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*Washington, Saturday, April 3, 1943*

## *The President*

### EXECUTIVE ORDER 9323

AMENDMENT OF EXECUTIVE ORDER NO. 8809 OF JUNE 28, 1941, ESTABLISHING THE GOOD CONDUCT MEDAL

Executive Order No. 8809 of June 28, 1941, establishing the Good Conduct Medal, is hereby amended to read as follows:

"By virtue of the authority vested in me as President of the United States and as Commander in Chief of the Army and Navy of the United States, it is ordered as follows:

"There is hereby established the Good Conduct Medal, which shall include suitable appurtenances. Such medal may be awarded for exemplary behavior, efficiency, and fidelity, under such regulations as the Secretary of War shall prescribe, to those enlisted men of the Army of the United States who on or after August 27, 1940, had or shall have honorably completed three years of active Federal military service, or who after December 7, 1941, have or shall have honorably served one year of active Federal military service while the United States is at war."

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
March 31, 1943.

[F. R. Doc. 43-5071; Filed, April 1, 1943; 2:15 p. m.]

### EXECUTIVE ORDER 9324

AMENDING THE MANUAL FOR COURTS-MARTIAL, UNITED STATES ARMY (1928)

By virtue of the authority vested in me by Chapter II of the act entitled "An Act to amend an Act entitled 'An Act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice," approved June 4, 1920 (41 Stat. 759, 787), and as President of the United

States, the Manual for Courts-Martial, United States Army (1928), hereinafter referred to as the Manual, is hereby amended as follows:

1. The second subparagraph of paragraph 14 of the Manual is amended to read:

"Under the authority of A. W. 13 commissioned officers and persons of equivalent relative or assimilated rank are hereby excepted from the jurisdiction of special courts-martial."

2. The last sentence in the second subparagraph of paragraph 85a of the Manual is amended to read:

"These notes may be destroyed after final disposition of the case under A. W. 48, 50½, or 51."

3. Paragraph 87b of the Manual is amended by inserting the words "and privates first class" after the words "noncommissioned officers" in the seventh line of the second subparagraph.

4. Paragraph 87c of the Manual is amended by striking out the last sentence of the third subparagraph, and by changing the first subparagraph to read:

"c. Disposition of record and related matters.—General Court-Martial. The record, with the decisions and orders of the reviewing authority thereon, will be transmitted, ordinarily without letter of transmittal, direct to The Judge Advocate General of the Army. With the record will be forwarded the accompanying papers (see 85), six authenticated copies of the order, if there be any, promulgating the result of the trial, and two signed copies of the review of the staff judge advocate. In cases involving more than one accused an additional copy of the order of promulgation, if any, will be forwarded for each additional accused. This applies equally to cases in which the sentence is suspended under A. W. 51, but where action by a confirming authority other than the President is necessary, the record, etc., will be transmitted to such authority. Where the order of execution is withheld under A. W. 50½, the reviewing authority will, before forwarding the record, take therefrom the data necessary for drafting a general court-martial order, and when

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such order is issued the same number of copies thereof will be forwarded as in the case of an order not so withheld."

5. Paragraph 91 of the Manual is amended by striking out the last two sentences and inserting in lieu thereof the following:

"Special and summary court records shall be retained in the office of the staff judge advocate until notification is received that their destruction has been authorized under the provisions of the act of August 5, 1939, 53 Stat. 1219, or that The Judge Advocate General of the Army has authorized their storage elsewhere."

6. Paragraph 94 of the Manual is amended by striking out the second subparagraph.

7. Paragraph 96 of the Manual is amended by striking out the second subparagraph and inserting in lieu thereof the following:

"Any officer of any component of the Army of the United States on active duty in Federal service commissioned in or assigned or detailed to duty with the Judge Advocate General's Department, any staff judge advocate or acting staff judge advocate, the President of a general or special court-martial, any summary court-martial, the trial judge advocate or any assistant trial judge advocate of a general or special court-martial, the president or the recorder of a court of inquiry or of a military board, any officer designated to take a deposition, any officer detailed to conduct an investigation, and the adjutant, assistant adjutant, or personnel adjutant of any command shall have power to administer oaths for the purposes of the administration of military justice and for other purposes of military administration; and shall also have the general powers of a notary public in the administration of oaths, the execution and acknowledgment of legal instruments, the



attestation of documents and all other forms of notarial acts to be executed by persons subject to military law. (A. W. 114.)

"A warrant officer serving as assistant adjutant of any command has power to administer oaths for all purposes of military administration. (Sec. 4, act of Aug. 21, 1941, 55 Stat. 653)"

8. Paragraph 103d of the Manual is amended by inserting the words "or private first class" after the words "non-commissioned officer" and before the comma in the third line, and after the words "noncommissioned officer" in the seventh line.

9. Paragraph 125 of the Manual is amended by adding to the fourth subparagraph the words "the seal of The Adjutant General's Office;" and by inserting the following subparagraph after the ninth subparagraph thereof:

"The seal of The Adjutant General's Office on a certificate is *prima facie* evidence that the signature thereon is that of The Adjutant General or one of his assistants."

10. Paragraph 129 of the Manual is amended by deleting from the fourth subparagraph of the subparagraph entitled "Proof" the sentence reading "As to who are such assistants reference may be had to the Army List and Directory."

11. Paragraph 155 of the Manual is amended by striking out the words "The Adjutant General" in the third line and inserting in lieu thereof the words "The Judge Advocate General."

12. Appendix 4 of the Manual is amended by inserting "(per os) (per anum)" immediately after the word "connection" in the third line of Form 98.

13. Appendix 10, paragraph a, of the Manual is amended by inserting the words "in violation of Article of War 61," immediately after the comma before the words "is approved" in the third line of Form 4, and by inserting the words "and will be duly executed" after the word "approved" and before the comma in the first line of Form 6.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
March 31, 1943.

[F. R. Doc. 43-5070; Filed, April 1, 1943;  
2:15 p. m.]

## Regulations

### TITLE 7—AGRICULTURE

#### Chapter XI—Food Distribution Administration

[FDO 27, Amendment 1]

#### PART 1410—LIVESTOCK AND MEATS

##### PERMIT REQUIRED FOR SLAUGHTER

Pursuant to the provisions of Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, Food Distribution Order 27, § 1410.4 (8 F.R. 2785), issued by the

Secretary of Agriculture on March 5, 1943, is amended as follows:

1. By amending the caption of (b) thereof to read as follows:

(b) *Permits required for slaughter.*

2. By amending (b) (1) thereof to read as follows:

(1) Notwithstanding the terms of any contract, agreement, or commitment, no person except persons registered pursuant to the provisions of Meat Restriction Order No. 1, as amended, shall slaughter any livestock for delivery of meat unless he has a valid and effective permit issued under this order at the time of such slaughter, except that a farm slaughterer may deliver meat from livestock slaughtered for home consumption, upon obtaining a permit subsequent to such slaughter authorizing such delivery.

3. By amending (e) (9) thereof to read as follows:

(9) The Director may issue regulations authorizing regional, State, or county agencies of the United States Department of Agriculture, including State or county United States Department of Agriculture War Boards, to adjust the quotas for any butcher or farm slaughterer in the following cases:

(i) In any area in which the Director determines that adjustments for butchers or farm slaughterers are needed because the total quantity of meat available is insufficient to fill ration requirements and that the quantity of livestock available for slaughter exceeds the quantity that may be slaughtered within the quotas of all classes of slaughterers, or

(ii) In any instance in which the slaughter of any butcher or farm slaughterer in the corresponding period of 1941 was not normal for him.

4. By adding at the end of (e) thereof the following new provision:

(10) Any person receiving a permit pursuant to the provisions of paragraph (b) of this order, as amended, who was not engaged in the business of slaughtering livestock for the entire year of 1941, or who began slaughtering livestock for the purpose of delivering meat after December 31, 1941, and prior to April 1, 1943, and who is not registered as a slaughterer pursuant to the provisions of Meat Restriction Order No. 1, as amended, may be assigned a temporary quota or quota base by the agency issuing the permit pending the establishment of such permanent quota or quota base as the Director may deem just and equitable, upon consideration of (i) the volume of livestock slaughtered by the applicant during the period which he has engaged in business, (ii) the availability of facilities for slaughtering, (iii) the amount of meat necessary for civilian consumption in the area, and (iv) the extent to which his operations may promote the public health and the efficiency of the war effort. No such person

shall slaughter any livestock until he has been assigned a temporary or permanent quota or quota base. The temporary or permanent quota or quota base assigned to such person, together with a consideration of any facts disclosing whether such person is chiefly engaged in producing agricultural products as a resident operator of a farm, shall determine whether he shall be classed as a local slaughterer, butcher, or farm slaughterer for the purposes of Food Distribution Order 27, as amended.

This order shall become effective at 12:00 o'clock midnight on March 31, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807)

Issued this 1st day of April 1943.

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

[F. R. Doc. 43-5148; Filed, April 2, 1943;  
11:55 a. m.]

[FDO 44]

#### PART 1465—FISH AND SHELLFISH

##### RESTRICTIONS ON THE SALE OF SPECIFIED CANNED FISH AND CANNED SHELLFISH

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and in order to assure an adequate supply and efficient distribution of canned fish and canned shellfish to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1465.20 Allocation and restriction on sales of 1943 pack of canned fish and canned shellfish—(a) *Definitions*. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "canner" means any person engaged in the business of canning fish or canning shellfish in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.

(2) The term "person" means any individual, partnership, corporation, association, or other business entity.

(3) The term "pack" means the total amount, by net weight, of all grades of fish and shellfish enumerated in groups 1 to 9, inclusive, in (b) (1) hereof, packed by any canner during the period from April 1, 1943, to February 29, 1944, inclusive.

(4) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by the Director.

(5) The term "governmental agency" means the Food Distribution Administration or any other agency or instrumentality of the United States designated by the Director.

(6) The term "delivery to governmental agencies" means the transfer of title of the canned fish or canned shellfish to any governmental agency; and such delivery may be evidenced by exe-



cution of bill of lading, receipt, or other document acceptable to the Director or the designated governmental agency.

(b) *Restrictions on cannery.* (1) No cannery after April 1, 1943, may sell or deliver any part of his pack of the fish and shellfish, enumerated in this paragraph, packed by the respective cannery at any time from April 1, 1943, to February 29, 1944, inclusive, except as permitted by the provisions of this order. The fish and shellfish, included in this order, are, by groups, as follows:

*Group 1—Salmon:* Red, sockeye or blueback (*Oncorhynchus nerka*); Pink (*Oncorhynchus gorbuscha*); Silver, silverside, medium red, or coho (*Oncorhynchus kisutch*); Chum or keta (*Oncorhynchus keta*); King, chinook or spring (*Oncorhynchus tshawytscha*); Steelhead, or steelhead trout (*Salmo irideus* and *S. Clarki*, sometimes called *S. Gairdneri*).

*Group 2—Pilchard:* *Sardinia caerulea*, by whatever name known, including sardines.

*Group 3—Sea herring:* Atlantic (*Clupea harengus*), by whatever name known, including sardines.

*Group 4—Mackerel:* Atlantic (*Scomber scombrus*); Pacific (*Pneumatophorus japonicus diego*).

*Group 5—Horse mackerel:* Pacific (*Trachurus symmetricus*).

*Group 6—Shrimp:* (*Peneus setiferus* and *Peneus brasiliensis*).

*Group 7—Tuna:* Albacore, or white-meat (*Germo alalunga*); Yellowfin, or light-meat (*Neothunnus macropterus*); Skip jack, or striped (*Katsuwonus pelamis*, sometimes called *Euthynnus pelamis*); Bluefin, or leaping (*Thunnus thynnus*, sometimes called *Thunnus saliens*).

*Group 8—Yellowtail:* (*Seriola dorsalis*).

*Group 9—Bonito:* (*Sarda chiliensis*).

(2) Each cannery may deliver to governmental agencies the quotas, but not in excess of such quotas specified in (b) (3) hereof, of the canned fish and canned shellfish, listed in (b) (1) hereof, packed at any time by such cannery during the period from April 1, 1943, to February 29, 1944, inclusive.

(3) The following percentages by net weight are hereby established as each cannery's quota percentages for sale to governmental agencies, of his pack of each species of fish and shellfish enumerated, by groups, in (b) (1) hereof, packed by such cannery:

55 percent of each of the groups 1 to 6, inclusive; and 60 percent of each of the groups 7 to 9, inclusive.

(4) The Food Distribution Administration is hereby allocated the quantities prescribed in (b) (3) of this order, and authorized to purchase, for governmental requirements, those quantities, designated as each cannery's quota, and such other and further quantities as may be allocated to it from time to time.

(5) Any cannery who, during any period from April 1, 1943, to February 29, 1944, inclusive, has delivered to governmental agencies the quota of his pack, stated in (b) (3) hereof, of any species of any group of canned fish and canned shellfish listed in (b) (1) hereof, may deliver to persons other than governmental agencies the remainder of his pack of such species, packed in that period; and such remainder of the pack may be delivered by such cannery in advance of delivery of his quota to govern-

mental agencies if so authorized by the Director.

(6) The Director may issue specifications at any time as to the packing of the canned fish or canned shellfish, the containers, container treatment, can marking, labeling, boxing, and strapping in connection therewith, or he may authorize any governmental agency to issue such specifications. Any person subject to the provisions of this order shall comply with any such specification, issued by the Director or authorized governmental agency, applicable to the canned fish or canned shellfish processed by such person.

(c) *Inspection and grading.* Any canned fish and canned shellfish required to be set aside under this order shall be subject to inspection and grading at any time by the Director or any governmental agency.

(d) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(e) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections by the Director, at all reasonable times, of his stocks of canned fish and canned shellfish and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(f) *Applicability of order.* Any person doing business in one or more of the 48 States, the District of Columbia, or the Territory of Alaska, is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business in any other Territory or Possession of the United States with respect to such business.

(g) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such

action as he deems appropriate, and such action shall be final.

(i) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref. FD-44.

(j) *Effective date.* This order shall take effect on April 1, 1943.

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

Issued this 1st day of April 1943.

[SEAL]

CLAUDE R. WICKARD,  
Secretary of Agriculture.

[F. R. Doc. 43-5107; Filed, April 1, 1943;  
4:50 p. m.]

[FDO 45]

#### PART 1491—BEANS AND PEAS

##### RESTRICTIONS ON THE SALE OR DISTRIBUTION OF BEANS, PEAS, AND SPLIT-PEAS

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and in order to assure an adequate supply and efficient distribution of beans, peas, and split-peas to meet war and essential civilian needs, *It is hereby ordered*, as follows:

§ 1491.1 *Restrictions on sales and distribution of beans, peas, and split-peas—(a) Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "beans" means dry threshed beans of the following classes, as defined in the United States Standards for Beans, as revised, effective September 1, 1941: Pea beans; Great Northern beans; Small White beans; Flat Small White beans; Light Red Kidney beans; Dark Red Kidney beans; Western Red Kidney beans; Cranberry beans; Small Red beans; Pink beans; Pinto beans; Baby Lima beans; and Lima beans.

(2) The term "peas" means dry threshed peas of the following classes, as defined in the United States Standards for Dry Peas, as revised, effective July 20, 1937: Alaska; Scotch Green; White Canada; First and Best; and Marrowfat.

(3) The term "split-peas" means split-peas of the following classes, as defined in the United States Standards for Split-peas, effective August 10, 1937: Green split-peas and Yellow split-peas.

(4) The term "producer" means any person who grows or produces beans or peas for his own account or for the joint account of himself and another.

(5) The term "first owner" means (i) any person who owns, on the effective date hereof, beans, peas, and split-peas, in an amount exceeding 10,000 pounds, which he has purchased from a producer or producers; and (ii) with respect to beans, peas, or split-peas acquired during any calendar month after the effective date hereof, a person shall, during any calendar month, be a "first owner" if his purchases or sales of beans,



peas, and split-peas, during the respective calendar month, exceeds 5,000 pounds.

(6) The term "processor" means any person who cleans, polishes, splits, or otherwise processes or prepares beans, peas, or split-peas for sale or delivery in the dry uncooked state, whether for his own account or the joint account of himself and another; and such includes, but is not necessarily limited to, producer cooperatives and associations, but does not include commission merchants or brokers who do not acquire title in or to the beans, peas, or split-peas thus handled. A person shall not, however, be considered as a "processor" during the calendar month of April 1943, unless his purchases or sales during March 1943 exceeded 5,000 pounds of beans, peas, and split-peas; and with respect to beans, peas, or split-peas acquired during any calendar month after April, 1943, a person shall, during any such calendar month, be considered as a "processor" only if his purchases or sales of beans, peas, and split-peas, during the respective calendar month, exceeds 5,000 pounds.

(7) The term "person" means any individual, partnership, corporation, association, or other business entity.

(8) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by the Director.

(9) The term "governmental agency" means the Food Distribution Administration, the Army, the Navy, the Marine Corps, the Coast Guard, the Veterans Administration, the War Shipping Administration, or any other agency or instrumentality of the United States designated by the Director.

(b) *Restrictions on processors and first owners.* (1) Each processor and first owner, respectively, shall set aside and hold for delivery to a governmental agency at least 55 percent of all beans of each of the classes listed in (a) (1) hereof as to which he is or becomes the processor or first owner during each respective calendar month.

(2) Each processor and first owner, respectively, shall set aside and hold for delivery to a governmental agency at least 60 percent of all peas of each of the classes listed in (a) (2) hereof as to which he is or becomes the processor or first owner during each respective calendar month.

(3) Each processor and first owner, respectively, shall set aside and hold for delivery to a governmental agency at least 60 percent of all split-peas of each of the classes listed in (a) (3) hereof as to which he is or becomes the processor or first owner during the first calendar month after the effective date of this order.

(4) The beans, peas, or split-peas, respectively, set aside pursuant to the provisions hereof shall be of U. S. No. 2 grade or better, as specified in the United States Standards for the respective commodity.

(5) The beans, peas, or split-peas set aside pursuant to the provisions hereof may be offered for sale by the processor or first owner at no more than the ceiling price or ceiling prices established by the Office of Price Administration, to a governmental agency in response to announcements or notices issued by such agency to the effect that offers for the beans, peas, or split-peas will be received on specified dates.

(6) The restrictions hereof shall be observed without regard to the rights of creditors, prior contracts, existing contracts, payments made, or deliveries of beans, peas, or split-peas made prior to the effective date hereof. This order shall not, however, be construed as reducing the amount of beans, peas, or split-peas which any person is required to offer or to deliver under any existing contract made with a governmental agency, but any quantity of a particular class of beans, peas, or split-peas required to be delivered, after the effective date of this order, to any governmental agency pursuant to a contract, entered into prior to the effective date hereof, shall be allowed as a credit to such person in determining the quantity of the respective class of beans, peas, or split-peas required to be offered to a governmental agency pursuant to the provisions hereof.

(7) *Seed beans and peas excepted.* Nothing herein shall be construed as applying to beans and peas sold and delivered on or before June 30, 1943, exclusively for seed purposes, in compliance with State and Federal seed laws.

(c) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(d) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections by the Director, at all reasonable times, of his stocks of beans, peas, and split-peas, respectively, and the premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(e) *Applicability of order.* Any person doing business in one or more of the 48 States or the District of Columbia is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business in any Territory or Possession of the United States with respect to such business.

(f) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving

or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under Section 35a of the Criminal Code (18 USC 1940 ed. 80), under Paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all applicable laws.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(h) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref. FD 45.

(i) *Delegation of authority.* The Director is hereby designated to administer the provisions hereof.

(j) *Effective date.* This order shall take effect on April 1, 1943.

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

Issued this 1st day of April 1943.

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

[F. R. Doc. 43-5108; Filed, April 1, 1943;  
4:50 p. m.]

[FDO 46]

#### PART 1460—FATS AND OILS

##### COCOANUT, BABASSU, AND PALM KERNEL OILS SET ASIDE

Pursuant to the provisions of Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, and to assure an adequate supply and efficient distribution of cocoanut, babassu, and palm kernel oils to meet war and essential civilian needs, it is hereby ordered, As follows:

##### § 1460.11 Cocoanut, Babassu and Palm Kernel Oils; required to be set aside—

(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "cocoanut, babassu, and palm kernel oils" means crude, refined, bleached, or deodorized cocoanut, babassu, and palm kernel oils and the content of such oils in mixtures, blends, fatty acids, and soap stocks of which such oils are a part, as well as the fatty acids of such oils in mixtures or blends of fatty acids and soap stocks.

(2) The term "oil bearing materials" means copra and other seeds and nuts from which cocoanut, babassu, and palm kernel oils are obtained.

(3) The term "import" means to bring into the continental United States. An



importation with respect to any cocoanut, babassu, and palm kernel oils, or oil bearing materials, shall be deemed to have been completed upon the physical discharge of such oils or oil bearing materials from a vessel at a continental United States port, or the arrival of such oils or oil bearing materials in the continental United States by rail or otherwise.

(4) The term "person" means any individual, partnership, corporation, association, or other business entity.

(5) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Withholding of cocoanut, babassu, and palm kernel oils.* (1) Every person who, after the effective date of this order, shall import cocoanut, babassu, or palm kernel oils, in the form of oil or contained in oil bearing materials, shall set aside and hold intact 25% of such imports.

(2) No person shall use, put in process, sell, or deliver all or any part of the inventory or imports required to be set aside and held intact pursuant to paragraphs (b) (1) or (3) hereof, or Supplementary Order M-60-a, of the War Production Board (7 F.R. 7311), except on express instruction of the Director or as provided in paragraphs (b) (3), (b) (4), or (b) (5) hereof.

(3) Notwithstanding the provisions of paragraphs (b) (1) and (b) (2) hereof, any consignee of cocoanut, babassu, and palm kernel oils and oil bearing materials imported into the United States may deliver all of such oils or oil bearing materials to any person who contracted to purchase such oils or oil bearing materials prior to their importation. The person receiving such oils or oil bearing materials shall reserve 25% thereof as provided in paragraph (b) (1) hereof.

(4) Nothing contained in paragraphs (b) (1) and (b) (2) hereof shall prevent any person from selling all or any part of his reserved oils to the Commodity Credit Corporation.

(5) Oil required to be set aside shall be reserved, insofar as possible, in the form of crude whole oil; if the oil reserved cannot be set aside in the form of crude whole oil, it shall be set aside in the form of refined, bleached, or deodorized whole oil which has not been further processed by pressing or hydrogenation. Holders of oil bearing materials who do not have sufficient crude whole oil or refined oil as heretofore described shall crush (or have crushed) sufficient oil bearing materials to furnish the necessary reserve in the form of crude oil.

(6) The restrictions of this order concerning the use, processing, sale, and delivery of cocoanut, babassu, and palm kernel oils and oil bearing materials shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(c) *Intra-company transactions.* The prohibitions or restrictions contained in this order with respect to deliveries shall,

in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise owned or controlled by the same person.

(d) *Records and reports.* (1) Each person who, by reason of paragraphs (b) (1) or (b) (3) hereof or Supplementary Order M-60-a of the War Production Board (7 F.R. 7311), is, or was, required to set aside a portion of his inventory or imports of cocoanut, babassu, and palm kernel oils and oil bearing materials shall file a report with the Director of Food Distribution, United States Department of Agriculture, setting forth the amount, grades, and location of such inventory or imports and the amount, grades, and location of the oils and oil bearing materials set aside by him. Such a report with respect to inventories or imports set aside pursuant to Supplementary Order M-60-a, shall be filed within 10 days after the effective date of this order. The report required hereunder with respect to oils or oil bearing materials set aside pursuant to paragraph (b) (1) hereof, shall be filed within 10 days after such oils or oil bearing materials are imported, and the report required with respect to oils or oil bearing materials set aside pursuant to paragraph (b) (3) hereof, shall be filed within 10 days after such oils or oil bearing materials are delivered by the consignee to the person contracting for the purchase of such oils or oil bearing materials prior to their importation.

(2) Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate) and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(e) *Bureau of the Budget approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent specific record-keeping or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(f) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of cocoanut, babassu, and palm kernel oils, and oil bearing materials and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such

action as he deems appropriate, and such action shall be final.

(h) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(i) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref: FD 46.

(j) *War Production Board Supplementary Order M-60-a superseded.* This order supersedes in all respects Supplementary Order M-60-a, issued by the War Production Board, except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said Supplementary Order M-60-a, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said Supplementary Order M-60-a shall be considered under paragraph (g) hereof.

(k) *Territorial extent.* This order applies to all persons in the United States, its territories and possessions, and the District of Columbia.

(1) *Effective date.* This order shall be effective on April 1, 1943, 12:01 a. m., e. w. t.

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

Issued this 1st day of April 1943.

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

[F. R. Doc. 43-5109; Filed, April 1, 1943;  
4:50 p. m.]

## TITLE 10—ARMY: WAR DEPARTMENT

### Chapter I—Aid of Civil Authorities and Public Relations

#### PART 5—SAFEGUARDING TECHNICAL INFORMATION

##### REQUESTS FOR MILITARY INFORMATION

Section 5.5 (a) is amended as follows:

§ 5.5 *Requests for military information.* (a) All requests from private individuals, firms, or corporations and Federal or State agencies or departments for classified military information (except those requests defined under paragraphs (b) and (c) of this section) are governed



by the provisions of AR 410-5.<sup>1</sup> (R.S. 161; 5 U.S.C. 22) (Par 14a, AR 380-5, September 28, 1942, as amended by C8, February 24, 1943)

[SEAL]

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

[F. R. Doc. 43-5126; Filed, April 2, 1943;  
9:44 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. 4696]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

##### ERDLEY HATCHERIES, ET AL.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Connections or arrangements with others:* § 3.6 (j) *Advertising falsely or misleadingly—Government approval, connection or standards—In general.* In connection with offer, etc., in commerce, of respondent's baby chicks, and on the part of respondent Erdley, his agents, etc., and among other things, as in order set forth, representing, directly or by implication, that respondent is a member of the Colorado Poultry Improvement Board, or is participating in the National Poultry Improvement Plan, when such is not the fact; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Erdley Hatcheries, et al., Docket 4696, March 27, 1943]

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Government endorsement:* § 3.6 (j) *Advertising falsely or misleadingly—Government approval, connection or standards—In general:* § 3.6 (j 10) *Advertising falsely or misleadingly—History of product or offering:* § 3.6 (1) *Advertising falsely or misleadingly—Indorsements, approval and testimonials:* § 3.6 (ee 5) *Advertising falsely or misleadingly—Tests and investigations:* § 3.18 *Claiming indorsements or testimonials falsely.* In connection with offer, etc., in commerce, of respondent's baby chicks, and on the part of respondent Erdley, his agents, etc., and among other things, as in order set forth, representing, directly or by implication, (1) that respondent's hatchery is approved by the United States Government, or that respondent's baby chicks are hatched from eggs produced by a flock approved by the United States Government, when such is not the fact; (2) that respondent's baby chicks are "check tested", unless adequate check tests are in fact made; and (3) that chicks from each of respondent's parent flocks are brooder tested for health and livability, when such is not the fact; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec.

<sup>1</sup> Administrative regulations of the War Department relative to litigation.

3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Erdley Hatcheries, et al., Docket 4696, March 27, 1943]

§ 3.6 (j) *Advertising falsely or misleadingly—Government approval, connection or standards—In general:* § 3.6 (j 10) *Advertising falsely or misleadingly—History of product or offering.* In connection with offer, etc., in commerce of respondent's baby chicks, and on the part of respondent Montgomery Ward & Co., its officers, etc., and among other things, as in order set forth, representing, directly or by implication, that respondent's baby chicks are from flocks approved by the United States Government, or that they are hatched in hatcheries approved by the United States Government, when such is not the fact; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Erdley Hatcheries, et al., Docket 4696, March 27, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 27th day of March, A. D., 1943.

*In the Matter of John F. Erdley, an Individual Trading as Erdley Hatcheries, and Montgomery Ward & Company, a Corporation*

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent John F. Erdley (no answer having been filed by respondent Montgomery Ward & Company), testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, and brief in support of the complaint (no brief having been filed by respondents and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

*It is ordered,* That respondent John F. Erdley, individually and trading as Erdley Hatcheries, or trading under any other name, and his agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondent's baby chicks in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

1. That respondent is a member of the Colorado Poultry Improvement Board, or is participating in the National Poultry Improvement Plan, when such is not the fact.

2. That respondent's hatchery is approved by the United States Government, or that respondent's baby chicks are hatched from eggs produced by a flock approved by the United States Government, when such is not the fact.

3. That respondent's baby chicks are "check tested", unless adequate check tests are in fact made.

4. That chicks from each of respondent's parent flocks are brooder tested for health and livability, when such is not the fact.

*It is further ordered,* That respondent Montgomery Ward & Company, a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of respondent's baby chicks in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

That respondent's baby chicks are from flocks approved by the United States Government, or that they are hatched in hatcheries approved by the United States Government, when such is not the fact.

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

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 43-5139; Filed, April 2, 1943;  
11:30 a. m.]

## TITLE 20—EMPLOYEES' BENEFITS

### Chapter I—United States Employees' Compensation Commission

Subchapter E—Extension of the Longshoremen's and Harbor Workers' Compensation Act to Persons Engaged in Employment at Military, Air and Naval Bases, Upon Lands Occupied and Used for Military or Naval Purposes, or Under Public Works Contracts, Outside Continental United States

#### REVISION OF SUBCHAPTER

##### PART 51—GENERAL ADMINISTRATIVE PROVISIONS

- Sec.
- 51.1 General administrative provisions.
  - 51.2 Establishment of compensation districts.
  - 51.3 Establishment of sub-offices; filing of reports, notices, claims, and other papers.
  - 51.4 Prehearing conferences.
  - 51.5 Commutation of payments in cases of aliens and non-nationals of the United States.

*AUTHORITY:* §§ 51.1 to 51.5, inclusive, issued under sec. 39 of the Longshoremen's and Harbor Workers' Compensation Act, 44 Stat. 1442; 33 U.S.C. 939, as made applicable to military, air and naval bases outside the United States by the Act of August 16, 1941, Pub. Law 208, 77th Cong., as amended by the Act of December 2, 1942, Pub. Law 784, 77th Cong.

§ 51.1 *General administrative provisions.* (a) Except as herein modified, the regulations in Subchapter C of this chapter, governing the administration of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1424; 33 U.S.C. Chapter 18), shall so far as not inapplicable govern the administration of Public Law No. 208, 77th Con-



gress, approved August 16, 1941, as amended (42 U.S.C. 1651; 55 Stat. 622), extending the Longshoremen's and Harbor Workers' Compensation Act to persons engaged in employment at military, air, and naval bases, upon lands occupied and used for military or naval purposes, or under public works contracts, outside continental United States, and every person subject to, claiming benefits under, or acting under, the said Public Law, as amended, shall conform to the procedure prescribed in the Longshoremen's and Harbor Workers' Compensation Act and in the regulations under Subchapter C and this subchapter. The term "Commission" as used in this subchapter means the United States Employees' Compensation Commission.

(b) The said Public Law No. 208, as amended, applies in respect to the injury or death of any employee engaged in any employment (1) at any military, air, or naval base acquired after January 1, 1940, by the United States from any foreign government; or (2) upon any lands occupied or used by the United States for military or naval purposes in any Territory or possession outside the continental United States (including Alaska; the Philippine Islands; the United States Naval Operating Base, Guantanamo Bay, Cuba; and the Canal Zone); or (3) upon any public work in any Territory or possession outside the continental United States (including Alaska; the Philippine Islands; the United States Naval Operating Base, Guantanamo Bay, Cuba; and the Canal Zone), if the employee is engaged in employment at such place under the contract of a contractor (or any subcontractor or subordinate contractor with respect to the contract of such contractor) with the United States (but excluding any employee of such contractor or subcontractor who is engaged exclusively in furnishing materials or supplies under his contract); or (4) under a contract entered into with the United States or any executive department, independent establishment, or agency thereof (including any corporate instrumentality of the United States), or any subcontract or subordinate contract with respect to such contract, where such contract is to be performed outside the continental United States and at places not within the areas above described under (1), (2) and (3), for the purpose of engaging in public work (but excluding any employee of such contractor or subcontractor who is engaged exclusively in furnishing materials or supplies under his contract). Such Public Law, as amended, applies with respect to injuries occurring during employment at such places, irrespective of the place where the injury or death occurs, and includes any injury or death occurring to any such employee during transportation to or from his place of employment, where the employer or the United States provides the transportation or the cost thereof.

(c) The term "public work" as used in (3) and (4), paragraph (b) of this section means any fixed improvement or any project involving construction, alteration, removal, or repair for public use of the United States or its Allies,

including but not limited to projects in connection with the war effort, dredging, harbor improvements, dams, roadways, and housing, as well as preparatory and ancillary work in connection therewith at the site or on the project. A "contractor," as used in the same reference, means any individual, partnership, corporation, or association, and includes any trustee, receiver, assignee, successor, or personal representative thereof.

(d) The said Public Law, as amended, does not apply in respect to the injury or death of (1) an employee subject to the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916 (39 Stat. 742; 5 U.S.C. 751-793), as amended; (2) an employee engaged in agriculture, domestic service, or any employment that is casual and not in the usual course of the trade, business, or profession of the employer; or (3) a master or member of a crew of any vessel. (Certain other exclusions with respect to any employee of a contractor, engaged exclusively in furnishing materials or supplies, are referred to under (3) and (4), paragraph (b) of this section.)

§ 51.2 *Establishment of compensation districts.* (a) Pursuant to the provisions of section 39 (b) of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1442; 33 U.S.C. 939 (b)) and section 3 (a) of said Act of August 16, 1941 (Public Law 208, 77th Congress), as amended, the Commission hereby establishes the following compensation districts and extends the following existing compensation districts established under the regulations in § 31.2, Subchapter C, of this chapter:

(1) *Caribbean District.* This district comprises the West Indies, Central and South America, and the Canal Zone, with headquarters at San Juan, Puerto Rico.

(2) *Pacific District.* This district comprises all land areas in the Pacific Ocean south of the 45th degree north latitude, with headquarters at Honolulu, T. H.

(3) *Foreign District.* This district comprises the areas outside continental United States not included in any compensation district herein established, with headquarters at New York, N. Y.

(4) *District No. 1.* This district as established under the Longshoremen's and Harbor Workers' Compensation Act is extended to include Canada east of the 75th degree west longitude, Newfoundland and Greenland, with headquarters at Boston, Massachusetts.

(5) *District No. 2.* This district as established under the Longshoremen's and Harbor Workers' Compensation Act is extended to include Bermuda, with headquarters at New York, N. Y.

(6) *District No. 10.* This district as established under the Longshoremen's and Harbor Workers' Compensation Act is extended to include Canada west of the 75th degree and east of the 110th degree west longitude, with headquarters at Chicago, Illinois.

(7) *District No. 14.* This district as established under the Longshoremen's

and Harbor Workers' Compensation Act is extended to include all land areas in the Pacific Ocean north of the 45th degree north latitude, Canada west of the 110th degree west longitude, and Alaska, with headquarters at Seattle, Washington.

(b) In the administration of such Act of August 16, 1941 (Public Law No. 208, 77th Congress), as amended, and as administrative exigencies from time to time require, the Commission by administrative order may establish areas outside the United States (or change or modify any areas so established), whether or not they are included within an established compensation district, designating them as "jurisdictional areas", and include such areas within the jurisdiction of any compensation district, and the deputy commissioner thereof, as established by paragraph (a) hereof, or as established by § 31.2 of the regulations in Subchapter C of this chapter, for the administration of such Public Law by the deputy commissioner.

§ 51.3 *Establishment of sub-offices: filing of reports, notices, claims, and other papers.* (a) As administrative exigencies from time to time require, the Commission may by administrative order establish within compensation districts (or jurisdictional areas of such districts) under said Act of August 16, 1941, as amended, a sub-office or sub-offices in each such district (or area thereof), to be in charge of an assistant deputy commissioner, claims examiner or other designated person, who shall be under the administrative supervision of the deputy commissioner for the particular compensation district.

(b) Where a sub-office or sub-offices have been established by the Commission pursuant to this section, report by the employer of injury or death, notice of injury or death, claim for compensation, and application for review of a compensation case as required, respectively, under §§ 31.3, 31.4, 31.5 and 31.15 of the regulations in Subchapter C of this chapter, together with all correspondence and supplementary or other reports relative thereto, in a case arising within the area served by such sub-office, may be filed at the sub-office of the deputy commissioner for such place. Reports in cases arising at other places within a compensation district or jurisdictional area of such district may be filed with the deputy commissioner in charge thereof, at his headquarters.

(c) The files in individual cases arising within the area served by any such sub-office of the deputy commissioner shall remain at the sub-office until the case is closed, final action is taken, or the employee is transferred, after which they shall be sent to the headquarters of the deputy commissioner. All applications pertaining to benefits and other moving papers may be filed in such sub-office, if the case is pending in such sub-office, unless otherwise directed by the deputy commissioners. (Sec. 19 (a), 44 Stat. 1435; 33 U.S.C. 919 (a))

§ 51.4 *Prehearing conferences.* (a) In order to expedite and simplify formal administrative proceedings, in all cases



in which there are issues of fact or law, and, whenever practicable, no formal hearings will be set until after prehearing conferences. Such conferences may be held by the deputy commissioner, assistant deputy commissioner, a claims examiner or other person designated for such purpose by the deputy commissioner or the assistant deputy commissioner.

(b) The purposes of such prehearing conferences are (1) amicably to dispose of controversies wherever possible; (2) to narrow issues; and (3) to simplify the subsequent methods of proof.

(c) Prehearing conferences may be set upon ten days' notice to the parties in interest (or a longer period if the circumstances require, or shorter period if agreed upon by the parties). They shall be kept characteristically informal, and shall not be stenographically reported. It shall be the duty of the deputy commissioner, assistant deputy commissioner, claim examiner or other person in charge of the conference to guide the discussion toward the achievement of the purposes of such conference, giving the parties the benefit of his specialized knowledge and experience.

(d) At the termination of such conferences the person in charge thereof shall prepare stipulations, for the signatures of the parties, covering agreements as to all or part of the facts, admissions, narrowing of issues, or simplification of methods of proof. Such stipulations when signed by the parties in interest shall be made and become part of the formal record of the case. Where stipulations relate to evidence to be used at a later formal hearing, such evidence may then be received as such evidence and appropriately identified by marking such evidence, respectively, as claimant's or respondents' exhibits, consecutively numbered in each respect. At the termination of such a conference, the person in charge thereof shall prepare for the file in the case a memorandum setting forth the purpose for which the conference was held, the matters discussed and the results achieved. Should a conference terminate without complete achievement of the purpose thereof, and the remaining issue or issues be of such character as not to present a difficult basis for adjustment by amicable agreement of the interested parties, the person in charge, after review of the record of the case, may by letter addressed to the parties in interest make his recommendation to dispose of the matter in controversy, setting a date for reply thereto. Every such letter should advise the interested parties that the purpose thereof is to recommend a basis for agreement, upon such issue or issues, as appears from review of the information contained in the current record of the case, and that such recommendation is not a "decision" in the case and will not affect or prejudice the rights of any party, or the further adjustment of the case, should the recommendation not be accepted by such parties and a later hearing be found necessary. (Sec. 23 (b), 44 Stat. 1437; 33 U.S.C. 923 (b))

§ 51.5 Commutation of payments in cases of aliens and non-nationals of the

United States. Applications under section 2 (b) of the said Act of August 16, 1941, as amended, for commutation of future installments of compensation payable to aliens and non-nationals of the United States, not residents of the United States or Canada, shall be made to the deputy commissioner, who shall in turn transmit such applications promptly to the Commission. Such commutation shall be made as of the date such application is received by the office of the deputy commissioner, whether addressed to him at his headquarters or at a sub-office within his district, or such later date as the application may show to be proper. No such commutation shall be made except upon the basis of a compensation order fixing the right of the beneficiary to compensation.

#### PART 52—AUTHORIZATION OF INSURANCE CARRIERS

Sec.

- 52.1 Applicants currently authorized to write insurance under other Federal workmen's compensation laws.
- 52.2 Workmen's compensation endorsement.
- 52.3 Report by carrier of issuance of policy or endorsement; form.
- 52.4 Report; by whom sent.
- 52.5 Agreement to be bound by card report.
- 52.6 Report by employer operating temporarily in another compensation district.
- 52.7 Name of one employer only shall be reported on one card.

AUTHORITY: §§ 52.1 to 52.7, inclusive, issued under sec. 39 of the Longshoremen's and Harbor Workers' Compensation Act, 44 Stat. 1442; 33 U.S.C. 939, as made applicable to military, air, and naval bases outside the United States by the Act of August 16, 1941, Pub. Law 208, 77th Cong., as amended by the Act of December 2, 1942, Pub. Law 784, 77th Cong.

§ 52.1 Applicants currently authorized to write insurance under other Federal workmen's compensation laws. Any applicant currently authorized by the Commission to write insurance under the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1424; 33 U.S.C. Chapter 18) or under the District of Columbia workmen's compensation law (45 Stat. 600; 19 D.C. Code, 11, 12) need not support its application with the evidence required by the regulations in Part 32, Subchapter C of this chapter, except the form of policy and endorsement which it proposes to use, unless specifically requested by the Commission, but instead its application may refer to the fact that it has been so authorized.

§ 52.2 Workmen's compensation endorsement. (a) The following form of endorsement applicable to the standard workmen's compensation and employers' liability policy shall be used with the form of policy approved by the Commission for use by an authorized carrier:

For attachment to Policy No. \_\_\_\_\_  
The obligations of paragraph one (a) of the Policy include the Longshoremen's and Harbor Workers' Compensation Act, being Public Law No. 803 of the 69th Congress, approved March 4, 1927, as extended by the provisions of the Act of Congress providing compensation for disability or death resulting from injury to persons employed at military, air, and naval bases and at certain other

places, being Public Law No. 208 of the 77th Congress, approved August 16, 1941, and all laws amendatory thereof or supplementary thereto which may be or become effective while this policy is in force.

The Company will carry out the provisions of section 35 of said Act. Insolvency or bankruptcy of the employer and/or discharge therein shall not relieve the Company from payment of compensation and other benefits lawfully due for disability or death sustained by an employee during the life of the policy.

The Company agrees to abide by all the provisions of this Act and all lawful rules, regulations, orders, and decisions of the United States Employees' Compensation Commission and of the deputy commissioner, having jurisdiction, unless and until set aside, modified, or reversed by a court having jurisdiction of the parties and the subject matter.

This endorsement shall not be canceled prior to the date specified in this policy for its expiration until at least thirty days have elapsed after a notice of cancellation has been sent to the Commission, to the Deputy Commissioner, and to this employer.

All terms, conditions, requirements, and obligations expressed in this policy or in any other endorsement attached thereto which are not inconsistent with or inapplicable to the provisions of this endorsement are hereby made a part of this endorsement as fully and completely as if wholly written herein.

References to the law of any State in Conditions B and D of this policy are hereby declared to include for the purpose of this endorsement only, the provisions of the Longshoremen's and Harbor Workers' Compensation Act and the said Act of Congress approved August 16, 1941 (Public Law No. 208, 77th Congress), as amended.

(b) The following paragraphs may at the option of the insurer be included in the form of endorsement which is provided above. No other provision, alteration of any prescribed provision, or alteration of any optional provision shall be made or used in any such endorsement except after submission to the Commission and its specific approval thereof.

If this employer is a contractor the subject of whose contract includes operations covered by this policy and he shall sub-contract all or any part of such contract to one or more sub-contractors, the remuneration of all the direct employees of all such sub-contractors shall be included in the return of remuneration under the provisions of this policy upon which premium is computed. Such remuneration so reported shall be considered the remuneration of employees of this employer and shall in all instances be governed by the same terms, conditions, requirements, and obligations of the policy as the remuneration of the direct employees of this employer. The requirements of this paragraph shall not apply as respects any such sub-contractor who has secured compensation for his direct employees as required by the Longshoremen's and Harbor Workers' Compensation Act, but this employer shall not claim the benefit of this exemption unless and until he shall satisfy the company by certificate or otherwise that any such sub-contractor has legally secured the payment of compensation to his own direct employees and then only respecting any sub-contractor who has furnished such proof.

If the premium as determined in accordance with the provisions of the policy is less than \$300, there shall be added thereto an expense constant of \$10, unless such addition shall increase the premium to an amount in excess of \$300, in which event only such part of the expense constant shall



be added as will bring the amount of the premium up to \$300. Inclusion of the expense constant or any part thereof in the estimated advance premium is subject to final adjustment upon audit, all in accordance with the provisions hereof. The minimum premium of the policy includes the expense constant.

(c) In applying the regulations in Part 32 Subchapter C of this chapter as the regulations issued under this subchapter, all references to the Longshoremen's endorsement shall be construed as having reference to the workmen's compensation endorsement prescribed herein.

§ 52.3 *Report by carrier of issuance of policy or endorsement; form.* (a) A carrier which has executed the agreement provided for in § 52.5 shall report to the deputy commissioner assigned to a compensation district each policy and endorsement issued by it to an employer who carries on operations in such compensation district. The report shall be made upon a printed card to be provided by such carrier. Such card shall be 50 percent rag, light yellow, light weight, and 3 by 5 inches. The printing thereon shall be as follows:

Employer -----  
Address -----  
Policy No. Dates of beginning and expiration

Report is made of the issue of approved form of policy and endorsement under Longshoremen's and Harbor Workers' Compensation Act, as extended to military, air and naval bases and other places by the Act of August 16, 1941, as amended.

By ----- Insurance Company  
Cancellation -----  
Effective date Date notice received by deputy

This card shall be sent to the Deputy Commissioner of the United States Employees' Compensation Commission for the compensation district indicated by the Employer's address.

(b) Each such carrier will print its name at the place indicated. The note at the bottom designating the place to which the card shall be sent should be in small type, about 6 point, and if desired this designation may be printed on the back of the card. The space below the word "employer" should be sufficient to allow two additional lines of typewriting and space should be left to allow two additional lines for typing below the word "address". The word "employer" should be about 3/4 of an inch from the top margin. The line for cancellation date will be filled in only by the office of the deputy commissioner.

§ 52.4 *Report; by whom sent.* The report of issuance of a policy and endorsement provided for in § 52.3 shall be sent by the home office of the carrier to the deputy commissioner at his headquarters, except that any carrier may authorize its agency or agencies in any compensation district to make such reports to the deputy commissioner, provided the carrier shall notify the deputy commissioner in such district of the agent or agencies so duly authorized. The deputy commissioner in turn shall supply to his sub-offices current lists showing the policies so reported, giving

the names and addresses of the employers, with the names of their respective carriers, the policy numbers and the dates of beginning and expiration of the policies. Similar current lists of cancellations shall also be furnished to sub-offices.

§ 52.5 *Agreement to be bound by card reports.* (a) Except as provided in this section, each employer shall present to the deputy commissioner in the compensation district in which he has operations, the policy which he has procured in compliance with section 32 of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1439; 33 U.S.C. 932), as extended by the Act of August 16, 1941, as amended, covering his operations in such district. Any carrier desiring to do so may make such presentation of such policy unnecessary in any particular case by transmitting to the Commission an agreement signed by its President and Secretary (or other authorized officers in cases of foreign or mutual companies or State funds), in the following form, and making reports, accordingly, of the issuance of a policy in such particular case:

The ----- Insurance Company hereby agrees, in consideration of the acceptance by the United States Employees' Compensation Commission and its deputy commissioners of reports of issue of approved form of policy and endorsement under the Longshoremen's and Harbor Workers' Compensation Act as extended to military, air and naval bases and other places by the Act of August 16, 1941 (Public Law 208, 77th Congress), as amended, in the form prescribed by the Commission in § 52.3 of its regulations, that it will be liable, and hereby accepts the full liability expressed in the approved form of endorsement, under said law in all cases in which it has heretofore and may hereafter use the prescribed form of report to deputy commissioners and transmit the same to the proper deputy commissioner; the sending of such report of issue of policy to the deputy commissioner shall be accepted by the Commission and its deputy commissioners as conclusive evidence (1) of the issuance of a policy to the employer named in such report under the Act of August 16, 1941, as amended, in approved form and having attached an approved form of endorsement under applicable regulations of the Commission, and (2) of the effectiveness of such policy during the period as stated in such report; and it further agrees that such liability shall not be terminated prior to the expiration of the policy, except in case of cancellation, and then at the time and in the manner which is prescribed in said law, in the regulations of said Commission, and in the endorsement referred to.

(b) An insurance carrier desiring to withdraw from such agreement may do so upon giving 30 days notice to the Commission by registered mail.

§ 52.6 *Report by employer operating temporarily in another compensation district.* Where an employer having operations in one compensation district (or jurisdictional area of such district) contemplates engaging in work subject to the said Act of August 16, 1941, as amended, in another compensation district, a carrier which has executed the agreement provided for by § 52.5, and desires to report coverage as to work performed in such other district, may sub-

mit to the deputy commissioner of such latter district a report on the card form prescribed by § 52.3, containing the address of the employer in the first mentioned district with the additional notation "No present address in ----- compensation district. Certificate requested when address given."

§ 52.7 *Name of one employer only shall be reported on one card.* A separate report of the issuance of a policy and endorsement, provided for by § 52.3, shall be made for each employer covered by a policy. If a policy is issued insuring more than one employer, a separate card report for each employer so covered shall be sent to the deputy commissioner concerned, with the name of only one employer on each such report. Unless a card report is received by the deputy commissioner for a compensation district, the deputy commissioner shall regard an employer as an uninsured employer in the particular compensation district (except in cases where such employer is a duly authorized self-insurer, or the employer himself has presented a policy for inspection by the deputy commissioner).

#### PART 53—AUTHORIZATION OF SELF-INSURERS

Sec.  
53.1 Authorization of self-insurers.  
53.2 Reports required of self-insurers; examination of accounts of self-insurer.

AUTHORITY: §§ 53.1 and 53.2 issued under sec. 39 of the Longshoremen's and Harbor Workers' Compensation Act, 44 Stat. 1442; 33 U.S.C. 939 as made applicable to military, air, and naval bases outside the United States by the Act of August 16, 1941, Pub. Law 208 77th Cong. as amended by the Act of December 2, 1942, Pub. Law 784, 77th Cong.

§ 53.1 *Authorization of self-insurers.* The provisions of the regulations in Part 33, Subchapter C of this chapter, shall govern the authorization of the self-insurance privilege under the said Act of August 16, 1941, as amended. An application shall contain (a) a statement of the amount of the employer's pay roll of employees, within the purview of such Act, for the preceding 12 months; (b) a statement by classifications of the average number of employees engaged in employments within the purview of said law for the preceding 12 months; (c) a statement of the number of injuries to such employees resulting in disability of more than 7 days duration, or in death, during each of 3 years next preceding the date of the application; (d) an itemized statement of the assets and liabilities of the employer, and current profit and loss statement; (e) a description of the safety organization maintained by the employer for the prevention of injuries at his places of work; (f) a description of the facilities maintained or the arrangements made for the medical and hospital care of injured employees; (g) a statement describing any excess loss insurance or stop-loss insurance arrangement made by the employer, giving the name of the carrier, with full details of any such excess loss coverage; and (h) a statement describing the plan adopted by the employer to set aside a reserve fund for the payment of workmen's compensation benefits (and loss adjustment expenses) under said law. The Commission in its



discretion may require the applicant to submit such further information or such evidence as the Commission may deem necessary to have in order to enable it to give adequate consideration to such application. Such application shall be signed by the applicant over his typewritten name and if the applicant is not an individual, by the principal officer of the applicant duly authorized to make such application, over his typewritten name and official designation, and shall be sworn to by him. If the applicant is a corporation, the corporate seal shall be affixed. The application shall be filed with the Commission. The regulations in this part shall be binding upon each applicant hereunder and the applicant's consent to be bound by all requirements of the said regulations shall be deemed to be included in and a part of the application, as fully as though written therein.

**§ 53.2 Reports required of self-insurers; examination of accounts of self-insurer.** (a) At such times as the Commission may require or prescribe, each self-insurer shall submit such of the following reports as may be requested:

(1) A sworn itemized statement of the self-insurer's assets and liabilities (or a balance sheet), and current profit and loss statement.

(2) A sworn statement showing by classifications the pay roll of employees of the self-insurer who are engaged in employments within the purview of the said Act of August 16, 1941, as amended.

(3) A sworn statement of payments of compensation in current cases during any specified quarter, showing the nature of injury in each case.

(4) A sworn statement covering the 6 months' period preceding the date of such report, listing by compensation districts all death and injury cases which have occurred during such period, together with a report of the status of all outstanding claims, showing the particulars of each case.

(b) Whenever it deems it to be necessary, the Commission may inspect or examine the books of account, records, and other papers of a self-insurer for the purpose of verifying any financial statement submitted to the Commission by such self-insurer or verifying any information furnished to the Commission in any report required by this section, or any other section of the regulations in this subchapter, and such self-insurer shall permit the Commission or its duly authorized representative to make such an inspection or examination as the Commission shall require. In lieu of this requirement the Commission may in its discretion accept an adequate report of a certified public accountant.

#### PART 54—ISSUANCE OF CERTIFICATES OF COMPLIANCE

Sec.

54.1 Issue of certificates of compliance.

54.2 Same; employer operating temporarily in another compensation district.

54.3 Return of certificates of compliance.

**AUTHORITY:** §§ 54.1 to 54.3, inclusive, issued under sec. 39 of the Longshoremen's and Harbor Workers' Compensation Act, 44 Stat. 1442; 33 U.S.C. 939, as made applicable to

military, air, and naval bases outside the United States by the Act of August 16, 1941, Pub. Law 208, 77th Cong., as amended by the Act of December 2, 1942, Pub. Law 784, 77th Cong.

**§ 54.1 Issue of certificates of compliance.** (a) Every employer who has secured the payment of compensation by obtaining a policy of insurance as provided by section 32 of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1439; 33 U.S.C. 939) and by Part 52 of the Regulations in this subchapter will receive from the deputy commissioner in the compensation district in which he has operations (or for the jurisdictional area of such compensation district), and to whom such insurance has been reported, a certificate that such employer has secured the payment of such compensation. Only one such certificate will be issued to an employer in a compensation district, and it will be valid only during the period for which such employer has secured such payment. An employer so desiring may have photostatic copies (or other facsimile copies) of such a certificate made for use in different places within the compensation district or jurisdictional area thereof. A certificate of compliance will be issued by the deputy commissioner to any employer having operations in his district (a) upon receipt by the deputy commissioner and acceptance by him of a card report of the issuance of a policy to the employer concerned, as provided by § 52.3, by an authorized insurance carrier which has filed an agreement to be bound by such card report in conformity with § 52.5, or (b) upon presentation to the deputy commissioner by the employer concerned (and not by an insurance carrier, insurance agent, or broker) of the applicable policy of insurance, and endorsement thereon, issued to the employer in conformity with Part 52 by an authorized insurance carrier which has not filed the agreement provided for by § 52.5.

(b) Every employer who has been granted the privilege of self-insurance as provided by section 32 of the Longshoremen's and Harbor Workers' Compensation Act and by Part 53 of the regulations in this subchapter will receive from the deputy commissioner a certificate that he has complied with the said law with respect to the securing of the payment of compensation. Only one such certificate will be issued to an employer by a deputy commissioner in a compensation district and it will be valid only during the period stated in such certificate.

(c) Two forms of such certificates have been provided by the Commission, one form for use where the employer has obtained insurance generally under the regulations in this subchapter and one for use where the employer has been authorized as a self-insurer.

**§ 54.2 Same; employer operating temporarily in another compensation district.** A deputy commissioner receiving a card report of the issue of a policy of insurance, with the notation authorized by § 52.6 will file such card

report until he receives from the insured employer named therein a request for a certificate of compliance, giving the address of the employer within the compensation district of such deputy commissioner. Upon receipt of such a request the deputy commissioner will send the proper certificate of compliance to such employer at such address.

**§ 54.3 Return of certificates of compliance.** Upon the termination by expiration, cancellation or otherwise, of a policy of insurance issued under the provisions of said Act of August 16, 1941, as amended, and the regulations in this subchapter, or the revocation or termination of the privilege of self-insurance granted by the Commission, all certificates of compliance issued on the basis of such insurance or self-insurance shall be void and shall be returned by the employer to the deputy commissioner issuing them with a statement of the reason for such return. An employer, holding a certificate of compliance under an insurance policy which has currently expired, pending the renewal of such insurance need not return such certificate of compliance if such expired insurance is promptly replaced. An employer who has secured renewal of insurance upon the expiration of a policy under said Act or whose self-insurance thereunder is reauthorized without a break in the continuity thereof need not return an expired certificate of compliance.

Amendment to regulations issued September 12, 1941.

JEWELL W. SWOFFORD,  
Chairman.  
JNO. J. KEEGAN,  
Commissioner.  
ALBERT H. LADNER, JR.,  
Commissioner.

[F. R. Doc. 43-5127; Filed, April 2, 1943; 9:47 a. m.]

## TITLE 31—MONEY AND FINANCE: TREASURY

### Chapter I—Monetary Offices

[1943 Dept. Circ. 1]

#### PART 129—VALUES OF FOREIGN MONETIES

APRIL 1, 1943.

Section 129.6 *Calendar year 1943* is amended by the addition of the following paragraph:

(b) *Quarter beginning April 1, 1943.* Pursuant to section 522, title IV, of the Tariff Act of 1930, reenacting section 25 of the act of August 27, 1894, as amended, the following estimates by the Director of the Mint of the values of foreign monetary units are hereby proclaimed to be the values of such units in terms of the money of account of the United States that are to be followed in estimating the value of all foreign merchandise exported to the United States during the quarter beginning April 1, 1943, expressed in any such foreign monetary units: *Provided, however,* That if no such value has been proclaimed, or if the value so proclaimed varies by 5 per



VALUES OF FOREIGN MONETARY UNITS—Continued  
(At par as regards gold units; nongold units have no fixed par with gold)

Country	Monetary unit	Value in terms of U. S. money	Remarks
Hungary	Pengő	.2961	Exchange control established July 17, 1931.
India [British]	Rupee	.0180	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Indo-China	Plaster	.....	Plaster pegged to French franc at the rate of 1 plaster=10 French francs; conversion of notes into gold suspended Oct. 2, 1933.
Ireland	Pound	8.2997	Conversion of notes into gold suspended Sept. 21, 1931.
Italy	Lira	.0028	New gold content of 46.77 milligrams of fine gold per lira established by monetary law of Oct. 5, 1933.
Japan	Yen	.8440	Embargo on gold exports Dec. 13, 1931.
Latvia	Lat	.....	Currency pegged to sterling Sept. 28, 1933, at 2.322 lat=£100; sterling should depreciate by more than 5 percent with respect to the United States dollar, or the Swedish krona, the Bank of Latvia shall take steps to keep the rate of exchange of the lat stable by basing it on gold or some other monetary unit.
Liberia	Dollar	1.6931	British money is principal circulating medium.
Lithuania	Litas	.1693	Free export of gold suspended Oct. 1, 1933.
Mexico	Peso	.....	Decree of Aug. 28, 1933, left the monetary unit, the peso, to be later defined by law.
Netherlands and colonies	Guilder (florin)	.6806	Suspension of convertibility of notes into gold and restrictions placed on free gold exports Sept. 28, 1933; gold export prohibition repeated by decree June 28, 1933; prohibition suspended by act of Nov. 24, 1933. The Guilder-Netherlands financial agreement of June 14, 1940, established the official rate of exchange between the Netherlands guilder and the pound sterling at 7.60 guilders for £1 sterling. By act of Sept. 20, 1940, the Netherlands Indies Vreemde decided, subject to later ratification by law, that the Java Bank shall fix the value of its stocks of gold coin and bullion at Fl. 2.121 per kilogram fine.
Newfoundland	Dollar	1.6931	Newfoundland and Canadian notes legal tender.
New Zealand	Pound	8.2997	Conversion of notes into gold suspended and export of gold restricted; Aug. 5, 1941; exchange regulations Dec. 1931.
Nicaragua	Cordoba	1.6933	Embargo on gold exports Nov. 13, 1931.
Norway	Krone	.4337	Conversion of notes into gold suspended Sept. 29, 1931.
Panama	Balboa	1.0000	U. S. money is principal circulating medium.
Paraguay	Peso (Argentine)	1.6935	Paraguayan paper currency is used; exchange control established June 28, 1932.
Persia (Iran)	Rial	.0824	Obligation to pay out gold deferred Mar. 13, 1932; exchange control established Mar. 1, 1934.
Peru	Sol	.4740	Conversion of notes into gold suspended May 18, 1932.
Philippine Islands	Peso	.0000	By act approved Mar. 16, 1935.
Poland	Zloty	.1899	Exchange control established Apr. 27, 1933.
Portugal	Escudo	.0749	Gold exchange standard suspended Dec. 31, 1931.
Rumania	Leu	.0101	Exchange control established May 18, 1932.
Salvador	Peseta	.8466	Conversion of notes into gold suspended Oct. 7, 1934.
Straits Settlements	Dollar	.9613	British pound sterling and Straits dollar and half dollar legal tender.
Sweden	Krona	.4337	Conversion of notes into gold suspended Sept. 29, 1931.
Switzerland	Franc	.....	Order of Federal Council enacted Sept. 27, 1933, instructed the Swiss National Bank to maintain the gold parity of the franc at a value ranging between 190 and 215 milligrams of fine gold.
Thailand (Siam)	Baht (T'ical)	.7491	Conversion of notes into gold suspended May 11, 1932.
Turkey	Paster	.0744	100 pasters equal to the Turkish Lira; conversion of notes into gold suspended 1916; exchange control established Feb. 26, 1930.
Union of South Africa	Pound	8.2997	Conversion of notes into gold suspended Dec. 28, 1932.
Union of Soviet Republics	Chervonetz	8.7123	.....
Uruguay	Peso	.6583	.....
Venezuela	Bolivar	.3367	Conversion of notes into gold suspended Aug. 2, 1914; exchange control established Sept. 7, 1931. New gold content of .385018 grams of pure gold per peso established by monetary law of Jan. 12, 1933.
Yugoslavia	Dinar	.0298	Exchange control established Dec. 12, 1933.

[F. R. Dec. 43-5010; Filed, April 1, 1943; 9:53 a. m.]

suant to the provisions of section 522, title IV, of the Tariff Act of 1930.

(Sec. 25, 28 Stat. 552; sec. 403, 42 Stat. 17; sec. 522, 42 Stat. 974; sec. 522, 46 Stat. 739; 31 U.S.C. 372)

[SEAL] D. W. BELL,  
Acting Secretary of the Treasury.

VALUES OF FOREIGN MONETARY UNITS

(At par as regards gold units; nongold units have no fixed par with gold)

Country	Monetary unit	Value in terms of U. S. money	Remarks
Argentina Republic	Peso	\$1.6335	Given valuation is of gold peso. Paper nominally convertible at 44% of face value. Conversion authorized Dec. 16, 1929.
Australia	Pound	8.2997	Control of gold stocks and exports suspended Dec. 17, 1932.
Belgium	Belga	.1695	By decree of Mar. 31, 1933. One belga equal to 5 Belgian francs.
Bolivia	Boliviano	.6180	The Anglo-Belgian financial agreement of June 7, 1940, fixed the rate of exchange of the Boliviano franc and the franc of the Belgian Congo at 175.625 francs for 1 Boliviano.
Brazil	Cruzeiro (Milleiro)	.0606	Conversion of notes into gold suspended Sept. 23, 1931.
British Honduras	Dollar	1.6931	Based upon official rate of conversion in terms of the dollar as announced by the Bank of Brazil. Conversion of Stabilization Office notes into gold suspended Nov. 22, 1930. Under decree of October 6, 1942, the cruzeiro became the unit of currency, replacing the milreis.
Bulgaria	Lev	.0122	Conversion of notes suspended.
Canada	Dollar	1.6931	Exchange control established Oct. 15, 1931.
Chile	Peso	.2060	Embargo on export of gold, Oct. 19, 1931; redemption of Dominion notes in gold suspended Apr. 10, 1933.
China	Yuan	.....	Given valuation is of gold peso. Gold pesos are reserved for conversion at the rate of 4 paper pesos for one gold peso. Conversion of notes suspended July 30, 1931.
Hong Kong	Dollar	.....	Silver standard abandoned by decree of Nov. 3, 1935; bank notes made legal tender under Currency Board control; exchange rate for British currency primarily fixed at about 1 s. 2½ d., or about 25½ U. S., per yuan.
Colombia	Peso	.5714	Treasury notes and notes of the three banks of issue made legal tender by silver nationalization ordinance of Dec. 5, 1935; exchange fund created to control exchange rate.
Costa Rica	Colon	.7879	Obligation to sell gold suspended Sept. 24, 1931. New gold content of .56424 grams of gold 9/10 fine established by monetary law of Nov. 19, 1933, effective Nov. 20, 1933.
Cuba	Peso	1.0000	Conversion of notes into gold suspended Sept. 18, 1914; exchange control established Jan. 16, 1932.
Czechoslovakia	Koruna	.4537	By law of May 25, 1934.
Denmark	Krone	1.6931	Conversion of notes into gold suspended Sept. 29, 1931.
Dominican Republic	Dollar	.....	U. S. money is principal circulating medium.
Ecuador	Sucre	.3386	Conversion of notes into gold suspended Feb. 9, 1932.
Egypt	Pound (100 piasters)	8.3982	Conversion of notes into gold suspended Sept. 21, 1931.
Estonia	Kroon	.4337	Conversion of notes into gold suspended June 28, 1933.
Finland	Markka	.0426	Conversion of notes into gold suspended Oct. 12, 1931.
France	Franc	.....	Provisions of monetary law of Oct. 1, 1926, providing for gold content of franc, superseded by decree of June 30, 1937, which stated that the gold content of the franc shall be fixed ultimately by a decree adopted by the Council of Ministers. Until issuance of such decree a stabilization fund shall regulate the relationship between the franc and foreign currencies.
Germany	Reichsmark	.4033	Exchange control established July 13, 1931.
Great Britain	Pound Sterling	8.2997	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Greece	Drachma	.0230	Conversion of notes into gold suspended Apr. 26, 1932.
Guatemala	Quetzal	1.6931	Conversion of notes into gold suspended Mar. 6, 1933.
Haiti	Gourde	.2000	National bank notes redeemable on demand in U. S. dollars.
Honduras	Leupira	.8466	Gold exports prohibited Mar. 27, 1931; leupira circulates as equivalent of half of U. S. dollar.



**PART 130—REGULATIONS RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, TRANSFERS OF CREDIT, PAYMENTS, AND THE EXPORT OR WITHDRAWAL OF COIN, BULLION AND CURRENCY; AND TO REPORTS OF FOREIGN PROPERTY INTERESTS IN THE UNITED STATES**

**SPECIAL BLOCKED PROPERTY**

Revocation of Special Regulation No. 1 (7 F.R. 2184), Relating to Transactions in Special Blocked Property.\*

Special Regulation No. 1, Relating to Transactions in Special Blocked Property, as therein described, heretofore prescribed by the Federal Reserve Bank of San Francisco, as Fiscal Agent of the United States, by virtue of the authority vested in such bank pursuant to section 5 (b) of the Trading with the Enemy Act, as amended by the First War Powers Act, and other authority vested in such bank, is hereby revoked.

(Sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; Pub. Law 354, 77th Cong.; E.O. 8389, April 10, 1940 as amended by E. O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, E.O. 8998, Dec. 26, 1941, E.O. 9066, Feb. 19, 1942, E.O. 9095, Mar. 11, 1942)

Made at San Francisco, California, this 16th day of March 1943.

Federal Reserve Bank of San Francisco (Fiscal Agent of the United States).

[SEAL]

WILLIAM A. DAY,  
President.

Confirmed:

RANDOLPH PAUL,  
Acting Secretary of the Treasury.

[F. R. Doc. 43-5072; Filed, April 1, 1943; 3:53 p. m.]

**TITLE 32—NATIONAL DEFENSE**

**Chapter VI—Selective Service System**

[Order No. 94]

**TRENTON PROJECT, NORTH DAKOTA**

**ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS**

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of Section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Trenton Project to be work of national importance, to be known as Civilian Public Service Camp No. 94. Said camp, located at Trenton, Williams County, North Dakota, will be the base of operations for land development and irrigation work in the State of North Dakota, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in

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

Class IV-E, may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to Civilian Public Service Camp No. 94 will consist of land development and the construction of irrigation and drainage facilities, and shall be under the technical direction of the Farm Security Administration of the United States Department of Agriculture insofar as concerns the planning and direction of the work program. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,  
Director.

MARCH 27, 1943.

[F. R. Doc. 43-5073; Filed, April 1, 1943; 4:22 p. m.]

[Order No. 95]

**BUCKLEY PROJECT, WASHINGTON**

**ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS**

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of Section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Buckley Project to be work of national importance, to be known as Civilian Public Service Camp No. 95. Said project, located at Buckley, Pierce County, Washington, will be the base of operations for work at the Western State Custodial School, an institution under the State mental hospital system of Washington, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Buckley Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Western State Custodial School, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Western State Custodial School. Administrative and directive control shall be under the Selective Service System through the

Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,  
Director.

MARCH 27, 1943.

[F. R. Doc. 43-5074; Filed, April 1, 1943; 4:22 p. m.]

[Order No. 96]

**ROCHESTER STATE HOSPITAL PROJECT, MINNESOTA**

**ESTABLISHMENT FOR CONSCIENTIOUS OBJECTORS**

I, Lewis B. Hershey, Director of Selective Service, in accordance with the provisions of Section 5 (g) of the Selective Training and Service Act of 1940 (54 Stat. 885) and pursuant to authorization and direction contained in Executive Order No. 8675 dated February 6, 1941, hereby designate the Rochester State Hospital Project to be work of national importance, to be known as Civilian Public Service Camp No. 96. Said project, located at Rochester, Olmsted County, Minnesota, will be the base of operations for work at the Rochester State Hospital, and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

Men assigned to said Rochester State Hospital Project will be engaged in clerical work, as attendants, waiters, farm hands, etc., and shall be under the direction of the Superintendent, Rochester State Hospital, as well as will be the project management. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder, as well as the regulations of the Rochester State Hospital. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,  
Director.

MARCH 27, 1943.

[F. R. Doc. 43-5075; Filed, April 1, 1943; 4:22 p. m.]

**Chapter VIII—Board of Economic Warfare**

**Subchapter B—Export Control**

[Amendment 39]

**PART 802—GENERAL LICENSES**

**SHIPMENTS VALUED AT \$25 OR LESS**

Paragraph (a) of § 802.10 *General licenses which permit shipments not exceeding a specified value* is hereby amended by adding to the list of commodities set forth therein the following:



Commodity	Schedule B No.
Acetone.....	8316.00
Ammonium sulphate.....	8505.00
Aspirin.....	8127.92, 8135.30
Babbitt metal.....	6620.00
Barbed wire.....	6083.00
Bismuth salts and compounds.....	8396.30 thru 8396.38
Bleaching powder.....	8340.00
Calf upper leather.....	0304.10, 0304.20, 0305.20, 0305.10
Casein plastics.....	8258.01
Cellulose acetate plastics.....	8265.05, 8265.98
Cellulose nitrate plastics.....	8264.00
Citric acid.....	8303.07
Copper, copper base alloy, manufactures, and copper sulphate. <sup>1</sup>	6401.00 thru 6479.98, 8201.00
Cotton pulp (includes cottonseed hull, shavings pulp, cotton pulpboard, and bleached and purified linters).	3006.00
Cotton yarn, mercerized.....	3012.00
Cotton yarn, unmercerized.....	3013.10, 3013.20
Cresylic acid and cresols.....	8024.09
Cryolite, natural and artificial.....	5960.10, 5960.15
Ferrochrome.....	6220.50
Ferrotungsten.....	6220.96
Formaldehyde. <sup>1</sup>	8320.01, 8320.03, 8320.05
Graphite, flake content in manufactures.....	5480.55
Methyl alcohol.....	8310.00
Molybdenum content of ferromolybdenum.....	6220.85
Nails and bolts (except railroad).....	6092.00 thru 6099.00
Nickel-chrome, electric resistance wire.....	6630.00
Nickel, metal, salts, and compounds.....	6545.01 thru 6549.98, 8397.61 thru 8397.68
Paris green.....	8205.91, 8397.02
Plain wire.....	6081.00, 6082.00
Platinum group metals, salts and compounds. <sup>1</sup>	6920.00, 6922.05, 6922.09, 6929.05, 6929.98, 8398.70 thru 8398.78
Platinum jewelry.....	9620.00
Potash salts.....	8531.01, 8531.03, 8531.05
Potassium chlorate and perchlorate. <sup>1</sup>	8359.09, 8359.21
Resins, other.....	8258.98, 8260.98, 8261.98
Sisal and henequen cordage.....	3419.09
Sole leather: other than backs, bends and sides.....	0332.05, 0332.98
Tin, metal, salts, and compounds. <sup>1</sup>	6565.01 thru 6565.98, 8381.01 thru 8381.98
Tin plate, circles, strips, cobbles and scroll-shear butts.....	6013.00
Tin plate, waste-waste.....	6014.00
Type metal.....	6670.00
Wire and manufactures, other.....	6085.00 thru 6091.98
Wood pulp.....	4601.00 thru 4619.00
Wool rags.....	3622.00
Wool moils and waste.....	3626.00
Wool tops.....	3628.00
Wool yarns.....	3633.00
Wool fabrics.....	3642.00, 3642.01, 3649.00
Wool felts.....	3663.00, 3664.00
Wool blankets.....	3666.00, 3666.01
Woven belting for machinery (include duck woven 12" and narrower).	3140.00
Zinc, metal (except finished articles), salts, and compounds. <sup>1</sup>	8398.45 thru 8398.48, 8299.90, 8429.19, 8411.00, 6570.00 thru 6589.98

<sup>1</sup> Includes forms previously on list.

Shipments of the above commodities, which were on dock, on lighter, laden aboard the exporting carrier, or in transit to ports of exit pursuant to actual orders for export prior to the effective date of change may be exported under previous general license provisions.

This amendment shall become effective April 7, 1943.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 40, 8 F.R. 1938)

Dated March 29, 1943.

A. N. ZIEGLER,  
Acting Chief of Office,  
Office of Exports.

[F. R. Doc. 43-5136; Filed, April 2, 1943; 11:21 a. m.]

[Amendment 40]-

# PART 802—GENERAL LICENSES

## SHIP AND PLANE STORES, SUPPLIES AND EQUIPMENT

Subdivision (iv) of subparagraph (1) of § 802.13 *Ship and plane stores, supplies and equipment* is hereby amended as follows:

(iv) Of registry of countries designated by numbers 1 to 3, 5, 6, 7, 8 to 58, 60 to 67, 71 to 81, or 99 in § 802.2 (a) of this subchapter, or of the Netherlands, Norway, or Poland: *Provided*, That the destination of such vessels shall be one of the aforementioned countries;

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 40, 8 F.R. 1938)

Dated: March 29, 1943.

A. N. ZIEGLER,  
Acting Chief of Office,  
Office of Exports.

[F. R. Doc. 43-5137; Filed, April 2, 1943; 11:21 a. m.]

[Amendment 41]

# PART 802—GENERAL LICENSES

## GENERAL LICENSE GUS

Section 802.8 *Exports to the United States Government* is hereby amended as follows:

A general license, designated GUS, is hereby granted permitting the exportation of all commodities to representatives of the United States Government or to members of the United States military forces: *Provided*, That such commodities are shipped in quantities sufficient solely for the personal use of the consignees or his immediate family.

Shipments which are on dock, on lighter, laden aboard the exporting carrier or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provision. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant to Office of Defense Transportation permits issued prior to such date may be exported under previous general license provisions.

This amendment shall become effective April 15, 1943.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 31, 7 F.R. 9807)

Dated: March 29, 1943.

PAUL CORNELL,  
Chief of Office,  
Office of Exports.

[F. R. Doc. 43-5138; Filed, April 2, 1943; 11:21 a. m.]



## Chapter IX—War Production Board

## Subchapter B—Executive Vice Chairman

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

## PART 1010—SUSPENSION ORDERS

[Suspension Order S-261]

## TANK CAR OIL CO., INC.

The Tank Car Oil Company, Inc., 1015 Bankhead Avenue NW., Atlanta, Georgia, is engaged in the marketing of motor fuel. It owns and operates eight service stations located in the Atlanta, Georgia region. During the months of April, May, June and from July 1 to July 22, 1942, the Tank Car Oil Company, Inc. accepted delivery at its eight service stations of a total of approximately 196,000 gallons of motor fuel in excess of the amounts permitted to be delivered in accordance with the provisions of Limitation Order L-70. As the quotas for these stations decreased during that period, the deliveries of motor fuel which were accepted by the Tank Car Oil Company, Inc. at these eight stations increased from 22 per cent to 194 per cent in excess of their permitted quotas.

Although Tank Car Oil Company, Inc. was fully aware of the provisions of Limitation Order L-70, these over-deliveries were accepted by it in careless disregard of the provisions thereof, and constituted wilful violations of that Order which have hampered and impeded the war effort of the United States by diverting scarce material to uses unauthorized by the War Production Board. In view of the foregoing facts, *It is hereby ordered*, That:

## § 1010.261 Suspension Order S-261.

(a) During each of the months of April, May, June and July 1943, Tank Car Oil Company, Inc., its successors and assigns, shall not accept the delivery of any motor fuel, as defined in Limitation Order L-70, at each of the following service stations in excess of 25 per cent of the average monthly sales by each service station during the period of September 1942 through February 1943:

Station No. 1, Macon, Georgia.  
Station No. 2, 953 Marietta Street NW., Atlanta, Ga.  
Station No. 3, 195 Decatur Street SE., Atlanta, Ga.  
Station No. 4, 1015 Bankhead Avenue NW., Atlanta, Ga.  
Station No. 5, Cartersville, Georgia.  
Station No. 6, Vienna, Georgia.  
Station No. 7, Ft. Valley, Georgia.  
Station No. 8, Hightower & Gordon Roads, Atlanta, Ga.

(b) Nothing contained in this order shall be deemed to relieve Tank Car Oil Company, Inc., from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the

same may be inconsistent with the provisions hereof.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-5110; Filed, April 1, 1943;  
5:05 p. m.]

## PART 1010—SUSPENSION ORDERS

[Suspension Order S-266]

## BLACK &amp; KOENIG

Black & Koenig, 52 Dey Street, New York, New York, a partnership, was, during the period May through September 1942, a roaster of coffee which it distributed at retail in the New York metropolitan area. During the months May through September 1942, the company delivered approximately 11,776 lbs. of coffee roasted by it in excess of its quota under Conservation Order M-135. During this period, the company's deliveries of coffee were several times the deliveries during the corresponding period of 1941; in fact, its deliveries during the restricted period greatly exceeded its total deliveries during the entire year 1941. During the period October 1942 through February 1943, inclusive, its sales of coffee have averaged 439 lbs. per month.

These violations of Conservation Order M-135 have hampered and impeded the war effort of the United States. In view of the foregoing, *It is hereby ordered*, That:

## § 1010.266 Suspension Order S-266.

(a) In each calendar month, during which this order shall be in effect, Black & Koenig, its successors and assigns, shall not deliver any coffee, except as specifically authorized in writing by the War Production Board: *Provided, however*, That nothing herein contained shall be deemed to prevent Black & Koenig from delivering such coffee as they may have in their store at 52 Dey Street, New York, New York, on the effective date of this order.

(b) Nothing contained in this order shall be deemed to relieve Black & Koenig, its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the 3d day of April 1943 and shall expire on the 3d day of July 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-5111; Filed, April 1, 1943;  
5:05 p. m.]

## PART 1010—SUSPENSION ORDERS

[Suspension Order S-267]

## AMERICAN GROCERY CO.

American Grocery Company, a corporation having its principal office at 158 14th Street, Hoboken, New Jersey, roasts coffee which it distributes to its own retail stores. These stores are engaged in the business of selling groceries at retail on a large scale, and are located in Long Island, Brooklyn, N. Y., and New Jersey. In addition to selling coffee, which it roasts, the company sells other brands. During the months of May, June and September 1942, the company delivered approximately 19,000 lbs. of coffee roasted by it in excess of its quota under Conservation Order M-135. Its monthly sales of coffee have averaged 7,338 lbs. for each month from October 1942 through February 1943, inclusive.

These violations of Conservation Order M-135 have hampered and impeded the war effort of the United States. In view of the foregoing, *It is hereby ordered*, That:

## § 1010.267 Suspension Order S-267.

(a) During the period that this order remains in effect, the aggregate deliveries of coffee by the American Grocery Company, its successors and assigns, shall not exceed 24,000 lbs. except as specifically authorized in writing by the War Production Board.

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

(c) This order shall take effect on April 3, 1943 and shall expire on October 3, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 1st day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-5112; Filed, April 1, 1943;  
5:05 p. m.]

## PART 1041—PRODUCTION, TRANSPORTATION, REFINING AND MARKETING OF PETROLEUM

[Preference Rating Order P-98-b as Amended  
April 1, 1943]

§ 1041.2 Preference Rating Order P-98-b—(a) *Definitions*. (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Operator" means:

(i) Any person located in the United States, its territories or possessions, to



the extent that he is engaged in the petroleum industry; or

(ii) Any person located in the Dominion of Canada to the extent that he is engaged in the petroleum industry and to whom and in whose name a copy of this order or of Preference Rating Order P-98, Extended and Amended, is or has been specifically issued and to whom a serial number has been assigned.

(3) "Supplier" means any person with whom a delivery order is placed for delivery of material to an operator or to another supplier.

(4) "Petroleum" means petroleum, petroleum products and associated hydrocarbons, including but not limited to natural gas.

(5) "Petroleum Industry" means any operation directly incident to:

(i) The discovery, development or depletion of petroleum pools (production);

(ii) The extraction or recovery of natural gasoline and associated hydrocarbons (natural gasoline production);

(iii) The transportation, movement, loading or unloading of petroleum other than natural gas (transportation);

(iv) The processing, refining or compounding of finished or unfinished petroleum products (refining);

(v) The distribution or dispensing of petroleum products (other than natural gas) and the storing of petroleum products incident thereto (marketing);

(vi) The investigation into more efficient or more effective methods of conducting petroleum industry operations by means of research or technical laboratories (research).

(6) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(7) "Maintenance, repair and operating supplies" means that material specified in Schedule A hereof.

(8) "Controlled material" means steel—both carbon (including wrought iron) and alloy—copper (including copper base alloys) and aluminum, in each case only in the forms and shapes indicated in Schedule 1 attached to CMP Regulation No. 1 of the War Production Board.

(9) "Allotment" means a determination by the Petroleum Administration for War as to the portion of its allotment of controlled materials which may be received by an operator.

(10) "Class A product" means any product which is not a Class B product (as defined in subparagraph (11) below), and which contains any steel, copper, or aluminum, fabricated or assembled beyond the forms and shapes specified in Schedule 1 attached to CMP Regulation No. 1, other than such steel, copper, or aluminum as may be contained in Class B products incorporated in it as parts or sub-assemblies.

(11) "Class B product" means any product listed in the "Official CMP Class B Product List" issued by the War Production Board, as the same may be modified from time to time, which contains any steel, copper, or aluminum, fabricated or assembled beyond the forms and shapes specified in Schedule 1 attached to CMP Regulation No. 1, other

than such as may be contained in other Class B products incorporated in it as parts or sub-assemblies.

(12) "Delivery order" means any purchase order, contract, release or shipping instruction which constitutes a definite and complete instruction from a purchaser to a seller calling for delivery of any material or product. The term does not include any contract, purchase order, or other arrangement which, although specifying the total amount to be delivered, contemplates that further instructions are to be given.

(13) "Authorized controlled material order" means any delivery order for any controlled material as such (as distinct from a product containing controlled material) which is placed pursuant to an allotment as provided in paragraph (e) of this order or which is specifically designated to be such by any regulation or order of the Petroleum Administration for War or the War Production Board.

(b) *Scope of order.* (1) Except as provided in Schedule "B" hereof, this order shall apply to the delivery of any maintenance, repair and operating supplies to any operator for use in the petroleum industry upon the terms and conditions hereinafter set forth.

(2) No operator may use an allotment symbol or apply a preference rating to secure delivery of any maintenance, repair and operating supplies other than in accordance with the applicable provisions of this order.

(3) Any allotment symbol issued or any preference rating assigned to any operator prior to April 1, 1943 shall not be considered revoked by the provisions of subparagraph (2) of this paragraph (b).

(4) Supplementary orders or directions with respect to the use of allotment numbers or preference ratings or the delivery or use of material under the provisions of this order may be issued from time to time.

(c) *Method of securing maintenance, repair and operating supplies.* (1) To secure deliveries of maintenance, repair and operating supplies—including without limitation controlled materials (other than aluminum), Class A, or Class B products—an operator is hereby authorized to use allotment symbol MRO-P-98-b and is hereby assigned a preference rating of AA-1.

(2) In using such allotment symbol or preference rating, the operator shall be subject to all the applicable provisions of this order and shall endorse upon each delivery order for maintenance, repair and operating supplies a certification in substantially the following form, signed manually or as provided in Priorities Regulation No. 7:

The undersigned purchaser certifies, subject to the penalties of Section 35A of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

The operator shall place the allotment symbol and preference rating indicated in subparagraph (1) of this paragraph (c) on the delivery order in every case where the above certification is used.

(3) Any operator requiring aluminum (in any of the forms or shapes constituting a controlled material) for essential maintenance, repair and operating supplies, where the use of other material for this purpose is impracticable, may obtain such aluminum from a controlled material producer or from an approved aluminum warehouse in amounts of not to exceed 100 pounds from all sources during any one calendar quarter, by endorsing upon any delivery order a certification in substantially the following form, signed manually or as provided in Priorities Regulation No. 7:

The undersigned purchaser certifies, subject to the penalties of Section 35A of the United States Criminal Code, to the seller and to the War Production Board, that, the materials covered by this order are required as essential maintenance, repair and operating supplies; that the use of other materials for such purpose is impracticable; and that the amount of aluminum covered by this order, together with all other amounts received by, or on order for delivery to the undersigned, from all sources, for such purposes during the same quarter, will not exceed 100 pounds.

Any supplier (producer or warehouse) receiving a delivery order bearing such certification shall be entitled to rely thereon and may fill the order, unless he knows or has reason to believe the certification to be false.

(4) Prior to placing with a supplier a delivery order bearing the allotment symbol and preference rating indicated in subparagraph (1) of this paragraph (c) for maintenance, repair and operating supplies, each operator shall, subject to the provisions of paragraph (e) of this order, comply with the following conditions:

(i) Each operator shall submit, for information purposes only, (to the appropriate District Office of the Petroleum Administration for War or the Office of Oil Controller) a copy of any delivery order where the total cost to the operator of all items on the delivery order is \$100.00 or more, but less than \$1000.00, and the cost of every item on the delivery order is less than \$500.00.

(ii) Each operator shall submit for approval by the appropriate District Office of the Petroleum Administration for War or the Office of Oil Controller two copies of every delivery order where the cost to the operator of any item on the delivery order is less than \$500.00 and the total cost to the operator of all items on the delivery order is \$1000.00 or more.

(iii) Each operator shall submit for approval by the Washington Office of the Petroleum Administration for War or the Office of Oil Controller two copies of any delivery order where the cost to the operator of any item on the delivery order is \$500.00 or more.

In submitting a delivery order to the Petroleum Administration for War or the Office of Oil Controller in accordance with paragraph (c) (4) (ii) or (c) (4) (iii), an operator shall furnish an ac-



comparing statement indicating the use to which the material is to be put and such additional explanations as may be necessary to enable the proper officials to make an accurate determination of the operator's needs. No delivery order need be submitted by an operator prior to placing such order with a supplier where the total cost to the operator of all items on the delivery order is less than \$100.00.

(5) No operator may place with a supplier any delivery order submitted in accordance with paragraph (c) (4) (ii) or (c) (4) (iii) until approval has been received from the authorized official of the Petroleum Administration for War or the Office of Oil Controller.

(6) In placing a delivery order bearing an allotment symbol or preference rating, no operator shall alter the customary designation of any item or subdivide an ordinary purchase of any item or items for the purpose of making it appear that an item costs less than \$500.00; that the total cost of all items on the delivery order is less than \$1000.00 or that the total cost of all items on the delivery order is less than \$100.00.

(7) Whenever submission of a delivery order to the District Office of the Petroleum Administration for War or the Office of Oil Controller is required by the provisions of paragraph (c) (3) of this order, the operator as defined in paragraph (a) (2) (i) shall submit such delivery order to the District Office of the Petroleum Administration for War in the District where the material is to be used and the operator as defined in paragraph (a) (2) (ii) shall submit such delivery order to the Oil Controller of the Dominion of Canada.

(d) *Emergency provisions.* (1) If there has been an actual breakdown or suspension of operations and if the method specified in paragraph (c) (4) (ii) or (c) (4) (iii) for using the allotment symbol and preference rating will not permit an operator to obtain material on the date when such material is required, the operator to obtain delivery of material for this emergency may communicate by letter, telegram or telephone with the Petroleum Administration for War, Washington, D. C., Ref: P-98-b, supplying the following information:

(i) Date of actual breakdown or suspension of operations and exact explanation as to what extent operations are affected;

(ii) Description of equipment to be repaired and its function in maintaining continuous operation; and

(iii) Price, quantity, and detailed description of necessary material (including weight if a controlled material).

A delivery order for maintenance, repair and operating supplies for emergencies need not be sent to the Petroleum Administration for War but in every instance the number and date of the delivery order must be transmitted to the Petroleum Administration for War, Washington, D. C. Whenever any information required to be furnished to the Petroleum Administration for War under this paragraph (d) is furnished by telephone, the operator furnishing such information

shall confirm such information within seven days by a letter or telegram containing information requested in paragraph (d) (1) (i), (ii) and (iii).

(2) No operator may place a delivery order with a supplier, where approval has been requested pursuant to paragraph (d) (1), until approval has been received from the authorized official of the Petroleum Administration for War. In placing any such delivery order the operator shall use the certification provided in paragraph (e) (2) in the same manner and to the same extent as provided therein.

(e) *Placement of delivery orders; application and extension of preference ratings.* (1) An operator who has complied with the provisions of paragraph (c) or (d) of this order may place a delivery order with any supplier for delivery of material authorized pursuant to such paragraphs and may place upon such delivery order the allotment symbol and preference rating which have been duly authorized in accordance with the provisions of this order. Any delivery order rated under this order shall be identified by placing thereon the allotment symbol provided for in paragraph (c) (1) of this order.

(2) Any delivery order for controlled materials (other than aluminum) placed pursuant to this order and bearing the certification provided for in paragraph (c) (2) hereof shall constitute an authorized controlled material order: *Provided*, That such delivery order must be in sufficient detail to permit entry on mill schedules and must be received by the controlled materials producer at such time in advance as is specified in Schedule III of CMP Regulation No. 1, or at such later time as the controlled materials producer may find it practicable to accept the same, except that no controlled materials producer shall discriminate between customers in rejecting or accepting late orders.

(3) Any delivery order rated pursuant to this order and bearing the certification provided for in paragraph (c) (2) hereof shall have the same status as an order bearing an allotment symbol and preference rating under CMP Regulation No. 3. The allotment symbol MRO-P-98-b shall constitute an allotment symbol for the purposes of CMP Regulation No. 3.

(f) *Restrictions.* No operator shall use the allotment symbol or the preference rating provided for in this order:

(1) To obtain deliveries of material in greater amounts or on earlier dates than required to fulfill the purpose authorized pursuant to the provisions of this order.

(2) To obtain deliveries of material for any purpose other than a purpose authorized pursuant to the provisions of this order.

(3) To obtain deliveries of material which can be secured without the use of an allotment symbol or preference rating.

(4) To obtain deliveries of material the use of which could be eliminated without serious loss of efficiency by substitution of less scarce material or by change of design.

(5) To obtain deliveries of material in such amounts or at such dates that receipt of such amounts on the requested dates would result in surplus material, as defined in or modified by Preference Rating Order P-98-c.

(6) To obtain deliveries of material unless such operator is on or after May 1, 1943, a participant in the PAW Materials Redistribution Program No. 2 in the event that participation by the operator in such program is required by the terms of the program.

(7) To obtain deliveries of material in violation of any applicable order or regulation of the Petroleum Administration for War or of the War Production Board.

(g) *Applicability of other orders and regulations.* (1) This order and all transactions affected hereby, except as herein otherwise provided, are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) None of the provisions of CMP Regulation Nos. 2 or 5 shall apply to operators as defined in paragraph (a) (2) of this order, and no such operator shall obtain any material under or be limited by the provisions of such regulations.

(h) *Communications.* All reports which may be required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed:

(1) By any person located in the United States, its territories or possessions to: Petroleum Administration for War, Interior Building, Washington, D. C., Ref: P-98-b.

(2) By any person located in the Dominion of Canada to: Office of Oil Controller, Dominion of Canada, Toronto, Canada, Ref: P-98-b.

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

Issued this first day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE A

##### PART 1—MAINTENANCE AND REPAIR

"Maintenance and repair" means, without regard to accounting practice, any material which:

(1) Is used in production or natural gasoline production for any of the following purposes:

(i) The upkeep of material or equipment in a sound working condition.

(ii) The restoration of material or equipment which has been rendered unsafe or unfit for service by wear and tear, damage, destruction, failure of parts or similar causes.

(iii) A capital addition (excluding the installation or replacement of pumping or other



artificial lifting equipment and the deepening or plugging back of any well) not exceeding in material cost \$500 for any one complete operation which has not been subdivided for the purpose of coming within this definition.

*Provided*, That upkeep or restoration shall not include any use of material for the improvement of material or equipment by the replacement of material which is still serviceable in the existing material or equipment.

(2) Is used in transportation, refining, or research for any of the following purposes:

(i) The upkeep of material or equipment in a sound working condition.

(ii) The restoration of material or equipment which has been rendered unsafe or unfit for service by wear and tear, damage, destruction, failure of parts or similar causes.

(iii) A capital addition not exceeding in material cost \$500 for any one complete addition which has not been subdivided for the purpose of coming within this definition.

*Provided*, That upkeep or restoration shall not include any use of material for the improvement of material or equipment by the replacement of material which is still serviceable in the existing material or equipment.

(3) Is used in marketing for any of the following purposes:

(i) The upkeep of any structure or equipment in a sound working condition.

(ii) The restoration of any structure or equipment or part thereof to a sound working condition when such structure or equipment or part thereof has been rendered unsafe or unfit for further service by wear or tear, damage, destruction, or failure of parts or similar causes.

(iii) A capital addition to any terminal or bulk plant (but not to any service station or retail outlet) not exceeding in material cost \$500 for any one complete addition which has not been subdivided for the purpose of coming within this definition.

*Provided*, That upkeep or restoration shall not include any use of material for the improvement of any structure or equipment by the replacement of material which is still serviceable in the existing structure or equipment or any use of material for a capital addition to any service station or retail outlet.

#### PART 2—OPERATING SUPPLIES

"Operating supplies" means any material (other than maintenance and repair material) which is essential to and consumed in production, natural gasoline production, transportation, refining, marketing, or research and which is normally carried by an operator as operating supplies or which is normally chargeable to operating expense:

*Provided*, That the term "Operating Supplies" shall not include any material specified in Schedule "B" of this order which is declared by such schedule not to be operating supplies.

#### SCHEDULE B

##### PART 1

(1) No operator other than as specifically provided for in this Schedule, may apply a preference rating assigned by or pursuant to this order to obtain delivery of any of the following items:

(a) Automotive replacement parts or maintenance equipment other than specialized petroleum industry equipment.

(b) Clothing, shoes, or other wearing apparel, if made of leather or textiles: *Provided*, That such a preference rating may be applied to obtain delivery of the following items which shall be considered as operating supplies obtainable under the provisions of this order when specifically designed and used to furnish protection against specific occupational hazards (other than weather):

(i) Asbestos clothing.

(ii) Safety clothing impregnated or coated for the purpose of making the same resistant against fire, acids, other chemicals, or abrasives.

(iii) Safety industrial rubber gloves and hoods and linesman's rubber gloves and sleeves.

(iv) Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves.

(v) Other safety leather gloves or mittens but only if steel stitched or steel reinforced.

(vi) Safety industrial leather clothing other than gloves or mittens.

(vii) Metal mesh gloves, aprons, and sleeves.

(viii) Plastic and fiber safety helmets.

(c) Fabricated containers (in knock-down or set-up forms, whether assembled or unassembled), required for packaging products to be shipped or delivered: *Provided*, That such a preference rating may be applied to obtain delivery of the following items which shall be considered as operating supplies obtainable under the provisions of this order:

(i) Sample cans used by an operator for the purpose of moving samples to laboratories.

(ii) Lead seals, box strapping, dunnage, and other materials used for any of these packaging purposes.

(iii) Material necessary for the further continued use of existing fabricated containers.

(d) Fuel, electric power or lubricants.

(e) Office machinery or office equipment.

(f) Paper, paperboard, and products manufactured therefrom—moulded pulp products:

*Provided*, That such a preference rating may be applied to obtain deliveries of the following items which shall be considered as operating supplies obtainable under the provisions of this order:

(i) Photographic and sensitized paper.

(ii) Tracing paper.

(g) Printed matter and stationery.

(h) Softwood lumber as defined in Conservation Order M-208.

#### PART 2—MATERIAL EXCLUDED FROM PROVISIONS OF THIS ORDER

(1) No operator may apply a preference rating assigned by or pursuant to this order to obtain delivery of any of the following material:

(a) Material or equipment which is to be used by consumer accounts for or in the storage or dispensing of petroleum, including liquefied petroleum gas.

(b) The material listed below where it is to be used in service station operations:

(i) Drills, reamers, and taps manufactured of high speed steel as defined in Supplementary Order M-21-h of the War Production Board.

(ii) Hack-saw blades manufactured of high speed steel as defined in Supplementary Order M-21-h of the War Production Board.

(iii) Hand service operating tools.

(iv) Precision measuring hand tools.

(v) Portable electric tools.

(c) Material or equipment which is to be used in transportation by mobile facilities: *Provided*, That such a preference rating may be applied to obtain delivery of Material:

(i) Where such material is to be used on a tank truck or trailer and is specialized petroleum material or equipment which is actually to be attached to the truck or trailer and is necessary to the containing, dispensing, measuring the movement of, or distributing of petroleum.

(ii) Where such material is to be used on railroad rolling stock and the rolling stock is owned or leased by the operator, used on his premises and in the petroleum industry, and is not under the jurisdiction of the Interstate Commerce Commission.

(iii) Where such material is to be used on marine equipment and the marine equipment

is used or chartered by the operator, is used on or in the vicinity of his premises and in the petroleum industry, and is not under the jurisdiction of the United States Maritime Commission, the Navy Department, or any other federal agency for the purpose of establishing methods by which material incident to the operation of the marine equipment may be made available.

[F. R. Doc. 43-5113; Filed, April 1, 1943; 5:05 p. m.]

#### PART 958—REPAIRS, MAINTENANCE AND OPERATING SUPPLIES

[Revocation of Preference Rating Order P-100]

Section 958.2 *Preference rating order P-100* is hereby revoked as of April 2, 1943, except that any serial numbered copy of said order issued to a producer located in the Dominion of Canada shall remain in effect until either (1) the same is specifically revoked, or (2) such producer becomes eligible to apply the ratings assigned by CMP Regulation No. 5.

Issued this 2d day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-5143; Filed, April 2, 1943; 11:45 a. m.]

#### PART 977—MANILA FIBRE AND MANILA CORDAGE

[General Conservation Order M-294 as Amended April 2, 1943]

##### WASTE MANILA ROPE

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

§ 977.6 *General Conservation Order M-294—(a) Definitions*. For the purpose of this order:

(1) "Waste manila rope" means used manila rope, which is acquired for any purpose whatsoever excepting only that which is acquired for reuse as rope. The material resulting from any shredding, parting or other type of separation of the strands or fibres of used manila rope shall be deemed to be "waste manila rope".

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

(3) "Permitted use" means with respect to each grade or type of paper designated on List A, the uses described for such paper on List A.

[Note: Paragraph (3) was former paragraph (4); former paragraph (3) revoked April 2, 1943]

(b) *Limitations on use of waste manila rope*. (1) From and after March 19, 1943, no person shall use waste manila rope as a raw material in the manufacture of any product or products other



than in the manufacture of rope or in the manufacture of paper.

(2) From and after March 19, 1943, no person shall use waste manila rope in the manufacture of any grade or type of paper other than the grades and types of paper shown on List A.

(c) *Limitation on use of grades and types of paper shown on List A.* From and after March 19, 1943, no person who accepts delivery of any quantity of any grade or type of paper shown on List A in which waste manila rope is used as a raw material shall use the same for any purpose or use other than the permitted uses for such grade or type of paper shown on List A, except that this restriction shall not apply to any grade or type of paper containing waste manila rope, manufactured prior to March 19, 1943.

(d) *Limitations on use of waste manila rope in the manufacture of flour and cereal sack papers.* (1) No person shall use waste manila rope in the manufacture of paper for flour or cereal products sacks to an extent in excess of 35% of the total fibre content of such paper; provided, however, that the amount of waste manila rope used by him in the manufacture of such paper during any one month shall not exceed 35% of the amount used by him in the manufacture of such paper during the month of December 1942.

(2) No person shall use waste manila rope in the manufacture of paper for flour or cereal products sacks on and after June 1, 1943.

(e) *Obligation to examine and refuse certain orders.* From and after March 19, 1943:

(1) No person using waste manila rope in the manufacture of the grades and types of paper shown on List A shall sell or deliver any such paper which he knows or has reason to know will be used for any purpose or use other than a permitted use.

[NOTE: Headnote of paragraph (e) amended April 2, 1943]

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

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

(h) *Records.* All persons affected by this order shall keep for at least two years records concerning inventory, production, purchases and sales.

(i) *Communications.* All reports required to be filed hereunder, all communications concerning this order or any schedule issued supplementary hereto shall, unless otherwise directed be addressed to War Production Board, Pulp and Paper Division, Washington, D. C., Ref: M-294.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any depart-

ment 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 2d day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### LIST A

Grade or type of paper	Permitted use
Insulating papers.....	In the manufacture of insulation for communication wiring and cables and for electrical wiring and cables.
Gasket base papers....	In the manufacture of gaskets.
Artificial leather base papers.	In the manufacture of artificial leather for delivery to shoe manufacturers.
Flour or cereal products sack papers.	For use in the manufacture of flour or cereal products sack papers for quantities of flour of 25 pounds or more.
Tag papers.....	In the manufacture of casualty tags, shipping tags, and identification tags for delivery to the Armed Forces.
Any grade or type of paper which cannot be satisfactorily produced from other fibres provided that the use of waste manila rope in the manufacture of such paper is specifically approved by the War Production Board.	For delivery to the Armed Forces or for use in the manufacture of material or equipment for delivery to the Armed Forces.

[F. R. Doc. 43-5141; Filed, April 2, 1943; 11:44 a. m.]

#### PART 1042—IMPORTS OF STRATEGIC MATERIALS

[General Imports Order M-63 as Amended April 2, 1943]

§ 1042.1 *General Imports Order M-63—(a) Definitions.* For the purposes of this order:

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

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental

United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

(6) Material shall be deemed "in transit" if it is afloat, if an on board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(7) "Governing date" with respect to any material means the date when such material first became subject to General Imports Order M-63.

(b) *Restrictions on imports of materials—(1) General restriction.* No person, except as authorized in writing by the War Production Board, shall purchase for import, import, offer to purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any material subject to this order after the governing date. The foregoing restrictions shall apply to the importation of any material subject to the order, regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such material. The materials subject to this order are those listed from time to time upon List I, List II, and List III attached hereto.

(2) *Authorization by War Production Board.* Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of them, shall make application therefor in duplicate on Form PD-222C, addressed to the War Production Board, Ref.: M-63, Washington, D. C. Unless otherwise expressly permitted, such authorization shall apply only to the particular material and shipment mentioned therein and to the persons and their agents concerned with such shipment; it shall not be assignable or transferable either in whole or in part.

(3) *Restrictions on financing of imports.* No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation of any material subject to this order after the governing date unless such bank or person has received either a copy of the authorization issued by the War Production Board, or, if the transaction comes within the exceptions set forth in paragraph (b) (4), an affidavit stating the facts which show the exception.

(4) *Exceptions.* Unless otherwise directed by the War Production Board, the restrictions set forth in this paragraph (b) shall not apply:



(i) To the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, or any agent acting for any such department, agency, or corporation; or

(ii) To any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency, or corporation; or

(iii) To any material which on the governing date was in transit to a point within the continental United States.

(iv) To materials imported by mail where the value of the shipment is less than \$100.00; or

(v) To materials consigned as gifts or as samples, or for use as samples, or imported for personal use, where the value of each consignment or shipment is less than \$200.00; or

(vi) To materials consigned as gifts for personal use by or to members of the Armed Services of the United States.

(vii) To any material on List I or List II imported by any person under any contract or other arrangement made before, or in existence on, the governing date and which, on December 28, 1942, was in transit to a point within the continental United States.

(c) *Restrictions on disposition of List I material.* Except as hereinafter specifically provided in paragraph (d) hereof:

(1) *Restrictions upon owners and consignees.* No owner or consignee of any material on List I which is imported after the governing date shall in any way, directly or indirectly:

(i) Dispose of any interest in such material;

(ii) Process or in any way change the physical condition of such material;

(iii) Transfer possession, or cause or permit a transfer of possession, of such material except to the port of entry and from the port of entry to the place of initial storage of such material; or

(iv) Change, or cause or permit a change of, the location of such material except to the port of entry and from the port of entry to the place of initial storage of such material.

*Provided:* That a consignee of such material may dispose of his interest in such material to the extent necessary to complete any commitment or contract made prior to the governing date. The person to whom he disposes of such interest shall be subject to all restrictions imposed upon owners by this order.

(2) *Restrictions upon banks and persons similarly situated.* No bank or other person which, as agent, pledgee, beneficiary under a trust receipt, or otherwise, has possession of or any interest in any written instrument evidencing any interest in any material on List

I shall in any way, directly or indirectly, dispose of any such interest, or transfer possession, or cause or permit a transfer of possession, of such instrument, unless:

(i) Such material was imported before the governing date; or

(ii) Such person neither knows nor has reason to know that such material was imported after the governing date; or

(iii) Such disposition or transfer is necessary to permit a consignee to make a permissible disposition of material in accordance with subparagraph (1) of this paragraph (c); or

(iv) Such disposition or transfer is made to the owner of the material and such owner has complied with all the provisions of this order.

(d) *Permissible disposition of List I materials — (1) Transfer to governmental agency.* Nothing contained in this order shall prohibit an owner or consignee of any material on List I imported after the governing date, or a bank or other person having possession of, or an interest in, a written instrument evidencing an interest in such material, from disposing of, or making any arrangement to dispose of, any interest in such material to the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation.

(2) *Authorization by War Production Board.* Notwithstanding the provisions of paragraph (c), an owner or consignee of material on List I imported after the governing date or a bank or other person having possession of or an interest in a written instrument evidencing an interest in such material, may process such material or may dispose of any interest in such material or any such written instrument, or transfer possession or change the location thereof, or cause or permit such a transfer of possession or change of location, upon written authorization by the War Production Board. Any such person may make application in duplicate for such an authorization on Form PD-22A, which form shall be addressed to the War Production Board. Ref.: M-63, Washington, D. C.

(3) *Exceptions.* The restrictions set forth in paragraph (c) shall not apply to any material after any United States governmental department, agency, or corporation becomes the owner thereof, and shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, and shall not apply to any material purchased or otherwise acquired from any United States governmental department, agency, or corporation.

(e) *Restrictions on disposition of List II or List III material.* Any material on List II or List III, which is imported after the governing date, may be sold, delivered, processed, consumed, purchased, or received without restriction

under this order, but all such transactions shall be subject to all applicable provisions of the regulations of the War Production Board and to all orders and directions of the War Production Board which now or hereafter may be in effect with respect to such material.

(f) *Reports—(1) Reports on customs entry.* No material which is imported after the governing date, including materials imported by or for the account of the Board of Economic Warfare, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person making the entry shall file with the entry Form PD-22B in duplicate. The filing of such form a second time shall not be required upon any subsequent entry of such material through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any material from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Division of Stockpiling and Transportation, Ref.: M-63, Washington, D. C.

(2) *Other reports.* All persons having any interest in, or taking any action with respect to, any material imported after the governing date, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(g) *Routing of communications.* All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington, D. C., Ref.: M-63.

(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 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.

(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.

Issued this 2d day of April 1943.

WAR PRODUCTION BOARD  
By J. JOSEPH WHELAN,  
Recording Secretary.



## LIST I

NOTE: List I was amended April 2, 1943.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (Issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below.

Material	Com- merce Import Class No.	Govern- ing date
Albarco logs.....	N. S. C.	1/18/43
Albarco lumber.....	N. S. C.	1/18/43
Alpaca, llama, and vicuña hair.....	3535.000- 3535.400	7/2/42
Asphalt.....	5078.100 5079.100 5394.000	7/2/42 7/2/42 7/2/42
Beef and mutton tallow—includes oleo stock.....	0036.000	5/22/42
Beef and mutton tallow (inedi- ble)—includes oleo stock.....	0815.000	5/22/42
Brazilian pebble (quartz crystals), unmanufactured.....	5120.000	10/6/42
Brazilian pebble (quartz crystals), manufactured and semimanu- factured in blanks, slabs, bars, etc.....	N. S. C.	10/6/42
Bristles, hog and pig.....	0917.000 0979.100	3/14/42 3/14/42
Cacahuanancho oil.....	N. S. C.	1/18/43
Cacahuanancho seeds.....	N. S. C.	3/5/43
Castor beans.....	2231.000	4/8/42
Cinchona bark or other bark from which quinine may be extracted.....	2201.000	5/22/42
Cod oil.....	0804.000	5/22/42
Coir fiber.....	3409.000	11/23/42
Coir yarn.....	3420.000	11/23/42
Coir manufactures, other than pile mats, floor coverings, matting, etc.....	N. S. C.	11/23/42
Columbium ore (columbite) or con- centrates.....	6270.300	4/8/42
Cottonseed oil, crude, refined.....	1423.100 1423.200	5/22/42 5/22/42
Divi-divi pods.....	3320.140	7/2/42
Divi-divi, hemlock, and chestnut extracts.....	2345.000	7/2/42
Flaxseed (linseed).....	2253.000	5/22/42
Goose down.....	N. S. C.	7/2/42
Graphite or plumbago: Amorphous, natural (except of Mexican origin).....	5750.100	4/8/42
Crystalline, flake.....	5750.500	12/28/41
Crystalline, crucible lump and chip graphite.....	5750.610	4/8/42
Crystalline, dust and other crystalline lump and chip graphite.....	5750.650	4/8/42
Hemp (Cannabis Sativa type only), unmanufactured.....	3263.000	9/11/42
Hacked, including "line of hemp".....	3263.200	9/11/42
Not hacked.....	3263.300	9/11/42
Hides and skins: Deer: buck or doe.....	0293.100	9/11/42
Horse mane and tail hair, raw and drawn, including switches.....	3694.000 3694.100	3/14/42 3/14/42
Ipecac crude and advanced in value or condition.....	2220.450 2220.170	1/18/43 1/18/43
Lac: crude, seed, button and stick.....	2105.000	4/8/42
Lard oil.....	N. S. C.	3/5/43
Lard (including rendered pork fat). Lard compounds and lard substi- tutes made from animal or vege- table oils and fats.....	0036.000 0036.100	3/5/43 3/5/43
Linseed oil, and combinations and mixtures, in chief value of such oil.....	2254.000 2320.180	5/22/42 7/2/42
Mangrove bark.....	2342.000	7/2/42
Mangrove extract (including Phil- ippine cutch).....	N. S. C.	8/21/42
Muru muru nut oil.....	2364.000	7/2/42
Myrobalan fruit and extract.....	2345.800	7/2/42
Neatsfoot oil and animal oils known as neatsfoot stock.....	0036.200	8/21/42
Oleo oil.....	1427.000	6/22/42
Peanut (ground nut) oil.....	1367.000	4/2/43
Shelled.....	1368.000	4/2/43
Not shelled.....	2202.000	10/21/42
Pyrethrum, or insect flowers, ad- vanced in value or condition.....	2220.310	10/21/42
Quebracho extract.....	2344.000	7/2/42
Quebracho wood.....	2305.000	7/2/42
Rapeseed.....	2237.000	5/22/42
Red squill.....	2210.650	10/21/42
Rotenone bearing roots (cube root (timbo or barbasco), derris and tuba), crude and advanced.....	2210.280 2210.300 2220.360 2220.370 2229.500	5/4/42 5/4/42 5/4/42 5/4/42 5/22/42
Rubber seed.....	N. S. C.	5/22/42
Rubber seed oil.....	6270.200	12/28/41
Rutile.....	0816.000	4/2/43
Seal oil.....	1428.200	7/21/42
Sesame oil, edible and inedible.....	2249.000	7/21/42
Sunflower oil, edible and denatured.....	1421.000	5/22/42
Sunflower seed.....	2240.000	5/22/42
Tanning extracts, not specially provided for (including arunday). Tantalum ore (tantallite).....	2345.600 2320.280	7/2/42 7/2/42
Tara.....	N. S. C.	5/21/42
Tucum oil.....	2307.000	7/2/42
Valonia beads and valonia extract.....	2345.100	7/2/42
Vermiculite.....	N. S. C.	3/5/43
Wattle bark.....	2309.000	7/2/42
Wattle extract.....	2345.500	7/2/42
Wool oil (other than sperm).....	0803.500	5/22/42
Wool grease, including degrass or brown wool grease (all grades).....	0813.200 0813.300 0813.500	5/22/42 5/22/42 5/22/42
Zirconium ore.....	6270.600	12/28/41

N. S. C.—No separate class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

## LIST II

NOTE: List II was amended April 2, 1943.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (Issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below.

Material	Com- merce Import Class No.	Govern- ing date
Agave manufactures and semi- manufactures: Sisal cordage, including cables, tared or untared, composed of 3 or more strands, each strand composed of 2 or more yarns.....	3417.010 3417.110	1/18/43 1/18/43
Carpet yarns of agave, dyed or undyed.....	N. S. C.	7/21/42
Cordage of agave fibers, other than sisal.....	N. S. C.	1/18/43
Cords and twines of agave fibers.....	N. S. C.	1/18/43
Fabrics woven of agave fiber.....	N. S. C.	9/11/42
Other manufactures of agave fibers.....	N. S. C.	1/18/43
Aluminum scrap.....	6502.300	6/1/42
Antimony.....	6650.000 6651.000 6651.100	12/28/41 12/28/41 12/28/41
Asbestos, unmanufactured (origi- nating in Rhodesia or Union of South Africa).....	5500.010 5500.020 5500.090 5500.300 5500.500 5501.000 5501.100 5501.900 5502.100	1/13/42 1/13/42 1/13/42 1/13/42 1/13/42 1/13/42 1/13/42 1/13/42 1/13/42
Babassu nuts and kernels.....	2239.130 2239.150	4/8/42 4/8/42
Babassu nut oil.....	2257.100	4/8/42
Balsa wood: Logs.....	4029.100	6/10/42
Sawn boards, planks, deals and sawn timber.....	4118.000	6/10/42

Material	Com- merce Import Class No.	Govern- ing date
Beryl ore or beryllium ore.....	6270.000	5/4/42
Beryllium oxide, carbonate and other beryllium salts.....	8380.963	5/4/42
Cashew nut kernel oil.....	2257.400	4/8/42
Cashew nut shell oil.....	2260.050	4/8/42
Castor oil.....	2260.020	4/8/42
Cattle, ox, and calf tail hair includ- ing switches.....	3696.100	7/2/42
Chrome ore (chromite).....	6213.100 6213.300 6213.500	12/28/41 12/28/41 12/28/41
Cocunut oil.....	2242.500	1/13/42
Coburne nuts and kernels.....	N. S. C.	4/8/42
Coburne nut oil.....	N. S. C.	9/11/42
Copper.....	6401.800 6417.100 6430.000	12/28/41 3/14/42 3/14/42
Copper and brass scrap.....	6418.300 6401.900 6418.100 6453.000 6760.020	6/1/42 12/28/41 7/2/42 6/1/42 6/1/42
Copper, brass, and bronze manufac- tures: Copper table, household, kitch- en, and hospital utensils, and hollow or flat ware, n. s. p. f.....	6430.050	4/2/43
Manufactures of copper, not plated with platinum, gold, or silver, n. s. p. f.....	6430.100	4/2/43
Brass blow torches, and incan- descent lamps operated by compressed air and kerosene or gasoline.....	6458.700	4/2/43
Brass table, household, kitchen, and hospital utensils, and hol- low or flat ware, n. s. p. f.....	6458.800	4/2/43
Manufactures of brass, not plated with platinum, gold, or silver, n. s. p. f.....	6458.900	4/2/43
Manufactures of bronze, not plated with platinum, gold, or silver, n. s. p. f.....	6459.900	4/2/43
Finished manufactures of copper, brass, or bronze, n. s. p. f.....	N. S. C.	4/2/43
Copra.....	2232.000	1/13/42
Corn or maize oil (edible).....	1422.000	5/22/42
Corundum and emery in grains, or ground, pulverized, or refined.....	5470.010	5/22/42
Corundum ore.....	5460.000	5/22/42
Cotton linters, munitions or chemi- cal grades only (Grades 3-6 ac- cording to Department of Agri- culture Classification).....	N. S. C.	4/8/42
Cotton yarns and fabrics: Airplane cloth, type MM.....	N. S. C.	8/21/42
Balloon fabric, type HH.....	N. S. C.	8/21/42
Balloon fabric, type SS.....	N. S. C.	8/21/42
Cotton rope for spinning mules.....	N. S. C.	11/23/42
Decating apron fabric.....	N. S. C.	11/23/42
English spun combed cotton yarn, single or plied, in counts of 58's and finer.....	N. S. C.	11/23/42
Filter cloth.....	N. S. C.	11/23/42
Grey tracing cloth fabric.....	N. S. C.	11/23/42
Lithograph moleskin cloth.....	N. S. C.	11/23/42
Printers moulton.....	N. S. C.	11/23/42
Tracing cloth.....	3970.000	8/21/42
Typewriter ribbon fabric.....	N. S. C.	8/21/42
Cottonseed hull fiber.....	N. S. C.	7/21/42
Flax, unmanufactured (all types): Hacked, including "dressed line".....	3261.000	7/2/42
Not hacked: Valued less than \$340 per ton.....	3262.500	4/8/42
Valued \$340 or more per ton.....	3262.600	4/8/42
Notis.....	3262.700	7/2/42
Tow.....	3262.800	5/4/42
Straw.....	3262.900	5/4/42
Glycerine, crude and refined.....	8290.000 8291.100	5/22/42 5/22/42
Goat and kid skin furs.....	6711.400	7/21/42
Hides and skins: Buffalo hides, dry and wet.....	0203.000	1/13/42
Cabretta skins or hair sheep skins.....	0203.100	1/13/42
Calf, dry and wet.....	0207.000	1/13/42
Cattle hides, dry and wet.....	0208.000	1/13/42
Goat and kidskins, dry and wet.....	0201.000	1/13/42
Kip, dry and wet.....	0202.000 0241.000 0242.000	1/13/42 7/2/42 7/2/42
Shearlings (includes dry and presalted skins).....	0205.000	1/13/42
Iron and steel scrap, fit only for remanufacture.....	6004.000 6004.100	6/1/42 6/1/42
Istle or Tampico fiber, manufac- tured in whole or in part (dressed) Istle or tampico fiber manufactures (including all istle products).....	3410.010 N. S. C.	3/5/43 11/23/42

\* Moved from List I 3/5/43.

1 Moved from List III 1/18/43.

2 Moved from List II 11/23/42.

3 Moved from List II 10/6/42.

4 Moved from List III 3/5/43.

5 Moved from List III 4/2/43.



Material	Com- merce import Class No.	Govern- ing date	Material	Com- merce import Class No.	Govern- ing date	Material	Com- merce import Class No.	Govern- ing date
Jute or tampo fiber, unmanu- factured (including fiber waste)	3405.000	3/14/42	Silver—Continued.			Annatto and annatto extracts	2320.000	7/2/42
Jute, unmanufactured	3241.000	10/6/42	Bullion, refined	6819.600	7/21/42	Argols, tartar and wine lees, and crude calcium tartrate	8329.000	7/2/42
Jute bags	3249.000	4/2/43	Coin, foreign	6819.800	7/21/42		8330.000	7/2/42
or sacks	3249.100	4/2/43	Sweepings and scrap, including silver sulphides	6819.900	7/21/42		8380.013	7/2/42
Jute butts, unmanufactured	3242.000	10/6/42	Semiprocessed items, valuable chiefly for silver content	N. S. C.	7/21/42	Balata, Massarunduba	N. S. C.	3/5/43
Kapok	3403.000	7/2/42	Compounds, mixtures and salts, valuable chiefly for silver con- tent	N. S. C.	7/21/42	Balata, Peruvian, F. A. Q., white	N. S. C.	3/5/43
Kyanite and sillimanite	6594.950	12/28/41	Sisal and benequen, unmanu- factured (includes flume tow and bagasse waste)	3401.000	1/18/43	Balsams, crude, not containing alcohol (except Canada balsam)	2141.000	7/2/42
Lead	6504.000	12/28/41	Sperm oil, crude, refined or other- wise processed	0803.000	5/22/42		2141.300	7/2/42
	6505.000	3/10/42		0803.100	5/22/42	Bananas, green or ripe	2141.400	7/2/42
	6505.100	12/28/41	Talc, steatite (magnesium silicate), containing not to exceed 1 1/2% lime and 1 1/4% ferric oxide			Barley malt	2141.500	7/2/42
	6506.100	1/9/42	Crude and unground	N. S. C.	11/23/42	Baskets and bags of wood, straw, etc.	2141.900	7/2/42
	6506.500	1/9/42	Ground, washed, powdered, or pulverized	N. S. C.	11/23/42		1301.000	7/2/42
	6506.900	6/1/42					1080.000	7/2/42
	6507.000	1/9/42	Tin				4221.000	7/2/42
	6509.000	1/9/42	Alloys, chief value tin, n. s. p. f. (including alloy scrap)	6551.900	6/1/42		4221.200	7/2/42
Loofa (Luffa) sponges	N. S. C.	8/21/42	Bars, blocks, pigs, grain or gran- ulated	6551.300	6/1/42		4221.500	7/2/42
Magnesium, metallic and scrap	6760.310	6/1/42	Metallic scrap (except alloyed scrap)	6551.500	6/1/42	Beans, dried	4221.600	7/2/42
Maguay or cantala, unmanu- factured	3409.200	1/18/43	Tin-plate scrap	6551.700	6/1/42	Beef and veal, pickled or cured	4221.900	7/2/42
Mahogany, dressed (sawed and not further manufactured than planed, tongued, and grooved)	4204.100	7/21/42	Tung oil (China wood oil)	6740.050	7/2/42	Beef, canned, including corned beef	1192.000	7/2/42
Mahogany furniture and prefabric- ated parts thereof	N. S. C.	3/5/43	Tungsten ore and concentrates	6740.100	1/13/42	Beeswax	0029.000	7/2/42
Mahogany logs	4031.000	7/2/42	Urena lobata fiber	6232.000	12/28/41		0028.000	7/2/42
Mahogany, rough (not further manufactured than sawed)	4202.100	7/21/42	Vanadium ore	6232.100	12/28/41		0029.000	7/2/42
Mercury-bearing ores and concen- trates	N. S. C.	4/8/42	Wool, apparel, finer than 44's	3521.100	7/2/42		0029.100	7/2/42
Mercury or quicksilver (metallic)	6662.000	12/28/41		3521.200	7/2/42		0029.200	7/2/42
Meshta fiber	N. S. C.	10/6/42		3521.300	7/2/42		0029.300	7/2/42
Metallic beryllium, caesium, lithi- um, and potassium	8380.870	5/4/42		3521.400	7/2/42		0029.400	7/2/42
Metallic mineral substances in crude form, not otherwise classi- fied (such as drosses, skimmings, residues, brass foundry ash, and flue dust)	6740.190	6/1/42		3521.500	7/2/42		0029.500	7/2/42
Mica	5560.700	3/14/42		3521.600	7/2/42		0029.600	7/2/42
	5560.800	3/14/42		3521.700	7/2/42		0029.700	7/2/42
	5560.910	3/14/42		3521.800	7/2/42		0029.800	7/2/42
	5560.920	3/14/42		3521.900	7/2/42		0029.900	7/2/42
	5560.930	3/14/42		3522.000	7/2/42		0029.100	7/2/42
	5560.940	3/14/42		3522.100	7/2/42		0029.200	7/2/42
	5560.950	3/14/42		3522.200	7/2/42		0029.300	7/2/42
	5560.960	3/14/42		3522.300	7/2/42		0029.400	7/2/42
	5560.970	3/14/42		3522.400	7/2/42		0029.500	7/2/42
	5560.980	3/14/42		3522.500	7/2/42		0029.600	7/2/42
	5560.990	3/14/42		3522.600	7/2/42		0029.700	7/2/42
	5561.000	3/14/42		3522.700	7/2/42		0029.800	7/2/42
	5561.700	7/21/42		3522.800	7/2/42		0029.900	7/2/42
	5561.800	3/14/42		3522.900	7/2/42		0029.100	7/2/42
	5561.810	3/14/42		3523.000	7/2/42		0029.200	7/2/42
	5561.820	3/14/42		3523.100	7/2/42		0029.300	7/2/42
	5561.830	3/14/42		3523.200	7/2/42		0029.400	7/2/42
	5561.850	3/14/42		3523.300	7/2/42		0029.500	7/2/42
	5561.860	3/14/42		3523.400	7/2/42		0029.600	7/2/42
	5561.870	3/14/42		3523.500	7/2/42		0029.700	7/2/42
	5561.880	3/14/42		3523.600	7/2/42		0029.800	7/2/42
	5561.890	3/14/42		3523.700	7/2/42		0029.900	7/2/42
	5561.900	3/14/42		3523.800	7/2/42		0029.100	7/2/42
	5561.910	3/14/42		3523.900	7/2/42		0029.200	7/2/42
	5561.920	3/14/42		3524.000	7/2/42		0029.300	7/2/42
	5561.930	3/14/42		3524.100	7/2/42		0029.400	7/2/42
	5561.940	3/14/42		3524.200	7/2/42		0029.500	7/2/42
	5561.950	3/14/42		3524.300	7/2/42		0029.600	7/2/42
	5561.960	3/14/42		3524.400	7/2/42		0029.700	7/2/42
	5561.970	3/14/42		3524.500	7/2/42		0029.800	7/2/42
	5561.980	3/14/42		3524.600	7/2/42		0029.900	7/2/42
	5561.990	3/14/42		3524.700	7/2/42		0029.100	7/2/42
	5562.000	3/14/42		3524.800	7/2/42		0029.200	7/2/42
	5562.010	3/14/42		3524.900	7/2/42		0029.300	7/2/42
	5562.020	3/14/42		3525.000	7/2/42		0029.400	7/2/42
	5562.030	3/14/42		3525.100	7/2/42		0029.500	7/2/42
	5562.040	3/14/42		3525.200	7/2/42		0029.600	7/2/42
	5562.050	3/14/42		3525.300	7/2/42		0029.700	7/2/42
	5562.060	3/14/42		3525.400	7/2/42		0029.800	7/2/42
	5562.070	3/14/42		3525.500	7/2/42		0029.900	7/2/42
	5562.080	3/14/42		3525.600	7/2/42		0029.100	7/2/42
	5562.090	3/14/42		3525.700	7/2/42		0029.200	7/2/42
	5562.100	3/14/42		3525.800	7/2/42		0029.300	7/2/42
	5562.110	3/14/42		3525.900	7/2/42		0029.400	7/2/42
	5562.120	3/14/42		3526.000	7/2/42		0029.500	7/2/42
	5562.130	3/14/42		3526.100	7/2/42		0029.600	7/2/42
	5562.140	3/14/42		3526.200	7/2/42		0029.700	7/2/42
	5562.150	3/14/42		3526.300	7/2/42		0029.800	7/2/42
	5562.160	3/14/42		3526.400	7/2/42		0029.900	7/2/42
	5562.170	3/14/42		3526.500	7/2/42		0029.100	7/2/42
	5562.180	3/14/42		3526.600	7/2/42		0029.200	7/2/42
	5562.190	3/14/42		3526.700	7/2/42		0029.300	7/2/42
	5562.200	3/14/42		3526.800	7/2/42		0029.400	7/2/42
	5562.210	3/14/42		3526.900	7/2/42		0029.500	7/2/42
	5562.220	3/14/42		3527.000	7/2/42		0029.600	7/2/42
	5562.230	3/14/42		3527.100	7/2/42		0029.700	7/2/42
	5562.240	3/14/42		3527.200	7/2/42		0029.800	7/2/42
	5562.250	3/14/42		3527.300	7/2/42		0029.900	7/2/42
	5562.260	3/14/42		3527.400	7/2/42		0029.100	7/2/42
	5562.270	3/14/42		3527.500	7/2/42		0029.200	7/2/42
	5562.280	3/14/42		3527.600	7/2/42		0029.300	7/2/42
	5562.290	3/14/42		3527.700	7/2/42		0029.400	7/2/42
	5562.300	3/14/42		3527.800	7/2/42		0029.500	7/2/42
	5562.310	3/14/42		3527.900	7/2/42		0029.600	7/2/42
	5562.320	3/14/42		3528.000	7/2/42		0029.700	7/2/42
	5562.330	3/14/42		3528.100	7/2/42		0029.800	7/2/42
	5562.340	3/14/42		3528.200	7/2/42		0029.900	7/2/42
	5562.350	3/14/42		3528.300	7/2/42		0029.100	7/2/42
	5562.360	3/14/42		3528.400	7/2/42		0029.200	7/2/42
	5562.370	3/14/42		3528.500	7/2/42		0029.300	7/2/42
	5562.380	3/14/42		3528.600	7/2/42		0029.400	7/2/42
	5562.390	3/14/42		3528.700	7/2/42		0029.500	7/2/42
	5562.400	3/14/42		3528.800	7/2/42		0029.600	7/2/42
	5562.410	3/14/42		3528.900	7/2/42		0029.700	7/2/42
	5562.420	3/14/42		3529.000	7/2/42		0029.800	7/2/42
	5562.430	3/14/42		3529.100	7/2/42		0029.900	7/2/42
	5562.440	3/14/42		3529.200	7/2/42		0029.100	7/2/42
	5562.450	3/14/42		3529.300	7/2/42		0029.200	7/2/42
	5562.460	3/14/42		3529.400	7/2/42		0029.300	7/2/42
	5562.470	3/14/42		3529.500	7/2/42		0029.400	7/2/42
	5562.480	3/14/42		3529.600	7/2/42		0029.500	7/2/42
	5562.490	3/14/42		3529.700	7/2/42		0029.600	7/2/42
	5562.500	3/14/42		3529.800	7/2/42		0029.700	7/2/42
	5562.510	3/14/42		3529.900	7/2/42		0029.800	7/2/42
	5562.520	3/14/42		3530.000	7/2/42		0029.900	7/2/42
	5562.530	3/14/42		3530.100	7/2/42		0029.100	7/2/42
	5562.540	3/14/42		3530.200	7/2/42		0029.200	7/2/42
	5562.550	3/14/42		3530.300	7/2/42		0029.300	7/2/42
	5562.560	3/14/42		3530.400	7/2/42		0029.400	7/2/42
	5562.570	3/14/42		3530.500	7/2/42		0029.500	7/2/42
	5562.580	3/14/42		3530.600	7/2/42		0029.600	7/2/42
	5562.590	3/14/42		3530.700	7/2/42		0029.700	7/2/42
	5562.600	3/14/42		3530.800	7/2/42		0029.800	7/2/42
	5562.610	3/14/42		3530.900	7/2/42		0029.900	7/2/42
	5562.620	3/14/42		3531.000	7/2/42		0029.100	7/2/42
	5562.630	3/14/42		3531.100	7/2/42		0029.200	7/2/42
	5562.640	3/14/42		3531.200	7/2/42		0029.300	7/2/42
	5562.650	3/14/42		3531.300	7/2/42		0029.400	7/2/42
	5562.660	3/14/42		3531.400	7/2/42		0029.500	7/2/42
	5562.670	3/14/42		3531.500	7/2/42		0029.600	7/2/42
	5562.680	3/14/42		3531.600	7/2/42		0029.700	7/2/



Material	Com- merce Import Class No.	Govern- ing date	Material	Com- merce Import Class No.	Govern- ing date	Material	Com- merce Import Class No.	Govern- ing date
Cotton, raw (all staple length).....	3001.000	7/2/42	Hides and skins—Cont.			Pimento (allspice), unground.....	1543.000	10/6/42
	3003.600	7/2/42	Sheep and lamb skins—Cont.			Pimento (allspice), ground.....	1550.130	10/6/42
	3003.700	7/2/42	Pickled fleshers, split, flesh side.	0234.100	7/2/42	Pony fur skins, undressed.....	0721.000	1/18/43
Cotton waste.....	3003.800	7/2/42	Pickled skinners, split, grain side.	0234.200	7/2/42	Pork, hams, shoulders, bacon, sau- sage; prepared, cooked, boned, canned, etc.....	0630.900	7/2/42
	3006.100	7/2/42	Slats, dry, no wool.....	0231.700	7/2/42		0631.900	7/2/42
	3006.200	7/2/42	Other woolled, (wool on) except shearings.....	0231.500	7/2/42	Rice, broken.....	1059.200	7/2/42
	3006.310	7/2/42	Honey.....	1654.800	7/2/42	Rye.....	1044.600	7/2/42
	3006.330	7/2/42	Hydrogenated or hardened oils and fats, vegetable or animal.....	2260.100	7/21/42	Salts derived from vegetable oils, animal oils, fish oils, animal fats and greases, not elsewhere speci- fied, or from fatty acids thereof.....	2260.260	7/21/42
	3006.600	7/2/42	Ilmenite (including ilmenite sand).....	0270.100	7/2/42	Sardines, in oil or in oil and other substances.....	0063.200	4/2/43
Cotton—Merino waste.....	3230.280	7/2/42	Iodine.....	8300.000	7/2/42		0063.300	4/2/43
Crabs, fresh or frozen, prepared or preserved.....	3230.890	7/2/42	Iron ore.....	8380.630	7/2/42	Sausage casings, sheep, lamb and goat only.....	0034.000	7/2/42
	9850.902	7/2/42	Lamb and sheep fur, except Car- acul and Persian lamb.....	0601.000	7/2/42	Sausage casings, other.....	0035.500	7/2/42
				2210.490	7/2/42	Sesame seed.....	2234.000	5/22/42
Cream, dried.....	0086.400	7/2/42	Leather, unmanufactured.....	0711.300	7/21/42	Soap (except Castile) and soap pow- der.....	8712.300	7/2/42
Dog food.....	0086.500	7/2/42		0300.100		Soap bark or quillays.....	8719.900	7/2/42
	0041.300	4/2/43		0345.900	7/2/42		inc.	
Egg albumen, dried.....	1190.700	7/2/42	Leche caspi (including crude sorva gum).....	2170.000	3/5/43	Sugar, cane.....	1610.820	7/2/42
Egg albumen, frozen, or otherwise prepared or preserved, n. s. p. f.....	1190.800	7/2/42	Lentils.....	0084.000	7/2/42		inc.	
Eggs (chicken), whole, in the shell.....	0094.000	3/5/43	Lignacoe oil or Bois de Rose.....	2170.000	3/5/43	Syrups and extracts for use in the manufacture of beverages.....	N. S. C.	3/5/43
Eggs, dried.....	0094.000	3/5/43	Limes.....	1199.000	7/2/42	Tallow, vegetable.....	2250.000	7/2/42
Eggs, frozen, or otherwise prepared or preserved, n. s. p. f.....	0091.000	3/5/43	Lobsters, canned and not canned.....	2280.270	7/2/42	Tankage (incl. cracklings, greave cakes, liver meal, meat meal, meat flour, meat scrap, etc.).....	0975.000	7/2/42
Eggs of poultry other than chicken, whole, in the shell.....	0088.500	3/5/43		1304.000	7/2/42	Tapioa, tapioa flour, and cassava (including mandocla flour).....	1228.000	7/2/42
Egg yolks, dried.....	0082.000	3/5/43		0083.000	7/2/42	Tea, not specially provided for.....	1321.000	7/21/42
Egg yolks, frozen, or otherwise pre- pared or preserved, n. s. p. f.....	0093.000	3/5/43		0084.000	7/2/42	Textile waste, not elsewhere speci- fied (incl. jute thread and flax, etc.).....	9850.905	7/2/42
Ergot.....	2210.330	10/6/42		1199.100	7/2/42		2501.000	7/2/42
Fatty acids, not specifically pro- vided for, derived from vegeta- ble oils, animal or fish oils, animal fats and greases, not elsewhere specified:				1540.000	10/6/42	Tobacco, unmanufactured.....	2610.000	7/2/42
Cottonseed oil.....	2260.220	5/22/42		1550.000	10/6/42		inc.	
Linseed oil.....	2260.210	7/2/42		1549.200	10/6/42	Tonka beans.....	1546.000	7/2/42
Soybean oil.....	2260.230	7/2/42		1550.100	10/6/42	Tops of hair other than camel's hair, mohair, and wool (includ- ing alpaca and vicuña), n. e. s.....	3560.500	1/18/43
Other, not elsewhere specified.....	2260.240	7/2/42		1550.100	10/6/42		2239.650	5/22/42
Fatty alcohols and fatty acids sul- phated, not elsewhere specified, and salts of fatty acids sulphated not elsewhere specified.....	2260.280	7/2/42		2210.570	7/2/42	Tucum nuts and kernels.....	2239.660	5/22/42
Fish scrap and fish meal.....	0076.000	7/2/42		1770.900	10/6/42	Tuna fish, fresh or frozen.....	0088.000	7/2/42
	8509.700	7/2/42					inc.	
Floor coverings:						Tuna fish, in oil or in oil and other substances.....	0065.200	4/2/43
Carpet and carpeting, mats, rugs, art squares, etc., of wool, n. s. p. f.....	3660.000	10/21/42				Turtles.....	0086.200	7/2/42
	3670.570	10/21/42				Vanilla beans.....	1545.000	7/2/42
	inc.					Vegetable ivory or tagua nuts.....	2911.000	7/2/42
Pile mats and floor coverings of cocoa fiber (coir fiber).....	3660.100	10/21/42				Vegetable oil foots, other than olive.....	N. S. C.	7/21/42
Pile mats and floor coverings of rattan.....	3660.300	10/21/42				Vegetable soapstock.....	N. S. C.	7/21/42
Matting and articles of cocoa fiber (coir fiber) or rattan.....	3663.000	10/21/42				Wool, advanced, n. e. s.....	3560.900	1/18/43
Floor coverings of grass or rice straw, not in chief value of cotton.....	3663.200	10/21/42					3566.000	
Textile floor coverings, other than wool, cotton, silk, rayon, etc., n. e. s.....	3663.600	10/21/42				Wool, apparel, 40's or coarser.....	3569.300	7/2/42
Fluorspar.....	5301.000	7/2/42					inc.	
	5301.100	7/2/42				Wool, apparel, finer than 40's, not finer than 44's on the skin.....	3514.000	7/2/42
Garlic.....	1205.000	7/2/42					3525.000	7/2/42
Ginger root unground, not pre- served or candied.....	1536.100	10/6/42				Wool, carpet.....	3502.300	7/2/42
Ginger root, ground, not preserved or candied.....	1550.080	10/6/42					inc.	
Glue, except glue size and fish glue (value—under 40¢ lb.).....	0940.100	7/2/42				Wool mungo.....	3553.900	11/23/42
Goat and kid hair except Angora (mohair) and Cashmere.....	3696.200	7/2/42					3553.700	7/2/42
Grapefruit and pomeles.....	1302.000	7/2/42				Wool press cloth waste.....	9850.903	7/2/42
Grapes, fresh (other than bothouse).....	1318.500	7/2/42				Wool rags.....	3554.000	11/23/42
Guano.....	8504.000	7/2/42				Wool shoddy and wool extract.....	3553.800	11/23/42
Gum arabic or senegal (Acacia gum).....	2161.000	10/21/42				Wool tops.....	3560.400	1/18/43
Gum ghatti.....	N. S. C.	10/21/42					3574.300	
Gum kaday (karaya) and talka.....	2163.000	10/21/42				Wool yarns and yarns of other hair.....	3574.600	1/18/43
Gum tragacanth.....	2162.000	10/21/42					inc.	
Gums, n. e. s., used in manufacture of chewing gum.....	N. S. C.	3/5/43				Yarns wholly or in chief value of Angora rabbit hair.....	3573.400-	1/18/43
	2238.000	5/22/42					3573.800	
Hempseed.....	2260.030	7/21/42					inc.	
Hempseed oil.....	0070.000	7/2/42						
Herring (including sprats, pilchards and anchovies), all types.....	0070.900	7/2/42						
	inc.							
Hibiscus cannabinus or ferox.....	N. S. C.	7/2/42						
Hide cuttings, raw.....	0990.800	7/2/42						
Hides and skins:								
Horse, colt, and ass.....	0211.100	7/2/42						
	0211.300	7/2/42						
	0212.100	7/2/42						
	0212.200	7/2/42						
	0212.300	7/2/42						
	0212.500	7/2/42						
Sheep and lamb skins, except shearings, cabrettas, etc.: Pickledskins, not split, no wool.....	0234.000	7/2/42						

N. S. C.—No separate class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

## INTERPRETATION 1

No authorization under paragraph (b) of the order is necessary for the release or withdrawal of materials on List II or List III from a free port, a free zone, or the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States regardless of the date when such materials first entered such place. The actual importation, which is the subject of restriction under paragraph (b), is deemed to have occurred before the question of release or withdrawal arises. Also, no authorization under paragraph (d) of the order is



necessary for the subsequent disposition, processing, or shipment of such released or withdrawn List II and List III materials.

As to List I materials which are similarly situated, no authorization under paragraph (b) of the order is necessary for their release or withdrawal from free port, free zone, or bonded custody, but authorization under paragraph (d) of the order is necessary for their subsequent disposition, processing, or shipment unless they are shipped in bond to Canada, Mexico, or some other foreign country, in which event the foreign destination is deemed to be the place of initial storage as such term is used in the order. (Issued June 30, 1942.)

#### INTERPRETATION 2

The following official interpretation is hereby issued by the War Production Board with respect to the meaning of the term "in transit" as defined in paragraph (a) (6) of General Imports Order M-63 (§ 1042.1) as amended:

By amendment dated December 17, 1942, the definition of material "in transit" was changed by adding the following clause, "or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States." The question has been raised as to the meaning of the term as applied to a case where the material on the governing date had been delivered to and accepted by a rail, truck, or air carrier on a through bill of lading for transportation to a specified port and from thence by boat to a point within the continental United States.

The material in the stated case is not deemed to be in transit within the meaning of the term as used in the order. If the material is to be carried to the port of arrival in the continental United States by ship, the material must have been afloat, or on board ocean bill of lading must have been issued with respect to it, on the governing date in order for it to be considered as having been in transit on such date.

Material which has been delivered to and accepted by a rail, truck, or air carrier on the governing date for transportation to a point within the continental United States is deemed to be in transit within the meaning of the term as used in the order only when the transportation specified in the bill of lading issued by such carrier calls for delivery of the material at the port of arrival in the continental United States by rail, truck, or air carrier, not by ship. (Issued March 5, 1943.)

[F. R. Doc. 43-5140; Filed, April 2, 1943; 11:44 a. m.]

#### PART 1119—METAL PLASTERING BASES AND METAL PLASTERING ACCESSORIES

[Supplementary Limitation Order L-59-b as Amended April 2, 1943]

Section 1119.3 *Supplementary Limitation Order No. L-59-b* is hereby amended to read as follows:

§ 1119.3 *Supplementary Limitation Order L-59-b—(a) Definitions.* For the purpose of this order:

(1) "Metal plastering base" means any expanded or sheet metal lath, woven or welded wire lath, wire cloth or wire fabric, or stucco mesh (with or without paper or other backing), and any combination of the foregoing, of the types thereof commonly used as base for the application of interior or exterior plaster or stucco, or as a combination form

and reinforcement for concrete or gypsum floor and roof slabs.

(2) "Metal plastering accessory" means any article (other than a metal plastering base, a nail, clip, or any device for holding plaster base other than metal plastering base), which is of a type commonly used as a guide, support, reinforcement or means of attachment for metal plastering bases, and which is made in whole or in part of metal including, but not limited to, the following: corner lath (cornerite), corner beads, base screed, corner bead clips, metal partition studs, floor and ceiling track for partitions, steel plastering shapes such as channels and rods, and concealed picture mold and trim to be applied before plastering.

(b) *General restrictions.* Notwithstanding any contract, agreement or preference rating:

(1) No person shall manufacture or fabricate any metal plastering base, except:

(i) To fill an order from or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration when such metal plastering base is authorized by the Army, Navy Munitions Board List of Prohibited Items for Construction Work, as amended, or as authorized as an exception to said list; or

(ii) Rib type metal lath suitable as a combination form and reinforcement for cast-in-place concrete or gypsum floor and roof slabs; or

(iii) For use by such person in the manufacture or assembly of, or for delivery to a manufacturer of

(a) Metal reinforced mineral wool insulating blankets, or

(b) Metal reinforced mineral wool insulating pipe coverings, or

(c) Metal reinforced filters, or

(d) Crude oil reduction equipment, or

(iv) Upon specific approval by the War Production Board upon application made by letter in triplicate addressed to War Production Board, Building Materials Division, Washington, D. C.

(2) No person shall manufacture or fabricate any metal plastering accessory.

(3) No person shall sell or deliver any metal plastering base or metal plastering accessory, except

(i) To fill an order from or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration when such metal plastering base is authorized by the Army, Navy Munitions Board List of Prohibited Items for Construction Work, as amended, or as authorized as an exception to said list; or

(ii) Rib type metal lath suitable as a combination form and reinforcement for cast-in-place concrete or gypsum floor and roof slabs, pursuant to preference ratings of AA-5 or better, and no person shall use rib type metal lath for any purpose other than as such combination form and reinforcement; or

(iii) To a person engaged in the manufacture or assembly of

(a) Metal reinforced mineral wool insulating blankets, or

(b) Metal reinforced mineral wool insulating pipe coverings, or

(c) Metal reinforced filters, or

(d) Crude oil reduction equipment,

but no such person engaged in such manufacture shall use such metal plastering base except in the manufacture or assembly of the materials set forth in this paragraph (b) (3) (iii) of Order L-59-b; or

(iv) Metal plastering base or metal plastering accessory in his possession prior to the 2nd day of April 1943; or

(v) Upon specific approval by the War Production Board, upon application made by letter in triplicate addressed to War Production Board, Building Materials Division, Washington, D. C.

(c) *Reports.* Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(d) *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.

(e) *Appeals.* Any appeal from the provisions of this order shall be filed on Form PD-500 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

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

(g) *Routing of correspondence.* Reports to be filed and communications concerning this order, other than appeals, shall be addressed to the War Production Board, Building Materials Division, Washington, D. C. Ref.: L-59-b. Issued this 2d day of April 1943.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 43-5145; Filed, April 2, 1943; 11:44 a. m.]

#### PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Interpretation 1 of CMP Reg. 3]

In § 3175.3 the provisions of paragraph (c) of CMP Regulation No. 3 with respect to the superiority of a rating with an allotment number over the same rating without an allotment number are subject to the provisions of Priorities Regulation No. 12 regarding reratings. The receipt of an allotment number against a delivery order previously rated without an allotment number is equivalent to a rerating of the delivery order.



Attention is called specifically to paragraph (1) of Priorities Regulation No. 12 which provides that a rerating takes effect as if the new rating had been applied or extended when the original rating was applied or extended, except that (1) there are restrictions on the diversion of items already completed or scheduled for completion in 15 days and (2) no person is required by reason of a rerating to terminate or interrupt a production schedule within 40 days after receipt of the rerating where such termination or interruption would result in a substantial loss in production.

Issued this 2d day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-5146; Filed, April 2, 1943;  
11:45 a. m.]

PART 3214—MEN'S, WOMEN'S, CHILDREN'S,  
AND INFANTS' HOSIERY

[General Limitation Order L-274]

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

§ 3214.1 *General Limitation Order L-274*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(b) *Definitions.* For the purposes of this order, unless otherwise expressly defined all trade terms shall have their usual and customary meanings.

(c) *Restrictions on the manufacture of certain types of hosiery.* (1) On and after May 15, 1943, no person shall put into production women's full-fashioned plain-knit hosiery, women's seamless, circular-knit hosiery, men's hosiery, or misses', children's or infants' hosiery, except in accordance with Schedules A, B, C, and D, which are a part of this order, or in paragraphs (c) (2), (c) (3) and (c) (4).

(2) Any person having a substantial number of machines which on May 15, 1943, or within one year prior thereto were in use to manufacture products referred to in paragraph (c) (1), but which cannot be used or converted to produce the products permitted by this order without a substantial allotment of critical materials for conversion, may, if he desires, so report in writing to the War Production Board, attention of Textile, Clothing and Leather Division, setting forth all pertinent facts. The War Production Board, if it determines that the output of such machines is necessary to maintain production at adequate levels,

may establish specifications for products to be manufactured with such machines, such specifications to apply to such products alone, and to supersede the applicable limitations of this order.

(3) The restrictions of paragraph (c) (1), and the schedules therein referred to, and any specifications established pursuant to paragraph (c) (2), do not apply to the manufacture of any hosiery for or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

(4) Any hosiery manufacturer may use to produce hosiery not permitted by this order any material which was in his inventory on April 2, 1943, and which with his existing machines he cannot use to manufacture products permitted by this order.

(d) *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.

(e) *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, Textile, Clothing & Leather Division, Washington, D. C. Ref.: L-274.

(f) *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.

(g) *Records.* All manufacturers affected by this order shall keep and preserve for not less than two years, accurate and complete records of production, type and poundage of raw materials consumed, and shipments made by date, quantity, and name of consignee.

Issued this 2d day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

SCHEDULE A

WOMEN'S FULL-FASHIONED HOSIERY

(a) This schedule does not apply to full-fashioned over-all cotton hosiery of any gauge, or to any so-called "Run-Proof" hosiery, or any mesh hosiery made on modified or full lace attachments, and the manufacture of such products is not restricted by this order. The schedule does not prohibit constructions of cotton, wool, continuous filament, or spun rayon yarn in any combination yarns.

(b) No person shall produce any women's full-fashioned rayon plain-knit hosiery unless it meets the minimum specifications shown on the following table:

Gauge	Welt		Leg		Minimum total courses	Heel and sole splicing	Toe equivalent to—
	Yarn	Minimum turns per inch	Rayon yarn	Minimum turns per inch			
30.....	150 den. rayon.....	8	150	8	1,190	100 den. or 120/2....	250 den.
30.....	70/2 cotton.....	8	150	8	1,150	100 den. or 120/2....	250 den.
42.....	150 den. rayon.....	8	150	8	1,240	100 den. or cotton....	250 den.
42.....	80/2 cotton.....	8	150	8	1,200	100 den. or cotton....	250 den.
42.....	150 den. rayon.....	8	100	20	1,340	100 den. or cotton....	200 den.
42.....	80/2 cotton.....	8	100	20	1,300	100 den. or cotton....	200 den.
45 or 48.....	150 den. rayon.....	8	100	20	1,400	100 den. or cotton....	200 den.
45 or 48.....	100/2 cotton.....	8	100	20	1,360	100 den. or cotton....	200 den.
45 or 48.....	100 den. rayon.....	10	75	25	1,450	100 den. or cotton....	200 den.
45 or 48.....	100/2 cotton.....	10	75	25	1,410	100 den. or cotton....	200 den.
51 and up.....	75 den. rayon.....	15	150	30	1,600	75 den. or cotton....	150 den.
51 and up.....	140/2 cotton.....	15	150	30	1,560	75 den. or cotton....	150 den.

<sup>1</sup> Can use only viscose rayon yarn qualifying as yarn of 50 denier or finer and having an average tenacity of 2.3 grams per denier or higher irrespective of elongation.

(c) The leg length shall be 29 inches with a 1½ inch tolerance plus or minus. Any person who manufactured proportioned length hosiery outside the tolerances permitted by this paragraph (c) in 1942 may apply to the War Production Board for permission to continue such manufacture. Such application shall be in writing, and shall set forth all pertinent facts. The War Production Board may take such action on such application as it may deem proper.

(d) The minimum length of the welt shall be 3½ inches and of the afterwelt 1½ inches.

(e) The minimum number of needles used in knitting hosiery shall be the full 14 inch bar less two needles at each end of the bar on all gauges.

(f) The minimum number of courses are to be counted in conventional or legger-foot construction, from the first course in the welt to the loose course in the heel; in single unit or rack-back constructions, from the first course in the welt to the course in the heel on which the widest course in the rack-back falls.

(g) The heel splicing shall measure 4½ inches from the bottom of the heel with a ½ inch tolerance, plus or minus.

(h) All seams shall be made with a minimum of 16 stitches to the inch and be made of a good quality two or three ply seaming yarn.



(l) Based on a 14 inch head, the maximum number of total flare and calf narrowings shall be:

39 gauge.....	40 narrowings.
42 gauge.....	42 narrowings.
45 gauge.....	44 narrowings.
48 gauge.....	46 narrowings.
51 gauge.....	50 narrowings.
54 gauge and up.....	Optional.

(j) The reinforcing yarn in the toe must start within 10 courses from the first toe narrowing.

(k) Where two-ply cotton yarns are specified the equivalent count in single yarns may be used.

(l) Plied ends of single rayon yarn may be used if they make the equivalent denier of yarns shown in the table.

(m) In single unit or rack-back construction the total minimum number of courses may be no more than 40 courses less than the minimums for conventional constructions shown in the above table.

(n) No lace bands, fancy designs or numerals are to be knit in welt or after-welt. No picot stitches are to be placed more closely than  $\frac{3}{4}$  inch apart except for the top  $\frac{1}{2}$  inch of the welt.

(o) No manufacturer shall put in dye or knit ingrain more than 7 basic body colors

for any six months spring (Jan. 1st-June 30th) or six months fall (July 1st-Dec. 31st) season and no more than five of these seven colors in any one style number in any corresponding six months period. In addition to the foregoing colors, white is also permitted.

#### SCHEDULE B

##### WOMEN'S SEAMLESS, CIRCULAR KNIT HOSIERY

(a) No manufacturer shall produce any women's seamless or circular plain-knit hosiery unless it meets the minimum specifications shown on the following table:

Needles	If cotton	Welt construction if rayon		Body or boot construction if rayon		Splicing yarns when used	Heel and toe yarns	Minimum total courses of all-over rayon construction		Total minimum courses if made with cotton welts	Minimum total courses if all-over cotton construction	
		Denier	Minimum twist	Denier	Minimum twist			Boot yarn	Total courses		Welt and boot yarn	Total courses
240 and below.....	20/2	150	Producers.....	150	Producers.....	50 denier rayon or 70/1 cotton.....	40/2	150	900	852	60/2	852
260.....	20/2	150	Producers.....	150	Producers.....	50 denier rayon or 80/1 cotton.....	50/2	150	960	912	70/2	960
280.....	20/2	150	Producers.....	150	Producers.....	50 denier rayon or 90/1 cotton.....	60/2	150	1,008	960	80/2	1,008
300.....	20/2	150	Producers.....	100	15 turns.....	50 denier rayon or 100/1 cotton.....	70/2	100	1,104	1,056	100/2	1,104
320.....	100/2	100	10 turns.....	100	15 turns.....	50 denier rayon or 100/1 cotton.....	80/2	100	1,152	1,104	120/2	1,200
340.....	120/2	100	10 turns.....	75	20 turns.....	50 denier rayon or 100/1 cotton.....	100/2	75	1,200	1,152	140/2	1,296
Above 340.....	140/2	100	10 turns.....	75	20 turns.....	None.....	140/2	75	1,320	1,296	140/2	1,356

(b) Where definite counts of cotton (but not rayon) yarn are specified in the table, no finer counts of cotton yarn may be used, but combination yarns of cotton and rayon, or cotton, rayon and wool mixed yarns, and coarser counts of cotton yarns, or spun rayon yarn of total equivalent denier or heavier may be used.

(c) Where two-ply cotton yarns are specified in the table the equivalent counts in single yarns may be used.

(d) The leg length of women's seamless hosiery shall be 30 inches with 1 inch tolerance plus or minus. All welts to finish 4 inches with  $\frac{1}{2}$  inch tolerance.

(e) The specified minimum total courses are to be counted from the first course in the welt to the end of the high splicing where the reciprocating motion is started for the heel.

(f) Mesh or tuck stitch constructions in women's circular knit hosiery are restricted to the following constructions:

(1) On single-end tuck stitch knitting, no finer than one end of 100 denier rayon yarn may be used in the leg on any machine regardless of number of needles.

(2) On double-end mesh knitting no finer than 75 denier rayon yarn may be used in the leg, on any machine regardless of number of needles.

(3) Minimum number of turns per inch in the rayon yarn in mesh or tuck stitch constructions are to be the same as shown in above table for plain knit constructions for similar deniers.

(g) All sole splicing yarns are prohibited in women's circular knit all-over cotton hosiery and in women's circular knit rayon hosiery when the main end is 100 denier rayon yarn or heavier.

(h) No manufacturer of women's circular knit hosiery shall put in dye or knit ingrain more than seven basic body colors for any one six months spring or fall season, and no more than five of these seven colors in any one style number in any corresponding six months period. In addition to the foregoing colors, white is also permitted.

#### SCHEDULE C

##### MEN'S HOSIERY

(a) The following limitations apply to men's hosiery but do not apply to the manufacture of men's work socks or bundle socks made of wool, part wool, or cotton.

(b) No manufacturer may produce in any mill fancy half-hose patterns which were not in actual production in such mill during the sixty-day (60) period immediately prior to April 2, 1943. Any machines that have been idle for this entire period may be set-up on patterns of the mill's choosing, but when so set-up, they are subject to the limitations of this clause.

(c) (1) In any six months period, no one mill shall put in dye or knit ingrain more than seven (7) basic colors and no more than five (5) of such seven basic colors in any one style, to which may be added white and three War Service colors.

(2) No limitations are placed upon the use of various colors in yarns used purely for decorative purposes in men's fancy half-hose.

(d) No men's half-hose are to be manufactured with any splicing or reinforcing yarn in the sole.

(e) The doubling, turning or welting or hemming of true ribbed tops in men's half-hose or those made on N-H or Komet machines is prohibited.

(f) No men's half-hose are to be manufactured with any mock-seams.

#### SCHEDULE D

##### MISSSES', CHILDREN'S AND INFANTS' HOSIERY

(a) No manufacturer shall put in production any fancy or novelty patterns or designs, not actually in production in the period between October 1st, 1942, and April 2, 1943.

(b) No manufacturer shall produce any children's half-socks in a foot-size larger than seven and one-half ( $7\frac{1}{2}$ ). Infants' ribbed long hose may not be produced in a foot-size exceeding  $5\frac{1}{2}$  or in a color other than white.

(c) (1) The total finished leg-length of all misses', children's, and infants' anklets either straight-up or cuff-top is not to exceed the measurements shown in Table #10 of

U. S. Commercial Standards, C. S. 46-40, as follows:

TABLE 10.—STANDARD LENGTHS OF ANKLETS (FOLDED AND SINGLE CUFFS)

Size	Number of needles	Size of cylinder (diameter)	Standard length	Tolerance
5-5½.....	120-160	Inches 2¼-2½	Inches 4	±¼
6-6½.....	120-180	2½-3	4½	±¼
7-7½.....	130-200	2½-3¼	5	±¼
8-8½.....	140-220	2½-3½	5½	±¼
9-9½.....	150-240	2½-3½	6	±¼
10-10½.....	160-240	3-3½	6	±¼
11-11½.....	120-180	3¼-3½	6	±¼

(2) No cuff may be turned down or folded more than once, and shall not be made of more than one thickness of fabric before folding.

(3) No top or cuff either straight-up or folded is to measure when finished more than two (2) inches in length.

(d) (1) No true-ribbed, topped-on anklets or anklets made on H-H or Komet machines, in sizes 8 and up are to be manufactured with other than straight-up tops. No cuff or turned tops.

(2) All folded down or cuff top anklets in sizes 8 and up are to be manufactured with sewed-on tops.

(e) No misses', children's or infants' hosiery shall be manufactured with any splicing or reinforcing yarn in the sole of the foot.

(f) In any six months period, no manufacturer of misses', children's or infants' hosiery shall knit or put in dye more than seven (7) basic body colors and, in staples, no more than six (6) of such basic colors in any one style and in novelties no more than four (4) of such basic colors in any one style. In addition to the foregoing colors, white is also permitted. No restriction is placed upon the use of any colored yarns in the manufacture of decorative stripes, designs and figures in any part of any misses', children's or infants' hosiery.

[F. R. Doc. 43-5144; Filed, April 2, 1943; 11:44 a. m.]



## PART 3236—QUINACRINE

[General Preference Order M-306]

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

§ 3236.1 *General Preference Order M-306*—(a) *Definitions.* (1) "Quinacrine" means the chemical compound of that name or the name "Quinacrine Hydrochloride U. S. P.", whether sold under either of such names or under a trade name (including the name "atabrine"). The term includes the chemical compound quinacrine in any medicinal tablet or other dosage form, except ampoules.

(2) "Producer" means any person who produces or imports quinacrine or has quinacrine prepared for him pursuant to toll agreement, or who makes quinacrine tablets or other dosage forms of quinacrine, except ampoules.

(b) *Restrictions on deliveries and use.*

(1) No producer shall deliver or use any quinacrine except as specifically authorized or directed by War Production Board. No person shall accept delivery of any quinacrine which he knows or has reason to believe is delivered in violation of this order.

(2) Authorizations or directions with respect to deliveries or use of quinacrine by producers in each calendar month will so far as practicable be issued by War Production Board prior to the commencement of such month (in the normal case on Form PD-602 filed pursuant to paragraph (c) (1)), but War Production Board may at any time issue directions to any person with respect to deliveries to be made or with respect to the use or uses which may or may not be made of quinacrine to be delivered or then on hand.

(3) In the event that any producer, after receiving notice from War Production Board with respect to a delivery of quinacrine which he is authorized or directed to make to any specific customer, shall be unable to make such delivery either because of receipt of notice of cancellation from such customer or otherwise, such producer shall forthwith give notice of such fact to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-306, and shall not, in the absence of specific authorization or direction from War Production Board sell or otherwise dispose of the quinacrine which he is unable to deliver as aforesaid.

(c) *Applications and reports.* (1) Each producer seeking authorization to deliver or use quinacrine during any calendar month, beginning with May 1943, shall file application on or before the 20th day of the preceding month. Application for authorization to deliver or use quinacrine, in April, 1943, shall be filed as many days as possible in advance of the proposed date of delivery or use. In any case, application shall be made

on Form PD-602 in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form PD-602 may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared of which three shall be filed with the War Production Board, Washington, D. C., Ref.: M-306, the fourth being retained for producer's files. At least one of the copies filed with War Production Board shall be manually signed by producer by a duly authorized official. Where the application is for authorization to deliver both un-compounded (bulk) quinacrine and quinacrine in tablet or other dosage form, one set of Form PD-602 shall be filed for deliveries of un-compounded (bulk) quinacrine and a second set of such Form PD-602 for deliveries of quinacrine in tablet or other dosage forms.

(iii) In the heading under "Name of material", specify "Quinacrine"; under "Grade", indicate whether un-compounded (bulk) or in dosage form (specifying particular dosage form); under "WPB Order No.", specify "M-306"; under heading "This schedule is for delivery to be made during month/quarter", 194., strike out the word "quarter" and specify the month and year during which deliveries covered by the application are to be made; under "Unit of measure", specify "pounds" (or number of tablets or other dosage units); under "Name of company", producer should specify his name and the address of the plant or warehouse from which he proposes to make shipment.

(iv) In Column 1, each producer who seeks authorization to deliver un-compounded (bulk) quinacrine to any other person in the applicable month for the manufacture of tablets or other dosage forms, will list the name and delivery destination of each such other person. In no other case, however, whether the product to be delivered is un-compounded (bulk) quinacrine or quinacrine in dosage form, is it necessary to list names and delivery destinations, but classes of customers will be lumped as provided in subparagraph (v).

(v) Except as provided in subdivision (iv), any order or orders falling within one of the following classes need not be itemized, but producer shall list in Column 1 the applicable class heading (viz. one of those specified in this subparagraph) and in each case will specify in Column 4, opposite the applicable class heading, the total quantity of quinacrine ordered for delivery to such class during the month to which the application relates:

Army  
Navy  
Maritime Commission  
War Shipping Administration  
Civilian  
Lend-Lease

Export other than Lend-Lease to (name country and show separate total for order for each country).

In Column 7, applicant will enter contract numbers applicable to orders placed by Branch of Service or Government Agency or, in case of purchase for export, the export license number, if any.

(vi) Where the application is for authorization to deliver un-compounded (bulk) quinacrine to another person for the manufacture of tablets or other dosage forms, producer will specify in Column 1a "Manufacture of \_\_\_\_\_" (specifying particular dosage form).

(vii) A producer requiring permission to use all or part of his own production of quinacrine (whether or not for use in the manufacture of tablets or other dosage forms) shall list his own name on Form PD-602 as a customer, specifying in Column 1a,

where that is the case, that his use is the manufacture of tablets or other dosage forms.

(viii) Each producer will fill out Table II in its entirety. In Column 8 under "Grade", producer will specify "un-compounded" or "tablets" or other dosage form.

(2) On or before the 5th day of each month beginning with May, 1943, each producer shall file Form PD-602, subject to the following special instructions:

(i) Two copies shall be prepared of which one shall be filed with War Production Board, Washington, D. C., Ref.: M-306, the second copy to be retained for producer's file. The filed copy shall be manually signed by producer by a duly authorized official. Where in the preceding month producer delivered both un-compounded (bulk) quinacrine and quinacrine in dosage forms, one Form PD-602 shall be filed for deliveries of un-compounded (bulk) quinacrine and a second Form PD-602 for deliveries of quinacrine in dosage form.

(ii) The same information shall be given as specified in paragraph (c) (1) (iii) hereof with the following change: under the heading "This schedule is for delivery to be made during the month/quarter", 194., strike out the words "to be" and "quarter" and specify the month and year preceding the month in which such Form PD-602 is filed.

(iii) In column 1, producer will list the name and delivery destination of each customer (exclusive of Army, Navy, Maritime Commission, War Shipping Administration, Lend-Lease or other person or agency, purchasing for export) to whom he delivered quinacrine in the preceding month, and in Column 4 will indicate the quantity delivered to each.

(iv) In all other respects, Form PD-602 will be left blank.

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue other and further directions with respect to preparing and filing Form PD-602.

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

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

(3) *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.

(4) *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 Pro-



duction Board, Chemicals Division,  
Washington, D. C.; Ref: M-306.

Issued this 2d day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-5142; Filed, April 2, 1943;  
11:44 a. m.]

## Chapter XI—Office of Price Administration

### PART 1340—FUEL

[RPS 88,<sup>1</sup> Amendment 88]

#### PETROLEUM AND PETROLEUM PRODUCTS

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.\*

Revised Price Schedule No. 88 is amended in the following respects:

1. Section 1340.159 (b) (14) is added to read as follows:

(14) *Heavy fuel oil, District 5 as defined by the Petroleum Administrator for War.* A seller's maximum price or prices at a particular shipping or delivery point in District 5 as defined by the Petroleum Administrator for War for (a) Pacific Standard No. 300 fuel oil having a viscosity of not less than 25 and not more than 60 seconds Saybolt Furol (at 122° F.) and for (b) Pacific Standard No. 400 fuel oil having a viscosity of not less than 60 seconds Saybolt Furol (at 122° F.) shall be the sum of his maximum price or prices established prior to April 1, 1943 under § 1340.159 (b) and 25 cents per barrel.

2. Section 1340.159 (d) (2) (i) is amended to read as follows:

(i) Where a contract for the sale of dry gas was in effect on May 1, 1942, the seller's maximum price to the same purchaser for deliveries of dry gas produced from the same source or sources as the dry gas covered by the contract shall not exceed the price that could be charged for such deliveries under the terms of the contract that was in effect on May 1, 1942: *Provided, however,* That where, under the terms of any contract in effect on May 1, 1942 between a seller and a purchaser, the price for dry gas was adjustable to the price of fuel oil, the seller's maximum price to such purchaser shall be computed by regarding the maximum price of fuel oil on May 1, 1942 as the price of such fuel oil.

This amendment shall become effective April 1, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5078; Filed, April 1, 1943;  
4:18 p. m.]

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

<sup>1</sup> 8 F.R. 3718, 3795, 3845, 3841.

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

[MPR 182,<sup>1</sup> Amendment 5]

#### KRAFT WRAPPING PAPERS AND CERTAIN BAG PAPERS AND CERTAIN BAGS

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.\*

Maximum Price Regulation 182 is amended in the following respects:

1. Section 1347.301 (b) (1) (iii) is added to read as follows:

(iii) Zone D ----- Same as Zone A in the Spokane trading area including Spokane and Pullman, Washington and Coeur d'Alene, Wallace, Moscow and Lewiston, Idaho. In the remainder of Zone D, no differential may be added, but maximum prices may be f. o. b. docks or cars Seattle, Tacoma and Vancouver in Washington, Portland in Oregon, San Francisco, Oakland, San Pedro, Long Beach or Wilmington in California, or f. o. b. cars Los Angeles, California, with no further freight allowance.

2. In § 1347.301 (b) (2) the next to the last sentence is amended to read as follows:

(Quantity includes the total weight of any combination of the grades listed in paragraph (a) of this section and § 1347.11 (a) (6) of Maximum Price Regulation No. 129, and the bags listed in § 1347.315 of this Regulation. \* \* \*)

3. Section 1347.301 (b) (7) (i) is amended to read as follows:

(i) Chipboard top and bottom ----- no differential.

4. Section 1347.301 (b) (7) (vi) is amended to read as follows:

(vi) Ream wrapping, sealing or banding ----- <sup>1</sup> 25¢

<sup>1</sup> Plus the actual cost in excess of 25¢.

5. Section 1347.301 (b) (9) is amended to read as follows:

(9) Differentials for colors other than tints, more costly finishes, excluding variety bag paper, special machine markings other than machine glazed striping or felt striping, brightness of over 35 to 50 G. E. inclusive, and test specifications definitely in excess of those herein defined, shall not be in excess of the minimum of each such differential that was actually charged or offered during the period of October 1 to October 31, 1941, inclusive. Within ten days after the first sale involving the application of any such differential subsequent to July 28, 1942, the seller shall submit to the Office of Price Administration, Washington, D. C., a report setting forth the amount of such differential, to what grade herein defined the differential was applied, a description

of the grade sold and the purpose to which it is to be put, and the estimated tonnage of such paper to be manufactured during the succeeding six months. Any changes in differentials already reported by manufacturers shall be reported to the Office of Price Administration in Washington, D. C., within ten days after the effective date of this Amendment No. 5. All such differentials used or reported shall be subject to adjustment or disapproval at any time by the Office of Price Administration.

6. Section 1347.311 Footnote 4 is amended to read as follows:

"Unbleached sulphate" means woodpulp produced by the sulphate process from either coniferous or broadleaf wood either bleached or unbleached to a General Electric brightness of 35 or less.

7. Section 1347.311 (a) (6) is amended to read as follows:

(6) "Standard kraft wrapping paper" means any machine finished wrapping paper 25 lb. basis weight or over, containing 50% or more unbleached sulphate<sup>1</sup> fibre and testing less than 86% of the basis weight Mullen Test under Standard TAPPI testing procedure. Wrapping papers 18 lb. to less than 25 lb. basis weight otherwise meeting these specifications shall be "No. 1 kraft wrapping paper".

8. Section 1347.311 (a) (7) is amended to read as follows:

(7) "No. 1 kraft wrapping paper" means any machine finished wrapping paper 18 lb. basis weight or over containing 100% unbleached sulphate<sup>1</sup> fibre and testing 86% and not more than 96% of the basis weight Mullen Test under Standard TAPPI testing procedure. All rolls and bundles must be stencilled or labeled with a designation including the words, "No. 1 kraft".

9. Section 1347.311 (a) (9) is amended to read as follows:

(9) "Imitation kraft wrapping paper" means any wrapping paper 18 lb. basis weight or over containing 60% or more of any one or any combination of waste paper, groundwood or screenings, but also containing 25% or more of unbleached sulphate<sup>1</sup> pulp or kraft waste, kraft screenings, or kraft clippings. All rolls and bundles must be stencilled or labeled with a designation including the words "Imitation kraft".

10. Section 1347.311 (a) (10) is amended to read as follows:

(10) "Standard unbleached kraft butchers wrapping paper" means any wrapping paper containing 85% or more unbleached sulphate<sup>1</sup> fibre testing less than 70% of the basis weight Mullen Test under Standard TAPPI testing procedure and possessing sizing, formation, etc., to make it suitable for butchers' use and sold for butchers' use.

11. Section 1347.311 (a) (11) is amended to read as follows:

(11) "No. 1 unbleached kraft butchers wrapping paper" means any wrapping

<sup>1</sup> 7 F.R. 5712, 6048, 7974, 8997, 8948, 9724, 10811.



paper containing 100% unbleached sulphate fibre testing not less than 70% of the basis weight Mullen Test under Standard TAPPI testing procedure, possessing sizing, formation, etc., to make it suitable for butchers' use and sold for butchers' use. All rolls and bundles must be stencilled or labeled with a designation including the words "No. 1 kraft butchers".

12. Section 1347.311 (a) (13) is amended to read as follows:

(13) "Standard kraft bag paper" means any paper 30 lb. basis weight or over containing 50% or more unbleached sulphate fibre and testing less than 96% of the basis weight Mullen Test under Standard TAPPI testing procedure, and shipped in rolls 20" or more diameter for conversion into grocery bags.

13. Section 1347.311 (a) (14) is amended to read as follows:

(14) "Variety kraft bag paper" means any machine finish paper 25 lb. basis weight or over containing 50% or more unbleached sulphate fibre and testing less than 96% of the basis weight Mullen Test under Standard TAPPI testing procedure and shipped in rolls 20" or more diameter for conversion into variety bags such as millinery bags, notion bags, liquor bottle bags, banana bags, doughnut bags, garment bags, pants bags, laundry bags, nail bags, shopping bags and sugar bags, excluding bags of specialty papers and transparent materials.

14. Section 1347.311 (a) (15) is amended to read as follows:

(15) "Machine glazed kraft bag paper" means any paper 18 lb. basis weight or over containing 50% or more unbleached sulphate fibre, glazed on one side by drying on a Yankee machine and shipped in rolls 20" or more diameter, for conversion into bags and testing less than 90% of the basis weight Mullen Test under Standard TAPPI testing procedure.

15. Section 1347.311 (a) (18) is amended to read as follows:

(18) Zone A means all the area of the continental United States east of the eastern boundaries of the states of New Mexico, Colorado, Wyoming, South Dakota and North Dakota, but including the cities of Sioux Falls, Yankton, Aberdeen, Huron, Brookings, Mitchell and Watertown, South Dakota, and Grand Forks, Fargo and Wahpeton, North Dakota.

16. Section 1347.311 (a) (21) is added to read as follows:

(21) Zone D means all the states of California, Oregon and Washington, and Coeur d'Alene, Wallace, Moscow and Lewiston, Idaho.

17. In § 1347.315 (b) the first line following the words "Millinery and notion bags" is amended to read as follows:

25# M. G. Brown stripe Kraft... 25-11/5s

18. Section 1347.315. Footnote 3 is hereby revoked.

19. Section 1347.315 (c) (1) (iii) is amended to read as follows:

(iii) Zone D. Same as Zone A in the Spokane trading area including Spokane and Pullman, Washington and Coeur d'Alene, Wallace, Moscow and Lewiston, Idaho. In the remainder of Zone D, no differential may be added, but maximum prices may be f. o. b. docks or cars Seattle, Tacoma and Vancouver in Washington, Portland in Oregon, San Francisco, Oakland, San Pedro, Long Beach or Wilmington in California, or f. o. b. cars Los Angeles, California, with no further freight allowance.

20. Section 1347.301 (c) (5) is hereby revoked.

21. Section 1347.315 (d) is amended to read as follows:

(d) Definitions. When used in this Amendment No. 3 the term:

22. Section 1347.315 (d) (5) is hereby revoked.

23. Section 1347.315 (d) (6) is hereby revoked.

24. Section 1347.315 (d) (7) is hereby revoked.

25. Section 1347.315 (d) (8) is hereby revoked.

26. In § 1347.317 List and Discount Table for Handle Shopping Bags is amended to read as follows:

LIST AND DISCOUNT TABLE FOR HANDLE SHOPPING BAGS

Size	Basis wt.	Net cost on \$100	14½ x 17½— 4¾		17 x 17½— 5¾		17 x 20— 5¾	
			70	80	70	80	70	80
List per M			36.50	40.00	41.00	43.50	43.50	46.55
1/5s.....	95.00	34.68	38.00	38.95	41.33	41.33	44.22	
2/5s.....	90.25	32.94	36.10	37.00	39.26	39.26	42.01	
3/5s.....	85.74	31.30	34.30	35.15	37.30	37.30	39.91	
4/5s.....	81.45	29.73	32.58	33.39	35.43	35.43	37.92	
5/5s.....	77.38	28.24	30.95	31.73	33.66	33.66	36.02	
6/5s.....	73.51	26.83	29.40	30.14	31.98	31.98	34.22	
7/5s.....	69.83	25.49	27.93	28.63	30.38	30.38	32.51	
8/5s.....	66.34	24.21	26.54	27.20	28.86	28.86	30.88	
9/5s.....	63.02	23.00	25.21	25.84	27.41	27.41	29.34	
10/5s.....	59.87	21.85	23.95	24.55	26.04	26.04	27.87	
11/5s.....	56.88	20.76	22.75	23.32	24.74	24.74	26.48	
12/5s.....	54.04	19.72	21.62	22.16	23.51	23.51	25.15	
13/5s.....	51.33	18.74	20.53	21.05	22.33	22.33	23.90	
14/5s.....	48.77	17.80	19.51	20.00	21.21	21.21	22.70	
15/5s.....	46.33	16.91	18.53	19.00	20.15	20.15	21.56	
16/5s.....	44.01	16.06	17.60	18.04	19.14	19.14	20.49	
17/5s.....	41.81	15.26	16.72	17.14	18.19	18.19	19.46	
18/5s.....	39.72	14.50	15.89	16.29	17.28	17.28	18.49	
19/5s.....	37.74	13.78	15.10	15.47	16.42	16.42	17.57	
20/5s.....	35.85	13.09	14.34	14.70	15.59	15.59	16.69	
21/5s.....	34.06	12.43	13.62	13.96	14.82	14.82	15.85	
22/5s.....	32.35	11.81	12.94	13.26	14.07	14.07	15.06	
23/5s.....	30.74	11.22	12.30	12.60	13.37	13.37	14.31	
24/5s.....	29.20	10.66	11.68	11.97	12.70	12.70	13.59	
25/5s.....	27.74	10.13	11.10	11.37	12.07	12.07	12.91	

This amendment shall become effective April 7, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5101; Filed, April 1, 1943; 4:24 p. m.]

# PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[MPR 336, Amendment 1]

## RETAIL CEILING PRICES FOR PORK CUTS

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.\*

The last sentence of section 6 of Maximum Price Regulation No. 336 is amended to read as follows:

If you display any pork cut, as in your show case, you must put on it your selling price for that cut.

This amendment shall become effective April 1, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5102; Filed, April 1, 1943; 4:24 p. m.]

# PART 1369—METAL ORES

[MPR 356]

## ROYALTIES ON COPPER, LEAD AND ZINC ORES

In the judgment of the Price Administrator it is necessary and proper to establish maximum royalties to be paid on the mining of copper, lead and zinc ores in order to ensure that money paid by the Metals Reserve Company under the Premium Price Plan shall not be dissipated but shall make possible greater production of copper, lead and zinc for the war effort. Such regulation is likewise necessary in order to restrain further increases in royalty payments which will so increase costs of production as to discourage the exploitation of marginal ores of copper, lead and zinc or compel the Metals Reserve Company, pursuant to the Premium Price Plan, to pay substantially larger amounts of public moneys in order to enable mine operators to bear the increased cost entailed in higher royalties.

The Administrator has given due consideration to royalties on the mining of copper, lead, and zinc ores which were charged and paid between October 1 and 15, 1941, and to relevant factors of general applicability. So far as practicable the Price Administrator has consulted with representatives of lessors and producers.

In the judgment of the Administrator the maximum royalties on copper, lead and zinc ores 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, as amended. A statement of the considerations involved in the issuance of this regulation, issued simul-

\*Copies may be obtained from the Office of Price Administration.  
18 F.R. 2859.



taneously herewith, has been filed with the Division of the Federal Register.\*

§ 1369.51 *Maximum prices payable on the mining of copper, lead and zinc ores.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 356 (Royalties on Copper, Lead and Zinc Ores), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1369.51 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 P.R. 7871.

MAXIMUM PRICE REGULATION 356—ROYALTIES ON COPPER, LEAD AND ZINC ORES

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Sec.

- 1 Royalties covered by this regulation.
- 2 Maximum royalties on copper, lead and zinc ores mined from properties or workings under lease on December 31, 1942.
- 3 Maximum royalties on copper, lead and zinc ores mined from properties or workings not under lease on December 31, 1942.
- 4 Records and reports.
- 5 Where this regulation applies.
- 6 Petitions for amendment.
- 7 Prohibition against paying or receiving higher than maximum royalties.
- 8 Enforcement.
- 9 Definitions.

SEC. 1 *Royalties covered by this regulation.* As the price paid for ores by a miner extracting them from land owned by another person is generally called a royalty, the maximum prices established by this regulation for copper, lead and zinc ores are stated in terms of the maximum royalties which may be paid by the miner of such ores (called the "lessee") or received by the party owning or controlling the mining property (called the "lessor"). The term "royalty," as used in this regulation, means the price or charge paid by the lessee for copper, lead or zinc bearing ores, or the metals contained therein, together with the right of removing the same. It is the charge or price received by the lessor for copper, lead or zinc bearing ores as they exist in the ground and is payable on those ores, or the metals contained therein, as they are mined and processed by the lessee.

This regulation covers royalties charged and paid for the mining of copper, lead and zinc bearing ores and is limited to cases (a) where the lessee pays to the lessor a definite sum for each unit (as per pound of metal or per ton of ore) mined or produced or (b) where the lessee pays to the lessor a part or percentage of the market price of the metals mined, smelter returns, or some other sum, so that the amount paid by the lessee is based on the amount of ore mined or metal produced.

This regulation does not apply to any case where the lessee pays a flat sum for the right to mine any quantity of ore which he may be able to remove from a property during a stated period and any such agreement shall not, for the

purposes of this regulation, be considered a lease. Neither does this regulation apply to the sale or grant of mineral rights for a fixed sum as distinguished from a lease granting the right to mine and carrying the obligations to pay for ore mined or metal produced. (This is true even though the purchase price is payable as royalty.) It does, however, apply to a royalty payable under a lease even though the lease contains or is accompanied by an option to purchase. This regulation applies to overriding royalties and to royalties payable under sub-leases as well as prime leases.

For the purposes of this regulation a mine, slag, or tailings dump is considered as ore in the ground and producing from a dump is considered as mining.

SEC. 2 *Maximum royalties on copper, lead and zinc ores mined from properties and workings under lease on December 31, 1942.* The maximum royalty which may be paid or received on copper, lead and zinc ores mined from any property or working which was under lease on December 31, 1942, shall be a royalty determined according to the terms of the lease in effect on December 31, 1942. A lease shall be considered to have provided for the payment of a royalty determined on the basis of premium or bonus money if during 1942, or within normal settlement time thereafter, a royalty so determined was in fact paid for ores mined during 1942 from the property or working covered by such lease. In no case, however, shall any royalty be calculated, paid or received on the basis of premium or bonus money in excess of 5¢ per pound of copper, 2¼¢ per pound of lead, and 2¼¢ per pound of zinc, which is received from the Metals Reserve Company pursuant to the Premium Price Plan or a special contract with the lessee. Where premium or bonus money is paid by the Metals Reserve Company on the basis of production of concentrates, equivalent figures shall be used in lieu of 2¼¢ per pound of lead and 2¼¢ per pound of zinc. As of the date of the issuance of this regulation \$41.80 per ton for 80% lead concentrates and \$29.70 per ton for 60% zinc concentrates are the equivalent figures for the Tri-State District.

The maximum royalty payable on copper, lead or zinc ores mined from any property or working shall be determined by the lease in effect on such property or working on December 31, 1942, even though a new lease has been, or may be, made or the lessor and lessee are, or may be, different from the parties to the lease which was in effect on December 31, 1942.

For the purposes of this regulation no property or working shall be considered to have been under lease on December 31, 1942, if the lease thereon was signed or executed prior to January 1, 1941, and no operational or developmental work was done on such property or working from January 1, 1941 to and including December 31, 1942.

As used in this section and hereafter a "property" means a mine or a group of mines operated as one producing unit and a "working" means a limited part of a single producing mine as a specified

level or limited area within a mine. In every case where a group of mines was covered by a single lease on December 31, 1942, that lease, for the purpose of this section, shall be considered as having been applicable to each mine separately as well as collectively.

The following are examples of maximum royalties determined on the basis of a lease in effect on December 31, 1942:

*Example 1.* A five year lease on Mine A was signed in 1939, which provided for a 10% royalty on net smelter returns. This property was mined under this lease through August 1942 but was closed the last four months of 1942.

The maximum royalty which may be paid on ore produced from Mine A is 10% of net smelter returns unless royalty was also paid on the basis of premium money during 1942. If royalty was paid on the basis of premium money received for production for any month from February through August 1942, royalty may be paid on the basis of the first series of premiums but not on the basis of premium money in excess of 5¢ per pound for copper or 2¼¢ per pound each for lead and zinc.

The above is true as to the maximum royalty payable on production from Mine A even though title to the mine or ownership of the lease has changed since the property was last mined.

*Example 2.* Mine B was under a lease on December 31, 1942, which provided for a royalty of 3% if combined lead and zinc assay was less than 5%, for 10% if 5 to 10% combined grade and for 15% if better than 10% combined grade. The combined assay for December 1942 was 8% and a 10% royalty was therefore paid under the lease.

If lead-zinc assay for April 1943 is 11%, the maximum royalty which may be paid is 15%. On the other hand, if the combined grade for April drops to 4.75%, the maximum royalty which may be paid is 3%.

*Example 3.* In August 1942 a five year lease on Mine C was signed, which provided for a 5% royalty until June 1, 1943 and a 10% royalty thereafter.

In April 1943 the maximum royalty which may be paid on ore produced from Mine C is 5%. For production in June 1943 and thereafter the maximum royalty will be 10%.

*Example 4.* In 1937 a ten year lease on Mine D was signed, which provided for a 12% royalty. There has been no mining or development of this property since 1938.

The maximum royalty which may be paid on ore produced from Mine D is not 12% but a royalty to be negotiated between the parties and approved by the Administrator as provided in section 3.

SEC. 3 *Maximum royalties on copper, lead and zinc ores mined from properties and workings not under lease on December 31, 1942.* The maximum royalty which may be paid or received on copper, lead or zinc ores mined from any property or working which was not under lease on December 31, 1942, shall be a royalty approved by the Administrator. No royalty shall, however, be calculated, paid or received on the basis of premium or bonus money in excess of 5¢ per pound for copper, 2¼¢ per pound for lead or 2¼¢ per pound for zinc, or equivalent figures if payment is on the basis of concentrates.

Every royalty covered by the provisions of this section must be reported by the lessor within 30 days after the effective date of this regulation or within 30 days after the lease providing for it has been

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



signed or executed. This report shall be made by letter addressed to the Non-Ferrous Metals Branch, Office of Price Administration, Washington, D. C., and the royalty reported may be approved or disapproved by a letter signed by the Price Executive of the Non-Ferrous Metals Branch. In approving or disapproving the royalty provisions of such lease, the Office of Price Administration will take account of the royalty provisions generally in effect for similar properties in the mining district in which the property is situated. Pending such approval or disapproval the lessee may pay and the lessor may receive royalty calculated according to the terms submitted for approval. Where a royalty is disapproved by letter, the Administrator will issue a formal order to the same effect if within 30 days any party to the lease requests him to do so.

The report called for by this section shall include (a) the name and address of the lessee and lessor, (b) the royalty terms submitted for approval, (c) a description of the property as to name and location, (d) a statement of royalty rates paid during the last operation of the property, (e) a list of the major items of equipment owned by the lessor to be used by the lessee, (f) a list of the workings in the property to be used by the lessee, (g) a statement describing any ore reserves in the property to be worked by the lessee with respect to tonnage and grade thereof and the cost, if any, to the lessor of the development of those ore reserves and the dates between which such cost was incurred, (h) a statement that the property or working was not under lease on December 31, 1942. This report may be made by the lessee as agent for the lessor.

**SEC. 4 Records and reports.** (a) On and after April 1, 1943, every person paying or receiving any royalty on copper, lead or zinc ores shall keep for inspection by the Office of Price Administration, for so long as the Price Control Act of 1942 remains in effect, complete and accurate records of each such payment and receipt showing (1) the amount and date thereof, (2) the names and addresses of the parties, (3) the source of the ore on which such royalty is paid and the period during which it was mined, and (4) a copy of the lease under which the payment was made.

(b) Persons affected by this regulation shall submit such reports to the Office of Price Administration as it may from time to time require.

**SEC. 5 Where this regulation applies.** This regulation shall apply only to the forty-eight states and the District of Columbia.

**SEC. 6 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<sup>1</sup> issued by the Office of Price Administration.

<sup>11</sup> 7 F.R. 8961; 8 F.R. 3313.

**SEC. 7 Prohibition against paying or receiving higher than maximum royalties.** (a) On and after April 1, 1943, regardless of any contract, agreement, lease or other obligation, no person shall pay or receive any royalty in excess of the maximum royalty permitted by this regulation and no person shall agree or offer to pay or receive such royalty. This regulation shall not, however, apply to any royalty paid by reason of ores or concentrates shipped to a custom mill or smelter prior to April 1, 1943.

(b) Any practice or device which is an attempt to get the effect of a royalty higher than the maximum without actually charging a higher royalty is prohibited and is as much a violation of this regulation as an outright excessive royalty.

(c) No person operating a custom mill or smelter, and no paying officer thereof, shall be subjected to any liability under this regulation by reason of any disbursement of funds to lessors and lessees when the person disbursing such funds is serving as a paying agent and has no interest in the funds.

(d) Royalties lower than the maximum royalties permitted by this regulation may be paid or received.

**SEC. 8 Enforcement.** Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

**SEC. 9 Definitions.** (a) When used in this regulation the term:

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

(2) "Royalty" means the price paid on the mining of copper, lead or zinc ores as defined and limited in Sec. 1.

(3) "Copper, lead or zinc ore" means any ore mined from (i) a property or working on which a quota for copper, lead or zinc is established under the Premium Price Plan for Copper, Lead and Zinc or from (ii) a property or working which is being mined pursuant to a special contract with the Metals Reserve Company, or some other governmental agency, which contract is for the purchase of copper, lead or zinc, or ores or concentrates containing these metals.

(4) "Premium or bonus money" means any money paid by the Metals Reserve Company pursuant to the Premium Price Plan for Copper, Lead and Zinc. It likewise includes any money paid by the Metals Reserve Company, or other governmental agency, pursuant to a special purchase contract to the extent that such purchase price is designed to and does exceed the current market price for such copper, lead or zinc ores, concentrates or metals in the locality where delivery is made. It does not include any part of the price which may be paid by the Metals Reserve Company pursuant

to a published price schedule applicable to all sellers of such material.

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

#### Effective Date

This regulation shall become effective April 1, 1943.

**NOTE.** All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5103; Filed, April 1, 1943; 4:20 p. m.]

#### PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 11,<sup>1</sup> Amendment 56]

#### FUEL OIL RATIONING REGULATIONS

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

Ration Order No. 11 is amended in the following respects:

1. Section 1394.5001 (a) (15) is amended by inserting a comma after the phrase "any other liquid petroleum product" and by inserting after the comma the phrase "except used lubricating oil whether or not re-refined."

2. Section 1394.5503 (c) is amended by adding after the period at the end of the paragraph the sentence "If such coupon sheet was issued as a ration for heat or both heat and hot water, however, it need not be so surrendered until application is made for a ration for the same purpose for the next heating year."

3. Section 1394.5503 (h) is amended by inserting the parenthetical phrase "(other than for heat or both heat and hot water)" between the phrase "the current ration" and the phrase "after the expiration date thereof."

This amendment shall become effective on April 6, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507; Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-0, 7 F.R. 8418; E.O. 9125, 7 F.R. 2719)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5079; Filed, April 1, 1943; 4:19 p. m.]

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

<sup>1</sup> 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9478, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 1466, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977, 1204, 1235, 1282, 1681, 1636, 1859, 2194, 2432, 2598, 2781, 2730, 2887, 2942, 2993, 2887, 3106, 3521, 3628, 3733.



**PART 1401—SYNTHETIC TEXTILE PRODUCTS**  
[Correction to MPR 339<sup>1</sup>]

**WOMEN'S RAYON HOSIERY**

In the first part of Table 4 of Appendix C (§ 1401.116 (b) (4) (i)), the price for 360 needle count and higher of seconds, grade B, is corrected to read "2.50" instead of "3.50."

In the second part of Table 4 of Appendix C (§ 1401.116 (b) (4) (ii)), the price for 280 needle count, irregulars, premium constructions, is corrected to read "2.72" instead of "7.72."

This correction shall become effective April 15, 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5082; Filed, April 1, 1943;  
4:24 p. m.]

**PART 1412—SOLVENTS**  
[MPR 28,<sup>2</sup> Amendment 1]

**ETHYL ALCOHOL**

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.\*

Maximum Price Regulation 28 is amended in the following respects:

1. Section 1412.263 (b) (1) (ii) is amended by inserting after the phrase "To the maximum tank car price for 100 gallons," the phrase "of the undenatured ethyl alcohol being used," and deleting the phrase "of SD2B ethyl alcohol (\$48.00 in the case of fermentation ethyl alcohol and \$24.50 in the case of synthetic ethyl alcohol)."

2. The first sentence in § 1412.263 (h) (1) is amended by deleting the phrase "having a capacity of less than 15,000 gallons per day and."

3. The last sentence in § 1412.263 (h) (2) is amended to read as follows:

The prices for each succeeding calendar quarterly period shall be computed on the basis of the actual cost items for the preceding period, except that the costs of grain used in the production of the ethyl alcohol may be computed on the basis of the estimated grain costs for the period for which prices are being determined, in which case the report shall state that grain costs are estimated and shall give the basis of the calculation of the estimated costs.

4. A new § 1412.263 (i) is added as follows:

(i) For the purposes of this regulation, whenever a sale of ethyl alcohol is made

by one manufacturer, and ethyl alcohol of another manufacturer is actually delivered in accordance with or pursuant to an order or request of the Office of Defense Transportation, the transaction may be treated as if delivery had been made of ethyl alcohol produced by the manufacturer making the sale, and a price may be charged not in excess of the maximum price established for such ethyl alcohol, except that no purchaser may be required to pay any transportation expenses not actually incurred.

This amendment shall become effective as of February 27, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5081; Filed, April 1, 1943;  
4:25 p. m.]

**PART 1499—COMMODITIES AND SERVICES**  
[SR 14<sup>1</sup> to GMFR<sup>2</sup>, Amendment 149]

**TRANSPORTATION OF COAL IN BARGES ALONG THE ATLANTIC COAST**

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.\*

On item in subparagraph (5) or paragraph (a) of § 1499.73 is amended to read as set forth below:

§ 1499.73 *Modification of maximum prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services and transactions.* (a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services and transactions listed below are modified as hereinafter provided:

(5) *Transportation of coal in barges along the Atlantic Coast.* (i) Maximum prices for the transportation of coal in barges along the Atlantic Coast between the origins and destinations referred to below by carriers other than common carriers within the exemption conferred by section 302 (c) (2) of the Emergency

<sup>1</sup> 7 F.R. 5486, 5709, 5911, 6008, 6271, 6369, 6473, 6477, 6774, 6775, 6776, 6793, 6887, 6892, 6939, 6965, 7011, 7012, 7203, 7250, 7289, 7365, 7400, 7401, 7453, 7510, 7511, 7535, 7536, 7538, 7604, 7671, 7739, 7812, 7914, 7946, 8024, 8199, 8237, 8351, 8358, 8524, 8652, 8707, 8881, 8899, 8950, 8953, 8954, 8955, 8959, 9043, 9196, 9391, 9397, 9495, 9496, 9639, 9786, 9901, 9910, 10069, 10111, 10022, 10150, 10231, 10294, 10346, 10381, 10131, 10480, 10537, 10705, 10557, 10583, 10865, 11005; 8 F.R. 276, 439, 494, 535, 589, 863, 876, 878, 980, 1030, 9900, 1121, 1142, 1279, 1383, 1589, 1455, 1460, 1633, 1467, 1813, 1894, 1978, 2041, 1895, 2035, 2157, 2041, 2718, 2343, 2354, 2274, 2346, 2507, 2665, 2760, 2877, 2878, 2886, 2996, 2872, 2888, 3176, 3209, 3254, 3321, 3185, 3360, 3420, 3322, 3616, 3631, 3633, 3673.

<sup>2</sup> 8 F.R. 3096.

Price Control Act of 1942 shall be as follows:

**MAXIMUM RATES FOR TRANSPORTATION OF COAL IN BARGES**

From New York to:	Weight of cargo in net tons per barge				
	700 or less	Over 700 but not over 1,200	Over 1,200 but not over 1,800	Over 1,800 but not over 2,600	Over 2,600
Portland, Maine (Fort McKinley).....	3.55	3.40	3.15	3.00	2.70
.....	.....	.....	.....	.....	.....

This amendment shall become effective April 7, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5083; Filed, April 1, 1943;  
4:24 p. m.]

**PART 1499—COMMODITIES AND SERVICES**  
[SR 14 to GMFR,<sup>1</sup> Amendment 150]

**SALES OF GREASE BY INDEPENDENT COLLECTORS**

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.\*

Supplementary Regulation 14 to the General Maximum Price Regulation is amended in the following respects:

1. Section 1499.73 (a) (3) (ii) (d) is amended to read as follows:

(d) Six cents per pound on sales by an independent collector to a renderer of grease collected in those areas in which an independent collector or renderer collected fat bearing or oil bearing waste materials during the period from May 1, 1942 to July 6, 1942, inclusive. This maximum price of six cents per pound shall be the maximum price of the grease delivered to the renderer, except that where the grease is shipped to the renderer by common carrier, the maximum price shall be six cents per pound f. o. b. point of shipment.

2. Section 1499.73 (a) (3) (ii) (e) is added to read as follows:

(e) Seven cents per pound on sales by an independent collector to a renderer of grease collected in those areas in which no independent collector or renderer collected fat bearing or oil bearing waste materials during the period from May 1, 1942 to July 6, 1942, inclusive. If the grease is not picked up by the renderer at the place of business of the independent collector but is shipped to the renderer with the cost of transportation being paid by the independent collector, the

<sup>1</sup> 8 F.R. 3096.

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

<sup>1</sup> 8 F.R. 2930, 3215.

<sup>2</sup> 8 F.R. 2339.



actual cost of transportation may be added to the maximum prices herein specified.

This amendment shall become effective April 7, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5100; Filed, April 1, 1943;  
4:24 p. m.]

PART 1499—COMMODITIES AND SERVICES  
[Order 356 Under § 1499.3 (b) of GMPR]

NEHI CORPORATION

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

§ 1499.1792 *Approval of maximum prices for sales of new Royal Crown Cola concentrate by Nehi Corporation of Columbus, Georgia.* (a) On and after April 2, 1943 the maximum price for new Royal Crown Cola concentrate sold by Nehi Corporation of Columbus, Georgia shall be \$12.00 per unit f. o. b. Columbus, Georgia, such unit being the amount of concentrate that will produce 1664-12 ounce bottles of finished Royal Crown Cola by Nehi Corporation's standard bottling formula.

(b) Nehi Corporation shall apply to its maximum price for new Royal Crown Cola concentrate the same discounts, allowances, price differentials and terms with respect to payment of transportation charges as it customarily applied in March 1942 to its sales of its former Royal Crown Cola concentrate, unless a change therein results in a lower selling price.

(c) Before or at the time of its first delivery of new Royal Crown Cola concentrate to any purchaser Nehi Corporation shall give a written notification to such purchasers as follows:

OPA has authorized us to sell new Royal Crown Cola concentrate at a maximum price of \$12 per unit f. o. b. Columbus, Georgia. Such unit is an amount of concentrate that will produce 1664-12 ounce bottles of finished Royal Crown Cola by our standard bottling formula. Discounts, allowances, price differentials and terms with respect to payment of transportation charges are to be the same as those customarily applied in March 1942 to our sales of the former Royal Crown Cola concentrate unless a change therein results in a lower price. Your ceiling prices for sales of Royal Crown Cola are not affected by this authorization. OPA requires you to keep this notification for examination.

(d) This Order No. 356 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 356 (§ 1499.1792) shall become effective as of April 2, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5105; Filed, April 1, 1943;  
4:18 p. m.]

No. 66—5

PART 1499—COMMODITIES AND SERVICES

[Order 358 Under § 1499.3 (b) of GMPR]

LIBBY, McNEILL & LIBBY

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

§ 1499.1794 *Authorization of maximum price for sales by Libby, McNeill & Libby of olives packed in a new style and a new container.* (a) On and after April 2, 1943 Libby, McNeill & Libby, Chicago, Illinois, may sell and deliver its "Libby's 24/303 Green Ripe Olives" in 9¼ ounce glass containers at a price, f. o. b. factory, no higher than \$2.06 per dozen.

(b) Libby, McNeill & Libby shall apply to its maximum selling price of "Libby's 24/303 Green Ripe Olives" in 9¼ ounce glass containers the same discounts, allowances and price differentials which it customarily applies to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in a lower selling price.

(c) Until the Office of Price Administration issues a new general regulation governing the sale of this item by wholesalers and retailers, sellers at wholesale and retail of "Libby's 24/303 Green Ripe Olives" in 9¼ ounce glass containers shall determine their maximum selling prices in accordance with the provisions of section 1499.3 (a) of the General Maximum Price Regulation.

(d) On and after April 2, 1943, and until the Office of Price Administration issues a new general regulation governing the sale of this item by wholesalers and retailers, Libby, McNeill & Libby shall supply written notifications to wholesalers and retailers of "Libby's 24/303 Green Ripe Olives" in 9¼ ounce glass containers, as follows:

(1) Before or at the time of the first delivery to each of its purchasers, Libby, McNeill & Libby shall supply to such purchaser a written notification including the following appropriate statements:

*Notification from Libby, McNeill & Libby to Purchasers.* The OPA has authorized us to charge the following price for "Libby's 24/303 Green Ripe Olives" in 9¼ ounce glass containers:

\$2.06 per dozen containers, subject to the same discounts, allowances and price differentials which we customarily apply to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in a lower selling price.

Until the Office of Price Administration issues a new general regulation governing the sale of this item by wholesalers and retailers, sellers at wholesale and retail are required to determine their maximum selling prices in accordance with the provisions of § 1499.3 (a) of the General Maximum Price Regulation. A copy of a notification for retailers is included in or on every shipping unit of the item. OPA requires that you keep this notice for examination.

(2) With every shipping unit of the item, Libby, McNeill & Libby shall include, for each dozen containers, a written notification to retailers. If such re-

tailer's notification is enclosed with the containers in a case, package or carton, a legend shall be affixed to such case, package or carton to read "Retailer's Notice Enclosed". The written notification to retailers shall include the following appropriate statement:

*Notification from Libby, McNeill & Libby to Retailers.* The OPA requires that, until it issues a new general regulation governing the sale of this item by wholesalers and retailers, sellers at wholesale and retail of "Libby's 24/303 Green Ripe Olives" in 9¼ ounce glass containers shall determine their maximum selling prices in accordance with the provisions of § 1499.3 (a) of the General Maximum Price Regulation.

(e) This Order No. 358 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 358, § 1499.1794, shall become effective April 2, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5106; Filed, April 1, 1943;  
4:18 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 359 Under § 1499.3 (b) of GMPR]

THE QUAKER MAID COMPANY, INC.

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

§ 1499.1795 *Authorization of maximum prices for sales of "Ann Page" Frozen Baked Beans in 16 ounce cartons, 24 to a case by The Quaker Maid Company, Inc., New York, New York, and by retailers.* (a) On and after April 2, 1943, the maximum delivered selling price for "Ann Page" Frozen Baked Beans in 16 ounce round cartons packed 24 to a case by The Quaker Maid Company, Inc., having its principal place of business at 420 Lexington Avenue, New York, New York, shall be \$2.66 per case.

(b) The Quaker Maid Company, Inc. shall apply to its maximum selling price for "Ann Page" Frozen Baked Beans the same discounts, allowances and price differentials which it customarily applies to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in a lower selling price.

(c) Sellers at retail are authorized a maximum selling price of 15 cents per 16 ounce carton of "Ann Page" Frozen Baked Beans.

(d) The Quaker Maid Company, Inc. shall, before or at the time of first delivery of "Ann Page" Frozen Baked Beans in 16 ounce round cartons, supply a written notification to each purchaser thereof from it as follows:

OPA has authorized us to sell "Ann Page" Frozen Baked Beans in 16 ounce round car-



tons at a maximum delivered selling price of \$2.66 per case of 24 cartons. As a retailer your maximum price for "Ann Page" Frozen Baked Beans is 15 cents per 16 ounce carton. OPA requires that you keep this notice for examination.

(e) This Order No. 359 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 359 (\$1499.1795) shall become effective as of April 2, 1943. (Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5104; Filed, April 1, 1943; 4:19 p. m.]

Mine	Producer	Mine Index No.
Beckmeyer	Beckmeyer Coal Co.	6
East	Citizens Coal Co., Frank B. Mleman, Trustee, Breese, Ill.	43
North	Clinton County Mining Co., Breese, Ill.	1317
Eureka No. 2	Forsyth Cartersville Coal Co., St. Louis, Mo.	45
Golden Rule	Golden Rule Coal Company	59
Richland	Groom Coal Co., Belleville, Ill.	149
Leansburg	Leansburg Coal Co., Leansburg, Ill.	83
New National	New National Coal & Mining Co., Belleville, Ill.	1074
Nuren No. 6	North Side Coal Co., Belleville, Ill.	103
Vinegar Hill	Vinegar Hill Coal Company	179
Washed Coal Co.	Washed Coal Co. of Belleville, Belleville, Ill.	188

This amendment shall become effective April 1, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5117; Filed, April 1, 1943; 5:20 p. m.]

PART 1499—COMMODITIES AND SERVICES  
[Order 108 Under § 1499.3 (b) of GMPR, Amendment 1]

#### HIGH WINES

For the reasons set forth in an opinion issued simultaneously herewith, the

17 F.R. 3188, 3447, 3901, 4336, 4342, 4404, 4540, 4541, 4700, 5059, 5560, 5607, 5827, 5835, 6169, 6218, 6265, 6272, 6472, 6325, 6524, 6744, 6898, 7777, 7970, 7914, 7942, 8354, 8650, 8948, 9783; 10470, 10581, 10780, 10993, 11008, 11012; 8 F.R. 926, 1388, 1629, 1679, 1747, 1971, 2023, 2030, 2273, 2284, 2501, 2497, 2713, 2873, 2920, 2997, 2921, 3216, 3855.

#### PART 1340—FUEL

[MPR 120; Amendment 50]

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.

A new subdivision (i) is added to § 1340.221 (b) (3), to read as follows:

(i) *Special price instructions.* (a) Maximum Prices for Railroad Locomotive Fuel shall not exceed:

Size: Maximum price  
6" x 1 1/4" egg----- \$2.25  
Mine run----- 2.20  
Screenings----- 1.85

for the following mines:

PART 1499—COMMODITIES AND SERVICES  
[Order 354 Under § 1499.3 (b) of GMPR]

#### DRI-KLEEN COMPANY

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

§ 1499.1790 Approval of maximum prices for sales of Dri-Kleen by the Dri-Kleen Company. (a) The maximum prices for sales by the Dri-Kleen Company, 325 West Huron Street, Chicago, Illinois, of Dri-Kleen in 20-ounce containers shall be the prices set forth below:

Sales to department stores—\$60 per 20-ounce container.

Sales to jobbers—\$50 per 20-ounce container.

(b) All discounts, trade practices, and practices relating to the payment of transportation charges in effect during March 1942 on the sale of Dri-Kleen by the Dri-Kleen Company shall apply to the maximum prices set forth in paragraph (a).

(c) This Order No. 354 may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 2, 1943.

Model	Capacity (quarts)	Neck size (inches)	Carload	300 or more but less than carload	25 to 299	24 or less
VM-620	20	6 1/2	\$2.80	\$3.00	\$3.10	\$3.25
VT-732	32	1 7/8	3.70	3.90	4.05	4.25
VT-740	40	1 7/8	3.85	4.05	4.20	4.40

1 When Model VT-732 or 740 is produced with neck size 6 1/2 inches, deduct 3¢ per can from price.

(c) All freight equalization practices, and allowances, extras and discounts applicable to the sale of the old 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.

(d) Sheet Metal Specialty Company shall advise all brokers, wholesalers, jobbers and retailers to whom it sells, and such brokers, wholesalers and jobbers shall advise all retailers to whom they sell, of the maximum prices established by this Order.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5119; Filed, April 1, 1943; 5:20 p. m.]

PART 1499—COMMODITIES AND SERVICES  
[Order 355 Under § 1499.3 (b) of GMPR]

#### SHEET METAL SPECIALTY COMPANY

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered:

§ 1499.1791 Authorization to Sheet Metal Specialty Company for sale of Victory Pattern milk cans. (a) Specific authorization is hereby given to Sheet Metal Specialty Company, Pittsburgh, Pennsylvania, to sell or offer to sell Victory Pattern milk cans manufactured by it at prices not to exceed the prices set forth in paragraph (b) hereof, and any person may buy or offer to buy such cans from Sheet Metal Specialty Company at such maximum prices.

(b) Maximum prices per can f. o. b. factory:

(e) This Order 355 may be revoked or amended by the Price Administrator at any time.

(f) This Order 355 shall become effective April 2, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5122; Filed, April 1, 1943; 5:19 p. m.]



PART 1499—COMMODITIES AND SERVICES  
[Order 360 Under § 1499.3 (b) of GMPR]

METALS RESERVE COMPANY

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, and § 1499.3 (b) of the General Maximum Price Regulation, *It is hereby ordered:*

§ 1499.1796 *Authorization to Metals Reserve Company for the sale of certain railroad bridges.* (a) Specific authorization is hereby given to Metals Reserve Company, Lafayette Building, Washington, D. C., to sell or offer to sell certain railroad bridges mentioned in paragraph (b) hereof at prices not to exceed the applicable amounts set forth in said paragraph, and any person may buy or offer to buy such bridges from Metals Reserve Company at prices not to exceed those herein set forth.

(b) Maximum prices, at locations indicated:

(1) Two bridges located on the former Elkhart & Santa Fe (Atchison, Topeka & Santa Fe) Railway branch line between Boise City, Oklahoma, and Farley, New Mexico, as described in report 4895—T. A. K. of the Robert W. Hunt Company, Engineers, Chicago, Illinois, dated October 16, 1942: Bridge No. 170-B, in place near Harmer, Oklahoma, \$60.00 per net ton; bridge No. 220-B, in place near Mt. Dora, New Mexico, \$60.00 per net ton.

(2) One bridge formerly located on the Florence-El Dorado, Kansas branch line of the Atchison, Topeka & Santa Fe Railway system, as described in report 4896—T. A. K. of the Robert W. Hunt Company, Engineers, Chicago, Illinois, dated October 17, 1942: Bridge No. 167-B, in yards at Florence, Kansas, \$1,973.44 net.

(3) Seven bridges formerly located on the Danville & Western Railway Company branch line between Fieldale and Stuart, Virginia, as described in report 296 J. W. of the Robert W. Hunt Company, Engineers, Chicago, Illinois, dated September 28, 1942: The 67-foot span, at Burnt Chimneys, Virginia, \$56.00 per net ton; bridges 1, 2 and 3, at Burnt Chimneys, Virginia, \$40.00 per net ton, each; bridges 4, 5 and 6, at Burnt Chimneys, Virginia, \$20.00 per net ton, each.

(4) One bridge located at Mile Post 163 over Walkers Creek on the former Louisville and Nashville Railroad branch line between Maloney and Fincastle, Kentucky, as described in report 4967—T. A. K. of the Robert W. Hunt Company, Engineers, Chicago, Illinois, dated February 13, 1943: Bridge No. 69-A, in place, \$56.00 per net ton.

(c) This Order 360 may be revoked or amended by the Office of Price Administration at any time.

(d) This Order 360 shall become effective April 2, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5077; Filed, April 1, 1943; 4:33 p. m.]

PART 1499—COMMODITIES AND SERVICES  
[Order 361 Under § 1499.3 (b) of GMPR]

KNICKERBOCKER MILLS COMPANY

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

§ 1499.1797 *Authorization of maximum prices for imitation allspice, imitation nutmeg, imitation ginger, imitation cloves and Syntha-Mon, a cinnamon substitute, manufactured by the Knickerbocker Mills Company, 601 West 26th Street, New York, New York.* (a) On and after April 2, 1943, the maximum prices, f. o. b. New York, New York, for the following products of Knickerbocker Mills Company, packed approximately 240 lbs. to the barrel, shall be as follows:

- (1) Imitation Allspice—34½¢ per pound.
- (2) Imitation Nutmeg—35½¢ per pound.
- (3) Imitation Ginger—39½¢ per pound.
- (4) Imitation Cloves—36¢ per pound.
- (5) Syntha-Mon—39¢ per pound.

The above barrel prices shall be subject to the following packaging differentials for smaller packages:

- (1) 100 lb. drums—barrel price plus 1¢ per pound.
- (2) 25, 30, 50, 60, and 75 lb. drums—barrel price plus 2¢ per pound.
- (3) 6 and 10 lb. cartons—barrel price plus 2¢ per pound.
- (4) 6 and 10 lb. wood boxes—barrel price plus 3¢ per pound.
- (5) 5 and 10 lb. tins—barrel price plus 4¢ per pound.
- (6) 5 and 10 lb. canisters—barrel price plus 3½¢ per pound.
- (7) 3 lb. cartons—barrel price plus 3¢ per pound.
- (8) 2 lb. cartons—barrel price plus 4¢ per pound.
- (9) 1 lb. canisters—barrel price plus 7¢ per pound.
- (10) 1 lb. paper packages—barrel price plus 2¢ per pound.
- (11) 1 lb. cartons—barrel price plus 5¢ per pound.
- (12) 1 lb. tins—barrel price plus 9¢ per pound.
- (13) ½ lb. tins—barrel price plus 10¢ per pound.
- (14) ¼ lb. tins—barrel price plus 14¢ per pound.

(c) Knickerbocker Mills Company shall maintain, for the products covered by this order, all discounts and differentials for different classes of purchasers which were in effect for the corresponding products in March 1942.

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

(e) This Order No. 361 (§ 1499.1797) shall become effective April 2, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5124; Filed, April 1, 1943; 5:19 p. m.]

PART 1499—COMMODITIES AND SERVICES  
[Order 362 Under § 1499.3 (b) of GMPR]

BATCHELDER & SNYDER CO., INC.

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

§ 1499.1798 *Authorization of a maximum price for sales of "Snyder-Grade New England Frosted Oven Baked Pea Beans" in 5 lb. and 15 lb. containers by Batchelder & Snyder Company, Inc., Boston, Massachusetts.* (a) On and after April 2, 1943, the maximum price for sales by Batchelder & Snyder Company, Inc., 45-71 Blackstone Street, Boston, Massachusetts, of "Snyder-Grade New England Frosted Oven Baked Pea Beans" in 5 lb. and 15 lb. containers shall be 16 cents per pound, f. o. b. packing plant.

(b) Batchelder & Snyder Company, Inc. shall apply to its maximum selling price of "Snyder-Grade New England Frosted Oven Baked Pea Beans" the same discounts, allowances and price differentials which it customarily applies to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in a lower selling price.

(c) This Order No. 362 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 362 (§ 1499.1798) shall become effective as of April 2, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5120; Filed, April 1, 1943; 5:19 p. m.]

PART 1499—COMMODITIES AND SERVICES  
[Order 40 Under SR 15 to GMPR]

HEWITT H. BOOTH

Order No. 40 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GFP-2912.

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

§ 1499.1340 *Adjustment of maximum prices for contract carrier services by Hewitt H. Booth, of Arabi, Louisiana.* (a) Hewitt H. Booth, of Arabi, Louisiana, may sell and deliver contract carrier services at prices not to exceed One



Hundred (\$100) Dollars per month above the maximum prices heretofore established for him by the General Maximum Price Regulation.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 40 (§ 1499.1340) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 40 (§ 1499.1340) may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 40 (§ 1499.1340) shall become effective April 2, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5125; Filed, April 1, 1943;  
5:20 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Order 5 Under SR 15 to GMPR]

##### S. W. SHATTUCK CHEMICAL COMPANY

Order No. 5 under § 1499.75 (a) (4) of Supplementary Regulation No. 15 to the General Maximum Price Regulation.

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

§ 1499.1605 *Adjustment of maximum prices for technical grade tungstic oxide sold by the S. W. Shattuck Chemical Company.* (a) On and after April 2, 1943, the S. W. Shattuck Chemical Company of Chicago, Illinois, may sell and deliver, and any person may buy and receive in the course of trade or business from the S. W. Shattuck Chemical Company, technical grade tungstic oxide (WO<sub>3</sub>) at a price not in excess of \$2.58 per pound delivered.

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

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

This order shall become effective April 2, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5076; Filed, April 1, 1943;  
4:33 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Order 224 Under § 1499.18 (b) of GMPR]

##### KEOKUK CANNING CO.

Order No. 224 under § 1499.18 (b) of the General Maximum Price Regulation; Docket No. 3152.9.

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

§ 1499.1824 *Adjustment of maximum prices for Kosher Dill Pickles quart size containers for sale by the Keokuk Canning Company, Keokuk, Iowa.* (a) The Keokuk Canning Company, Keokuk, Iowa, may sell and deliver and any person may buy and receive from the Keokuk Canning Company, Kosher Dill Pickles packed in quart size containers at a price no higher than the maximum price of \$1.75 per dozen f. o. b. factory.

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

(c) This Order No. 224 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 224 (§ 1499.1824) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) 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.

(f) This Order No. 224 (§ 1499.1824) shall become effective on the 2d day of April 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5121; Filed, April 1, 1943;  
5:19 p. m.]

#### PART 1358—TOBACCO

[MPR 363]

##### CERTAIN FLUE-CURED TOBACCO PLANTS

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of flue-cured tobacco plants (Type Nos. 11 (a), 11 (b), 12, 13 and 14) by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been 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 Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250. So far as practical the Price Administrator has advised and consulted with the members of the industry which will be affected by this regulation.

§ 1358.251 *Maximum prices for flue-cured tobacco plants (Type Nos. 11 (a), 11 (b), 12, 13 and 14).* Under the au-

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

thority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Order No. 9250, Maximum Price Regulation No. 363—Flue Cured Tobacco Plants (Type Numbers 11 (a), 11 (b), 12, 13 and 14) which is annexed hereto and made a part hereof, is hereby issued.

Authority: 1358.251 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION NO. 363—FLUE-CURED TOBACCO PLANTS (TYPE NUMBER 11 (a), 11 (b), 12, 13 and 14)

##### CONTENTS

##### Sec.

- 1 Prohibition against sales or purchases of flue-cured tobacco plants above maximum prices.
- 2 Less than maximum prices.
- 3 Definitions.
- 4 Maximum prices for all sellers.
- 5 Export sales.
- 6 Evasive practices.
- 7 Records.
- 8 Enforcement.
- 9 Petitions for amendment.
- 10 Applicability.

SECTION 1. *Prohibition against sales or purchases of flue-cured tobacco plants above maximum prices.* On and after April 1, 1943 regardless of any contract, agreement, lease or other obligation:

(a) No person shall sell or deliver any flue-cured tobacco plants at a price in excess of the maximum price therefor provided by section 4 of this regulation.

(b) No person in the course of trade or business shall purchase or receive any flue-cured tobacco plants at a price in excess of the maximum price therefor provided by section 4 of this regulation.

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

SEC. 2. *Less than maximum prices.* Lower prices than those established by or under this regulation may be charged, demanded, paid or offered.

SEC. 3. *Definitions.* (a) When used in this regulation the term:

(1) "Plants" means seedlings.

(2) "Flue-cured tobacco plants (type numbers 11 (a), 11 (b), 12, 13 and 14)" or "Flue-cured tobacco plants" means plants of United States type numbers 11 (a), 11 (b), 12, 13 and 14 as classified in Regulatory Announcement No. 18 of the Bureau of Agricultural Economics of the United States Department of Agriculture.

SEC. 4. *Maximum prices for all sellers.* The maximum price of any seller for any sale of flue-cured tobacco plants shall be at the rate of \$3.50 per thousand plants sold. Such maximum price includes all charges of the seller for preparing the plants for delivery to the buyer, and all charges for transporting the plants to the place where the seller or his agent delivers them to the buyer.

SEC. 5. *Export sales.* Maximum prices for which flue-cured tobacco plants may be exported shall be determined in accordance with the provisions of the Revised Maximum Export Regulation\* issued by the Office of Price Administration.

\*7 F.R. 5059, 7242, 8829, 9000, 10530.



**SEC. 6. Evasive practices.** (a) The maximum prices provided in this regulation shall not be evaded, either by direct or indirect methods, in connection with an offer, solicitation, agreement, sale or delivery of or relating to flue-cured tobacco plants, or in connection with any other commodity or by way of commission, services, transportation or any charge or discount, premium or other privilege or by tying agreement or other understanding or otherwise.

(b) Specifically but not exclusively the following practices are prohibited:

(1) Requiring, as part of the purchase price of flue-cured tobacco plants, that the buyer give, or agree to give the seller, or a nominee of the seller, an interest in the tobacco to be produced by such plants.

**SEC. 7. Records.** Every person selling any flue-cured tobacco plants shall make and keep available for examination by the Office of Price Administration for as long as the Emergency Price Control Act of 1942 remains in effect, records of the same kind as he customarily kept relating to the prices which he charged for such flue-cured tobacco plants sold after the effective date of this regulation.

**SEC. 8. Enforcement.** (a) Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have any evidence of any violation of this regulation or any price schedule, regulation or order issued by the Office of Price Administration, or any action or practices which constitute such violation, are urged to communicate with the nearest Field or Regional Office of the Office of Price Administration or with its principal office in Washington, D. C.

**SEC. 9. Petitions for amendment.** Any person seeking an amendment to this regulation of general applicability may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1<sup>a</sup> issued by the Office of Price Administration.

**SEC. 10. Applicability.** The provisions of this regulation shall be applicable to the 48 states of the United States and to the District of Columbia.

#### Effective Date

This regulation shall become effective April 1, 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

Approved:

CHESTER A. DAVIS,  
Administrator of Food Production and Distribution.

[F. R. Doc. 43-5150; Filed, April 1, 1943; 4:40 p. m.]

<sup>a</sup> 7 F.R. 8961; 8 F.R. 3313, 3533.

## Chapter XIII—Petroleum Administration for War

[Supp. Order 5 to PAO 11<sup>1</sup>]

### PART 1515—PETROLEUM PRODUCTION OPERATIONS

General exception pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11.

§ 1515.11 *Supplementary Order No. 5 to Petroleum Administrative Order No. 11—(a) Petroleum Administrative Order No. 2, as amended, renumbered and reissued.* Petroleum Administrative Order No. 2 as amended January 31, 1943 (§ 1515.1) and as revoked by Petroleum Administrative Order No. 11 (§ 1515.6), is renumbered § 1515.11 of this chapter and is reissued effective April 1, 1943. This order shall continue in effect until revoked.

(b) *Definitions.* The definitions of Petroleum Administrative Order No. 11, as amended from time to time, shall apply in this order.

(c) *Oil well drilling in Illinois and portions of Indiana and Kentucky.* Pursuant to paragraph (c) (10) of Petroleum Administrative Order No. 11 (§ 1515.6), any person may accept delivery of, acquire, or use material where such material is to be used in conformity with this order.

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

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

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of March 1943.

R. K. DAVIES,  
Deputy Petroleum  
Administrator for War.

[F. R. Doc. 43-5058; Filed, April 1, 1943; 11:47 a. m.]

### PART 1515—PETROLEUM PRODUCTION OPERATIONS

[Correction to PAO 11<sup>1</sup>]

The references to PAW Form PD-1 and PAW Form PD-2 in § 1515.6 (g) (1) (i) and (ii), respectively, are corrected to read PAW Form 3 and PAW Form 4, respectively.

<sup>1</sup> 8 F.R. 3955, 3958, 3960, 3961.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of March 1943.

R. K. DAVIES,  
Deputy Petroleum  
Administrator for War.

[F. R. Doc. 43-5059; Filed, April 1, 1943; 11:47 a. m.]

[Petroleum Directive 64]

### PART 1545—PETROLEUM SUPPLY

The fulfillment of the requirements for the defense of the United States has created in District Two a shortage in the supply of certain crude oils and in the supply of transportation facilities for the movement of crude oil and petroleum products for defense, for private account, and for export; and the following operating directive is deemed necessary and appropriate in the public interest, to provide for the most effective utilization of such crude oils, and to provide adequate supplies of petroleum products for military and other essential uses:

§ 1545.4 *Petroleum Directive 64—(a) Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "District Two" means the States of Ohio, Kentucky, Tennessee, Michigan, Indiana, Wisconsin, Illinois, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas, and Oklahoma.

(3) "Refiner" means any person in District Two engaged in the processing, refining or compounding of crude petroleum or finished or unfinished petroleum products.

(b) *Contribution to the crude oil supply pool.* (1) The Supply and Distribution Committee for District Two shall prepare and submit to the Director of Petroleum Supply, Petroleum Administration for War, a schedule of all persons in District Two who in the month of December 1942 ran an average of 2,000 barrels or more a day of crude petroleum from producing properties in District Two, indicating the average daily amount of crude petroleum which each such person ran from producing properties in District Two during such month.

(2) The Director of Petroleum Supply, Petroleum Administration for War, shall prepare a schedule of the amount of crude petroleum produced in District Two which each person included within the schedule required by paragraph (b) (1) shall make available for sale to such refiners as the Director of Petroleum Supply, Petroleum Administration for War, may designate pursuant to paragraph (c) (2). The amount of crude



petroleum which each person included within the schedule required by paragraph (b) (1) shall make available for sale to refiners pursuant to this directive shall, so far as is practicable, be the same proportion of an amount to be determined by the Director of Petroleum Supply, which shall not exceed 40,500 barrels a day, as such person's average daily run in the month of December, 1942, of crude petroleum from producing properties in District Two bears to the total of the average daily runs in the month of December, 1942, of crude petroleum from producing properties in District Two of all persons included within the schedule required by paragraph (b) (1). In establishing the amount of crude petroleum which each person included within the schedule required by paragraph (b) (1) shall make available for sale to refiners pursuant to this directive, deviations from the proportion established in this paragraph shall be based on a consideration of the person's capacity for contributing to the production of war products, the supply of crude petroleum available to the person, and the efficient use of transportation facilities.

(c) *Distribution from the crude oil supply pool.* (1) Any refiner, other than a person who is required to make crude petroleum available pursuant to paragraph (b) (2), may apply for permission to purchase any of the crude petroleum made available pursuant to paragraph (b) (2). Such application shall be filed with the Director of Petroleum Supply, Petroleum Administration for War, Washington, D. C. A copy of such application shall be filed with the Supply and Distribution Committee for District Two, which shall within three days forward its recommendation with respect to such application to the said Director.

(2) The Director of Petroleum Supply, Petroleum Administration for War, shall on receipt of applications pursuant to paragraph (c) (1) designate the refiners who shall purchase crude petroleum made available pursuant to paragraph (b) (2), the persons from whom they shall purchase such crude petroleum, and the quantity of such crude petroleum to be purchased. These designations may be made by schedule or directive, at the discretion of such Director, and shall be based upon a consideration of the purchasing refiner's capacity for producing war products, the supply of crude petroleum available to the purchasing refiner, and the efficient use of transportation facilities.

(3) The terms and conditions of any sale to be made pursuant to this directive shall be negotiated between the individual parties to such transaction with such assistance as may be required from the Supply and Distribution Committee of District Two with respect to the details of the physical transfer: *Provided*, That no price agreed upon shall exceed the applicable ceiling price established by General Maximum Price Regulation, as amended or supplemented, or other order of the Price Administrator and, *Provided further*, That if the individual parties to any such transaction are unable to agree upon a fair and reasonable price or other

terms and conditions for furnishing any of the crude petroleum required to be sold by this directive, any such dispute shall be referred to the Director of Petroleum Supply, Petroleum Administration for War, for such action as he may direct.

(d) *Impairment of delivery obligations.* Each person who runs crude petroleum from producing properties in District Two shall continue to make such deliveries of crude petroleum, whether or not such deliveries were required by contract obligations, as such person made on January 1, 1943: *Provided*, That if the supply of crude petroleum available to such person is insufficient to permit continuance of all such deliveries in full, all such deliveries shall be reduced proportionately. Nothing in this paragraph shall be construed to require the continuance of any such delivery of crude petroleum to the extent that such delivery was arranged by or through the Supply and Distribution Committee for District Two. The Supply and Distribution Committee shall submit to the Director of Petroleum Supply a statement of all such arrangements for the delivery of crude petroleum made by or through such committee.

(e) *Effectuation of schedules and directions.* (1) All schedules required to be submitted pursuant to paragraph (b) (1) shall become operative only after such modification or revision as the Director of Petroleum Supply, Petroleum Administration for War, shall determine to be necessary to conform such schedules to the terms of paragraph (b) (1).

(2) All schedules prepared by the Director of Petroleum Supply, Petroleum Administration for War, pursuant to paragraph (b) (2) and all designations by such Director pursuant to paragraph (c) (2) shall be transmitted to the Chief Counsel of the Petroleum Administration for War. No such schedule or designation shall become effective until it has been approved by the Chief Counsel of the Petroleum Administration for War and issued by the Petroleum Administrator for War or the Deputy Petroleum Administrator for War. Upon the approval of any such schedule or designation by the Chief Counsel and the issuance of such schedule or designation by the Petroleum Administrator for War or the Deputy Petroleum Administrator for War, copies thereof shall be forwarded to the appropriate committees and subcommittees and to all persons named therein, and all committees, subcommittees, and persons affected by such schedule or designation shall carry such schedule or designation into effect according to its terms, conditions, and intent. Should any person refuse to comply with the provisions of this directive or of any schedule or designation, this fact shall be reported immediately by the appropriate committee to the Director of Petroleum Supply, Petroleum Administration for War.

(f) *Administration.* In carrying out the duties, responsibilities, and functions under this directive, the committees mentioned and all persons directly affected shall hold meetings and shall consult with other committees and subcom-

mittees to the extent that proposals or activities hereunder may affect such other committees and subcommittees, and to this end all such persons, committees, and subcommittees shall supply the committee or subcommittee charged with the responsibility of carrying any part of this directive into effect with such information, material, and assistance as may be necessary and desirable to accomplish the purposes and intent of this directive. Such committees and subcommittees shall maintain such staff and appoint such persons as may be necessary to carry out their responsibilities, duties, and functions under this directive. Operating expenses of such committees and subcommittees shall be met as provided in § 1500.7 (j) of this chapter.

(g) *Appeals.* Any person affected by this directive or by any schedule or direction provided for hereunder, who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the Petroleum Administrator for War. Such appeals shall be made in quadruplicate and shall be addressed to the Director of Petroleum Supply, Petroleum Administration for War, Interior Building, Washington, D. C., Ref.: PD 64.

(E.O. 9276, 7 F.R. 10091)

Issued this 12th day of March 1943.

HAROLD L. ICKES,  
Petroleum Administrator for War.

[F. R. Doc. 43-5060; Filed, April 1, 1943;  
12:01 p. m.]

#### [Petroleum Directive 65]

#### PART 1545—PETROLEUM SUPPLY

The shortage of facilities for the transportation of petroleum has created in certain areas shortages in the supply of petroleum and has made it imperative that all such facilities be used with maximum efficiency, that all back hauling, cross hauling, and unnecessary movement of petroleum be eliminated, and the following operating directive is deemed necessary for the prosecution of the war:

§ 1545.5 *Petroleum Directive 65—(a) Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Original supplier" means any person who, at the date of the issuance of this directive, refines petroleum in the United States and sells petroleum for delivery in District Two, or who distributes petroleum through a terminal in District Two.

(3) "Petroleum products" means motor fuel, kerosene, range oil, tractor fuel, distillate fuel oils, and residual fuel oils.

(d) "District Two" means the States of Ohio, Kentucky, Tennessee, Michigan, Indiana, Wisconsin, Illinois, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas, and Oklahoma.

(5) "Manager" means the person designated and appointed as such by the



General Committee for District Two, to act for and on behalf of the Supply and Distribution Committee of the General Committee for District Two, in accordance with instructions and policies of the General Committee for District Two in connection with the operation and administration of this directive.

(6) "Terminal" means any storage plant supplied with petroleum products by pipe line or by river barge or lake tanker, as distinguished from bulk distributing stations or refineries.

(b) *Surveys and investigations.* Subject to the supervision of the Director of Petroleum Supply, or such District Director as he may designate, the Manager and the Supply and Distribution Committee of the General Committee for District Two shall obtain, analyze, and keep current such pertinent and available facts, figures, and other data with respect to the available supplies of petroleum products and petroleum transportation in, to, and from District Two as may be necessary or appropriate in connection with the performance of the functions and duties with which the Supply and Distribution Committee of the General Committee for District Two is charged hereunder: *Provided*, That whenever available, such facts, figures, and other data shall be obtained from other appropriate committees or subcommittees rather than by new surveys or investigations.

(c) *District Two petroleum supply operations.* Subject to the supervision of the Director of Petroleum Supply, or such District Director as he may designate, the Manager shall arrange for purchases, sales, exchanges, and loans of petroleum products among, and for the common use of facilities by, original suppliers in District Two only when any such transaction will:

(1) Eliminate or shorten the movement of petroleum products by pipe line, lake tanker, barge, tank car, or transport truck facilities within the confines of District Two: *Provided*, That such transaction does not result in a wasteful use of any such transportation facility within or outside of District Two; or

(2) Eliminate a movement or movements of petroleum products from District One to District Two; or

(3) Eliminate a movement or movements of petroleum products in a generally southerly or westerly direction and substitute therefor a movement or movements in a generally northerly or easterly direction; or

(4) Result in a substitution of a pipe line movement, or movements, of petroleum products for a movement, or movements, by lake tanker, barge, tank car, or transport truck; or

(5) Eliminate any cross hauling or back hauling of petroleum products; or

(6) Result in furnishing petroleum products to original suppliers from refineries or terminals within each respective area described in Exhibits A and B hereof.

(d) *Elimination of unnecessary movements within District Two.* In order to balance and coordinate available supplies of petroleum products in District Two with requirements to conserve the

use of the transportation facilities, including pipe lines, lake tankers, barges, tank cars, and transport trucks, to increase the movement of petroleum products in a northerly and easterly direction, and to accomplish the other objectives of this directive, the Manager shall, subject to the supervision of the Director of Petroleum Supply, or such District Director as he may designate, arrange for exchanges, loans, sales, and purchases of petroleum products between and among original suppliers in District Two which will tend to eliminate to the maximum extent practicable the movement of petroleum products, except residual fuel oil, between the areas described in Exhibit A hereof, and the movement of residual fuel oil between the areas described in Exhibit B hereof. Original suppliers in District Two shall eliminate to the greatest extent practicable inter-area shipments between such areas and shall obtain necessary supplies and dispose of surpluses of petroleum products by means of exchanges, loans, sales, and purchases as provided in the foregoing sentence: *Provided*, That there shall be no tank car shipments of motor fuel, kerosene or distillate fuel oil to meet the requirements of any individual area except as approved by the Manager and the Director of Petroleum Supply, or such District Director as he may designate. Each original supplier in District Two shall file with the Manager on or before Friday of the succeeding week a complete weekly report of all inter-area shipments made by such supplier, together with a statement of the reasons for each such shipment. Nothing herein contained shall be deemed to prohibit or to require the reporting of the shipment from any area into any county adjacent thereto in any adjoining area.

(e) *Sales, loans, and exchanges.* (1) The terms and conditions of any exchange, loan, sale, or purchase made pursuant to this directive shall be subject to negotiation between the parties to any such transaction: *Provided*, That no price agreed upon shall exceed any applicable ceiling price established by the Office of Price Administration, and, *Provided, further*, That if the parties to any such transaction are unable to agree upon the price or other terms and conditions for furnishing any of the petroleum required to be sold, exchanged or loaned under this directive, or for the use of any facilities, any such dispute shall be referred to the Director of Petroleum Supply, or such District Director as he may designate, for such action as he may direct;

(2) All exchanges, loans, sales, and purchases pursuant to this directive shall be effected in such a manner as to provide to customers, including intermediate suppliers, of original suppliers in each of the areas an equitable share of the supplies of petroleum products available in each such area.

(f) *Determination of requirements.* The Supply and Distribution Committee of the General Committee for District Two, in collaboration with the Refining Committee for District Two, shall analyze and determine the amounts of

petroleum products and petroleum transportation facilities available to any area to meet the needs of such area and shall make recommendations to the Director of Refining and the Director of Petroleum Supply with respect to such refinery yields of petroleum products as may be necessary to balance available supplies with requirements without interfering with the maximum production of critical war products.

(g) *Movement of surpluses to District One.* The Supply and Distribution Committee of the General Committee for District Two shall arrange with the appropriate committee for District One and with the Petroleum Administration for War for transportation facilities to move to District One such surpluses of petroleum as may be created in any area of District Two by the operation of this directive. Such arrangements shall be in accordance with the provisions of Petroleum Directive 59, as Amended (7 F.R. 10621) or as hereafter amended.

(h) *Coordination of product pipe lines.* The Supply and Distribution Committee of the General Committee for District Two and all persons affected by such arrangements shall coordinate the movement of petroleum products through product pipe lines in District Two in such manner and as directed by the Petroleum Administration for War, so as to adjust such movements to supply requirements and to minimize the use of lake tanker, barge, tank car, or transport truck facilities.

(i) *Administration.* In carrying out the duties, responsibilities, and functions imposed upon him by this directive, the Manager shall consult with appropriate committees and subcommittees to the extent that activities hereunder may affect such committees and subcommittees. Meetings of the Supply and Distribution Committee of the General Committee for District Two, the Manager, and other persons who may be affected by this directive, may be held from time to time for the purpose of doing all things necessary to carry into effect the provisions of this directive. The Supply and Distribution Committee of the General Committee shall maintain such staff and appoint such persons as it finds necessary to carry out its responsibility, duties, and functions under this directive. Operating expenses of the Committee and the Manager shall be met as provided in § 1500.7 of this chapter.

(j) *Appeals.* Any person affected by this directive or any action taken hereunder who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the District Director in Charge of the Office of Petroleum Administration for War for District Two, setting forth the pertinent facts and reasons why he considers himself entitled to relief, which Director shall act promptly upon such appeal and render a decision thereon within a period of fifteen days. If dissatisfied with the decision of the District Director in Charge, such person may appeal within fifteen days after receipt of notice of the District Director's decision to the Deputy



Petroleum Administrator, or such representative as he may designate.

(E.O. 9276, 7 F.R. 10091)

Issued this 17th day of March 1943.

R. K. DAVIES,  
Deputy Petroleum  
Administrator for War.

**EXHIBIT A—DISTRICT TWO SUPPLY AND DISTRIBUTION AREAS**

**MOTOR FUEL, KEROSENE, RANGE OIL, TRACTOR FUEL, DISTILLATE FUEL OILS**

**Area 1.**—The entire western part of the State of North Dakota up to and including the Counties of Rolette, Pierce, Wells, Kidder, Logan, and McIntosh; the entire western part of the State of South Dakota up to and including the Counties of Campbell, Walworth, Potter, Sully, Hughes, Lyman, and Tripp; the entire western part of the State of Nebraska up to and including the Counties of Cherry, Thomas, Logan, Lincoln, Frontier, and Red-willow.

**Area 2.**—The Counties of Cheyenne, Rawlins, Degatur, Norton, Phillips, Smith, Sherman, Thomas, Sheridan, Graham, Rooks, Osborne, Wallace, Logan, Gove, Greeley, Wichita, Scott, and Lane of the State of Kansas.

**Area 3.**—The Counties of Hamilton, Kearney, Finney, Stanton, Grant, Haskell, Gray, Ford, Morton, Stevens, Seward, Meade, and Clark of the State of Kansas; the Counties of Cimarron, Texas, Beaver, Harper, Woods, Ellis, and Woodward of the State of Oklahoma.

**Area 4.**—The Counties of Towner, Cavalier, Pembina, Benson, Ramsey, Walsh, Nelson, and Grand Forks of the State of North Dakota; the Counties of Kittson, Roseau, Lake of the Woods, Marshall, Beltrami, Polk, Pennington, Red Lake, Clearwater, Hubbard, Wadena, Cass, Crow Wing, Aitkin, Itasca, Koochiching, Saint Louis, Lake, Cook, Carlton, and Pine of the State of Minnesota; the Counties of Douglas, Bayfield, Ashland, Iron, Vilas, Burnett, Washburn, Sawyer, Rusk, Price, Taylor, Oneida, and Lincoln of the State of Wisconsin; the Counties of Gogebic and Ontonagon of the State of Michigan.

**Area 5.** The Counties of Eddy, Griggs, Steele, Traill, Foster, Sutsman, Barnes, Cass, La Moure, Ransom, and Richland in the State of North Dakota; the Counties of Norman, Mahanomen, Clay, Becker, Wilkin, Otter Tail, Grant, Douglas, Todd, Morrison, Mille Lacs, Kanabec, Benton, Isanti, Chisago, Stevens, Pope, Stearns, Sherburne, Anoka, Washington, Swift, Kandiyohi, Meeker, Wright, Hennepin, Ramsey, McLeod, Carver, Sibley, Scott, Dakota, Goodhue, LeSueur, Rice, Wabasha, Waseca, Steele, Dodge, Olmsted, Winona, Freeborn, Mower, Fillmore, and Houston in the State of Minnesota; the Counties of Polk, Barron, Saint Croix, Dunn, Chippewa, Pierce, Pepin, Eau Claire, Clark, Buffalo, Trempealeau, Jackson, La Crosse, Monroe, and Vernon in the State of Wisconsin.

**Area 6.** The Counties of Dickey and Sargent in the State of North Dakota; the Counties of McPherson, Brown, Marshall, Roberts, Edmunds, Day, Grant, Faulk, Spink, Clark, Codington, Deuel, Hamlin, Hyde, Hand, Beadle, Kingsbury, Brookings, Buffalo, Jerauld, Sanborn, Miner, Lake, Moody, Brule, Aurora, Davison, Hanson, Gregory, McCook, Minnehaha, Charles Mix, Douglas, Hutchinson, Turner, and Lincoln in the State of South Dakota; the Counties of Traverse, Big Stone, Lac qui Parle, Chippewa, Yellow Medicine, Renville, Lincoln, Lyon, Redwood, Brown, Blue Earth, Nicollet, Pipestone, Murray, Cottonwood, Watonwan, Rock, Nobles, Jackson, Martin, and Faribault in the State of Minnesota; the Counties of Lyon, Osceola, Dickinson, Emmet, Kossuth, Sioux, O'Brien, Clay, Palo Alto, Pocahontas, and Humboldt in the State of Iowa.

**Area 7.** The Counties of Bon Homme, Yankton, Clay, and Union in the State of South Dakota; the Counties of Keyapaha, Boyd, Brown, Rock, Holt, Knox, Cedar, Dixon, Dakota, Blaine, Loup, Garfield, Wheeler, Antelope, Pierce, Wayne, Thurston, Madison, Stanton, Cuming, Burt, Custer, Valley, Greeley, Boone, Nance, Sherman, Howard, Platte, Colfax, Dodge, Washington, Dawson, Buffalo, Hall, Merrick, Hamilton, Polk, Butler, Saunders, Douglas, Sarpy, Cass, Otoe, York, Seward, Lancaster, Gosper, Phelps, Kearney, Adams, Clay, Fillmore, Saline, Gage, Furnas, Harlan, Franklin, Webster, Nuckolls, Thayer, and Jefferson in the State of Nebraska; the Counties of Plymouth, Cherokee, Buena Vista, Woodbury, Ida, Sac, Monona, Crawford, Carroll, Harrison, Shelby, Audubon, Pottawattamie, Cass, Adair, Mills, Montgomery, Adams, Union, Fremont, Page, Taylor, and Ringgold in the State of Iowa.

**Area 8.** The Counties of Jewell, Republic, Washington, Mitchell, Cloud, Clay, Lincoln, Ottawa, Dickinson, Geary, Trego, Ellis, Russell, Ellsworth, Saline, Morris, Ness, Rush, Barton, Rice, McPherson, Marion, Chase, Lyon, Coffey, Franklin, Miami, Anderson, Linn, Hodgeman, Pawnee, Stafford, Reno, Harvey, Butler, Greenwood, Woodson, Allen, Bourbon, Edwards, Pratt, Kiowa, Comanche, Barber, Kingman, Harper, Sedgwick, Sumner, Cowley, Elk, Chautauqua, Wilson, Neosho, Crawford, Montgomery, Labette, and Cherokee in the State of Kansas; the Counties of Nowata, Craig, and Ottawa in the State of Oklahoma; the Counties of Cass, Bates, Vernon, Barton, Jasper, Newton, McDonald, Johnson, Henry, Saint Clair, Cedar, Dade, Lawrence, Barry, Pettis, Benton, Hickory, Polk, Greene, Christian, Stone, and Taney in the State of Missouri.

**Area 9.** The Counties of Alfalfa, Major, Blaine, Grant, Garfield, Kingfisher, Canadian, Kay, Noble, Logan, Oklahoma, Cleveland, Pottawatomie, Osage, Pawnee, Payne, Lincoln, Creek, Okfuskee, Seminole, Hughes, Washington, Tulsa, Okmulgee, McIntosh, Rogers, Wagoner, Muskogee, Mayes, Delaware, Adair, Cherokee, and Sequoyah in the State of Oklahoma.

**Area 10.** The Counties of Roger Mills, Beckham, Harmon, Greer, Jackson, Dewey, Custer, Washita, Kiowa, Tillman, Caddo, Comanche, Cotton, Grady, Stephens, Jefferson, McClain, Garvin, Murray, Carter, Love, Pontotoc, Johnston, Marshall, Coal, Atoka, Bryan, Pittsburg, Haskell, Latimer, Pushmataha, Choctaw, LeFlore, and McCurtain in the State of Oklahoma.

**Area 11.** The Counties of Winnebago, Worth, Mitchell, Howard, Winneshiek, Allamakee, Hancock, Cerro Gordo, Floyd, Chickasaw, Fayette, Clayton, Wright, Franklin, Butler, Bremer, Calhoun, Webster, Hamilton, Hardin, Grundy, Black Hawk, Buchanan, Delaware, Dubuque, Green, Boone, Story, Marshall, Tama, Benton, Linn, Jones, Jackson, Guthrie, Dallas, Polk, Jasper, Poweshiek, Iowa, Johnson, Cedar, Clinton, Scott, Muscatine, Madison, Warren, Marion, Mahaska, Keokuk, Washington, Louisa, Clark, Lucas, Monroe, Wapello, Jefferson, Henry, Des Moines, Decatur, Wayne, Appanoose, Davis, Van Buren, and Lee in the State of Iowa; the Counties of Richland, Crawford, Grant, Iowa, and Lafayette in the State of Wisconsin; the Counties of Jo Daviess, Carroll, Whiteside, Rock Island, Henry, Mercer, Warren, Henderson, and Hancock in the State of Illinois.

**Area 12.** The Counties of Atchison, Holt, Nodaway, Andrew, Buchanan, Platte, Worth, Gentry, DeKalb, Clinton, Clay, Jackson, Harrison, Daviess, Caldwell, Ray, Lafayette, Mercer, Grundy, Livingston, Carroll, Saline, Putnam, Sullivan, Linn, Chariton, Schuyler, Adair, and Macon in the State of Missouri; the Counties of Marshall, Nemaha, Brown, Doniphan, Riley, Pottawatomie, Jackson, Atchison, Jefferson, Leavenworth, Wyandotte,

Shawnee, Wabaunsee, Osage, Douglas, and Johnson in the State of Kansas; the Counties of Johnson, Pawnee, Nemaha, and Richardson in the State of Nebraska.

**Area 13.** The Counties of Dallas, Webster, Douglas, Ozark, Laclede, Wright, Pulaski, Texas, Howell, Phelps, Dent, Shannon, Oregon, Crawford, Reynolds, Carter, Ripley, Washington, Iron, Jefferson, Saint Francois, Sainte Genevieve, Madison, Wayne, and Butler in the State of Missouri.

**Area 14.** The Counties of Forest, Florence, Marinette, Langlade, Oconto, Marathon, Shawano, Wood, Portage, Waupaca, Outagamie, Brown, Kewaunee, Juneau, Adams, Waushara, Winnebago, Calumet, Manitowoc, Marquette, Greenlake, Door, Fond Du Lac, Sheboygan, Sauk, Columbia, Dodge, Washington, Ozaukee, Dane, Jefferson, Waukesha, and Milwaukee in the State of Wisconsin; the Counties of Houghton, Keweenaw, Beraga, Iron, Marquette, Dickinson, Menominee, Alger, Delta, Schoolcraft, Luce, Mackinac, and Chippewa in the State of Michigan.

**Area 15.** The Counties of Allegan, Barry, Eaton, Van Buren, Kalamazoo, Calhoun, Berrien, Cass, Saint Joseph, and Branch in the State of Michigan; the Counties of Lake, Porter, Newton, Jasper, Benton, Warren, Fountain, Tippecanoe, White, Pulaski, Starke, Laporte, Saint Joseph, Marshall, Fulton, Miami, Cass, Carroll, Clinton, Howard, Tipton, Elkhart, Kosciusko, Wabash, Grant, Lagrange, Noble, Whitley, Huntington, Steuben, DeKalb, Allen, Wells, and Adams in the State of Indiana; the Counties of Stephenson, Ogle, Lee, Bureau, Putnam, Marshall, Winnebago, Boone, DeKalb, LaSalle, Livingston, Ford, McHenry, Cook, Lake, Kane, Du Page, Kendall, Will, Grundy, Kankakee, and Iroquois in the State of Illinois; the Counties of Green, Rock, Walworth, Racine, and Kenosha in the State of Wisconsin.

**Area 16.** The Counties of Knox, Fulton, McDonough, Schuyler, Adams, Brown, Pike, Calhoun, Jersey, Greene, Scott, Morgan, Cass, Mason, Peoria, Stark, Woodford, McLean, Tazewell, Logan, Menard, Sangamon, Macoupin, Madison, Saint Clair, Monroe, Randolph, Jackson, Williamson, Franklin, Perry, Hamilton, Wayne, Jefferson, Washington, Clinton, Marion, Clay, Effingham, Fayette, 3rd, Shelby, Montgomery, Christian, Moultrie, Platt, Macon, and DeWitt in the State of Illinois; the Counties of Scotland, Knox, Clark, Lewis, Shelby, Marion, Monroe, Tails, Pike, Randolph, Howard, Boone, Audrain, Callaway, Montgomery, Lincoln, Warren, Saint Charles, Saint Louis, Franklin, Gasconade, Osage, Maries, Cole, Miller, Camden, Morgan, Moniteau, and Cooper in the State of Missouri.

**Area 17.** The Counties of Champaign, Vermillion, Douglas, Coles, Edgar, Clark, Cumberland, Jasper, Crawford, Lawrence, Richland, Edwards, Wabash, White, Saline, and Gallatin in the State of Illinois; the Counties of Vermillion, Parke, Vigo, Clay, Sullivan, Greene, Knox, Owen, Monroe, Lawrence, Martin, Daviess, Orange, Crawford, Dubois, Pike, Gibson, Posey, Vanderburgh, Warrick, Spencer, and Perry in the State of Indiana; the Counties of Union, Henderson, Webster, McLean, Hopkins, Muhlenberg, Butler, Warren, Edmonson, Grayson, Ohio, Daviess, Hancock, Breckinridge, and Mead in the State of Kentucky.

**Area 18.** The Counties of Union, Johnson, Pope, Hardin, Alexander, Pulaski, and Massac in the State of Illinois; the Counties of Perry, Bollinger, Cape Girardeau, Scott, Stoddard, New Madrid, Mississippi, Dunklin, and Pemiscot in the State of Missouri; the Counties of Hickman, Carlisle, Ballard, McCracken, Fulton, Graves, Marshall, Calloway, Trigg, Lyon, Caldwell, Crittenden, and Livingston in the State of Kentucky; the Counties of Lake Obion, Weakley, Henry, Carroll, Gibson, Dyer, Crockett, Lauderdale, Tipton, Haywood, Madison, Henderson, Shelby, Fay-



ette, Hardeman, Chester, and McNairy in the State of Tennessee.

**Area 19.** The Counties of Emmet, Charlevoix, Cheboygan, Presque Isle, Alpena, Montmorency, Otsego, Antrim, Leelanau, Benzie, Grand Traverse, Kalkaska, Crawford, Oscoda, Alcona, Manistee, Wexford, Missaukee, Roscommon, Ogemaw, Iosco, Mason, Lake, Osceola, Clare, Arenac, Gladwin, Bay, Huron, Tuscola, Sanilac, Saginaw, Gratiot, Midland, Isabella, Mecosta, Montcalm, Newaygo, Oceana, Muskegon, Ottawa, Kent, Ionia, Clinton, Shiawassee, Genesee, Lapeer, and Saint Clair in the State of Michigan.

**Area 20.** The Counties of Montgomery, Boone, Hamilton, Madison, Delaware, Jay, Blackford, Randolph, Wayne, Fayette, Rush, Henry, Hancock, Shelby, Bartholomew, Decatur, Johnson, Marion, Morgan, Hendricks, Putnam, and Brown in the State of Indiana.

**Area 21.** The Counties of Jackson, Jennings, Ripley, Jefferson, Scott, Clark, Floyd, Harrison, and Washington in the State of Indiana; the Counties of Carroll, Trimble, Oldham, Henry, Owen, Scott, Harrison, Robertson, Bracken, Mason, Nicholas, Montgomery, Bourbon, Fayette, Franklin, Shelby, Jefferson, Bullitt, Spencer, Anderson, Woodford, Jessamine, Garrard, Boyle, Mercer, Bath, Washington, Nelson, Hardin, Larue, Hart, Warren, Monroe, Metcalfe, Green, Taylor, Marion, Adair, Cumberland, Clinton, Wayne, Russell, Lulaski, Casey, Lincoln, Rockcastle, Laurel, Clay, Jackson, Madison, Clark, Estill, Powell, Menifee, Wolfe, Lee, Breathitt, Owsley, Perry, Knott, Letcher, and Leslie in the State of Kentucky.

**Area 22.** The Counties of Christian, Todd, Logan, Simpson, Allen, McCreary, Whitley, Knox, Bell, and Harlan in the State of Kentucky; the Counties of Stewart, Houston, Benton, Humphreys, Decatur, Perry, Hardin, Wayne, Lawrence, Giles, Maury, Lewis, Hickman, Williamson, Dickson, Montgomery, Robertson, Cheatham, Davidson, Sumner, Macon, Trousdale, Wilson, Rutherford, Bedford, Marshall, Lincoln, Moore, Franklin, Coffee, Cannon, De Kalb, Smith, Jackson, Clay, Pickett, Putnam, Overton, White, Warren, Grundy, Marion, Van Buren, Bledsoe, Sequatchie, Hamilton, Bradley, Polk, McMinn, Monroe, Meigs, Rhea, Cumberland, Fentress, Scott, Morgan, Campbell, Anderson, Roane, Loudon, Blount, Sevier, Jefferson, Knox, Union, Claiborne, Hancock, Grainger, Hamblen, Hawkins, Cocke, Greene, Sullivan, Washington, Unicoi, Carter, and Johnson in the State of Tennessee.

**Area 23.** The Counties of Ingham, Livingston, Oakland, Macomb, Jackson, Washtenaw, Wayne, Hillsdale, Lenawee, and Monroe in the State of Michigan; the Counties of Williams, Defiance, Paulding, Van Wert, Mercer, Fulton, Henry, Putnam, Allen, Auglaize, Shelby, Lucas, Wood, Hancock, Hardin, Logan, Ottawa, Sandusky, Seneca, Wyandot, Marion, Union, Erie, Huron, Crawford, and Richland in the State of Ohio.

**Area 24.** The Counties of Darke, Preble, Butler, Hamilton, Clermont, Warren, Montgomery, Miami, Champaign, Clark, Greene, Clinton, Brown, Highland, Fayette, and Madison in the State of Ohio; the Counties of Boone, Kenton, Campbell, Pendleton, Grant, and Gallatin in the State of Kentucky; the Counties of Union, Franklin, Dearborn, Ohio, and Switzerland in the State of Indiana.

**Area 25.** The Counties of Lewis, Fleming, Rowan, Morgan, Magoffin, Floyd, Pike, Martin, Johnson, Lawrence, Elliott, Carter, Boyd, and Greenup in the State of Kentucky; the Counties of Morrow, Delaware, Knox, Franklin, Pickaway, Ross, Pike, Adams, Scioto, Lawrence, Gallia, Jackson, Meigs, Vinton, Athens, Hocking, Fairfield, Perry, Licking, Holmes, Coshocton, Muskingum, Morgan, Washington, Noble, Monroe, Belmont, Guernsey, Tuscarawas, Carroll, Harrison, and Jefferson in the State of Ohio.

**Area 26.** The Counties of Lorain, Cuyahoga, Lake, Ashtabula, Ashland, Medina, Wayne, Stark, Columbiana, Summit, Portage, Mahoning, Trumbull, and Geauga in the State of Ohio.

#### EXHIBIT B—DISTRICT TWO SUPPLY AND DISTRIBUTION AREA RESIDUAL FUEL OILS

**Area 1.** The States of Oklahoma and Kansas; all of the State of Missouri except the counties of Saint Louis, Saint Charles, and Jefferson; the entire western part of the State of Iowa up to and including the counties of Howard, Chickasaw, Bremer, Blackhawk, Benton, Iowa, Keokuk, Wapello, and Davis; the entire eastern part of the State of Nebraska up to and including the counties of Cedar, Pierce, Madison, Platte, Polk, York, Fillmore, and Thayer.

**Area 2.** The States of North Dakota and South Dakota; that part of the State of Nebraska not included in Area 1; the entire western part of the State of Minnesota up to and including the counties of Koochiching, Itasca, Aitkin, Kanabec, Millelacs, Benton, Stearns, Kandiyohi, Renville, Brown, Blue Earth, Waseca, Steele, and Freeborn.

**Area 3.** That part of the State of Minnesota not included in Areas 2 and 4; that part of the State of Iowa not included in Area 1; the counties of Saint Charles, Saint Louis, and Jefferson of the State of Missouri; the entire western part of the State of Wisconsin up to and including the counties of Iron, Vilas, Oneida, Langlade, Marathon, Portage, Waushara, Greenlake, Columbia, Dane, Jefferson, and Rock, except the counties of Douglas and Bayfield; the entire western part of the State of Illinois up to and including the counties of Stephenson, Ogle, Lee, LaSalle, Livingston, McLean, Logan, Sangamon, Montgomery, Bond, Clinton, Washington, and Monroe; the counties of Gogebic and Ontonagon of the State of Michigan.

**Area 4.** The counties of Saint Louis, Lake, Cook, Carlton, and Pine of the State of Minnesota; the counties of Douglas and Bayfield in the northwestern part of the State of Wisconsin; the counties of Waukesha, Milwaukee, Walworth, Racine, and Kenosha in the southeastern part of the State of Wisconsin; the counties of Winnebago, Boone, McHenry, Lake, DeKalb, Kane, Cook, Kendall, Grundy, DuPage, Will, and Kankakee of the State of Illinois; and the counties of Lake, Porter, LaPorte, and Saint Joseph of the State of Indiana.

**Area 5.** That part of the State of Indiana not included in Area 4 except the counties of Posey, Vanderburgh, Warrick, Spencer, Dubois, Perry, Crawford, Orange, Washington, Harrison, Floyd, Scott, Clark, Jefferson, Jennings, Ripley, Franklin, Dearborn, Ohio, and Switzerland; the southeastern part of the State of Illinois up to and including the counties of Iroquois, Ford, Champaign, DeWitt, Macon, Christian, Shelby, Fayette, Marion, Jefferson, Perry, and Randolph.

**Area 6.** The State of Tennessee; the southern part of the State of Kentucky up to and including the counties of Webster, McLean, Ohio, Grayson, Hart, Larue, Marion, Washington, Mercer, Garrard, Madison, Jackson, Lee, Wolfe, Breathitt, Magoffin, Floyd, and Pike.

**Area 7.** That part of the State of Wisconsin not included in Areas 3 and 4; the northern peninsula of the State of Michigan except for the counties of Gogebic and Ontonagon, and the western part of the State of Michigan up to and including the counties of Emmet, Charlevoix, Antrim, Kalkaska, Missaukee, Osceola, Newaygo, Kent, Barry, Eaton, Calhoun, and Branch.

**Area 8.** All that part of the State of Michigan not included in Area 7.

**Area 9.** All that part of the State of Kentucky not included in Area 6; the southern part of the State of Indiana not included in

Areas 4 and 5; the southern part of the State of Ohio up to and including the counties of Preble, Montgomery, Greene, Fayette, Pickaway, Fairfield, Perry, Morgan, Noble, Belmont, and Jefferson.

**Area 10.** All that part of the State of Ohio not included in Area 9.

[F. R. Doc. 43-5061; Filed, April 1, 1943; 12:01 p. m.]

#### TITLE 47—TELECOMMUNICATION

##### Chapter I—Federal Communications Commission

[Order 111]

#### PART 3—RULES GOVERNING STANDARD AND HIGH-FREQUENCY BROADCAST STATIONS

##### MINIMUM OPERATING SCHEDULES

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 30th day of March, 1943:

It appearing (1) that the demand by the military services has decreased the supply of trained personnel available for the operation of broadcast stations, and (2) that there is a scarcity of materials for the maintenance of broadcast stations, and

It further appearing that a relaxation of the Commission's rules, regulations and other requirements with respect to minimum operating schedules for broadcast stations will serve the public interest; Now, therefore, it is ordered:

That until further order of the Commission § 3.261 (a) and (b) of the rules and regulations with respect to minimum operating schedules of high frequency (FM) broadcast stations be, and it is hereby, suspended; and in lieu thereof, except Sundays, the minimum operating schedule of high frequency broadcast stations shall be six hours during the period from 6 a. m. to midnight, local standard time, of which two hours shall be devoted to programs not duplicated simultaneously as primary service in the same area by any standard broadcast station or any high frequency broadcast station; except that if in an emergency, due to causes beyond the control of the licensee, it becomes impossible to continue operating, the station may cease operation for a period of not to exceed 10 days, provided that the Commission and the Inspector in Charge shall be notified in writing immediately after the emergency develops.

Federal Communications Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 43-5134; Filed, April 2, 1943; 10:51 a. m.]

[Order 112]

#### PART 3—RULES GOVERNING STANDARD AND HIGH-FREQUENCY BROADCAST STATIONS

##### FIELD INTENSITY MEASUREMENTS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 30th day of



March, 1943, the Commission having under consideration the relaxation of certain of its requirements, and

It appearing that the demand of the military services and industry for skilled personnel and equipment has increased as a result of the war and that such demand has decreased the skilled personnel, material and manufacturing facilities available for use by broadcast stations resulting in a shortage;

It is ordered, That until further order of the Commission, § 3.229 of the Commission's rules and regulations requiring that field intensity measurements be made and submitted to the Commission within one year of the first date of regular operation of a high frequency (FM) broadcast station be, and is hereby suspended.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 43-5135; Filed, April 2, 1943;  
10:51 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

[Service Order 115]

#### PART 95—CAR SERVICE

##### FRUIT AND VEGETABLE CARS HELD FOR DIVERSION OR RECONSIGNMENT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of April, A. D. 1943.

It appearing, That carload shipments of fresh or green fruits or vegetables moving from points in the south are being held for diversion or reconsignment at points south of Potomac Yard, Va., and thereby delaying unduly the movement of trains; in the opinion of the Commission an emergency exists requiring immediate action to prevent shortage of railroad equipment and congestion of traffic:

It is ordered, That:

§ 95.306 *Cars of fruit and vegetables held for diversion or reconsignment.*

(a) The operation of Atlantic Coast Line Railroad Company Tariff I.C.C. No. 660 (Agent Hoke), Seaboard Air Line Railway Company Tariff I.C.C. No. 660 (Agent Hoke), Southern Railway Company Tariff I.C.C. No. A 10944, and Richmond, Fredericksburg & Potomac Railroad Company Tariff I.C.C. No. 660 (Agent Hoke), which provide rules and charges governing diversion and reconsignment of cars of fresh or green fruits and vegetables is hereby suspended insofar as said tariffs authorize or permit shipments of such commodities originating in the States of Florida, Georgia, Alabama, Mississippi, and Louisiana, to be held at points on the Atlantic Coast Line east of Atlanta and north of Waycross, Ga., Seaboard Air Line Railway east of Atlanta and north of Savannah, Ga., Southern Railway east of Atlanta and north of Savannah, Ga., and the

Richmond, Fredericksburg & Potomac Railroad, Richmond and north, for diversion, reconsignment, or holding for orders as defined in said tariffs.

(b) Each of said railroads, on or before the effective date of this section, and upon not less than one day's notice to the Commission and to the public, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of Tariff Circular No. 20, announcing the suspension of the operation of any of the provisions therein. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17).)

It is further ordered, That this order shall become effective April 10, 1943, and shall remain in force until further order of the Commission; that copies of this order and direction shall be served upon the above-named railroads and upon the Association of American Railroads, Car Service Division; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 43-5133; Filed, April 2, 1943;  
10:48 a. m.]

### Chapter II—Office of Defense Transportation

[General Order ODT 36]

#### PART 501—CONSERVATION OF MOTOR EQUIPMENT

##### SUBPART Y—COMMON CARRIERS OF PASSENGERS BY MOTOR VEHICLE IN LOCAL SERVICE IN PUERTO RICO

Pursuant to Executive Orders 8989, 9156, 9214, and 9294, and in order to conserve and providently utilize vital transportation equipment, material and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, It is hereby ordered, That:

Sec.

- 501.322 Definitions.
- 501.323 Applicability.
- 501.324 Elimination of wasteful operation.
- 501.325 Operating requirements.
- 501.326 Special and general permits.
- 501.327 Submission of plans for joint action.
- 501.328 Records and reports.
- 501.329 Suspension of provisions.
- 501.330 Communications.

AUTHORITY: §§ 501.322 to 501.330, inclusive, issued under E.O. 8989, 9156, 9214, and 9294; 6 F.R. 6725; 7 F.R. 3349, 6097; 8 F.R. 221.

§ 501.322 *Definitions.* As used in this order (§§ 501.322 to 501.330, inclusive), or in any order, permit, regulation, recommendation or certificate issued hereunder or in respect hereof, the term:

(a) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, and

includes any agency of the United States or of any other government, the Insular Government of Puerto Rico, or any political subdivision or agency thereof, or any trustee, receiver, assignee, or personal representative.

(b) "Motor vehicle" means any rubber-tired vehicle propelled or drawn by mechanical power and used upon the streets or highways (but not on rails) in the transportation of passengers.

(c) "Common carrier" means any person that holds himself out to the general public to engage in transportation of passengers by motor vehicle for compensation.

(d) "Taxicab" means any motor vehicle used in the call-on-demand transportation of passengers for compensation to or from points chosen or designated by the passengers, and not operated on a fixed schedule, between fixed termini, or over specific routes.

(e) "Local service" means all transportation of passengers by motor vehicle performed as a common carrier wholly within any urban zone and an area extending 8 air kilometers from the boundaries thereof, or between contiguous urban zones, except transportation by taxicab.

(f) "Local passenger vehicle" means any motor vehicle used in the transportation of passengers in local service.

§ 501.323 *Applicability.* This order shall be applicable only within the Island of Puerto Rico.

§ 501.324 *Elimination of wasteful operation.* Every person engaged in performing local service operations shall:

(a) Eliminate waste in operations and unnecessary duplication of parallel services, and curtail schedules and services to the extent necessary to carry out the purposes of this order;

(b) Conserve and properly maintain tires, vehicle equipment, and other facilities necessary in conducting the local service operations of such person.

§ 501.325 *Operating requirements.* No person shall:

(a) Engage in the performance of local service unless there is in force in respect of such person a license, permit, certificate, or other grant of authority issued by the Insular Government of Puerto Rico, or by a governmental subdivision thereof, authorizing said person to engage in such local service;

(b) Extend or inaugurate local service (notwithstanding the terms of any license, permit, certificate, or other grant of authority referred to in paragraph (a) of this § 501.325) without the prior approval of the Office of Defense Transportation, over any route not being served in local service by such person on the effective date of this order;

(c) Perform local service for the primary purpose of supplying transportation to or from a golf course, athletic field, race track, theatre, dancing pavilion, or other place conducted primarily for purposes of amusement or entertainment;

(d) Operate any local passenger vehicle without distinctly marking such



vehicle to indicate that it is engaged in local service;

(e) Operate any local passenger vehicle for any purpose (including social or recreational purposes) personal to the driver or operator.

§ 501.326 *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances, or to prevent undue hardships.

§ 501.327 *Submission of plans for joint action.* (a) Whenever directed in writing so to do by the Regional Director, Office of Defense Transportation, San Juan, Puerto Rico, any two or more persons engaged in performing local service operations competitively shall meet, or cause their representatives to meet, for the purpose of formulating a plan of joint action to the end that maximum utilization of equipment and facilities may be effected during the period of the war emergency by such method or methods as may be recommended or approved by the Office of Defense Transportation.

(b) Within such time as may be fixed by said Regional Director, any such persons shall jointly submit to said Regional Director any plan of joint action so formulated, or a statement setting forth the reasons why no plan of joint action has been agreed on by them: *Provided, however,* That nothing contained in this order shall be so construed as to authorize any person to engage in such joint action unless directed so to do by specific order of the Office of Defense Transportation.

§ 501.328 *Records and reports.* Every person engaged in performing local service operations shall prepare and maintain such records, and make such reports, as the Office of Defense Transportation may hereafter require for the purpose of this order, and shall keep all records required hereunder available and open for inspection by accredited representatives of the Office of Defense Transportation at all reasonable times.

§ 501.329 *Suspension of provisions.* The provisions of this order, or any part thereof, may be suspended from time to time by order of the Office of Defense Transportation.

§ 501.330 *Communications.* Communications concerning this order should refer to "General Order ODT 36", and should be addressed to the Regional Director, Office of Defense Transportation, San Juan, Puerto Rico.

This General Order ODT 36 shall become effective April 1, 1943.

Issued at Washington, D. C., this 27th day of March, 1943.

C. D. YOUNG,  
Deputy Director,  
Office of Defense Transportation.

[F. R. Doc. 43-5064; Filed, April 1, 1943; 12:01 a. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### Bituminous Coal Division.

[Docket Nos. A-1874, A-1885]

#### STEEL TIPPLE COAL CO. AND O. B. C. COAL CO.

#### ORDER CONSOLIDATING MATTERS, GRANTING TEMPORARY RELIEF AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of Steel Tipple Coal Company for a change in shipping point. In the matter of the petition of O. B. C. Coal Company, for a change in loading point.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division in Docket No. A-1874 by Chester Wasson, a code member, owner and operator of Steel Tipple Coal Company, requesting a change in shipping point for the coals produced at the Steel Tipple Mine, Mine Index No. 1222, in District No. 10; and in Docket No. A-1885 by Homer Choate, a code member, owner and operator of O. B. C. Coal Company, requesting a change in loading point for the coals in Size Groups 1-16, inclusive, and 26 and 27 produced at the O. B. C. Coal Company Mine, Mine Index No. 1367, located in District No. 10; and

Petitions of intervention having been filed in both of these matters by District Board No. 10 and in Docket No. A-1885 by McLaren Fuel Company, in each of which petitions of intervention it is alleged that the original petitions in these matters should be denied because they will prejudice the parties affected by the order, dated February 17, 1942, in Docket No. A-1079; and

It appearing that said matters should be consolidated and that they raise issues upon which the interested parties herein should be given an opportunity to be heard; and

It further appearing, however, that a reasonable showing of necessity has been made for the granting of temporary relief in both matters in the manner hereinafter set forth, pending further order of the Division; and

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

It is ordered, That said petitions be, and the same hereby are, consolidated.

It is further ordered, That pending final disposition of the above-entitled matters temporary relief be, and the same hereby is granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 10 for All Shipments Except Truck is amended and supplemented to include the matters set forth in the schedules marked "Supplement R<sup>1</sup>," which are annexed hereto and made a part hereof.

<sup>1</sup> Not filed with the Division of the Federal Register.

It is further ordered, That a consolidated hearing in the above-entitled matters under the applicable provisions of said Act and the rules of the Division be held on April 8, 1943, at 10 o'clock in the forenoon of that day, in Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That Travis Williams, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matters. 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 these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to these proceedings 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 petitions 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 April 3, 1943.

All persons are hereby notified that the hearing in the above-entitled matters and any orders entered therein, may concern, in addition to the matters specifically alleged in the petitions, other matters necessarily incidental and related thereto, which may be raised by amendment to the petitions, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of these petitions.

The matters concerned herewith are in Docket No. A-1885, in regard to the original petition of Homer Choate, code member, owner and operator of the O. B. C. Coal Company, requesting that that company be permitted to load the coals in Size Groups 1-16 and 26 and 27 produced at the O. B. C. Coal Company Mine, Mine Index No. 1367, District No. 10, over its ramp at Marion, Illinois, on the Missouri Pacific Railroad rather than over the tipple of McLaren Fuel Company at Marion, Illinois, on the Illinois Central and Missouri Pacific Railroads, and in Docket No. A-1874, the original petition of Chester Wasson, code member, owner and operator of Steel Tipple Coal Company requesting a change in shipping point from the tipple of McLaren Fuel Company at Marion, Illinois, to New Dennison, Illinois, for the



coals produced at the Steel Tipple Mine, Mine Index No. 1222, in District No. 10. Dated: March 23, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-5132; Filed, April 2, 1943;  
10:15 a. m.]

## DEPARTMENT OF AGRICULTURE.

### Farm Security Administration.

#### TEXAS

##### DESIGNATION OF LOCALITIES FOR LOANS

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by Supplement 2 of Secretary's Memorandum No. 867 issued as of July 1, 1942, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

#### REGION VIII—TEXAS

*Red River County:* Locality I—Consisting of Precinct 1, \$3,725; Locality II—Consisting of Precinct 2, \$1,691; Locality III—Consisting of Precinct 3, \$3,901; Locality IV—Consisting of Precinct 4, \$2,791; Locality V—Consisting of Precinct 5, \$1,984; Locality VI—Consisting of Precinct 6, \$2,495; Locality VII—Consisting of Precinct 7, \$4,821; Locality VIII—Consisting of Precinct 8, \$2,202.

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved: March 30, 1943.

[SEAL] C. B. BALDWIN,  
Administrator.

[F. R. Doc. 43-5140; Filed, April 2, 1943;  
11:55 a. m.]

## OFFICE OF DEFENSE TRANSPORTATION.

[Supplementary Order ODT 3, Revised-18]

FLAMINGO TRUCK LINES, INC., AND FOGARTY  
BROS. TRANSFER, INC.

COORDINATED OPERATION BETWEEN TAMPA  
AND SARASOTA, FLA.

Upon consideration of the application for authority to coordinate motor vehicle service in the transportation of property in less-than-truckload lots between Tampa and Sarasota, Fla., filed with the Office of Defense Transportation by Flamingo Truck Lines, Inc., Jacksonville, Fla., and Fogarty Bros. Transfer, Inc., Bradenton, Fla., as governed by § 501.9 of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694), 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. Flamingo Truck Lines, Inc., shall discontinue the transportation of shipments in less-than-truckload lots from Tampa, Fla., or through that gateway, to Sarasota, Fla., and intermediate points on its routes, and in the reverse direction; and in respect of such shipments moving from or through Tampa, Fla., to such other points, shall divert such shipments to Fogarty Bros. Transfer, Inc.

2. Fogarty Bros. Transfer, Inc., shall accept from Flamingo Truck Lines, Inc., all shipments diverted to it pursuant hereto and shall forward such shipments and pursuant to the lawfully applicable rates, charges, rules, and regulations of the carrier issuing the bill of lading.

3. Except as may be otherwise provided by agreement between the carriers, or prescribed by the Interstate Commerce Commission or by an 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.

4. 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.

5. The provisions of this order shall not be so construed or applied as to require either carrier to perform any service beyond its transportation capacity, or to permit either carrier to alter its legal liability to any shipper. In the event compliance with any term of this order would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of either carrier, such carrier shall apply forthwith to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

6. 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 the further order of such regulatory body or bodies or of the Office of Defense Transportation, tariffs, or supplements to filed tariffs, setting forth any changes in rates, charges, rules, regulations, and practices 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 to file such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-18," and should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

8. This Supplementary Order ODT 3, Revised-18, shall become effective April 5, 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 29th day of March 1943.

C. D. YOUNG,  
Deputy Director,  
Office of Defense Transportation.

[F. R. Doc. 43-5063; Filed, April 1, 1943;  
12:01 p. m.]

## PORTSMOUTH MILK MARKETING AREA, OHIO

### JOINT ACTION PLAN OF DISTRIBUTORS

Recommendation of joint action plan of milk distributors in the Portsmouth Milk Marketing Area of Ohio.

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials and supplies, (General Order ODT 6, as amended, (7 F.R. 3008, 3532, 4184) superseded in part by General Order ODT 17, as amended (7 F.R. 5678, 7694)), the private carriers named in the Appendix hereof have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of dairy products in the Portsmouth Milk Marketing Area, Ohio.

The participants have agreed that all retail delivery service in such area shall be on an every-other-day basis; that all motor trucks operated in retail delivery service shall transport maximum loads when departing from the plant of any participant; that no motor truck being operated in retail delivery service shall depart from any such plant prior to 8 o'clock a. m. during any calendar day; that all motor trucks shall be operated by the most direct route when used in retail delivery service, making only one trip during any calendar day over any street which is a part of such route, without "back tracking" over any segment of such route.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), that the doing of any act or thing, or the omission to do



any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 30th day of March 1943.

JOSEPH B. EASTMAN,  
Director, Office of Defense  
Transportation.

## APPENDIX

1. Ideal Milk Co.
2. Portsmouth Pure Milk Co.
3. Malone's Dairy.
4. John E. Rapp.
5. Borden's Modern Dairy.
6. Eck Dairy.
7. Select Dairy.
8. Carl E. Covell.
9. Cline Gilpine.
10. Lawson Dairy.

[F. R. Doc. 43-5062; Filed, April 1, 1943;  
12:02 p. m.]

## OFFICE OF PRICE ADMINISTRATION.

[Order 15 Under RPS 53<sup>1</sup>]

C. F. SIMONIN'S SONS, INC.

## ORDER ESTABLISHING MAXIMUM PRICES

Order No. 15 under Revised Price Schedule No. 53—Fats and Oils—Docket No. 3053-14.

On November 12, 1942, C. F. Simonin's Sons, Inc. of Philadelphia, Pennsylvania, filed an application for adjustment of its maximum prices of its Yolanda Salad and Cooking Oil, Medaglia D'Oro Salad and Cooking Oil, Keystone Cooking Oil, Yolanda Shortening, Century Salad Oil, and Simoco Shortening. On November 26, 1942, and January 7, 1943, it filed supplemental petitions. On February 3, 1943, it withdrew its petition insofar as its Century Salad Oil and its Simoco Shortening were concerned.

Due consideration has been given to the application, and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, 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 § 1351.151 (b) (12) (vii) of Revised Price Schedule No. 53, it is hereby ordered:

(a) Yolanda Salad and Cooking Oil and Medaglia D'Oro Salad and Cooking Oil. The maximum delivered price of C. F. Simonin's Sons, Inc.'s Yolanda Salad and Cooking Oil and Medaglia D'Oro Salad and Cooking Oil, in the area defined in § 1351.151 (b) (12) (viii) as North, shall be the following prices:

6 1-gallon cans, per case	12 ½-gallon cans, per case	24 ¼-gallon cans, per case
\$8.20	\$8.80	\$9.40

(b) The maximum delivered prices of C. F. Simonin's Sons, Inc.'s products

hereinabove set forth, on sales made by it in territories other than that defined in § 1351.151 (b) (12) (viii) as North, shall be the maximum prices above set forth plus or minus, as the case may be, the differential set forth in § 1351.151 (b) (12) (iii) for sales in such other territories, adjusted for size and type of container.

(c) The provisions of § 1351.151 (b) (12) (v) and (viii) of Revised Price Schedule No. 53 shall apply to the maximum prices established by this Order for the products hereinabove named.

(d) All prayers of the petition not withdrawn by Applicant that are not granted herein, are denied, except that this order is without prejudice to Applicant's right to sell its Keystone Cooking Oil at the highest price charged by its nearest competitor for the same or most nearly similar product sold by it during the period January 16, 1942 to January 31, 1942.

(e) This Order No. 15 may be revoked or amended by the Price Administrator at any time.

This Order No. 15 shall become effective April 2, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5088; Filed, April 1, 1943;  
4:19 p. m.]

[Order 80 Under RPS 64<sup>1</sup>]

SIEGLER ENAMEL RANGE CO.

## APPROVAL OF MAXIMUM PRICES

Order No. 80 under Revised Price Schedule No. 64—Domestic Cooking and Heating Stoves.

On February 24, 1943, Siegler Enamel Range Company, Centralia, Illinois, filed an application pursuant to § 1356.1 (d) of Revised Price Schedule No. 64 for approval of a maximum price for a new model gas range designated in the application as Model VMG-43.

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

(a) Siegler Enamel Range Company may sell, offer to sell, transfer or deliver its Model VMG-43 at a price no higher than \$27.75 f. o. b. factory, to dealers, subject to discounts, allowances, and terms no less favorable than those in effect with respect to the comparable model 70-36-FD.

(b) This Order No. 80 may be revoked or amended by the Price Administrator at any time.

<sup>1</sup> 7 F.R. 1329, 1836, 2000, 2132, 4404, 5872, 6221, 8948; 8 F.R. 1974.

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

This Order No. 80 shall become effective on the 2d day of April 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5093; Filed, April 1, 1943;  
4:25 p. m.]

[Order 12 Under RPS 67]

OLIVER P. HOBBS

## AUTHORIZATION OF MAXIMUM PRICES

Order No. 12 under Revised Price Schedule No. 67—New Machine Tools; Docket No. 3067-55.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and Procedural Regulation No. 6, it is hereby ordered:

(a) Oliver P. Hobbs is hereby authorized and permitted to sell and deliver, for the gross price of \$110.00 each;

Machine tools known as "Utility" Grinder manufactured by Oliver P. Hobbs, Manufacturer, of Los Angeles, California.

(b) This Order No. 12 may be revoked or amended by the Office of Price Administration at any time.

(c) This Order No. 12 shall become effective April 2, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5092; Filed, April 1, 1943;  
4:25 p. m.]

[Order 10 Under Rev. MPR 125]

NEW PROCESS BRONZE AND ALUMINUM  
FOUNDRY COMPANY

## ORDER ADJUSTING MAXIMUM PRICES

Order No. 10 under Revised Maximum Price Regulation No. 125—Nonferrous Castings; Docket No. 3125-16.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and section 1395.12 of Revised Maximum Price Regulation No. 125, it is hereby ordered, That:

(a) Anything in Revised Maximum Price Regulation No. 125 to the contrary notwithstanding. Charles Kapovich of Cleveland, Ohio, doing business as the New Process Bronze and Aluminum Foundry Company, hereinafter referred to as "the applicant", may sell and de-

<sup>1</sup> 7 F.R. 1309, 1386, 2132, 3430, 3821, 4229, 4294, 4484, 5605, 7665, 7666, 7977, 8204, 8653, 8702, 8948, 9130, 9189, 9393, 9486, 9958, 10471, 10530, 11069; 8 F.R. 1200, 1972, 2875, 3251.



liver to the International Metal Hose Company, Inc. of Cleveland, Ohio, and the International Metal Hose Company, Inc. may buy and receive from the applicant nonferrous castings produced by the applicant of the type set forth below at a price not higher than  $1\frac{1}{2}\epsilon$  per pound above the maximum price that would have governed sales of such castings to the International Metal Hose Company, Inc. if this order had not been issued.

*Type of castings subject to this order*

Hose connections made from yellow brass scrap.  
Hose connections made from yellow brass ingot.  
Hose connections made from red brass scrap.

(b) All prayers in the applicant's application for adjustment, Docket Number 3125-16, not granted herein are hereby denied.

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

This order shall become effective as of February 1, 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5085; Filed, April 1, 1943; 4:21 p. m.]

[Order 14 Under MPR 163]

NATIONAL DIXIE MILLS, INC.

ORDER GRANTING ADJUSTMENT

Order No. 14 under Maximum Price Regulation No. 163—Woolen and Worsted Civilian Apparel Fabrics; Docket No. 3163-21.

On October 31, 1942, the National Dixie Mills, Incorporated, 261 Fifth Avenue, New York, New York, filed an application for adjustment pursuant to § 1410.109 of Maximum Price Regulation No. 163. Due consideration has been given to the application and an opinion supporting this Order No. 14 has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, *It is hereby ordered:*

(a) On and after April 2, 1943, the National Dixie Mills, Incorporated, may sell and any person may buy from the National Dixie Mills, Incorporated, the fabric specified hereinbelow at prices not in excess of the following applicable maximum price:

Style No. of fabric	Specification	Maximum price (per yard)
3500-----	All wool twist; 58-60 inches in width; 13-13½ ounces in weight; 32 ends and 30 picks; $\frac{1}{2} \times \frac{1}{2} = 2$ ply; 80% of 44's wool; 50% of 56's wool; stock dyed fabric.	\$2.375

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

(c) This Order No. 14 may be revoked or amended by the Price Administrator at any time.

This Order No. 14 shall become effective April 2, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5098; Filed, April 1, 1943; 4:21 p. m.]

[Order 27 Under Rev. MPR 169]

PALESTINE KOSHER SAUSAGE MANUFACTURING COMPANY

DENYING PETITION FOR ADJUSTMENT

Order No. 27 under Revised Maximum Price Regulation No. 169—Beef and Veal Carcasses and Wholesale Cuts; Docket No. 3169-40.

On August 7, 1942, Palestine Kosher Sausage Manufacturing Company, 4500 Cermak Road, Chicago, Illinois, filed a petition for adjustment pursuant to Section 1364.60 of Maximum Price Regulation No. 169, as amended, redesignated Revised Maximum Price Regulation No. 169, as amended.

Due consideration has been given to the petition and an opinion in support of this Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the Opinion under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with the Revised Procedural Regulation No. 1, issued by the Office of Price Administration, *It is hereby ordered:* That the petition for adjustment be, and it hereby is, denied.

This Order No. 27 shall become effective April 1, 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5086; Filed, April 1, 1943; 4:20 p. m.]

[Order 177 Under MPR 120]

CRESCENT MINING COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 177 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant; Docket No. 3120-378.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, 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 by Crescent Mining Company at its LaMarsh No. 1 Mine, Mine Index No. 81, in District No. 10, may be sold and purchased for shipment by

rail at prices not to exceed the following respective prices per ton f. o. b. the mine:

Size groups							Mine run loco. fuel
1	2	3	4	5	6	7	
\$2.60	2.60	2.60	2.60	2.60	2.60	2.60	2.60

(b) Within thirty (30) days from the effective date of this order, Crescent Mining Company shall notify all persons purchasing its coal 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 prices except in accordance with and subject to conditions stated in Revised Maximum Price Regulation No. 122.

(c) This Order No. 177 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) All prayers of the applicant not granted herein are hereby denied.

(f) This Order No. 177 shall become effective April 1, 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5115; Filed, April 1, 1943; 5:20 p. m.]

[Order 178 Under MPR 120]

MINE "B" COAL COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 178 under Maximum Price Regulation No. 120—Bituminous Coal Delivered From Mine or Preparation Plant; Docket No. 3120-334.

Order No. 178 under Maximum Price Regulation No. 120 is hereby revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, 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 by The Mine "B" Coal Company at its Mines "A" and "B" (Mine Index Nos. 28 and 97), respectively, in District No. 10, may be sold and purchased for shipment for railroad locomotive fuel use at prices not to exceed the following respective prices per net ton f. o. b. the mine:

Railroad locomotive fuel	
Modified mine run	Mine run
\$2.60	\$2.55

(b) This Order No. 178 may be revoked or amended by the Administrator at any time.

(c) Unless the context otherwise requires, definitions set forth in § 1340.208



of Maximum Price Regulation No. 120 shall apply to the terms used herein.

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

(e) This Order No. 178 shall become effective April 1, 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5116; Filed, April 1, 1943;  
5:20 p. m.]

[Order 237 Under MPR 188]

FELLOWS BURIAL VAULT SERVICE CO., INC.

#### AUTHORIZATION OF MAXIMUM PRICE

Order No. 237, Under § 1499.161 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and by Executive Order No. 9250, and pursuant to § 1499.161 of Maximum Price Regulation No. 188, *It is hereby ordered*, That:

(a) The Fellows Burial Vault Service Company, Inc., of Marlette, Michigan, is authorized to sell, deliver, or offer for sale concrete burial vaults delivered in place and sealed, within the area of Marlette, Michigan, and the surrounding territory of Sanilac, Huron, Tuscola, Lapeer and St. Clair Counties, Michigan, at the maximum prices set forth below:

Trade sizes:	Maximum price
6/6.....	\$50.00
6/3.....	45.00
5/6.....	40.00
4/6.....	35.00
3/6.....	30.00
2/6.....	30.00

(b) The Fellows Burial Vault Service Company, Inc., shall cause the following written notice to be sent to all persons to whom it sells concrete burial vaults:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you of concrete burial vaults as follows:

Trade sizes:	Maximum prices <sup>1</sup>
6/6.....	\$50.00
6/3.....	45.00
5/6.....	40.00
4/6.....	35.00
3/6.....	30.00
2/6.....	30.00

<sup>1</sup> These prices include delivery in place and sealing after the funeral.

The amount of the increase of these prices over our previous maximum prices represents only that part of cost increases which we were unable to absorb, and 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 the maximum prices on a resale of any of these items.

(c) This Order No. 237 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 237 shall become effective April 2, 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5128; Filed, April 1, 1943;  
5:19 p. m.]

[Order 230 Under MPR 188]

WRIGLEY BROS.

#### APPROVAL OF MAXIMUM PRICES

Order No. 230 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

*Approval of maximum prices for sales by Wrigley Bros., of three new toys.* 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) Wrigley Bros., 39-47 West 19th Street, New York, New York, is authorized to sell and deliver its three new toys, designated in its application of March 1, 1943, as "Miniature Army Toy Jeep #1262", "Miniature Army Commando Barge #1265", and "Miniature 75 mm Mobile Toy Gun #1267", at prices to Victory Wood Products Company, f. o. b. New York, New York, no higher than those set forth below:

Miniature Army Toy Jeep.....	#1263	\$0.655
Miniature Army Commando Barge.....	#1265	.60
Miniature 75 mm Mobile Toy Gun.....	#1267	.55

(b) This Order No. 230 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 230 shall become effective on the 2d day of April 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5097; Filed, April 1, 1943;  
4:21 p. m.]

[Order 231 Under MPR 188]

ROBERT ANDRESEN

#### APPROVAL OF MAXIMUM PRICES

Order No. 231 under § 1499.158 of maximum price regulation No. 188—Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

*Approval of maximum prices for sales by Robert Andresen, of three new toys.* 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) Robert Andresen, 625 W. 55th Street, New York, New York, is author-

ized to sell and deliver its three new toys, described in its application of November 5, 1942, at prices to Victory Wood Products Company, f. o. b. New York, New York, no higher than those set forth below:

	Cents per unit
Commando #1265.....	60
75 mm. Gun #1267.....	54
U. S. Army Miniature Jeep #1263.....	65

(b) This Order No. 231 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 231 shall become effective on the 2d day of April 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5094; Filed, April 1, 1943;  
4:25 p. m.]

[Order 232 Under MPR 188]

GENERAL DRY BATTERIES, INC.

#### APPROVAL OF MAXIMUM PRICES

Order No. 232 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 General Dry Batteries, Inc., of three new hearing aid batteries.* 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) General Dry Batteries, Inc., Cleveland, Ohio, may sell and deliver the following new hearing aid "B" batteries at prices no higher than those set forth below, subject to the seller's customary terms.

- (1) For sales to hearing aid manufacturers:
 

22½ volt—(No. 901).....	\$ .50
33 volt—(No. 902).....	.75
45 volt—(No. 903).....	.90
- (2) For sales to retailers:
 

22½ volt—(No. 901).....	\$ .62½
33 volt—(No. 902).....	.93¾
45 volt—(No. 903).....	1.12½

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

(c) This order shall become effective April 2, 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5095; Filed, April 1, 1943;  
4:25 p. m.]

[Order 234 Under MPR 188]

MONOLITH PORTLAND CEMENT COMPANY

#### APPROVAL OF MAXIMUM PRICES

Order No. 234 under § 1499.161 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified

<sup>1</sup> 7 F.R. 5872, 7967, 8943, 8948, 10155; 8 F.R. 537, 1815, 1980, 3105.



## Building Materials and Consumers' Goods Other Than Apparel.

For the reasons stated in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.161 of Maximum Price Regulation No. 188, *It is ordered, That:*

(a) The Monolith Portland Cement Company of Los Angeles, California, is hereby authorized to sell, deliver and offer for sale, and all persons are authorized to buy or receive from it in the course of trade, crude or rock gypsum at the following prices:

(1) To the points, Davenport, Simla, Redwood City, Cowell, Kentucky House and Merced, California, at the price of \$3.19 per net ton, f. o. b. Gerlach, Nevada, less a discount of 25¢ per ton for payment by the tenth day of the month following the date of invoice, and

(2) To the points Victorville, Colton, Crestmore and Los Angeles, California, at the price of \$3.19 per net ton, f. o. b. Arden, Nevada, less a discount of 25¢ per ton for payment by the tenth day of the month following the date of invoice.

(b) All prayers in the petition not granted herein are denied.

(c) This Order No. 234 may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 2, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5096; Filed, April 1, 1943;  
4:24 p. m.]

[Order 235 Under MPR 188]

## BRUNSWICK-BALKE-COLLENDER CO.

## APPROVAL OF MAXIMUM PRICES

Order No. 235 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by Brunswick-Balke-Collender Company of a new table tennis table.

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) Brunswick-Balke-Collender Company, 623 South Wabash Avenue, Chicago, Illinois, may sell and deliver to the United States Government or any agency thereof its new Table Tennis Table designated in the application as "Com-mando", manufactured by it at a price no higher than \$29.58 per unit.

(b) This Order No. 235 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 235 shall become effective on the 2d day of April 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5084; Filed, April 1, 1943;  
4:21 p. m.]

[Order 236 Under MPR 188]

## BRUNSWICK-BALKE-COLLENDER CO.

## APPROVAL OF MAXIMUM PRICES

Order No. 236 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

Approval of maximum prices for sales by Brunswick-Balke-Collender Company of a new bowling ball locker.

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) Brunswick-Balke-Collender Company, 623 South Wabash Avenue, Chicago, Illinois, may sell and deliver its new Bowling Ball Locker designated in the application as "Centennial" manufactured by it, subject to discounts, allowances and terms no less favorable than those customarily granted by it, at a price no higher than \$66.06 per unit.

(b) This Order No. 236 may be revoked or amended by the Price Administrator at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

This Order No. 236 shall become effective on the 2d day of April 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5099; Filed, April 1, 1943;  
4:21 p. m.]

## APPENDIX A: TABLE OF GARMENTS AND PRICES

Lot No.	Fabric	Sizes	Price
MEN'S BIB OVERALLS			
33.....	Denim—2.20 mill finish blue.....	28-50	\$12.60
500, 6147.....	Denim—2.20 sanforized blue.....	28-50	13.30
52.....	Denim—8 oz. sanforized blue.....	28-50	14.00
60.....	Denim—8 oz. sanforized blue.....	34-50	15.90
68, 210, 6232.....	Denim—8 oz. sanforized blue.....	28-50	15.90
253, 269, 6225.....	Denim—8 oz. sanforized hickory or express.....	28-50	15.90
254, 6229.....	Denim—8 oz. sanforized hickory.....	28-50	16.15
BOYS' BIB OVERALLS			
6076, 9113.....	Denim—3.00 mill finish blue.....	2-12	5.75
6068, 9150.....	Denim—2.20 mill finish blue.....	2-16	8.30
6069.....	Denim—2.20 mill finish liberty.....	2-16	8.30
530, 6066, 9157.....	Denim—2.20 sanforized blue.....	2-16	8.85
6032.....	Denim—8 oz. sanforized blue.....	2-16	11.10
249, 9133.....	Denim—8 oz. sanforized blue.....	2-16	11.35
253B, 269B.....	Denim—8 oz. sanforized hickory or express.....	2-16	11.35
6034.....	Denim—8 oz. sanforized liberty.....	2-16	11.25
254B.....	Denim—8 oz. sanforized liberty.....	2-16	11.50

[Order 3 Under MPR 208]

## BLUEBELL GLOBE MANUFACTURING COMPANY

## ORDER GRANTING MAXIMUM PRICES

Order No. 3 under § 1389.204 (c) of Maximum Price Regulation 208—Staple Work Clothing.

An opinion in support of this order has been filed simultaneously herewith and filed with the Division of the Federal Register. For the reasons stated in the opinion, *It is hereby ordered:*

(a) Bluebell Globe Manufacturing Company of Greensboro, North Carolina, may sell and deliver, and any person may buy and receive from Bluebell Globe Manufacturing Company, staple work clothing at prices not in excess of those set forth in paragraph (b) of this order.

(b) (1) The maximum price for any garment listed in Appendix A is the price therein stated.

(2) If a garment is the same as a listed garment, except that one weight, finish or construction of body material has been replaced by another, its maximum price may be calculated as follows:

(i) Find the difference between the costs of body materials of the two garments.

(ii) Multiply this difference by 105 percent.

(iii) Subtract the total from the maximum price of the listed garment; or, if the material cost of the listed garment is lower, add the total to its maximum price. If more than one listed garment is the same except for replacement the one nearest in cost shall be used. This subparagraph may be used only for garments made of the materials named in § 1389.217 (b) of Maximum Price Regulation 208.

(c) The permission granted by this order is subject to the following conditions:

(1) All garments priced shall be the "same" (except for simplification, and any other differences required by the terms of this order) as garments sold under the corresponding lot numbers during or before March 1942.

(2) All discounts and trade practices, including practices relating to shipping and shipping charges, shall apply to sales and deliveries made pursuant to this order.

(d) This order is subject to amendment or revocation at any time by the Office of Price Administration.



## APPENDIX A: TABLE OF GARMENTS AND PRICES—Continued

Lot No.	Fabric	Sizes	Price
<b>MEN'S OVERALL COATS</b>			
35.....	Denim—2.20 mill finish blue.....	34-50	12.60
502, 6145.....	Denim—2.20 sanforized blue.....	34-50	13.30
51.....	Denim—8 oz. sanforized blue.....	34-50	14.00
212, 6230.....	Denim—8 oz. sanforized blue.....	34-50	15.90
6224.....	Denim—8 oz. sanforized hickory.....	34-50	15.90
236, 6228.....	Denim—8 oz. sanforized liberty.....	34-50	16.15
<b>BOYS' OVERALL COATS</b>			
9134.....	Denim—2.20 mill finish blue.....	8-18	8.30
550J, 6065.....	Denim—2.20 sanforized blue.....	8-18	8.85
6030.....	Denim—8 oz. sanforized blue.....	8-18	11.10
<b>MEN'S WAISTBAND OVERALLS OR DUNGAREES</b>			
6176.....	Denim—2.45 mill finish blue.....	28-50	9.40
519.....	Denim—2.20 mill finish blue.....	28-46	9.75
400.....	Denim—8 oz. sanforized blue.....	28-46	11.25
709, 748, 6164, 6165.....	Denim—8 oz. sanforized blue.....	28-50	11.25
402.....	Denim—8 oz. sanforized victory.....	28-46	11.40
19.....	Denim—9 oz. sanforized blue.....	28-46	12.25
6169.....	Denim—10 oz. sanforized blue.....	28-46	13.25
<b>BOYS' WAISTBAND OVERALLS OR DUNGAREES</b>			
5818.....	Denim—2.45 mill finish blue.....	2-16	7.40
519B.....	Denim—2.20 mill finish blue.....	2-16	8.00
450.....	Denim—2.20 sanforized blue.....	2-16	8.25
6053, 9116.....	Denim—8 oz. sanforized blue.....	2-16	8.75
19B.....	Denim—9 oz. sanforized blue.....	2-16	9.50
<b>ONE-PIECE WORK SUITS</b>			
6270.....	Denim—3.00 mill finish blue.....	36-50	17.00
6269.....	Denim—2.75 (36") mill finish hickory.....	36-50	15.90
693.....	Denim—2.40 mill finish hickory.....	36-50	19.75
6265.....	Denim—2.25 (36") mill finish hickory.....	36-50	18.675
6266, 694.....	Denim—2.20 mill finish blue.....	36-50	20.75
688.....	Denim—2.20 sanforized hickory.....	36-50	24.25
4402, 6282, 628.....	Denim—8 oz. sanforized blue.....	36-50	25.70
688R.....	Denim—8 oz. sanforized hickory.....	34-46	23.90
4403.....	Denim—8 oz. sanforized hickory.....	36-50	25.70
4401.....	Denim—8 oz. sanforized victory.....	36-50	26.00
4407, 6284.....	Denim—8 oz. sanforized blue and gold.....	36-50	26.00
6274.....	Covert—2.30 mill finish ranger.....	36-50	18.75
689R.....	Covert—8 oz. sanforized gladiator.....	34-46	22.75
689.....	Covert—8 oz. sanforized gladiator.....	36-50	24.75
6267.....	Drill—2.50 sanforized.....	36-50	23.00
6271.....	Drill—2.35 mill finish white.....	36-50	16.60
608.....	Herringbone—2.25 sanforized blue.....	36-50	29.00
4406.....	Herringbone—2.25 mill finish white.....	36-50	30.00
661.....	Herringbone—2.25 sanforized white.....	36-50	30.50
4425, 6285.....	Herringbone—2.25 sanforized white.....	36-50	31.00
6286.....	Herringbone—2.25 sanforized O. D.....	36-50	31.50
4419.....	Herringbone—2.25 sanforized O. D.....	36-50	31.50
662.....	Herringbone—2.25 sanforized O. D.....	36-50	27.25
692.....	Twill—2.35 sanforized O. D.....	36-50	21.50
<b>WORK PANTS</b>			
8220, 5009.....	Denim—8 oz. sanforized blue.....	28-50	13.50
8220Y.....	Denim—8 oz. sanforized blue.....	2-16	11.50
165.....	Drill—8 oz. sanforized tan.....	28-50	15.00
508.....	Twill—8.2 oz. army type IV.....	28-50	17.75
518.....	Twill—8.2 oz. army type I.....	28-50	24.00
<b>WORK SHIRTS</b>			
1650.....	Jeans—2.85 sanforized tan.....	14-17	11.75
1508.....	Twill—8.2 oz. army type IV.....	14-17	16.00
1518.....	Twill—8.2 oz. army type I.....	14-17	22.50

This order shall become effective April 2, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5091; Filed, April 1, 1943;  
4:19 p. m.]

[Order 1<sup>1</sup> Under MPR 275,<sup>2</sup> Amendment 2]

H. J. HEINZ CO.

# AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 2 to order No. 1<sup>1</sup> under Maximum Regulation No. 275<sup>1</sup>—Extracted Honey.

<sup>1</sup> 8 F.R. 2408.

<sup>2</sup> 7 F.R. 9955; 8 F.R. 542, 1228, 2337.

Authorization of maximum prices of "Lakeshore" Brand Extracted Honey for H. J. Heinz Co., Pittsburgh, Pennsylvania. An opinion accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Order No. 1 under Maximum Price Regulation No. 275 is amended in the following respects:

1. Paragraph (a) is amended to read as follows:

(a) The H. J. Heinz Co. may sell and deliver to retailers the one pound jar of extracted honey, brand name "Lakeshore" at the following delivered prices:

Zone:	Maximum prices per dozen
1.....	\$3.02
2.....	3.02
3.....	3.11
4.....	3.06
5.....	3.12

Zone—Continued.	Maximum prices per dozen
6.....	\$3.12
7.....	3.12

2. Paragraph (c) is amended to read as follows:

(c) The prices set forth in paragraph (a) are prices before discounts of any kind. Heinz Co. shall reduce these prices to reflect their own regularly established trade allowances including but not limited to discounts for prompt payment and quantity of sale.

This amendment shall become effective April 3, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5087; Filed, April 1, 1943;  
4:20 p. m.]

[Order 3 Under MPR 327]

A. W. WHITFORD

# APPROVAL OF MAXIMUM PRICES

Order No. 3 under Maximum Price Regulation No. 327—Certain Nonmetallic Minerals.

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

(a) A. W. Whitford, Watsontown, Pennsylvania, may sell and deliver, and any person may buy and receive from A. W. Whitford, the following grades of granules f. o. b. Darlington, Pennsylvania, at prices not in excess of the prices set forth in the following table:

Grade:	Price per ton
No. 4 Buff (10-35 mesh).....	\$16.00
No. 5 Buff (16-35 mesh).....	17.00
No. 5 Buff (10-35 mesh).....	16.00
No. 6 Buff (10-35 mesh).....	16.00
No. 6 Buff (8-28 mesh).....	17.00
No. 1085 Buff (8-35 mesh).....	16.50
No. 1085 Buff (10-35 mesh).....	17.00
No. 75 Buff (8-35 mesh).....	17.00
No. 5341 Gray (10-35 mesh).....	25.50
No. 5341 Gray (16-35 mesh).....	28.00
No. 1814 Yellow (10-35 mesh).....	30.00
No. 945 White (10-35 mesh).....	32.00
No. 945 White (16-35 mesh).....	32.50

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

(c) This Order No. 3 shall become effective April 2, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5089; Filed, April 1, 1943;  
4:18 p. m.]

[Order 4 Under MPR 327]

INDUSTRIAL MINERALS & CHEMICAL  
COMPANY

# APPROVAL OF MAXIMUM PRICES

Order No. 4 under Maximum Price Regulation No. 327—Certain Nonmetallic Minerals.



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

(a) On and after April 2, 1943, the Industrial Minerals & Chemical Company, 6th & Gilman Streets, Berkeley, California, may sell and deliver, and any person may buy and receive from the Industrial Minerals & Chemical Company, the following grades of barite f. o. b. Modesto or Berkeley, California, at prices not in excess of the prices set forth in the following table:

Grade:	Prices (ton)
Crude Barite containing at least 96% BaSO <sub>4</sub> -----	\$10.65
Crude Barite containing at least 98.5% BaSO <sub>4</sub> and no more than 35% Fe <sub>2</sub> O <sub>3</sub> -----	14.50
Ground Barite containing at least 98.5% BaSO <sub>4</sub> and no more than 35% Fe <sub>2</sub> O <sub>3</sub> -----	18.75

(b) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 4 shall become effective April 2, 1943.

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

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5090; Filed, April 1, 1943; 4:19 p. m.]

#### WAR PRODUCTION BOARD.

[Certificate No. 45]

#### PETROLEUM SUPPLY

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit Petroleum Directive No. 64 of the Office of Petroleum Administrator for War.

For the purposes of the aforesaid section 12, I hereby approve said Petroleum Directive No. 64; 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 Directive, is requisite to the prosecution of the war.

DONALD M. NELSON,  
Chairman.

MARCH 30, 1943.

[F. R. Doc. 43-5065; Filed, April 1, 1943; 12:02 p. m.]

<sup>1</sup> Supra.

[Certificate No. 46]

#### PETROLEUM SUPPLY

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit Petroleum Directive No. 65 of the Office of Petroleum Administrator for War.

For the purposes of the aforesaid section 12, I hereby approved said Petroleum Directive No. 65; 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 Directive, is requisite to the prosecution of the war.

DONALD M. NELSON,  
Chairman.

MARCH 30, 1943.

[F. R. Doc. 43-5066; Filed, April 1, 1943; 12:02 p. m.]

[Certificate No. 47]

#### COORDINATED MOTOR OPERATIONS IN FLORIDA

The ATTORNEY GENERAL.

Pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit herewith Supplementary Order ODT 3, Revised-18,<sup>1</sup> issued by the Deputy Director of The Office of Defense Transportation, in respect of coordinated motor carrier operations between Tampa and Sarasota, Florida.

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-18, is requisite to the prosecution of the war.

DONALD M. NELSON,  
Chairman.

MARCH 30, 1943.

[F. R. Doc. 43-5067; Filed, April 1, 1943; 12:02 p. m.]

[Certificate No. 48]

#### LOCAL MOTOR VEHICLE CARRIERS IN PUERTO RICO

The ATTORNEY GENERAL.

Pursuant to the provisions of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I submit herewith General Order ODT 36,<sup>1</sup> issued by the Deputy Director of The Office of Defense Transportation, in respect of common carriers

of passengers by motor vehicle in local service in Puerto Rico.

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 General Order ODT 36, is requisite to the prosecution of the war.

DONALD M. NELSON,  
Chairman.

MARCH 30, 1943.

[F. R. Doc. 43-5068; Filed, April 1, 1943; 12:02 p. m.]

[Certificate No. 49]

#### TRANSPORTATION OF DAIRY PRODUCTS IN PORTSMOUTH, OHIO

The ATTORNEY GENERAL.

I submit herewith a recommendation by the Director of the Office of Defense Transportation of a plan for joint action by the persons named therein with respect to the transportation of dairy products by motor vehicle in the Portsmouth Milk Marketing Area, Portsmouth, Ohio.<sup>1</sup>

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the joint action plan as described in the recommendation; 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 joint action plan is requisite to the prosecution of the war.

DONALD M. NELSON,  
Chairman.

MARCH 30, 1943.

[F. R. Doc. 43-5069; Filed, April 1, 1943; 12:02 p. m.]

#### MATERIAL ENTERING INTO THE PRODUCTION OF HEALTH SUPPLIES (HEALTH SUPPLIES RATING PLAN)

[Revocation of Preference Rating Order P-29]

It is hereby ordered that Preference Rating Order P-29, as amended, and all serially numbered copies thereof, heretofore issued, are revoked.

This revocation shall take effect immediately.

Issued this 2d day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-5147; Filed, April 2, 1943; 11:45 a. m.]