep casing frankfurters, hog casing frankfurters, skinless frankfurters and bologna, such applicants shall refund to the purchaser the difference between the requested prices received and the maximum prices established for the sale of such sausage items by Maximum Price Regulation No. 286, Certain Sausage Products for War Procurement Agencies.

(d) This Amendment No. 1 to Order No. 8 under Maximum Price Regulation No. 169 shall become effective as of December 19, 1942.

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

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2314; Filed, February 12, 1943;
11:33 a. m.]

[Correction to Order 3 Under RPS 91]

UNITED STATES COMMERCIAL CO.

APPROVAL OF MAXIMUM PRICE

Correction to Order No. 3 under Revised Price Schedule No. 91—Tea.

An item in the table in paragraph (b) is corrected to read as follows:

(b) * * *

Buyer	Description	Price—f. o. b. New York
United States Commercial Co.	506 h/chests #3 gunpowder tea.	60¢ per lb. plus 1% commission.

This correction shall be effective as of December 31, 1942.

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

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2308; Filed, February 12, 1943;
11:32 a. m.]

[Order 161 Under MPR 120]

E. EICHELBERGER & COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 161 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant—Docket No. 1120-146-P.

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

(a) Coals produced in Size Group 3 by E. Eichelberger & Company, Everett, Pennsylvania, at its Bacon No. 4 Mine (Mine Index No. 22) in District No. 1, may be sold and purchased for shipment by rail at prices not to exceed \$3.05 per net ton f. o. b. the mine, and for shipment by truck at prices not to exceed \$3.10 per net ton f. o. b. the mine.

(b) Within thirty (30) days from the effective date of this order, the said E. Eichelberger & 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 Revised 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 Revised Maximum Price Regulation No. 122.

(c) This Order No. 161 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. 161 shall become effective February 13, 1943.

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2330; Filed, February 12, 1943;
3:27 p. m.]

[Order 1 Under MPR 112]

COLONIAL COLLIERY CORP.

ORDER GRANTING ADJUSTMENT

Order No. 1 under Maximum Price Regulation No. 112—Pennsylvania Anthracite—Docket No. 3112-9.

For the reasons set forth in an opinion issued simultaneously herewith under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended and Executive Order No. 9250, and in accordance with § 1340.197 (a) of Maximum Price Regulation No. 112, it is hereby ordered:

(a) The Colonial Colliery Corporation, 1421 Chestnut Street, Philadelphia, Pennsylvania, may sell and deliver, and any person may buy and receive, the product described in paragraph (b) below at prices not in excess of the prices stated therein;

(b) Anthracite produced at its mine located at Natalie, Northumberland County, Pennsylvania, at prices not to exceed the following:

Domestic:	
Broken, egg, stove and chestnut	\$7.55
Pea	6.00
Steam:	
Buckwheat #1	4.45
Rice (Buckwheat #2)	3.50
Barley (Buckwheat #3)	2.50
All sizes smaller than Barley Buckwheat #3 if sold for fuel or sintering use, including (specifically but not exclusively) Buckwheat #4, river or dredge Barley, and smaller sizes	1.80

(c) Within thirty days from the effective date of this order the said Colonial Colliery Corporation shall notify all persons purchasing its coals of the adjustment granted in paragraph (b) of this order and shall include a statement that if the purchaser is subject to Revised 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 Revised Maximum Price Regulation No. 122;

(d) This Order No. 1 may be revoked or amended by the Price Administrator at any time;

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

(f) Unless the context otherwise requires, the definitions set forth in § 1340.198 of Maximum Price Regulation No. 112 shall apply to the terms used herein;

(g) This Order No. 1 shall become effective February 12, 1943.

Issued this 12th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2332; Filed, February 12, 1943; 3:24 p. m.]

[Amendment 1 to Order 79 to MPR 188]

THE CRANE COMPANY

AUTHORIZATION OF MAXIMUM PRICE

Amendment No. 1 to Order No. 79 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Mate-

rials and Consumers' Goods Other Than Apparel.

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

The first undesignated paragraph and paragraph (a) of Order No. 79 are amended, and a new paragraph (h) is added, as set forth below:

*Authorization of a maximum price of cast-iron valves and fittings, malleable iron valves and fittings, brass valves and fittings, brass and iron plumbing fixture trim, cast and forged steel valves, cast and forged steel fittings, fabricated steel valves and fittings, and fabricated pipe made according to specifications. * * **

(a) The Crane Company of 836 South Michigan Avenue, Chicago, Illinois, may sell and deliver, and any person may buy and receive from the Crane Company, cast-iron valves and fittings, malleable iron valves and fittings, brass valves and fittings, brass and iron plumbing fixture trim, cast and forged steel valves, cast and forged steel fittings, fabricated steel valves and fittings and fabricated pipe made according to specifications, at a price not more than that determined by the use of the pricing formula submitted to the Office of Price Administration under date of September 8, 1942, and used by the Crane Company in March 1942 to determine the prices at that time, of such items. The values given to the factors used in said formula shall be no higher than the highest value given to the same factors in the determination of March 1942 prices under said formula, and the method used in computing said factors shall be the method used in March 1942.

(h) This Amendment No. 1 to Order No. 79 shall become effective as of the 12th day of December, 1942.

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

Issued this 13th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2403; Filed, February 13, 1943; 12:53 p. m.]

[Correction to Order 115 Under MPR 188]

ACE UPHOLSTERING CO.

ORDER GRANTING ADJUSTMENT

Correction to Order No. 115 under Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

The references to § 1499.161 (a) (2) in Order No. 155, are corrected to read § 1499.161 (a) (1).

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

Issued this 13th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2405; Filed, February 13, 1943; 12:53 p. m.]

17 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537.

[Order 160 Under MPR 189]

SIMMONS COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 160 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Maximum prices for sales by the Simmons Company of San Francisco, California, of certain regular galvanized wire rope thimbles and galvanized manila rope thimbles.

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) This Order No. 160 sets maximum prices for sales of certain Regular Galvanized Wire Rope Thimbles and Galvanized Manila Rope Thimbles manufactured and sold by the Simmons Company, San Francisco, California, which have been described in an application submitted by the manufacturer to the Office of Price Administration.

Listed below are the maximum prices and terms for sales by the Simmons Company to all classes of purchasers:

REGULAR GALVANIZED WIRE ROPE THIMBLES

Size of rope in inches	Net price per hundred pieces
1/8	\$2.64
3/16	2.64
1/4	2.64
5/16	3.15
3/8	3.60
7/16	4.20
1/2	4.80
5/8	6.60
3/4	7.80
7/8	9.60
1	12.60
1 1/8	25.35
1 1/4	29.35
1 1/2	80.00
1 3/4	106.70
2	133.35

GALVANIZED MANILA ROPE THIMBLES

Size of rope in inches	Net price per piece
5/16	\$0.034
3/8	.034
7/16	.04
1/2	.053
5/8	.067
3/4	.08
7/8	.10
1	.12
1 1/8	.134
1 1/4	.20
1 3/8	.267
1 1/2	.334
1 3/4	.65
2	.334

The prices are f. o. b. factory, San Francisco, California.

(b) This Order No. 160 may be revoked or amended at any time by the Price Administrator.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to terms used herein.

(d) This Order No. 160 shall become effective on the 15 day of February 1943. Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2402; Filed, February 13, 1943;
12:53 p. m.]

[Order 161 Under MPR 188]

THE JOHNS-MANVILLE SALES CORPORATION
AUTHORIZATION TO DETERMINE MAXIMUM
PRICES

Order No. 161 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Authorization for the Johns-Manville Sales Corporation to determine maximum prices for certain custom-made products.

On October 13, 1942, the Johns-Manville Sales Corporation of Twenty-Two East Fortieth Street, New York, New York filed an application with the Office of Price Administration seeking a specific authorization pursuant to § 1499.158 of Maximum Price Regulation No. 188 to determine maximum prices for certain "custom-made products" (as defined in paragraph (b) below) and for instructions as to the method to be used in determining maximum prices for such products to be manufactured by them. Due consideration has been given to this application, and an Opinion in support of this order has been issued simultaneously herewith and filed with the Division of the Federal Register.

(a) The maximum price which may be charged by the Johns-Manville Sales Corporation for "custom-made products" shall be determined in accordance with the appropriate formulae as contained in the following papers, issued by the Johns-Manville Sales Corporation and on file with the Office of Price Administration, available to inquirers:

(1) The notice entitled "Effect of Price Ceilings on SPPIS," addressed to "All Factory Office Managers" from "General Headquarters", dated originally May 15, 1942 and marked "Revised June 3, 1942";

(2) The notice entitled "Effect of Price Ceilings on SPPIS; Price Ceilings applicable to Commodities", addressed to "All Factory Office Managers" from "General Headquarters", dated originally May 15, 1942, and marked "Completely Revised July 23, 1942";

(3) The schedule known as Schedule A headed "Order and Billing Procedure—Section M-29", in two pages, dated June 10, 1940, unsigned and marked "Requested by: M. J. Boedeker";

(4) The schedule known as Schedule B, headed "Order and Billing Procedure—Section M-29", in three pages, dated June 10, 1940, and revised March 13, 1942, and marked "Requested by: M. J. Boedeker";

(5) The schedule known as Schedule C, headed "Order and Billing Procedure—Section M-29", in four pages, dated June 10, 1940 and revised April 6, 1942, and marked "Requested by: M. J. Boedeker";

(6) The schedule known as Schedule G, headed "Order and Billing Procedure—Section M-29", in two pages, undated and marked "Requested by: M. J. Boedeker".

(b) The term "custom-made product" as used in this Order No. 161 shall include all items manufactured by the Johns-Manville Sales Corporation of the types designated in subparagraph (5) below, which are subject to Maximum Price Regulation No. 188; and

(1) Which are not part of, and will not become part of, the Johns-Manville Sales Corporation's standard line of products; and

(2) Which were not delivered or offered for delivery during March 1942 by the Johns-Manville Sales Corporation; and

(3) The prices of which cannot be determined upon the basis of prices which the Johns-Manville Sales Corporation had in effect for standard items and for special processing during March 1942; and

(4) Which may not be priced under § 1499.155 of Maximum Price Regulation No. 188; and

(5) Which are of the following types:

Rigid asbestos shingles and asbestos clapboard.
Asphalt shingles.
Smooth roll roofings.
Slatekote roll roofings.
Building papers (asphalt or tar only).
Asbestos ready-to-lay roofings.
Encased insulating board.
Asbestos wallboard.
Asbestos flexboard.
Decorative wall sheets.
Built-up roof insulation.
Flat transite.
Corrugated transite.
Acoustical correction materials.
Sound insulation materials.
Acoustical equipment materials.
Insulations.
Marlinite.
Banroc blankets, pipe covering and other insulations.
Powders and air set cements.
Rock cork pipe covering—sheets—lagging—and accessories.
Insulation cements.
Range boiler jackets.
Flat transite—plain and w. r.
Miscellaneous insulation sheets—(panocel, cellulite, roll fire felt).
Insulation accessories.
Magnesia pipe covering—blocks and cement.
Industrial friction materials.
Transite pipe and accessories.
Chemstone.
Asbestos ebony.
Flat transite for electrical purposes.
Trancel.
Electrobestos products.
Miscellaneous electrical products: Protector Mountings—Niagrite—Asbestoment.
Asbestos paper tapes.
Refractory (cement) products.
Power products specialties.
BX cellular insulation.
Transite conduit—Korduct and accessories.

(c) The authorization granted to the Johns-Manville Sales Corporation in paragraph (a) hereof is subject to the following conditions:

(1) That it shall notify all purchasers purchasing custom-made product from it that the price thereof has been authorized by the Office of Price Administration under this order; and

(2) That, for the first 50 maximum prices determined under this order, it

shall, within 10 days after each such maximum price has been so determined, report that price by a report submitted in triplicate to the Office of Price Administration stating that the price was determined in accordance with the formulae set forth in paragraph (a) hereof and setting forth in detail the calculations made in determining that price, including a description of the product and of the labor and materials used; and

(3) That it shall, for all maximum prices authorized by this order and not required to be reported by paragraph (c) (2) above, keep records, available at all times to the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, including in such records the same information as is described in paragraph (c) (2) above.

(d) Any selling price determined under this order shall be subject to adjustment at any time by the Office of Price Administration.

(e) This Order No. 161 may be revoked or amended by the Office of Price Administration at any time.

(f) This Order No. 161 shall become effective February 15, 1943.

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

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2404; Filed, February 13, 1943;
12:53 p. m.]

[Order 162 Under MPR 188]

THE GLENSHAW GLASS CO.
APPROVAL OF MAXIMUM PRICES

Order No. 162 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1499.158 of Maximum Price Regulation No. 188, it is hereby ordered:

(a) The Glenshaw Glass Company of Glenshaw, Pennsylvania is hereby authorized to sell, deliver and offer for sale and all other persons are authorized to buy and receive in the course of trade, 32½ ounce capacity standard glass containers, 63 millimeter finish, at the price of \$3.20 per gross for orders of 1000 or more cases of one dozen each, and of \$3.30 per gross for all orders of less than 1000 such cases, at any destination within free delivery territory as recognized by the glass container industry in March 1942, and delivered to any other destination in the United States at not more than these prices with such additional charges for delivery as were customarily added to catalogue prices of wide mouth glass containers by sellers generally in March 1942.

(b) All differentials and services which were customarily rendered by the Glenshaw Glass Company in its sales of glass containers in March 1942 must be maintained. The prices specified in this or-

der must be reduced by 1% for payment within 10 days of the invoice date, and may not be increased by any charge for the extension of credit.

(c) All prayers in the application not specifically granted by this order are hereby denied.

(d) The authority granted by this Order No. 162 shall not be effective after a Maximum Price Regulation governing the container which is the subject of this order is issued by the Office of Price Administration.

(e) This Order No. 162 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 162 shall become effective February 15, 1943.

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

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2412; Filed, February 13, 1943;
12:59 p. m.]

[Order 2 Under MPR 214]

STANDARD ALLOY CO.

ADJUSTMENT OF MAXIMUM PRICE

Order No. 2 under Maximum Price Regulation No. 214—High Alloy Castings—Docket No. 3214-3.

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 price of Standard Alloy Company on sales of high alloy fan wheel castings to Garden City Fan Company. (a) Notwithstanding anything to the contrary contained in Maximum Price Regulation No. 214, Standard Alloy Company, Cleveland, Ohio, may sell and deliver high alloy fan wheel castings of an analysis of 35% nickel, 15% chrome for industrial ovens and furnaces to Garden City Fan Company, Chicago, Illinois, at a price not to exceed 47 cents per pound and Garden City Fan Company may buy and receive said castings as above. This price of 47 cents per pound is a delivered price, i. e., f. o. b. the foundry with freight allowed to destination, and includes all extras.

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

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

(d) This Order No. 2 shall become effective February 15, 1943, and shall become retroactively effective December 18, 1942, the date of which Standard Alloy Company filed its application for adjustment.

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2407; Filed, February 13, 1943;
12:49 p. m.]

No. 32—10

[Order 7 Under MPR 244]

LAKE ERIE ENGINEERING CORP.

APPROVAL OF MAXIMUM PRICES

Order No. 7 under § 1421.163 of Maximum Price Regulation 244—Gray Iron Castings.

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 in accordance with Maximum Price Regulation 244 issued by the Office of Price Administration, *It is hereby ordered:*

Maximum prices for gray iron castings sold by the Lake Erie Engineering Corporation. (a) Lake Erie Engineering Corporation, Buffalo, New York, is hereby authorized to determine maximum prices on sales and deliveries of gray iron castings produced by it at its foundry in the Village of Sloan, Erie County, New York, in accordance with § 1421.166 of Maximum Price Regulation 244, as amended by Amendment No. 2, as though the foundry were situated in its former location at Woodward and Riverview Avenues, Town of Tonawanda, Erie County, New York. The foregoing authorization shall apply to all sales and deliveries of, and contracts and offers to sell, gray iron castings made by said Lake Erie Engineering Corporation on and after October 26, 1942.

(b) This Order No. 7 shall become effective February 15, 1943.

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

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2406; Filed, February 13, 1943;
12:52 p. m.]

[Order 35 Under RPS 6]

PHOENIX IRON COMPANY

ORDER GRANTING RELIEF

Order No. 35 under Revised Price Schedule No. 6—Iron and Steel Products—Docket No. So-28-7.

On December 31, 1942, The Phoenix Iron Company, Phoenixville, Pa., filed an application for adjustment of prices that might be charged by it for its product, pursuant to the provisions of Supplementary Order No. 28 and Revised Price Schedule No. 6. Due consideration has been given to the application for adjustment, and an opinion in support of this Order No. 35 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order 9250, and in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:*

(a) The Phoenix Iron Company may sell and deliver and agree, offer, solicit and attempt to sell and any person may buy and receive from The Phoenix Iron Company carbon steel shapes and mer-

chant bars at prices not in excess of those stated in paragraph (b).

(b) (1) The maximum base price which may be charged for carbon steel shapes is \$2.35 per 100 pounds, f. o. b. the governing or emergency basing point.

(2) The maximum base price which may be charged for merchant bars is \$2.40 per 100 pounds, f. o. b. the governing or emergency basing point.

(3) The maximum base prices set forth in 1 and 2 above shall be applicable to shipments of all material produced after January 1, 1943.

(c) All prayers of the petitioner not granted herein are denied.

(d) This Order No. 35 may be revoked or amended by the Price Administrator at any time.

(e) The definitions set forth in § 1306.8 of Revised Price Schedule No. 6 shall apply to terms used herein.

(f) This Order No. 35 shall be effective as of January 1, 1943.

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2411; Filed, February 13, 1943;
12:48 p. m.]

[Suspension Order 211]

HAINES GAS STATION

ORDER RESTRICTING TRANSACTIONS

Hubert H. Peterson and Robert J. Boyle, co-partners, Haines Gas Station, 6503 Georgia Avenue, N. W., Washington, D. C., hereinafter called respondents, were duly served with a notice of charges of violations of Ration Order No. 5A, Gasoline Rationing Regulations, issued by the Office of Price Administration. Pursuant to the notice, a hearing upon the charges was held in Washington, D. C., on November 27, 1942. There appeared a representative of the Office of Price Administration and respondents. The evidence pertaining to the charges was presented before an authorized presiding officer. The matter having been duly considered by the Chairman of the Industry Council, it is hereby determined:

(a) Respondents are dealers in gasoline and operate a gasoline filling station located at 6503 Georgia Avenue, N. W., Washington, D. C.

(b) Respondents have violated Ration Order No. 5A, Gasoline Rationing Regulations, (§ 1394.1502), in that on various occasions between July 22 and November 16, 1942, respondents transferred gasoline to consumers without receiving in exchange therefor any gasoline ration coupons or other evidences.

Because of the great scarcity and critical importance of gasoline in Washington, D. C., respondents' violations of Ration Order No. 5A, Gasoline Rationing Regulations, have resulted in the diversion of gasoline from military and essential civilian uses into non-essential uses in a manner contrary to the public interest and detrimental to the national war effort. It appears to the Chairman of the Industry Council that further violations by respondents are likely unless

appropriate administrative action is taken: *It is hereby ordered:*

(c) During the period in which this Suspension Order No. 211 shall be in effect,

(1) Respondents shall not accept any deliveries or transfers of, or in any manner directly or indirectly receive from any source any gasoline for resale at their filling station at 6503 Georgia Avenue, N. W., Washington, D. C.

(2) Respondents shall not transfer or deliver or otherwise trade or deal in gasoline at their filling station at 6503 Georgia Avenue, N. W., Washington, D. C.

(3) No person shall in any manner, directly or indirectly transfer or deliver any gasoline to respondents for resale at their filling station at 6503 Georgia Avenue, N. W., Washington, D. C.

(d) Any terms used in this Suspension Order No. 211 that are defined in Ration Order No. 5A, Gasoline Rationing Regulations, shall have the meaning therein given them.

This Suspension Order No. 211 shall become effective 12:01 a. m. February 23, 1943, and unless sooner terminated shall expire 12:01 a. m. March 25, 1943.

(Pub. Law 421, 77th Cong.; sec. 2 (a) of Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89 and 507, 77th Cong.; E.O. No. 9125 (7 F.R. 2719); W.P.B. Directive No. 1 (7 F.R. 562); Supplementary Directive No. 1H (7 F.R. 3478, 3877, 5216); Supplementary Directive 1Q (7 F.R. 9121))

Issued this 13th day of February 1943.

LOUIS H. HARRIS,
Chairman, Industry Council.

[F. R. Doc. 43-2408; Filed, February 13, 1943;
12:49 p. m.]

[Amendment 1 to General Order 46¹]

HEARING ADMINISTRATOR AND HEARING
COMMISSIONERS

DELEGATION OF AUTHORITY

Paragraph (d) of General Order No. 46 is amended to read as set forth below:

(d) This General Order No. 46 shall take effect the 1st day of March, 1943.

This Amendment No. 1 to General Order No. 46 shall become effective February 13, 1943.

(Pub. Law No. 671, 76th Cong., as amended by Pub. Laws No. 89, 507, 77th Cong., Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2719, issued April 7, 1942, W.P.B. Dir. No. 1, 7 F.R. 562, as supplemented, E.O. 9280, 7 F.R. 10179, issued December 5, 1942, Food Directive 1 of the Secretary of Agriculture, 8 F.R. 827.)

Issued this 13th day of February, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2435; Filed, February 13, 1943;
4:09 p. m.]

¹8 F.R. 1771.

[Order 17 Under Rev. MPR 161]

BONNEVILLE LOGGING COMPANY, ET AL.

OVERTIME ADDITIONS

Order No. 17 Under § 1381.156 of Revised Maximum Price Regulation No. 161—West Coast Logs.

The following listed companies were granted authority under § 1381.160 (e) of Maximum Price Regulation No. 161 to make additions to the maximum prices provided in that regulation where operations have been conducted on an overtime basis. That section has been incorporated into Revised Maximum Price Regulation No. 161 as § 1381.156.

Those claiming the overtime addition are required by the Regulation to submit a report as outlined in § 1381.156 (b) (formerly § 1381.160 (e) (2) in the original regulation) not later than the 15th of each month in which the overtime addition is claimed. It is likewise provided that the addition may be made only so long as the required number of hours are worked.

For the reasons indicated, the authorities to make overtime additions heretofore granted to the named companies are hereby cancelled, effective on the dates indicated:

(a) The following authorizations are cancelled as of the date indicated for failure to submit the reports required by § 1381.156 (b) of the regulation, after special notification that the authorizations would be cancelled for failure to comply with that requirement:

Name	Effective date
Bonneville Logging Co., Seattle, Wash.	Dec. 1, 1942
Beaver Logging Co., Portland, Oreg.	Dec. 1, 1942
Hector Brown Logging Co., Monroe, Wash.	Jan. 1, 1943
Alex Cugini, Renton, Wash.	Dec. 1, 1942
Camp Creek Timber Co., Gardiner, Oreg.	Dec. 1, 1942
DeGroot Logging Co., Bremerton, Wash.	Nov. 1, 1942
Drake Logging Co., Bellingham, Wash.	Jan. 1, 1943
Duffy Bros., Clallam Bay, Wash.	Dec. 1, 1942
Elk Creek Logging Co., Foster, Oreg.	Nov. 1, 1942
Eastern & Western Lumber Co., Portland, Oreg.	Dec. 1, 1942
Eastern & Western Lumber Co., Grays River, Wash.	Nov. 1, 1942
Franks & Sherin, Sedro Woolley, Wash.	Nov. 1, 1942
F. E. Foss & Sons, Concrete, Wash.	Nov. 1, 1942
Gehrke Logging Co., Port Angeles, Wash.	Nov. 1, 1942
Grays River Logging Co., Rosburg, Wash.	Dec. 1, 1942
M. V. Hissong, Concrete, Wash.	Nov. 1, 1942
Jones & Anderson Logging Co., Darrington, Wash.	Nov. 1, 1942
James and Charles Johnston Logging Co., Hoodport, Wash.	Nov. 1, 1942
Matt Kippola Logging Co., Paulsbo, Wash.	Jan. 1, 1943
Lane-Linn Logging Co., Eugene, Oreg.	Dec. 1, 1942
Lerback Logging Co., Seaside, Oreg.	Dec. 1, 1942
Lyle McNeill Logging Co., Bellingham, Wash.	Dec. 1, 1942

Name	Effective date
McMillen Logging Co., Rose Lodge, Oreg.	Nov. 1, 1942
M. & G. Logging Co., Springfield, Oreg.	Nov. 1, 1942
L. Marenakos, Renton, Wash.	Dec. 1, 1942
Lee Martin, Quilcene, Wash.	Dec. 1, 1942
Mt. Baker Timber Co., Bellingham, Wash.	Dec. 1, 1942
Maywood Logging Co., Inc., Lester, Wash.	Dec. 1, 1942
Frank W. McCulloch, Eugene, Oreg.	Jan. 1, 1943
Olympic Logging Co., Seattle, Wash.	Dec. 1, 1942
Olson Bros. Lumber Co., Camas, Wash.	Dec. 1, 1942
Potter-Maginnis Piling Co., Ridgefield, Wash.	Dec. 1, 1942
Rockaway Logging Co., Rockaway, Oreg.	Dec. 1, 1942
Robinson Logging Co., Seattle, Wash.	Dec. 1, 1942
Jack Ranilla, Sedro Woolley, Wash.	Dec. 1, 1942
Robertson Bros. Logging Co., Concrete, Wash.	Nov. 1, 1942
A. W. Salmon, Aberdeen, Wash.	Nov. 1, 1942
Simonson Logging Co., Cascadia, Oreg.	Nov. 1, 1942
Scritsmier Co., Portland, Oreg.	Jan. 1, 1943
Scott & Blum, Gaston, Oreg.	Jan. 1, 1943
Timber Logging Co., Aberdeen, Wash.	Nov. 1, 1942
M. E. Wilson, Portland, Oreg.	Nov. 1, 1942
Winona Investment Co., Deming, Wash.	Dec. 1, 1942
Willapa Harbor Lumber Mills, Raymond, Wash.	Dec. 1, 1942
Elmer Watters Logging Co., Lebanon, Oreg.	Nov. 1, 1942

(b) The following authorizations are cancelled as overtime operations have been discontinued:

Name	Effective date
Carlisle Lumber Co., Onalaska, Wash.	Jan. 15, 1943
Grand Rapids-Oregon Timber Co., Seaside, Oreg.	Nov. 15, 1942
Hamilton Bros. Logging Co., Warrenton, Oreg.	Nov. 1, 1942
Robert Hickey, Everett, Wash.	Jan. 15, 1943
Usitalo Bros. Logging Co., Darrington, Wash.	Jan. 15, 1943
Kemp Davis & Kemp, Bellingham, Wash.	Dec. 1, 1942
Petty Bros. & Blunk, Concrete, Wash.	Oct. 1, 1942
Roy J. Kimbel, Shelton, Wash.	Sept. 1, 1942
Murphy-Nelson Logging Co., Portland, Oreg.	Dec. 1, 1942
Sundown Logging Co., Yelm, Wash.	Dec. 1, 1942
A. J. Bartley, Raymond, Wash.	Nov. 1, 1942
Wooden & Combs Logging Co., Jewell, Oreg.	Dec. 1, 1942
Reed Holding Logging Co., Clatskanie, Oreg.	Dec. 1, 1942
Carson Lumber Co., Carson, Wash.	Dec. 1, 1942

This Order No. 17 shall become effective February 15, 1943.

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

Issued this 13th day of February 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-2436; Filed, February 13, 1943;
4:09 p. m.]

Regional Office, Region 1

[Emergency Order 2, Amendment 1 Under Ration Order 11]

FUEL OIL SHORTAGE IN NEW ENGLAND AREA

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, paragraphs (a) and (c) (11) of Emergency Order No. 2 are amended to read as follows:

(a) *Findings.* The Regional Administrator finds that in the States of Connecticut, Massachusetts and Rhode Island, as the result of the continuing serious decrease in stocks, there still exists in such area an emergency in the transportation and distribution of fuel oil which endangers the public health, the public welfare and the war effort.

* * * * *

(c) *Order.* * * * * *
(11) *Effective period.* Emergency Order No. 2 shall terminate at 12:00 p. m. February 11, 1943 unless extended by further order.

Effective Date of Amendment 1

Amendment 1 to Emergency Order No. 2 shall become effective February 9, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 9th day of February 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-2409; Filed, February 13, 1943; 12:48 p. m.]

[Emergency Order 3, Amendment 1 Under Ration Order 11]

FUEL OIL SHORTAGE IN PROVIDENCE, TIVERTON AND FALL RIVER SUPPLY AREA

Pursuant to the authority conferred upon the Regional Administrator by § 1394.5715 of Ration Order No. 11, as amended, paragraphs (a) and (c) (7) of Emergency Order No. 3 are amended to read as follows:

(a) *Findings.* The Regional Administrator finds that in the territory served by the terminal and storage facilities of the Providence, Tiverton and Fall River Supply Area, as established under § 1510.29 (b) of Petroleum Directive 59 (including all of the State of Rhode Island and certain portions of Southeastern Massachusetts and Eastern Connecticut), as the result of the continuing inadequacy of the supply of fuel oil of Grade No. 6, or Bunker "C" oil, hereinafter referred to as Bunker "C" oil, to meet the demands of vitally important users, there exists an emergency in the transportation and distribution of Bunker "C" oil which endangers the public health, the public welfare, and the war effort.

* * * * *

(c) *Order.* * * * * *
(7) *Effective period.* Emergency Order No. 3 shall terminate at 12:00 p. m.

February 11, 1943 unless extended by further order.

Effective Date of Amendment 1

Amendment 1 to Emergency Order No. 3 shall become effective February 9, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-0, 7 F.R. 8418, E.O. 9125, 7 F.R. 2719, Ration Order No. 11, 7 F.R. 8480)

Issued this 9th day of February 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-2410; Filed, February 13, 1943; 12:49 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-66, 59-61, 59-35]

FEDERAL WATER AND GAS CORP. AND NEW YORK WATER SERVICE CORP.

ORDER APPROVING CERTAIN ASPECTS OF PLAN FILED AND DIRECTING CERTAIN ACTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 10th day of February, 1943, A. D.

In the matter of Federal Water and Gas Corporation and subsidiary companies, File No. 54-66; Federal Water and Gas Corporation and subsidiary companies, respondents, File No. 59-61, and New York Water Service Corporation, Federal Water and Gas Corporation, File No. 59-35.

Federal Water and Gas Corporation, a registered holding company, and subsidiary companies, having filed an application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan, the purpose of which is to effect compliance by Federal Water and Gas Corporation and subsidiaries with the provisions of section 11 (b) of said Act;

The Commission having on December 31, 1942 instituted proceedings under section 11 (b) of the Act involving Federal Water and Gas Corporation and subsidiaries to determine what action should be required to be taken by such companies under said section; and having ordered a consolidation of such proceedings with the proceedings involving the plan filed by Federal and subsidiaries pursuant to section 11 (e) and with proceedings heretofore instituted by the Commission, pursuant to section 11 (b) (2) of the Act involving New York Water Service Corporation and Federal Water and Gas Corporation;

Federal Water and Gas Corporation having requested that the order of the Commission approving that portion of the plan providing for the sale of its interests in Union Water Service Company and the use of the proceeds of such sale to retire a portion of the outstanding debentures of Federal conform with the requirements of sections 371 (b) and 371 (f) of the Internal Revenue Code as amended by the Revenue Act of 1942, including sections 171 and 506 (f) thereof,

and contain the findings therein specified;

A public hearing having been held after appropriate notice and the Commission having examined the record and having made and filed its Findings and Opinion herein;

The Commission having found therein that the sale by Federal of the preferred and common stocks owned by it of Union Water Service Company for the sum of \$1,200,000, and the use of the proceeds of sale of said stock in partial retirement or cancellation of such of Federal's 5½% debentures as may be retired by said proceeds of sale, are necessary or appropriate to the integration or simplification of the Federal Water and Gas Corporation holding company system and are necessary and appropriate to effectuate the provisions of section 11 (b) of Public Utility Holding Company Act of 1935;

It is ordered, That Federal Water and Gas Corporation shall take such action as may be necessary to divest itself of all interests held by it, directly or indirectly, in the businesses conducted and properties owned by Alabama Water Service Company, Union Water Service Company, Ohio Water Service Company, West Virginia Water Service Company, Scranton-Spring Brook Water Service Company, New York Water Service Corporation, and the water properties in Oregon and the gas properties in Florida owned by the Peoples Water and Gas Company: *Provided,* That in the case of Peoples Water and Gas Company, Scranton-Spring Brook Water Service Company and New York Water Service Corporation such divestments shall not be effected through the sale of securities owned by Federal prior to the recapitalization of such companies in such manner as to provide for a fair and equitable distribution of voting power among security holders thereof;

It is further ordered, That the sale by Federal Water and Gas Corporation of the 9,900 shares of common stock and the 6,000 shares of \$6 cumulative preferred stock of Union Water Service Corporation owned by it for \$1,200,000 (subject to closing adjustments), and the application of all of such proceeds of sale to the retirement or cancellation of 5½% debentures of Federal are necessary or appropriate to the integration or simplification of the Federal Water and Gas Corporation holding company system and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935;

It is further ordered, That such sale of the interests of Federal Water and Gas Corporation in Union Water Service Corporation be consummated within sixty days from the date of this order and that all of the proceeds of such sale be used for the retirement or cancellation of 5½% debentures of Federal not later than November 30, 1943;

It is further ordered, That Peoples Water and Gas Company, Scranton-Spring Brook Water Service Company, and New York Water Service Corporation shall take such steps as may be necessary to recapitalize their capital

structures so as to fairly and equitably distribute voting power among the security holders of such companies: *Provided*, That in the case of the New York Water Service Company the common stock shall be accorded no recognition in such recapitalization;

It is further ordered, That Federal Water and Gas Corporation, Pennsylvania Water Service Company, and Scranton-Spring Brook Water Service Company shall take such action as may be necessary to cause the elimination of Pennsylvania Water Service and the sixty-three inactive subsidiaries of Scranton-Spring Brook Water Service Company, specified in Form U5S filed by Federal for the year 1941;

It is further ordered, That the plan filed by Federal Water and Gas Corporation and subsidiaries pursuant to section 11 (e) insofar as it relates to the above action ordered to be taken by Federal and subsidiaries pursuant to section 11 (b) (1) and section 11 (b) (2), be and hereby is approved;

It is further ordered, That jurisdiction be and hereby is, reserved to consider all matters relating to this consolidated proceeding not disposed of by our Order herein, to entertain such further proceedings, to make such further and supplemental findings, to approve the terms and conditions and to take such additional and further action as may be found to be appropriate in the premises in connection with the disposition of securities or assets and the recapitalization of companies as required by our Order herein and as proposed by applicants' plan pursuant to section 11 (e) of the Act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-2390; Filed, February 13, 1943;
10:55 a. m.]

[File No. 70-645]

MIDLAND UNITED CO. AND PUBLIC SERVICE
CO. OF INDIANA

ORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 12th day of February, A. D., 1943.

In the matter of Hugh M. Morris, trustee of the estate of Midland United Company and Public Service Company of Indiana, Inc.

Hugh M. Morris, Trustee of the Estate of Midland United Company, a registered holding company, and Public Service Company of Indiana, Inc., a subsidiary thereof, having filed a declaration and application pursuant to the Public Utility Holding Company Act of 1935, particularly sections 10, 12 (d), and 12 (f) thereof, and Rule U-43 thereunder, with respect to the following transaction:

Public Service Company of Indiana, Inc., proposes to purchase from the Trustee of Midland United Company 525 shares of no par value common stock of Union City Electric Company, an elec-

tric utility company operating in Ohio, being all the outstanding securities of said company, for a cash consideration of \$75,000, plus an amount equal to the undistributed earnings of Union City Electric Company, for the period from September 30, 1940, to the end of the month preceding the date of closing (which amount, as of September 30, 1942, aggregated \$11,767.80).

Said declaration and application having been filed on December 9, 1942, and an amendment thereto having been filed on January 29, 1943, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said matter within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit the said declaration pursuant to Rule U-43 to become effective, and finding, with respect to the said application under section 10 of said Act, that the transaction involved has the tendency required by section 10 (c) (2) of said Act, and that no adverse findings are necessary under sections 10 (b) and 10 (c) (1) of said Act;

It is hereby ordered, Pursuant to Rule U-23, and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration as amended be, and hereby is, permitted to become effective, and that the aforesaid application as amended be, and hereby is, granted forthwith.

By the Commission, Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-2422; Filed, February 13, 1943;
3:55 p. m.]

[File No. 1-1737]

NEW PREMIER CONSOLIDATED MINES CO.

ORDER FOR HEARING AND DESIGNATING OFFICER
TO TAKE TESTIMONY

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of February, A. D. 1943.

In the matter of proceeding under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, to determine whether the registration of New Premier Consolidated Mines Company common stock, \$1 par value, nonassessable, should be suspended or withdrawn.

I

It appearing to the Commission:

That New Premier Consolidated Mines Company, a corporation organized under the laws of the State of Utah, is the issuer of Common Stock, \$1.00 Par Value, Non-Assessable; and

That said New Premier Consolidated Mines Company registered such security on the Salt Lake Stock Exchange, a national securities exchange, by filing with the Exchange and with the Commission on or about June 3, 1935, an application on Form 10, pursuant to section 12 (b) and (c) of the Securities Exchange Act of 1934, as amended, and Rule X-12B-1, as amended, promulgated by the Commission thereunder, registration pursuant to such application having become effective on July 16, 1935, and remaining in effect to and including the date hereof; and

It further appearing to the Commission:

That Rule X-13A-1, promulgated pursuant to section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2, promulgated pursuant to section 13 of the Securities Exchange Act of 1934, as amended, did and does prescribe Form 10-K as the annual report form to be used for the annual reports of all corporations except those for which another form is specified, and that no other form was or is specified for use by the said New Premier Consolidated Mines Company, and

That said Rule X-13A-1 requires that said annual report be filed not more than 120 days after the close of each fiscal year or such other period as may be prescribed in the instruction book applicable to the particular form; that the Instruction Book for Form 10-K does not prescribe any period other than such 120 days; and that pursuant to said Rule X-13A-1 the annual report must be filed within such period unless the registrant files with the Commission a request for an extension of time to a specified date within six months after the close of the fiscal year; and

That said New Premier Consolidated Mines Company has a fiscal year ending December 31; that the annual report for its fiscal year ended December 31, 1941, was due to be filed not later than April 30, 1942; that the registrant made no request for extension of time within which to file said report; that the time for filing was not extended by the Commission; that the annual report for the fiscal year ended December 31, 1941, was not filed within such period or at any later date; and

II

The Commission having reasonable cause to believe that:

The said New Premier Consolidated Mines Company has failed to comply with the provisions of section 13 of the Securities Exchange Act of 1934, as amended, and Rules X-13A-1 and X-13A-2 promulgated thereunder, in that (1) it has failed to file its annual report for the year ended December 31, 1941, within the time prescribed for filing said report, and (2) it has failed to file such annual report at any later date; and

III

It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended;

It is ordered, Pursuant to section 19 (a) (2) of said Act, that a public hearing be held to determine whether New Premier Consolidated Mines Company has failed to comply with section 13 of the Securities Exchange Act of 1934, as amended, and the Rules, Regulations and Forms promulgated by the Commission thereunder, in the respects set forth above; and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the Common Stock, \$1.00 Par Value, Non-Assessable, of said New Premier Consolidated Mines Company on said Salt Lake Stock Exchange;

It is further ordered, Pursuant to the provisions of section 21 (b) of the Securities Exchange Act of 1934, as amended, that for the purpose of such hearing, John L. Geraghty, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony 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;

It is further ordered, That the taking of testimony in this hearing begin on the 26th day of February, 1943, at 10:00 A. M., Mountain War Time, at the Regional Office of the Securities and Exchange Commission, 444 17th Street, Denver, Colorado, and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-2423; Filed, February 13, 1943; 3:55 p. m.]

[File No. 70-672]

CONSOLIDATED ELECTRIC AND GAS COMPANY
AND HOUGHTON COUNTY ELECTRIC LIGHT
COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 12th day of February 1943.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Consolidated Electric and Gas Company, a registered holding company, and its subsidiary company, Houghton County Electric Light Company; and

Notice is hereby given that any interested party may, not later than February 27, 1943 at 5:30 p. m., E. W. T., request the Commission in writing that a hear-

ing be held on such matter, stating the reason for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such application or declaration (or both), as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

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

Consolidated Electric and Gas Company proposes to make a capital contribution of 800 shares of common stock, \$25 par value, of Houghton County Electric Light Company to that Company. Houghton County Electric Light Company proposes to reclassify its outstanding preferred stock, (12,000 shares of \$25 par value), all of which is owned by Consolidated Electric and Gas Company, into 12,000 shares of common stock of \$25 par value.

The new common stock of Houghton County Electric Light Company to be received by Consolidated Electric and Gas Company will be pledged under the indenture securing the Collateral Trust Bonds of Consolidated Electric and Gas Company in substitution for the old shares of preferred and common stocks of Houghton County Electric Light Company which will be surrendered and cancelled.

No change will be made in the aggregate carrying value on the books of Consolidated Electric and Gas Company of its investment in Houghton County Electric Light Company as a result of the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-2456; Filed, February 15, 1943; 10:19 a. m.]

WAR PRODUCTION BOARD.

[Certificate 32]

STEEL WAREHOUSES IN SAN FRANCISCO
BAY AREA

PLAN FOR REPLACEMENT ORDERS

The ATTORNEY GENERAL: Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), in order to obtain and maintain the stocks which are needed by steel warehouses in the San Francisco Bay area to serve the small and emergency needs of essential industries, I have requested such warehouses to place in operation a plan whereby replacement orders in less-than-carload lots of individual warehouses in that area will be grouped by the War Produc-

tion Board into mill lots and orders placed by it with mills in the name of and for shipment to one or more of the participating warehouses, to be held there for the account of the various owners or to be distributed among them as may be desired.

Pursuant to the aforesaid section 12, after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such plan, is requisite to the prosecution of the war.

Dated: February 13, 1943.

DONALD M. NELSON,
Chairman.

[F. R. Doc. 43-2477; Filed, February 15, 1943; 11:56 a. m.]

[Certificate 33]

PETROLEUM SUPPLY

APPROVAL OF AMENDMENT

The ATTORNEY GENERAL: Pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit amendment to Petroleum Directive No. 59¹ of the Office of Petroleum Administration for War.

For the purposes of the aforesaid section 12, I hereby approve said amendment; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such amendment, is requisite to the prosecution of the war.

Dated: February 13, 1943.

DONALD M. NELSON,
Chairman.

[F. R. Doc. 43-2478; Filed, February 15, 1943; 11:56 a. m.]

[Certificate 34]

EAU CLAIRE, WISC.

COORDINATING MOTOR CARRIER SERVICE

The ATTORNEY GENERAL: Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit herewith Supplementary Order ODT 3, Revised-15,¹ issued by the Director of The Office of Defense Transportation, in respect of coordinated motor carrier service at Eau Claire, Wisconsin.

For the purpose of the aforesaid section 12 of Public Law No. 603, I have approved said order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Supplementary Order ODT 3, Revised-15, is requisite to the prosecution of the war.

Dated: February 13, 1943.

DONALD M. NELSON,
Chairman.

[F. R. Doc. 43-2479; Filed, February 15, 1943; 11:57 a. m.]

¹ Supra.

[Certificate 35]

BILLINGS-SIDNEY, MONT.

COORDINATING MOTOR CARRIER SERVICE

The ATTORNEY GENERAL: Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit herewith Supplementary Order ODT 3, Revised-16,¹ issued by the Director of The Office of Defense Transportation, in respect of coordinated motor carrier operation between Billings, Montana, and Sidney, Montana.

For the purpose of the aforesaid section 12 of Public Law No. 603, I have approved said order; and after consultation with you, I hereby find and so certify to you that the doing of any act or

¹ *Supra.*

thing, or the omission to do any act or thing, by any person in compliance with Supplementary Order ODT 3, Revised-16, is requisite to the prosecution of the war.

Dated: February 13, 1943.

DONALD M. NELSON,
Chairman.[F. R. Doc. 43-2480; Filed, February 15, 1943;
11:56 a. m.]

[Certificate 36]

CARRIERS ON INLAND WATERWAYS
COORDINATING TOWAGE OPERATIONS

The ATTORNEY GENERAL: Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit herewith Special Order ODT W-2,¹ issued by

the Director of The Office of Defense Transportation, directing coordinated towage operations of certain carriers by water on inland waterways in the United States.

For the purpose of the aforesaid section 12 of Public Law No. 603, I have approved said order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Special Order ODT W-2, is requisite to the prosecution of the war.

Dated: February 13, 1943.

DONALD M. NELSON,
Chairman.[F. R. Doc. 43-2481; Filed, February 15, 1943;
11:57 a. m.]