

# THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES

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Washington, Tuesday, April 6, 1943

## The President

### PROCLAMATION 2582

#### CAPTURE OF PRIZES

BY THE PRESIDENT OF THE UNITED STATES  
OF AMERICA

#### A PROCLAMATION

WHEREAS the Act of August 18, 1942, Public Law 704, 77th Congress, contains in part the following provisions:

*"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district courts shall have original jurisdiction of all prizes captured during the present war on the high seas if said capture was made by authority of the United States or was adopted and ratified by the President of the United States and the prize was brought into the territorial waters of a cobelligerent or was taken or appropriated for the use of the United States on the high seas or in such territorial waters, including jurisdiction of all proceedings for the condemnation of such property taken as prize.*

*"Sec. 3. The jurisdiction of prizes brought into the territorial waters of a cobelligerent shall not be exercised under authority of this Act, nor shall prizes be taken or appropriated within such territorial waters for the use of the United States, unless the government having jurisdiction over such territorial waters consents to the exercise of such jurisdiction or to such taking or appropriation.*

*"Sec. 7. A cobelligerent of the United States which consents to the exercise of the jurisdiction herein conferred with respect to prizes of the United States brought into its territorial waters and to the taking or appropriation of such prizes within its territorial waters for the use of the United States shall be accorded, upon proclamation by the President of the United States, like privileges with respect to prizes captured under authority of such cobelligerent and brought into the territorial waters of the United States or taken or appropriated in the territorial waters of the United States for the use of such cobelligerent. Reciprocal recognition and full faith and credit shall be given to the jurisdiction acquired by courts of a cobelligerent hereunder and to all proceedings had or judgments rendered in exercise of such jurisdiction."*

WHEREAS the Government of New Zealand, a cobelligerent, has consented to the exercise of the jurisdiction con-

ferred by the said Act with respect to prizes of the United States brought into the territorial waters of the Dominion of New Zealand and its dependencies and to the taking or appropriation of such prizes within the territorial waters of the Dominion of New Zealand and its dependencies for the use of the United States:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the said Act of August 18, 1942, do proclaim that the Government of the Dominion of New Zealand shall be accorded like privileges with respect to prizes captured under authority of the said Government and brought into the territorial waters of the United States or taken or appropriated in the territorial waters of the United States for the use of the said Government.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 1st day of April in the year [SEAL] of our Lord nineteen hundred and forty-three, and of the Independence of the United States of America the one hundred and sixty-seventh.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL,  
Secretary of State.

[F. R. Doc. 43-5177; Filed, April 2, 1943;  
4:52 p. m.]

## Regulations

### TITLE 7—AGRICULTURE

#### Chapter IX—Food Distribution Administration

#### PART 945—MILK IN THE WASHINGTON, D. C., MARKETING AREA

#### AMENDED ORDER REGULATING THE HANDLING OF MILK

It is provided in Public Act No. 10, 73rd Congress (May 12, 1933), as amended and (Continued on p. 4277)

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as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), that the Secretary of Agriculture of the United States (hereinafter referred to as the "Secretary") shall, subject to the provisions of the act, issue and amend orders regulating such handling of certain agricultural commodities (including milk and its products) as are in the current of interstate or foreign commerce, or which directly burden, obstruct, or affect interstate or foreign commerce in such commodities.

Sec.	
945.1	Findings and determinations.
945.2	Order relative to handling.
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945.12	Effective time, suspension, or termination.
945.13	Emergency milk committee.
945.14	Agents.
945.15	Liability.

AUTHORITY: §§ 945.1-945.15 inclusive issued under 48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 1940 ed. 601 et seq.

## § 945.1 Findings and determinations—

(a) Findings. Pursuant to the act and rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR 900.1-900.17; 6 F.R. 6570, 7 F.R. 3350, 8 F.R. 2813), a public hearing was held upon certain proposed amendments to the tentatively approved amended marketing agreement and to the amended order regulating the handling of milk in the Washington, D. C., marketing area. Upon the basis of evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) The aforesaid amended order and all of the terms and conditions of said amended order will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the Washington, D. C., marketing area, a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect marketing supplies of and demand for such milk, and the minimum prices set forth in the aforesaid amended order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The aforesaid amended order regulates the handling of milk in the same manner as and is applicable only to persons in their respective classes of commercial and industrial activity specified in the aforesaid tentatively approved amended marketing agreement upon which a hearing has been held.

(a) Determinations. It is hereby determined that handlers with at least 50 percent of the volume of milk covered by this amended order which is marketed within the Washington, D. C., marketing area refused or failed to sign the tentatively approved amended marketing agreement, regulating the handling of milk in the Washington, D. C., marketing area; and it is further determined that:

(1) The refusal or failure of such handlers to sign such said tentatively amended marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this amended order is the only practical means pursuant to the declared policy of the act of advancing the interest of producers of milk which is produced for sale in the Washington, D. C., marketing area;

(3) The issuance of this amended order is approved or favored by at least three-fourths of the producers who participated in a referendum on the questions of the approval of this order and who, during the determined representative period, were engaged in the production of milk for sale in said Washington, D. C., marketing area.

§ 945.2 Order relative to handling. It is, therefore, ordered that, from and after the effective date hereof, the handling of milk in the Washington, D. C., marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order.

§ 945.3 Definitions. The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture who is,

or who may hereafter be, authorized to exercise the powers and perform the duties of the Secretary of Agriculture of the United States.

(c) "Washington marketing area," hereinafter referred to as the "marketing area," means the territory included within the boundary lines of the District of Columbia and that territory in the State of Maryland included between the District of Columbia line and the following boundaries: Beginning at the junction of the southeastern boundary of the District of Columbia line and Route 224, thence south on Route 224 to Oxon Hill, thence east on St. Barnaby Road to Gordon's Corner, thence northeast on Suitland-Silver Hill Road continuing Suitland to the junction of Route 4, thence northwest on Route 4 to Hillside, thence north on Crystal Spring Road continuing through Capitol Heights to 61st Street, thence north on 61st Street to the District of Columbia line, thence northeasterly and thence northwesterly along said District line to Kenilworth Avenue, thence north on Kenilworth Avenue to Defense Highway, thence east on Defense Highway, thence north on Edmonston Road to Greenbelt, and around the outside limits of Greenbelt, then returning on Edmonston Road to Branchville Road, thence west on Branchville Road to the Baltimore-Washington Boulevard, thence south on the Baltimore-Washington Boulevard to Metzert Road, thence west on Metzert Road to Riggs Valley Road, thence to County Road, thence west to Blair Road, thence north to Piney Branch Road, continuing north on Piney Branch Road to White Oak at intersection of Colesville Road, thence continuing north on Colesville Road to Colesville, thence west on Glenmont Road to Brookville Road, thence south on Brookville Road to Wheaton, thence on Lincoln Avenue to Kensington, thence west on Knowles Avenue and continuing west on Strathmore Avenue to Rockville Pike, thence south on Rockville Pike to Grosvenor Lane, thence west on Grosvenor Lane to Old Georgetown Road, thence north on Old Georgetown Road to Bellsmill Road, thence west on Bellsmill Road to the Seven Locks Road, thence south on Seven Locks Road to Bradley Road, thence west on Bradley Road continuing to Conduit Road, thence southeasterly on Conduit Road to the District of Columbia Line.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Producer" means any person, irrespective of whether such person is also a handler, who produces milk on a farm from which milk is delivered direct to (1) a plant located in the marketing area which is approved or licensed for sale of milk for fluid consumption in the marketing area, or (2) a plant located outside the marketing area from which milk was shipped to the marketing area for fluid consumption during May 1942.

(f) "Handler" means any person, irrespective of whether such person is also a producer or a cooperative association



of producers, who engages in such handling of milk, skim milk, or cream for fluid consumption in the marketing area as is in the current of interstate commerce, or which directly burdens, obstructs, or affects such commerce, in milk and its products: *Provided*, That this definition shall not include producers or cooperative associations of producers with respect to milk or cream not handled through their own receiving or bottling plant.

(g) "Market administrator" means the person designated pursuant to § 945.4 as the agency for the administration hereof.

(h) "Cooperative association" means any cooperative association of producers which the Secretary determines (1) to have its entire activities under the control of its members, and (2) to have and exercise full authority in the sale of milk of its members.

(i) "Delivery period" means the current marketing period from the first to the last day of each month, both inclusive.

(j) "Producer's milk plant" means any milk plant currently used for any or all of the handling functions of receiving, weighing (or measuring), sampling, cooling, pasteurizing, bottling, or other preparation of milk of producers for fluid sale or disposition in fluid form in the marketing area.

(k) "Farmer's milk plant" means any milk plant other than a "producer's milk plant" currently used for any or all of the handling functions of receiving, weighing (or measuring), sampling, cooling, pasteurizing, bottling, or other preparation of milk of persons who are not producers as defined in (e) of this section.

(l) "Emergency milk" means all milk, skim milk, cream, condensed milk, condensed skim milk, whole milk powder, and skim milk powder received at a producer's milk plant from a farmer's milk plant; and "emergency skim milk" means all of the skim milk in emergency milk.

§ 945.4 *Market administrator.*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof; and

(2) Report to the Secretary complaints of violations of the provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thron satisfactory to the Secretary;

(2) Pay, out of the funds provided by § 945.11, the cost of his bond, his own compensation, and all other expenses necessarily incurred in the maintenance and functioning of his office;

(3) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the Secretary may designate;

(4) Publicly disclose to handlers and producers, unless otherwise directed by the Secretary, the name of any person who, within 2 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to § 945.5 or (ii) made payments pursuant to § 945.10;

(5) Promptly verify the information contained in the reports submitted by handlers; and

(6) Check the weight and butterfat test of milk, skim milk, and cream received from producers by each handler each month and report the results of the butterfat tests to producers or to their cooperative association. The market administrator may designate an independent agency to check the weight and butterfat test of such receipts by handlers.

§ 945.5 *Reports of handlers.*—(a) *Submission of reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator, as follows:

(1) On or before the 5th day after the end of each delivery period the receipts of milk, skim milk, and cream at each producer's milk plant from producers, including milk produced by such handler, the weighted average test thereof, and the utilization of such receipts, computed pursuant to § 945.6.

(2) On or before the 11th day after the end of each delivery period, (i) the receipts of milk, skim milk, and cream at each producer's milk plant for the account of a handler or of a cooperative association, from each producer's milk plant and each farmer's milk plant, and the average butterfat content of each product from each source; (ii) the utilization of all emergency milk received; (iii) the receipts at each producer's milk plant from new producers and the average test thereof; (iv) the name and address of each new producer; (v) the names of handlers from whom or to whom milk, skim milk, or cream was received or delivered; and (vi) the address of each farmer's milk plant from which milk, skim milk, or cream was received at a producer's milk plant.

(3) Within 10 days after the market administrator's request with respect to any producer for whom such information is not in the files of the market administrator and with respect to a period or periods of time designated by the market administrator, (i) the name and address of such producer; (ii) the total pounds of milk, skim milk, and cream delivered and the average butterfat test thereof; (iii) the farm scores and cattle

scores recorded by the respective health departments requiring permits to sell milk to handlers in the marketing area; and (iv) the number of days upon which deliveries were made.

(4) On or before the 19th day after the end of each delivery period, at the request of the market administrator, his producer pay roll which shall show for each producer, (i) the total delivery of milk, skim milk, and cream with the average butterfat test thereof; (ii) the premium rate paid; (iii) the net amount of payment made pursuant to § 945.10; and (iv) the deductions and charges made by the handler with authorizations therefor.

(b) *Verification of reports.* Each handler shall provide the market administrator or his agent with reasonable access to those records and facilities which are necessary for:

(1) The verification of the information contained in the reports submitted in accordance with this section;

(2) The verification of the payments required by §§ 945.7 and 945.10;

(3) The checking of the weighing and sampling of milk, skim milk, and cream received by such handlers; and

(4) Determining the utilization of milk, skim milk, and cream by the handler.

§ 945.6 *Classification of milk.*—(a) *Milk to be classified.* All milk, skim milk, and cream received by each handler in his producer's milk plant shall be classified in the classes set forth in (b) of this section.

(b) *Classes of utilization.* Except as provided in (c) of this section, the classes of utilization of milk shall be as follows:

(1) Class I-A shall be all skim milk in milk, skim milk, and cream received at a producer's milk plant that is not classified as Class II-A.

(2) Class I-B shall be all butterfat in milk, skim milk, and cream received at a producer's milk plant.

(3) Class II-A shall be all skim milk in milk, skim milk, and cream received at a producer's milk plant that is used in the manufacture of ice cream, ice cream mix, skim milk powder, whole milk powder, condensed milk, and condensed skim milk, which is not disposed of by the handler in the form of milk, milk drinks, or cottage cheese.

(c) *Transfers of milk and cream.*

(1) The skim milk in milk, skim milk, and cream received at a producer's milk plant from another producer's milk plant shall be allocated to Class I-A: *Provided*, That it shall be allocated to Class II-A if the market administrator is requested in writing by the receiving handler and the selling handler to make such an allocation: *Provided further*, That the amount so allocated to any class shall not be greater than the amount used in that class by the receiving handler after deduction of any skim milk pursuant to (2) of this paragraph.



(2) The skim milk in milk, skim milk, and cream received at a producer's milk plant from a farmer's milk plant shall be allocated to Class II-A, except that any of this skim milk in excess of the amount of Class II-A disposed of at the producer's milk plant shall be allocated to Class I-A.

(d) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification of any milk, skim milk, and cream received at a producer's milk plant, the burden rests upon the handler who received the milk, skim milk, or cream from producers or from a farmer's milk plant, to prove that it should not be classified as Class I-A and Class I-B.

§ 945.7 *Minimum prices.*—(a) *Class prices.* Each handler shall pay not less than the following prices subject to (a), (b), (c), (d), (e), and (f) of § 945.10, for milk, skim milk, and cream purchased or received from producers and associations of producers:

(1) Class I-A: Subtract 4 times the price of Class I-B, determined pursuant to (2) of this paragraph, from \$4.00 and divide by 96: *Provided*, That for Class I-A disposed of by a handler from a plant not having a health department permit to sell fluid milk or fluid cream in the District of Columbia, the price shall be 0.48 of a cent less.

(2) Class I-B: Add all market quotations (using midpoint of any weekly range as one quotation) of prices for a 40-quart can of sweet cream approved for "Pennsylvania only" and for "Pennsylvania, Newark, and lower Merion Township" in the Philadelphia, Pennsylvania, market, reported by the United States Department of Agriculture prior to the 6th day of the month for each of the last 4 weeks ending within the preceding month, divide by the number of quotations, divide by 33.48, and subtract 3.0 cents.

(3) Class II-A: Subtract 4.5 cents from the average of all price quotations for carlots of dry skim milk in barrels for human consumption (roller process), f. o. b. New York City, as published by the United States Department of Agriculture prior to the 6th day of the month for each of the last 4 weeks ending within the month, multiply by 7.5, and divide by 96. In the event the United States Department of Agriculture does not publish such skim milk powder prices, the maximum prices established by the Office of Price Administration for bulk powdered skim milk for human consumption (roller process) shall be used.

(b) *Class I-A cost adjustment.* When the total pounds of Class I-A disposed of by all handlers from producers' milk plants exceed 97 percent in any month from July to April inclusive, and 92 percent in May and June of the total pounds of skim milk in milk, skim milk, and cream received from all producers during any delivery period, the cost per pound to handlers of Class I-A, com-

puted pursuant to (a) of this section, shall be adjusted through the handler-settlement fund, as provided by § 945.10 (g), by an amount computed by subtracting the total value for all handlers of the emergency skim milk needed by the market, as determined pursuant to (c) and (e) of this section, from the total cost of such emergency skim milk determined pursuant to (d) of this section, and dividing the resulting amount by the total pounds of Class I-A disposed of from producers' milk plants by all handlers.

(c) *Emergency skim milk needed by the market.* The quantity of emergency skim milk needed by the market shall be considered as not exceeding for any handler the difference between 103 percent in any month from July to April inclusive, and 108 percent in May and June, of his Class I-A disposed of within 21 miles of the milestone in Washington, D. C., and the pounds of skim milk in milk, skim milk, and cream received from producers by such handler.

(d) *Cost of emergency skim milk.* The cost per pound of emergency skim milk purchased or received by a handler that was needed by such handler, which in no event shall exceed the price per pound for Class I-A plus 0.5 of a cent, shall be determined by the market administrator as follows:

(1) Where a handler purchases or receives emergency skim milk from a farmer's milk plant not owned by such handler, the cost shall be determined by subtracting the Class I-B value from the cost of the emergency milk f. o. b. Washington, D. C., as shown by the sales and transportation records: *Provided*, That if the total pounds of emergency skim milk purchased or received by a handler exceed the amount needed, as determined pursuant to (c) of this section, the emergency skim milk needed shall be considered to be that skim milk other than that included in condensed milk, condensed skim milk, whole milk powder, and skim milk powder used in products not disposed of for fluid consumption, costing the least amount per pound during the delivery period; and

(2) Where a handler received emergency skim milk from a farmer's milk plant owned by such handler, the cost per pound of emergency skim milk received by a handler from such plant shall be determined by the market administrator on the basis of the prevailing price being paid for milk of similar quality to farmers in the same area, less the Class I-B value of such milk, plus the prevailing charge for hauling milk from the area in which the farmer's milk plant is located to the producer's milk plant, as determined by the market administrator, plus a country station allowance of 0.16 of a cent per pound.

(e) *Class value of emergency skim milk needed.* The class value of the emergency skim milk needed by each handler shall be computed as follows:

(1) Multiply the pounds of such emergency skim milk allocated to Class I-A by the Class I-A price specified in (a) of this section, less the applicable location differential determined pursuant to § 945.10 (d);

(2) Multiply the pounds of such emergency skim milk allocated to Class II-A, which is not in excess of 3 percent in any month from July to April inclusive, or 8 percent in May and June, of the total pounds of Class I-A disposed of by such handler, by the Class II-A price specified in (a) of this section;

(3) Multiply the total pounds of emergency skim milk needed by such handler by 97 percent in any month from July to April inclusive, and 92 percent in May and June, of the weighted average premium payable to producers by him pursuant to § 945.10 (e) for the delivery period; and

(4) Add together the resulting amounts.

§ 945.8 *Application of provisions.*—

(a) *Handlers who are also producers.* No provision hereof shall apply to a handler who is also a producer and who purchases or receives no milk from producers or an association of producers, except that such handler shall make reports to the market administrator at such time and in such manner as the market administrator may request.

(b) *Virginia handlers.* Any handler whose plant is located in the State of Virginia and who is subject to such regulation of the Virginia Milk Commission as provides for the payment to producers of prices identical with, or in excess of, the prices set forth in § 945.7 hereof, who complies with §§ 945.5 (a) (1), (2), (3), and (b), 945.7 (b), (c), (d), and (e), 945.9 (b), and 945.10 (g), (h), (i), and (j) of this order, and who reports the total payments made for milk received from producers as directed by the market administrator, shall not be subject to other provisions of this order.

§ 945.9 *Determination and announcement of uniform prices.*—(a) *Computation and announcement for each handler of uniform prices to be paid producers.* On or before the 7th day after the end of each delivery period the market administrator shall announce the Class I-B price and the uniform price per pound of skim milk to be paid producers by each handler for such delivery period. The market administrator shall compute the uniform prices of skim milk as follows: (1) Multiply the pounds of skim milk received from producers that were allocated to each class by the prices applicable pursuant to § 945.7 (a); (2) add together the resulting amounts; and (3) divide the result obtained by the total pounds of skim milk in milk, skim milk, and cream received from producers.

(b) *Net pool obligations of handlers for emergency skim milk received at a producer's milk plant.* The net pool obligation of each handler for emergency



skim milk needed by the market received at producers' milk plants during each delivery period shall be a sum of money computed by multiplying the pounds of Class I-A disposed of by the handler, excluding Class I-A disposed of for the account of an association of producers, by the Class I-A cost adjustment determined pursuant to § 945.7 (b).

(c) *Announcement of other market information.* As soon after the 11th day to each class.

after the end of each delivery period as such information becomes available, the following data shall be compiled and listed separately by the market administrator for handlers not disposing of any milk, skim milk, or cream for fluid consumption in the District of Columbia and for handlers disposing of milk, skim milk, or cream for fluid consumption in the District of Columbia:

(1) The total pounds of butterfat and skim milk in milk, skim milk, and cream received from producers and the total pounds of such skim milk allocated to each class.

(2) The total pounds of butterfat and skim milk in emergency milk received at each producer's milk plant, the total pounds of emergency skim milk needed at each producer's milk plant, and the total pounds of such skim milk allocated to each class.

(3) The cost of emergency skim milk, received at a producer's milk plant from each farmer's milk plant, that was needed by the market, as determined by the market administrator pursuant to § 945.7 (d).

(4) The name and address of all farmers' milk plants shipping milk, skim milk, or cream to a producer's milk plant during the delivery period.

(5) The Class I-A adjustment determined pursuant to § 945.7 (b).

§ 945.10 *Payments for milk.*—(a) *Time and method of payment.* On or before the 10th day after the end of each delivery period, each handler shall make payments, subject to (b), (c), (d), (e), and (f) of this section, for all milk, skim milk, and cream received from producers at the prices announced pursuant to § 945.9 (a) as follows:

(1) To each producer, except as provided in (2) of this paragraph, at not less than the prices announced pursuant to § 945.9 (a); and

(2) To a cooperative association for (1) milk, skim milk, and cream which is caused to be delivered to a handler from producers by a cooperative association, and for which such cooperative association collects payment, a total amount equal to not less than the sum of the individual payments otherwise payable to such producers under (1) of this paragraph, minus an amount equal to the pounds of skim milk and butterfat in milk, skim milk, and cream disposed of for the account of the association, times the composite price of skim milk

and the Class I-B price, respectively, announced pursuant to § 945.9 (a), plus the weighted average premium payable to producers by such handler, times the pounds of skim milk and butterfat in such products; and (ii) other milk, skim milk, and cream in each use classification, determined pursuant to § 945.6 (c), received by such handler for the account of an association of producers, at not less than the class prices specified in § 945.7 (a), plus the weighted average premium payable to producers by such handler.

(b) *Errors in payment.* Errors in making the payment prescribed in this section shall be corrected not later than the date for making payments next following the determination of such errors.

(c) *Butterfat content of milk, skim milk, and cream received from producers and of emergency milk.* The butterfat content of milk, skim milk, and cream received from producers shall be determined by taking the average of not less than 5 separate butterfat tests made from fresh samples during each delivery period. The butterfat content of emergency milk shall be determined at the producer's milk plant where it is received. The market administrator may designate an independent laboratory to make these tests.

(d) *Location adjustments to producers.* In making payments pursuant to (a) of this section the handlers may deduct 18 cents per hundredweight with respect to milk received from producers who have been delivering their entire supply of milk for the preceding 4 full delivery periods at a plant in which no milk is bottled or finally processed for distribution to consumers and which is located more than 35 miles from the District of Columbia: *Provided*, That handlers may make such a deduction on all milk received at such plant from new producers whose milk is not received on truck routes transferred to such a plant.

(e) *Premiums to be paid by handlers.*

(1) In making payments pursuant to (a) of this section, handlers shall pay premium differentials on all milk, skim milk, and cream received from producers at producers' milk plants determined by applying the premium rates set forth in this paragraph for each producer on the same percentage of each producer's total deliveries as that percentage which the pounds of skim milk in milk, skim milk, and cream received from producers classified in Class I-A is to the total pounds of skim milk in milk, skim milk, and cream received from producers less the pounds of skim milk in milk, skim milk, and cream returned for the account of an association of producers. The premium rates referred to in this paragraph shall be determined from the following schedule with respect to the cattle scores and farm scores recorded for each producer by the respective health departments

requiring permits to sell milk to handlers in the marketing area:

Farm score	With cattle score under 95	With cattle score 95 or over, but under 98	With cattle score 98 or over
	Per hundred-weight	Per hundred-weight	Per hundred-weight
Under 80	\$0.00	\$0.00	\$0.00
80.0-84.9	.00	.03	.09
85.0-89.9	.02	.08	.14
90.0-94.9	.08	.14	.20
95.0-97.9	.20	.26	.32
Over 97.9	.31	.37	.43

(2) If more than one score has been recorded during any month, the simple average of the scores so recorded shall be used. Producers who are subject to health department regulations which do not provide for cattle scores in their scoring system shall be considered as having a cattle score of 98 or over and the score given them by the health department shall be considered the farm score for the purpose of applying premiums under the above schedule.

(f) Handlers may distribute the payments they are required to make to producers for milk, skim milk, and cream received by them on any uniform basis, other than that specified above in this section, that is approved by the market administrator.

(g) *Handler-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "handler-settlement fund" into which he shall deposit all payments made by handlers pursuant to (h) and (j) of this section and out of which he shall make all payments to handlers pursuant to (i) and (j) of this section: *Provided*, That the market administrator shall offset any such payment due to any handler against payments due from such handler. Immediately after computing the Class I-A cost adjustment for each delivery period the market administrator shall compute the amount by which each handler's net pool obligation is in excess of or less than the amount obtained by subtracting the cost of emergency skim milk received by the handler that was needed by him, determined pursuant to § 945.7 (d) from the value of such emergency skim milk, determined pursuant to § 945.7 (e) and shall enter such amount on each handler's account as to such handler's pool debit or pool credit, as the case may be, and render such handler a transcript of his account.

(h) *Payments to the handler-settlement fund.* On or before the 15th day after the end of each delivery period each handler shall make full payment to the market administrator of any pool debit balance shown on the account rendered, pursuant to (g) of this section, for the preceding delivery period.

(i) *Payments out of the handler-settlement fund.* On or before the 18th



day after the end of each delivery period, the market administrator shall pay to each handler the pool credit balance shown on the account rendered, pursuant to (g) of this section, if any, for the preceding delivery period, less any unpaid obligations of the handler. If at such time the balance in the handler-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available.

(j) *Adjustment of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors made in payments to the handler-settlement fund, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler, the market administrator shall, within 5 days, make such payment to such handler, provided the balance in the handler-settlement fund is sufficient to make such payments.

§ 945.11 *Expense of administration and marketing services.*—(a) *Payments by handlers.* As his prorata share of the expense of the administration hereof, each handler, except those handlers exempted pursuant to § 945.8, shall pay to the market administrator on or before the 18th day after the end of each delivery period an amount equal to 2 cents per hundredweight with respect to all milk, skim milk, and cream received by him from a farmer's milk plant, producers, associations of producers, or produced by him during such delivery period, or such lesser amount, the exact amount to be determined by the market administrator: *Provided*, That each handler which is a cooperative association shall pay such prorata share of the expense of administration only on such milk, skim milk, and cream actually received at a producer's milk plant operated by such cooperative association. If the market administrator designates an independent agency to determine the butterfat content of milk, skim milk, and cream received by handlers from producers as permitted by § 945.10 (c), each handler shall pay to the market administrator an amount equal to the cost of such tests of emergency milk and one-half the cost of such tests of producers' milk, skim milk, cream, the exact amount to be determined by the market administrator.

(b) *Marketing services.* If the market administrator designates an independent agency to determine the butterfat content of milk, skim milk, and cream received by handlers from producers, as

permitted under § 945.10 (c), each handler shall deduct from his payments to each producer an amount equal to one-half the cost per test, the exact amount to be determined by the market administrator, and shall pay such deduction to the market administrator on or before the 18th day after the end of each delivery period. Such moneys shall be used by the market administrator to pay the independent laboratory for the verification of weight, sampling, and testing of milk, skim milk, and cream received from producers.

(c) *Suits by market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's prorata share of expense set forth in this section.

§ 945.12 *Effective time, suspension, or termination.*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to (b) of this section.

(b) *Suspension or termination.* The Secretary may suspend or terminate this amended order or any provision hereof whenever he finds that this amended order or any provision hereof obstructs or does not tend to effectuate the declared policy of the act. This amended order shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* (1) If, upon the suspension or termination of any or all provisions hereof, there are obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(2) The market administrator, or such other person as the Secretary may designate, shall (i) continue in such capacity until removed by the Secretary; (ii) from time to time account for all receipts and disbursements, and when so directed by the Secretary deliver all funds on hand, together with the books and records of the market administrator or such person, to such person as the Secretary shall direct; and (iii) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or

termination of any or all provisions hereof the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 945.13 *Emergency milk committee.* Handlers may select an "Emergency Milk Committee" for the purpose of supervising the purchase and allocation among handlers of emergency milk for all handlers desiring to purchase their emergency milk through a single importing agency. The market administrator may be a member of such committee and may act as chairman thereof. Notice of all meetings of the committee shall be given to the Secretary and such person or persons as the Secretary may designate shall be permitted to attend and take part in such meetings.

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

§ 945.15 *Liability.* The liability of handlers hereunder is several and not joint and no handler shall be liable for the default of any other handler.

Issued at Washington, D. C., this 3d day of April 1943, to be effective on and after the 8th day of April 1943. Witness my hand and the official seal of the Department of Agriculture.

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

Approved: April 5, 1943.

JAMES F. BYRNES,  
Director of Economic Stabilization.

[F. R. Doc. 43-5303; Filed, April 5, 1943;  
11:39 a. m.]

## Chapter XI—Food Distribution Administration

[FDO 4-1, Amendment 1]

### PART 1450—TOBACCO

#### ALLOCATIONS OF 1942 CROP BURLEY TOBACCO

Pursuant to the authority vested in me by Food Distribution Order No. 4



(8 F.R. 335) dated January 7, 1943, issued under the authority of Executive Order No. 9280, dated December 5, 1942, and in order to effectuate the purposes of said orders: *It is hereby ordered*, That Food Distribution Order No. 4-1 (8 F.R. 392) issued by the Director on January 8, 1943, be, and the same hereby is, amended by deleting therefrom the provisions in § 1450.2 (c) (6) and inserting, in lieu thereof, the following:

(6) *Modification and amendment.* Allocations as set forth in (c) (1) and (2) hereof may be modified, amended, or supplemented from time to time by notices or letters, issued by the Director, addressed to any manufacturer or dealer.

The provisions hereof shall become effective on April 5, 1943. Any violation of Food Distribution Order No. 4-1, prior to the effective time of this amendment, shall not be deemed to be released, waived, or affected by the provisions of this amendment.

(E.O. 9280, 7 F.R. 10179; F.D.O. 4, 8 F.R. 335)

Issued this 3d day of April 1943.

[SEAL] ROY F. HENDRICKSON,  
Director of Food Distribution.

[F. R. Doc. 43-5302; Filed, April 5, 1943;  
11:39 a. m.]

## TITLE 8—ALIENS AND NATIONALITY

### Chapter I—Immigration and Naturalization Service

[General Order C-31, Supplement 2]

#### PART 120—ALIEN SEAMEN

##### ADMISSION AND DEPORTATION

MARCH 22, 1943.

Pursuant to the authority contained in sections 23 and 33 of the Act of February 5, 1917 (39 Stat. 892, 896; 8 U.S.C. 102, 168); sections 14, 15, 20, and 24 of the Act of May 26, 1924 (43 Stat. 162, 162, 164, 166, 47 Stat. 524, 54 Stat. 711; 8 U.S.C. 214, 215, 167, 222); section 1 of Reorganization Plan No. V (5 F.R. 2223); section 37 (a) of the Act of June 28, 1940 (54 Stat. 675; 8 U.S.C. 458); section 90.1, Title 8, Chapter I, Code of Federal Regulations (7 F.R. 6753) and all other authority conferred by law, the following changes in Part 120 of the said regulations are hereby promulgated:

Sections 120.21 and 120.37 are amended to read respectively as follows:

§ 120.21 *Alien seaman seeking entry in pursuit of calling; when ordered detained; waiver of crew list visa.* (a) Any alien who upon arrival establishes that he is a bona fide seaman as defined in

§ 120.2 of this part, is admissible as a nonimmigrant under section 3 (5) of the Immigration Act of 1924 and is not inadmissible under the other provisions of this part and of Part 175, may be temporarily admitted for such period of time as the examining immigrant inspector shall designate, not to exceed, however, the time the vessel on which the alien arrives remains in the United States and in no event to exceed 30 days, if

(1) His name appears on the duly visaed crew list of the vessel on which he arrives, unless such vessel is excepted from the requirement of submitting a visaed crew list under the applicable Executive Order and regulations prescribing the requirements for crew list visas; and

(2) He is in possession of a passport, or some other document in lieu thereof, which is acceptable under the applicable Executive Order and regulations prescribing the documents required of alien seamen and which satisfactorily establishes his identity and nationality; and

(3) He has been registered as an alien and presents an appropriate alien registration receipt card or is registered as an alien at the time of inspection.

(b) Extensions of such a temporary admission may be granted by the officer in charge at the port of arrival if exceptional circumstances exist which justify such extensions, but the officer in charge shall in no event grant an extension or extensions which will authorize the alien seaman to remain in the United States for a period more than 60 days after his arrival. Any request for an extension beyond that period shall be referred to the Central Office for decision.

(c) The period of temporary admission of any seaman admitted for the period of time the vessel on which he arrives remains in the United States shall be deemed to be terminated if such vessel fails to depart to a foreign port or place within 30 days after its arrival at the port where the seaman was admitted, unless an extension of the alien's period of admission beyond 30 days from the date of the arrival of the vessel has been granted.

(d) An alien seaman whose name is not included in the visa of an alien crew list, or who is not in possession of an acceptable passport or document in lieu thereof, may nevertheless be admitted temporarily if otherwise entitled to such admission, if permission of the Secretary of State is obtained.

(e) Where the immigration officer is not satisfied that an alien applying for temporary admission as a bona fide alien seaman is entitled thereto, the immigration officer shall order the owner, charterer, agent, consignee, or master of the vessel on which such seaman arrived to

detain him on board and deport him in the manner provided by law.

§ 120.37 *Arrest and deportation of seamen; procedure.* (a) An alien temporarily admitted as a bona fide seaman pursuant to section 3 (5) of the Immigration Act of 1924 for the time and under the conditions stated in § 120.21 of this part shall be deemed to have remained in the United States for a longer time than permitted by the terms of his admission or to have failed to maintain the status under which he was admitted if

(1) He is found in the United States after the expiration of the time for which he was temporarily admitted or the expiration of any authorized extension of such period; or

(2) He engages in or seeks employment ashore for hire; or

(3) He engages in or seeks employment in the coastwise trade; or

(4) He engages or seeks to engage, for profit, in any business not connected with his calling as a seaman; or

(5) He evidences an intention, by any other conduct or by spoken word, to violate the conditions of his temporary admission or to remain in the United States for a longer period than that for which he was admitted, although the period of his temporary admission has not expired; or

(6) He violates or is found to have violated in any way the terms and conditions under which he was admitted, as prescribed by the regulations in force and effect at the time of his admission.

(b) Any such alien shall be taken into custody and deported in accordance with the provisions of section 14 of the Immigration Act of 1924: *Provided, however*, And notwithstanding any other provisions of this chapter, that any such alien, upon indicating a willingness and ability to reship foreign may, in the discretion of the officer in charge, be placed on board any vessel for reshipment foreign at any time prior to the issuance of a warrant of deportation.

(Sec. 33, 39 Stat. 896, 8 U.S.C. 168; secs. 3(5), 14, 15, 20, 43 Stat. 154, 162, 162, 164, 47 Stat. 524, 607, 54 Stat. 711, 711, 8 U.S.C. 203 214, 215, 167; sec. 37 (a), 54 Stat. 675, 8 U.S.C. 458)

EARL G. HARRISON,  
Commissioner.

Approved:

FRANCIS BIDDLE,  
Attorney General.

[F. R. Doc. 43-5248; Filed, April 3, 1943;  
2:39 p. m.]



## TITLE 10—ARMY: WAR DEPARTMENT

## Chapter VIII—Procurement and Disposal of Equipment and Supplies

## PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

## DISCLOSURE OF INFORMATION IN COMPLETING SELECTIVE SERVICE AFFIDAVIT

Section 81.393 is hereby added as follows:

§ 81.393 *Disclosure of information in connection with completing Selective Service affidavit.* (a) It appears that some industrial firms have been setting forth detailed information on their war production activities, including dollar value of contracts, in completing the Affidavit—Occupational Classification (Industrial) (D. S. S. Form 42A, 'Selective Service System').

(b) The information elicited on the reverse side of this form, pertaining to activities, production, contemplated conversion and numbers of employees, will be stated in general terms only. Detailed confidential data will not be included.

(c) All companies holding War Department contracts will be informed by the chiefs of the supply services that they must avoid any inclusion of confidential war production and related data in completing above-mentioned forms.

(Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193-1195, and the first War Powers Act 1941, 55 Stat. 838, 50 U.S.C. Sup. 601-622) [Army Service Forces memorandum No. S5-66-43, March 29, 1943]

[SEAL]

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

[F. R. Doc. 43-5178; Filed, April 2, 1943; 5:08 p. m.]

## TITLE 16—COMMERCIAL PRACTICES

## Chapter I—Federal Trade Commission

[Docket No. 3866]

## PART 3—DIGEST OF CEASE AND DESIST ORDERS

WALTER KIDDE & COMPANY, INC.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—History:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Reputation, success or standing.* In connection with offer, etc., in commerce, of fire-extinguishing equipment, and among other

things, as in order set forth, representing, directly or by implication (1) that the respondent originated or pioneered the carbon-dioxide method of fire extinguishing or that respondent has developed every important improvement in carbon-dioxide equipment and technique; or (2) that all fire-extinguishing equipment involving carbon dioxide and every basic improvement thereof are developments of the respondent; or that any extinguishing equipment or improvement thereof not originated and designed solely by the respondent is a development of the respondent; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Walter Kidde & Company, Inc., Docket 3866, March 29, 1943].

§ 3.6 (ff 10) *Advertising falsely or misleadingly—Unique nature or advantages.* In connection with offer, etc., in commerce, of fire-extinguishing equipment, and among other things, as in order set forth, representing, directly or by implication (1) that any feature or value of respondent's fire-extinguishing equipment is an exceptional or exclusive feature of respondent's fire-extinguishing equipment either through the use of the term "extra values" or any other term of similar import or meaning to designate such features, or in any other manner, when such features so claimed to be exceptional or exclusive are in fact found in, and form a part of, fire-extinguishing equipment other than that sold by the respondent; (2) that no fire-extinguishing apparatus, device, or equipment other than respondent's will put out airplane fires both on the ground and in flight; or (3) that respondent's equipment is the only fire-extinguishing apparatus approved by the United States Army or Navy as equipment for use in extinguishing airplane fires both on the ground and in flight; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat., 112; 15 U.S.C., sec. 45b) [Cease and desist order, Walter Kidde & Company, Inc., Docket 3866, March 29, 1943].

§ 3.48 (a) *Disparaging competitors and their products—Competitors—Business facilities, service, size or scope:* § 3.48 (a) *Disparaging competitors and their products—Competitors—Reliability, history and financial condition:* § 3.48 (b) *Disparaging competitors and their products—Goods—History.* In connection with offer, etc., in commerce, of fire-extinguishing equipment, and among other things, as in order set forth, making or causing to be made in any form or manner any false or disparaging statements (1) with reference to the length of time that any competitor has been in business or the length of time that any competitive equipment has been on the market; or (2) with refer-

ence to the ability of any competitor to supply parts for emergency use or representing that any competitor does not have warehouse facilities for supplying parts for emergency use when such warehouse facilities are in fact in existence; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Walter Kidde & Company, Inc., Docket 3866, March 29, 1943].

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of March, A. D. 1943.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent, and a stipulation as to the facts entered into between the respondent herein by its counsel, Colladay, Colladay & Wallace, and Richard P. Whiteley, assistant chief counsel for the Federal Trade Commission, which provides, among other things, that the Commission may proceed upon said statement of facts to make its report stating its findings as to the facts and its conclusion based thereon and enter its order disposing of the proceeding without the presentation of argument or the filing of briefs; and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Walter Kidde & Company, Inc., a corporation, and its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of fire-extinguishing equipment in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing directly or by implication that the respondent originated or pioneered the carbon-dioxide method of fire extinguishing or that respondent has developed every important improvement in carbon-dioxide equipment and technique.

2. Representing directly or by implication that all fire-extinguishing equipment involving carbon dioxide and every basic improvement thereof are developments of the respondent or that any extinguishing equipment or improvement thereof not originated and designed solely by the respondent is a development of the respondent.

3. Representing directly or by implication that any feature or value of respondent's fire-extinguishing equipment is an exceptional or exclusive feature of respondent's fire-extinguishing equipment either through the use of the term "extra values" or any other term of similar import or meaning to designate such

<sup>16</sup> F. R. 5331.



features, or in any other manner, when such features so claimed to be exceptional or exclusive are in fact found in, and for a part of, fire-extinguishing equipment other than that sold by the respondent.

4. Representing directly or by implication that no fire-extinguishing apparatus, device, or equipment other than respondent's will put out airplane fires both on the ground and in flight.

5. Representing directly or by implication that respondent's equipment is the only fire-extinguishing apparatus approved by the United States Army or Navy as equipment for use in extinguishing airplane fires both on the ground and in flight.

6. Making or causing to be made in any form or manner any false or disparaging statements with reference to the length of time that any competitor has been in business or the length of time that any competitive equipment has been on the market.

7. Making or causing to be made in any form or manner any false or disparaging statements with reference to the ability of any competitor to supply parts for emergency use or representing that any competitor does not have warehouse facilities for supplying parts for emergency use when such warehouse facilities are in fact in existence.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 43-5270; Filed, April 5, 1943;  
10:49 a. m.]

## TITLE 24—HOUSING CREDIT

### Chapter I—Federal Home Loan Bank System

[Bulletin 18]

### PART 6—FEDERAL HOME LOAN BANK ADMINISTRATION<sup>1</sup>

#### SEMI-ANNUAL ASSESSMENTS AGAINST FEDERAL HOME LOAN BANKS

MARCH 31, 1943.

Paragraph (a) of § 6.1 of the Rules and Regulations for the Federal Home Loan Bank System is hereby amended, effective April 2, 1943, to read as follows

<sup>1</sup>Formerly Home Loan Bank Board.

§ 6.1 *General powers*—(a) *Assessments against Banks for Administration's Expenses*. Each semi-annual assessment under the provisions of subsection (b) of section 18 of the Act to meet the estimated expenses of the Administration shall be made on the following basis: Each Bank will be charged \$2,500, and any additional amount which may be necessary to meet the Administration's expenses will be assessed upon the several Banks in the same proportion as the total gross operating income, as determined by the Governor, of the respective Banks for the six months' period next preceding, hereinafter prescribed, bears to the total gross operating income of all the Banks for the same period of time. For the assessment for the first half of a calendar year, total gross operating income shall be determined from information contained in the reports of the respective Banks for each month during the period from June 1 through November 30, and for the assessment for the last half of a calendar year such determination shall be made from information contained in the reports of the respective Banks for each month during the period from December 1 through May 31. Payment by the Banks of said assessment shall be made in such manner as the Comptroller of the Federal Home Loan Bank Administration shall request.

(Secs. 17 and 18 (b) of the FHLBA, 47 Stat. 736, 737; 12 U.S.C. 1437, 1438 and Sup.; E.O. 9070, 7 F.R. 1529)

This amendment is deemed to be of a minor character within the provisions of paragraph (b) of § 8.3 of the Rules and Regulations for the Federal Home Loan Bank System.

[SEAL] JAMES TWOHY,  
Governor.  
HAROLD LEE,  
General Counsel.  
JOHN M. HAGER,  
Executive Assistant  
to the Commissioner.

[F. R. Doc. 43-5151; Filed, April 2, 1943;  
1:59 p. m.]

## TITLE 30—MINERAL RESOURCES

### Chapter III—Bituminous Coal Division

[Docket No. A-1908]

### PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

#### ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in

the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for rail and truck shipments and changes in shipping points for the coals of certain mines in District No. 1.

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

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

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

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

*It is ordered*, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 321.7 (*Alphabetical list of code members*) is amended by adding thereto Supplement R, and § 321.24 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof; and commencing forthwith, the Freight Origin Group Numbers and the shipping points appearing in the aforesaid Supplement R for mines mentioned therein are effective in place of the Freight Origin Group Numbers and the shipping points heretofore established for these mines.

*It is further ordered*, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

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

Dated: March 24, 1943.

[SEAL] DAN H. WHEELER,  
Director.



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

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

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 321.7 Alphabetical list of code members—Supplement R

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

Mine Index No.	Code member	Mine name	Sub-district No.	Seam	Shipping point	Railroad	Freight origin group No.	1	2	3	4	5
2989	B. & B. Coal Company (Irvin Berkeley)	Wagner	37	C'	Kantner Br., Storestown, Pa.	B&O	100	(P)	(P)	E	(P)	(P)
3945	Lawson, John, Sr. (Richland Coal Mining Co.)	Richland #3	18	B	Dean, Pa.	PRR	82	(P)	(P)	D	(P)	(P)
1627	O'Dwyer, William	Bittner #1	41	Pgh.	Pine Hill, Pa.	B&O	100	(P)	(P)	D	(P)	(P)
3835	O'Dwyer, William	Pine Hill #2	41	Pgh.	Pine Hill, Pa.	B&O	100	(P)	(P)	D	(P)	(P)
3944	O'Dwyer, William	Pine Hill #3	41	Pgh.	Pine Hill, Pa.	B&O	100	(P)	(P)	D	(P)	(P)
3033	Olsen, Charles	Olsen	9	D	Karhaus, Pa.	NYC	44	(P)	(P)	D	(P)	(P)
339	Prustnok, J. F. (The Arcadia Company)	Fachin #1	12	C	Hooverhurst, Pa.	NYC	44	(P)	(P)	D	(P)	(P)
3946	Roxby & Sons (Charles Roxby)	Roxby #1	33	C'	Windsor (S. Fork Br.), Pennsy.	PRR	44	(P)	(P)	H	(P)	(P)
3026	Turnbull Brothers Coal Co. (Thos. Turnbull)	Frugality	18	E	Dean, Pa.	PRR	52	(P)	(P)	F	(P)	(P)
3099	Tyger, H. G.	Arcadia #49	12	E	Glen Campbell, Pa.	PRR	50	(P)	(P)	F	(P)	(P)

Indicates no classification and prices for these size groups.

Indicates previously classified and priced in these size groups. 1 Indicates change in shipping point. 2 Indicates changes in Freight Origin Groups, shipping points and railroads shown for respective mines. Shipping points, railroads and Freight Origin Groups previously assigned to these mines are hereby deleted.

FOR TRUCK SHIPMENTS

§ 321.24 General prices—Supplement T

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

Code member index	Mine Index No.	Mine	County	Subdistrict No.	Seam	All lump coal double size 2" and over	Double screened top size 2" and under	Run of mine, modified size 2" and under	1/2" and under slack
Bloom, J. M. (Brockway Coal Co. Mines (W. G. Fish))	3036	J. M. Bloom #1	Jefferson	6	D	270	245	245	225
Leon, John, Sr. (Richland Coal Mining Co.)	3045	Fish	Clearfield	7	E	265	(P)	(P)	(P)
Leon, John, Sr. (Richland Coal Mining Co.)	3045	Richland #3	Cambria	18	B	(P)	(P)	250	(P)
Leon, C. J. (Learn)	3028	C. J. Learn	Indiana	16	D	(P)	(P)	240	(P)
O'Dwyer, William	3044	Pine Hill #3	Somerset	41	Pgh. Rider	(P)	(P)	235	(P)
Olsen, Charles	3033	Olsen	Clearfield	6	D	(P)	(P)	250	(P)
Roxby & Sons (Charles Roxby)	3046	Roxby #3	Somerset	33	C'	(P)	(P)	245	(P)
Turnbull Brothers Coal Co. (Thos. Turnbull)	3026	Frugality	Cambria	18	E	(P)	(P)	240	(P)
Tyger, H. G.	3099	Arcadia #49	Indiana	12	E	(P)	(P)	235	(P)

Indicates no classification and prices for these size groups.

Indicates previously classified and priced in these size groups.

[F. R. Doc. 43-5129; Filed, April 2, 1943; 10:15 a. m.]

[Docket No. A-1901]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT NO. 8

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in

the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8 and for changes in shipping points.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act

of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 8 and for changes in shipping points; and

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

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

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

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 328.11 (Alphabetical list of code members) is amended by adding thereto Supplement R-I, § 328.21 (Alphabetical list of code members) is amended by adding thereto Supplement R-II, and § 328.34 (General prices for high volatile coals in cents per net ton for shipment into all market areas) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

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

Petitioner requests Pennington, Virginia, on the Southern Railway, in Freight Origin Group No. 202 as the shipping point for the Samp Baker Mine, Mine Index No. 2147. Records of the Division indicate that the correct shipping point, railroads and freight origin group for this Mine should be Manass, Virginia, on the L&N and Southern Railways, Freight Origin Group No. 204, respectively, and relief has been granted accordingly.

Dated: March 27, 1943.

[SEAL]

DAN H. WHEELER,  
Director.



## TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 8

FOR ALL SHIPMENTS EXCEPT TRUCK

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

## § 328.11 Alphabetical list of code members—Supplement R-1

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine Index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Freight origin group	Price classifications by size group No.																			
								For destinations other than Great Lakes																			
								For Great Lakes cargo only																			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	
1781	Abney, Elijah, Jr.	Abney	Horse Creek	6	Brush Creek, Ky.	L&N	111	M	M	K	K	J	G	E	G	E	D	K	K	K	K	K	K	K	K	K	K
177	Adams, Conrad	Holbrook	Elkhorn	3	Whitesburg, Ky.	L&N	100	K	K	K	K	J	G	E	G	D	D	J	K	K	K	K	K	K	K	K	K
1479	Adkins, John	Lower (Adkins)	Alma	5	Midkiff, W. Va.	C&O	150	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	
5923	Ash Log Coal Co. (D. A. Riffe)	Ash Log	Little Eagle	5	Maers, W. Va.	N&W	241	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	
2147	Baker, Samp	Samp Baker	No. 3	7	Manass, Va.	L&N & Sou.	204	M	M	K	K	J	G	E	G	C	D	K	K	K	K	K	K	K	K	K	
944	Bartley & Radliff Coal Co. (John E. Bartley)	Shop Ridge	Elkhorn No. 1	1	Shelby Gap, Ky.	C&O	61	K	K	K	K	H	E	C	B	D	G	K	K	K	K	K	K	K	K	K	
543	Beirne, P. L. (Clendenin Fuel Co.)	Clendenin	No. 5 Block	4	Clendenin, W. Va.	B&O	120	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	
1651	Bertha Jellico Coal Co.	Ferrill	Jellico	6	Bertha, Ky. <sup>2</sup>	L&N	111	M	M	K	K	J	G	E	G	C	D	K	K	K	K	K	K	K	K	K	
2156	Cox, W. H.	Cox	Penn Lee	7	Manass, Va.	L&N & Sou.	204	M	M	K	K	J	G	E	G	C	D	K	K	K	K	K	K	K	K	K	
3236	Edwards Coal Corporation, c/o C. L. Edwards	Edwards Coal Corporation	Lower Banner	7	Cocburn, Va.	N&W	30	M	M	K	K	J	G	E	G	C	D	K	K	K	K	K	K	K	K	K	
5371	Florence Mining Co., The	Jno. I. Mesgrove	Elkhorn	1	Mayking, Ky.	L&N	62	K	K	K	K	J	G	E	G	E	D	D	J	K	K	K	K	K	K	K	
5959	Greene, A. M.	Wilston-Jellico No. 61	Jellico	1	Woodbine, Ky.	L&N	111	O	O	J	H	G	E	G	E	G	E	F	K	K	K	K	K	K	K	K	
5960	Greene, A. M.	Wilston-Jellico No. 62	Jellico	6	Woodbine, Ky.	L&N	111	O	O	J	H	G	E	G	E	G	E	F	K	K	K	K	K	K	K	K	
5961	Greene, A. M.	Wilston-Jellico No. 63	Jellico	6	Woodbine, Ky.	L&N	111	O	O	J	H	G	E	G	E	G	E	F	K	K	K	K	K	K	K	K	
5962	Greene, A. M.	Wilston-Jellico No. 64	Jellico	6	Woodbine, Ky.	L&N	111	O	O	J	H	G	E	G	E	G	E	F	K	K	K	K	K	K	K	K	
5963	Greene, A. M.	Wilston-Jellico No. 65	Jellico	6	Woodbine, Ky.	L&N	111	O	O	J	H	G	E	G	E	G	E	F	K	K	K	K	K	K	K	K	
5964	Greene, A. M.	Wilston-Jellico No. 66	Jellico	6	Woodbine, Ky.	L&N	111	O	O	J	H	G	E	G	E	G	E	F	K	K	K	K	K	K	K	K	
5965	Greene, A. M.	Wilston-Jellico No. 67	Jellico	6	Woodbine, Ky.	L&N	111	O	O	J	H	G	E	G	E	G	E	F	K	K	K	K	K	K	K	K	
1179	Hall, Ice	Hall	Elkhorn	1	Mayking, Ky.	L&N	62	K	K	K	K	J	G	E	G	E	D	D	J	K	K	K	K	K	K	K	
3457	Helson, Shearmon	Shearmon No. 2	Jellico	110	Myrick, Ky.	A-J	100	O	O	J	H	G	E	G	E	G	D	D	J	K	K	K	K	K	K	K	
5943	McIntyre, Taylor (Viper Coal Co.)	Viper Coal Co.	Hazard No. 4	3	Viper, Ky.	L&N	100	K	K	K	K	J	G	E	G	D	D	K	K	K	K	K	K	K	K	K	
5931	Manger Construction Co.		Sewanee	6	Crab Orchard, Tenn.	TC	72	P	P	M	L	K	J	M	H	G	O	H	G	O	H	G	O	H	G	O	
3323	Neal Branch Coal Co. (Tom Patterson)	Neal Branch	Straight Creek	6	Pineville, Ky.	L&N	111	F	F	E	D	C	O	A	B	C	H	C	H	C	H	C	H	C	H	C	
2341	Neeley, Elbert	Neeley	Lower Banner	7	Cocburn, Va. <sup>1</sup>	N&W	30	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)		
5949	Nickels, Austin Coal Co. (Earl Castle)	No. 4	Hazard No. 4	3	Lackey, Ky.	C&O	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)		
5968	Phillips, Leonard	Howard H. Baker	Glen Mary	6	Mill Creek, Tenn.	B. R. R.	73	O	O	M	L	H	F	H	F	E	K	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	
5130	Rader, J. R. (Rader Coal Co.)	Rader	Hazard No. 4	6	Hilton, Ky. <sup>1</sup>	L&N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)		
5951	Raney, George & Sons (Albert Raney)	Raney	Poplar Creek	6	Poplar, Tenn.	Sou	40	O	O	H	G	E	G	E	G	E	C	K	K	K	K	K	K	K	K	K	
5981	Red Jacket Coal Corporation	No. 10	Glen Mary	6	Hunter, Tenn.	B. R. R.	73	K	K	H	G	F	D	E	C	D	K	K	K	K	K	K	K	K	K	K	
5199	Reynolds, Andrew	Reynolds	Blue Gem	6	Verne, Ky. <sup>1</sup>	L&N	111	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)		
5477	Semet-Solway Company	Henry Clay	Elkhorn No. 2	1	Whitesburg, Ky.	C&O	61	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)		
3219	Trent, Robert	Trent Brothers	Elkhorn	3	Whitesburg, Ky.	L&N	100	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)		
5970	Van Zandt, Blaine	Van Zandt No. 2	"B"	3	Cumberland, Ky.	L&N	80	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)		
4038	Wilder, R. J.	New Bon Jellico Coal Co.	Jellico	6	Williamsburg, Ky.	L&N	111	H	H	F	E	C	E	B	C	G	G	G	G	G	G	G	G	G	G	G	
5956	Wyatt Coal Co.	Laing No. 3	Belmont	4	Cane Fork, W. Va.	C&O	123	M	M	L	K	G	E	G	D	D	D	D	D	D	D	D	D	D	D	D	

\* Indicates previously classified these size groups.

† Indicates no classification effective for these groups.

‡ Denotes new shipping point. Shipping point at Queens, W. Va., shall no longer be applicable.

§ Denotes new shipping point. Shipping point at Grays, Ky., shall no longer be applicable.

1 Denotes new shipping point.

2 Denotes new shipping point.

3 Denotes new shipping point.

4 Denotes new shipping point. Shipping point at Tacona, Va., shall no longer be applicable.

5 Denotes new shipping point. Shipping point at Grays, Ky., shall no longer be applicable.

6 Denotes new shipping point. Shipping point at Grays, Ky., shall no longer be applicable.



§ 328.34 General prices for high volatile coals in cents per net ton for shipment into all market areas—Supplement T—Continued

Code member index	Mine	Mine index No.	Seam	Base sizes									
				Lump over 4' x 6", egg	Lump 3' x 6", egg	Lump 2' x 6", egg	Lump 1 1/2' x 6", egg	Lump 1' x 6", egg	Stove 3' and under, egg	Stove 2' and under, egg	Straight mine run	2' and under slack	1/2' and under slack
SUBDISTRICT NO. 4— KANAWHA—Continued													
KANAWHA COUNTY, W. VA.													
Wyatt Coal Co.	Laing No. 3.	5936	Belmont.	300	280	240	250	225	230	180	175		
SUBDISTRICT NO. 5—LOUISIANA													
WYOMING COUNTY, W. VA.													
Ash Log Coal Company (D. A. Riffe.)	Ash Log.	5923	Little Eagle.	305	285	255	270	245	245	195	190		
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN													
CLAY COUNTY, KY.													
Henson, Ed.	Ed Henson No. 2.	5967	Horse Creek.	285	265	240	240	225	220	175	170		
KNOX COUNTY, KY.													
Greene, A. M.	Wilton-Jellico No. 61.	5959	Jellico.	275	255	245	245	225	225	175	170		
Greene, A. M.	Wilton-Jellico No. 62.	5960	Jellico.	275	255	245	245	225	225	175	170		
Greene, A. M.	Wilton-Jellico No. 63.	5961	Jellico.	275	255	245	245	225	225	175	170		
Greene, A. M.	Wilton-Jellico No. 64.	5962	Jellico.	275	255	245	245	225	225	175	170		
Greene, A. M.	Wilton-Jellico No. 65.	5963	Jellico.	275	255	245	245	225	225	175	170		
Greene, A. M.	Wilton-Jellico No. 66.	5964	Jellico.	275	255	245	245	225	225	175	170		
Greene, A. M.	Wilton-Jellico No. 67.	5965	Jellico.	275	255	245	245	225	225	175	170		
ROCKCASTLE COUNTY, KY.													
Taylor, John M. (Sleepy Hollow Coal Co.).	Sleepy Hollow.	5936	No. 3.	285	265	240	240	225	220	175	170		
WHITLEY COUNTY, KY.													
Whider, R. J.	New Bon Jellico Coal Co.	5958	Jellico.	305	285	245	260	235	235	190	185		
ANDERSON COUNTY, TENN.													
Borum, W. M.	W. M. Borum.	5937	Coal Creek.	275	255	245	250	225	225	165	160		
Hoskins, Albert.	Albert Hoskins.	5954	Hooper.	275	255	245	250	225	225	165	160		
Rainey, George & Sons (Albert Rainey).	Rainey, George & Sons (Albert Rainey).	5951	Popular Creek.	275	255	245	250	225	225	165	160		
CUMBERLAND COUNTY, TENN.													
Barnes, Lee.	Clondike.	5921	Bon Air No. 2.	270	250	225	230	205	215	155	150		
Mauger Construction Company.	Mauger Construction Company.	5931	Sewanee.	270	250	225	230	205	215	155	150		
MORGAN COUNTY, TENN.													
Cofer, W. E. (Bill)	Bill Cofer.	5953	Hooper.	275	255	245	250	225	225	165	160		
SCOTT COUNTY, TENN.													
Phillips, Leonard.	Howard H. Baker.	5958	Glen Mary.	275	255	245	250	220	220	175	170		
Red Jacket Coal Corporation.	No. 10.	5951	Glen Mary.	275	255	245	250	220	220	175	170		

[F. R. Doc. 43-5128; Filed, April 2, 1943; 10:15 a. m.]

§ 328.21 Alphabetical list of code members—Supplement R-II  
[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	Subdistrict No.	Low volatile seam	Shipping point	Railroad	Freight origin	Price classification by size group No.									
								1	2	3	4	5	6	7	8	9	10
1400	Hell Roarin Coal Company (Perry J. Amick).	Hell Roarin.	9	Sewell.	Quilwood, W. Va.	C&O & N.Y.C.	281	D	D	C	A	A	B	B	C	C	(7)

Indicates no classification effective for this size group.

FOR TRUCK SHIPMENTS

§ 328.34 General prices for high volatile coals in cents per net ton for shipment into all market areas—Supplement T

Code member index	Mine	Mine index No.	Seam	Base sizes									
				Lump over 4' x 6", egg	Lump 3' x 6", egg	Lump 2' x 6", egg	Lump 1 1/2' x 6", egg	Lump 1' x 6", egg	Stove 3' and under, egg	Stove 2' and under, egg	Straight mine run	2' and under slack	1/2' and under slack
SUBDISTRICT NO. 1—BIG SANDY-EKHOEN													
BOYD COUNTY, KY.													
McKnight, Thomas.	McKnight.	5916	No. 6.	285	265	230	240	225	220	170	165		
ELLIOTT COUNTY, KY.													
Wagoner & Buckner (Luther Wagoner).	Pritchard.	5932	No. 7.	285	265	230	240	225	220	170	165		
PIKE COUNTY, KY.													
Bartley & Ratliff Coal Company (John E. Bartley).	Shop Ridge.	5944	Elkhorn No. 1.	235	275	240	250	235	230	190	185		
Howell, Tom.	Howell.	5942	Elkhorn No. 1.	235	275	240	250	235	230	190	185		
Samet-Solvay Company.	Henry Clay.	5477	Elkhorn No. 2.	305	285	(*)	200	235	(*)	205	240		
SUBDISTRICT NO. 3—HAZARD													
KNOTT COUNTY, KY.													
Nichols, Austin, Coal Co. (Earl Castle).	No. 4.	5909	Hazard No. 4.	305	285	245	250	235	235	185	180		
LEITCHER COUNTY, KY.													
Van Zandt, Blaine.	Van Zandt No. 2.	5970	"B".	235	275	240	240	225	220	180	175		
PEERY COUNTY, KY.													
McIntyre, Taylor (Viper Coal Company).	Viper Coal Co.	5943	Hazard No. 4.	235	275	240	245	225	220	180	175		
SUBDISTRICT NO. 4—KANAWHA													
FAVETTE COUNTY, W. VA.													
Jenkins, G. W. & G. W. Valentine.	Big Eagle.	5945	Big Eagle.	285	265	250	250	225	240	185	180		

\*Indicates previously classified these size groups.



[Docket No. A-1867]

PART 333—MINIMUM PRICE SCHEDULE,  
DISTRICT No. 13

## ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 13.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 13; and

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

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

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

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 333.6 (*General prices*) is amended by adding thereto Supplement R-I, § 333.7 (*Special prices*)—

(a) *Prices for shipment to all railroads and for exclusive use of railroads* is amended by adding thereto Supplement R-II, § 333.7 (*Special prices*)—

(c) *Prices for shipment by railroad, applicable to all coal sold for steamship vessel fuel* is amended by adding thereto Supplement R-III, § 333.24 (*General prices*) is amended by adding thereto Supplement R-IV, § 333.25 (*Special prices*)—

(b) *Prices for shipment to all railroad for locomotive fuel, station heating, power plants and other uses* is amended by adding thereto Supplement R-V, § 333.27 (*Prices for shipment by river (free alongside) for all uses (except for railway locomotive fuel) for delivery via the Tennessee River, to f. a. s. consumers in the States of Tennessee and Alabama*) is amended by adding thereto Supplement R-VI, § 333.34 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T-I, and § 333.43 (*General prices in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T-II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in

the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section

4 II (d) of the Bituminous Coal Act of 1937.

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

Dated: March 23, 1943.

[SEAL]

DAN H. WHEELER,  
Director.

## TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 13

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 333, Minimum Price Schedules for District No. 13 and supplements thereto.

## FOR ALL SHIPMENTS EXCEPT TRUCK

§ 333.6 *General prices*—Supplement R-I

[Prices f. o. b. mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steams p bunker fuel and blacksmithing]

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
1721	BLOUNT COUNTY, ALA. Skinner, Ira <sup>1</sup>	Madge	1	Black Creek	31
1731	MARION COUNTY, ALA. Boston Coal Company (J. B. Bell) <sup>2</sup>	Boston Coal Co.	1	Black Creek	60
1522	WALKER COUNTY, ALA. Jones, Grady W., & Co. (Grady W. Jones) <sup>3</sup>	Jones	1	Mary Lee	#101

<sup>1</sup> Shipping Point: Warrior, Ala. Railroad: L & N. This mine shall have in Size Group 13, on each respective price table, the same price as is listed thereon for Mine Index No. 1374 (William Mickle, Young mine, Price Schedule No. 2) and will be included in Group No. 120.

<sup>2</sup> Shipping Point: Brilliant, Ala. Railroad: I. C. R. R. This mine shall have in Size Groups 1, 2, 4, 7, 11, 13, 22 and 23, on each respective price table, the same prices as are listed thereon for Mine Index No. 426 (Evans & Rowell (Landy Evans), Bell #1 mine, Price Schedule No. 2) and will be included in Group No. 39.

<sup>3</sup> Shipping Point: Jasper, Ala. Railroad: St. L.-S. F. Change in shipping point, railroad and Freight Origin Group. Shipping point at Gamble Mines, Ala., on the Sou. Ry., in Freight Origin Group 110 shall no longer be applicable.

§ 333.7 *Special prices*—(a) *Prices for shipment to all railroads and for exclusive use of railroads*—Supplement R-II

[Prices f.o.b. mines for shipment to all railroads and for exclusive use of railroads. The following prices apply on coal for use in railroad locomotives and powerhouse plants. For station heating, use in dining cars, or other uses than stated above, commercial prices as listed in other sections of this price schedule shall apply. For all mines in Sub-District No. 1. For all sizes customarily furnished railroads for Locomotive Fuel]

Mine index No.	Central of Georgia <sup>1</sup>	Seaboard Air Line Ry. <sup>1</sup>	St. Louis & San Francisco RR. for consignment west of the Mississippi River	St. Louis & San Francisco RR. for consignment east of the Mississippi River	A. B. & C. Railroad	All other railroads not specifically shown
115-1731	250	250	230	250		250

<sup>1</sup> Prices listed for Central of Georgia and Seaboard Air Line Railways shall also apply to controlled subsidiaries whose purchases of coal are directly made by the controlling system.

§ 333.7 *Special prices*—(c) *Prices for shipment by railroad applicable to all coal sold for steamship vessel fuel*—Supplement R-III

[Prices f. o. b. mines for shipment by railroad, applicable to all coal sold for steamship vessel fuel subject to price instructions and exceptions]

Sub-district No. 1 mine index No.	Size groups and prices applicable for steamship vessel fuel				
	Mine group	14, 15, 16, 17, 18	12	13	23
1731	Black Creek			315	305



## § 333.24 General prices—Supplement R-IV—Continued

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
1092	VAN BUREN COUNTY, TENN.	Rhodes Coal Bank	3	Bon Air	145
1494	WARREN COUNTY, TENN.	Panther Creek	3	Bon Air	145

<sup>1</sup> Shipping Point: Doyle, Tenn. Railroad: N. C. & St. L. On each respective price table, except that for Market Area 112, this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 12; and on the price table for Market Area 112 this mine shall have in each size group a price which is 23 cents less than is shown for mines included in Group No. 12.

<sup>2</sup> Shipping Point: McMinnville, Tenn. Railroad: N. C. & St. L. On each respective price table, except that for Market Area 112, this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 12; and on the price table for Market Area 112 this mine shall have in each size group a price which is 23 cents less than is shown for mines included in Group No. 12.

§ 333.25 Special prices—(b) Prices for shipment to all railroads for locomotive fuel, station heating, power plants and other uses—Supplement R-V

(Prices for mines for shipment to all railroads for locomotive fuel, station heating, power plants and other uses)

For mines in sub-district No. 3 (Mine index No.)	Size	Price
159, 1051, 1092, 1434, 1694, 1698, 1713, 1726, 1725	For all sizes except screenings with top size not more than 2"	255
	For all sizes except screenings with top size not more than 2"	245
	For all sizes except screenings with top size not more than 2"	230
	For all sizes except screenings with top size not more than 2"	245

## § 333.24 General prices—Supplement R-IV

(Prices for mines for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing)

Mine index No.	Code member	Mine	Sub-district	Seam	Freight origin group
1051	GRUNDY COUNTY, TENN.	Graham	3	Sewanee	140
1098	HAMILTON COUNTY, TENN.	Big Gulch	3	#7	190
1725	Lecroy & Alexander (Paul Lecroy)	Bellows Opening	3	No. 10	200
1726	MARION COUNTY, TENN.	Elliott #1	3	No. 11	210
1729	Graham, Homer	Cannon	3	Sewanee	140
1713	RHEA COUNTY, TENN.	Old Darwin	3	Nelson	200
1696	McDaniel, Lee Roy	Old Evans	3	Sewanee	200

<sup>1</sup> Shipping Point: Tracy City, Tenn. Railroad: N. C. & St. L. On each respective price table this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 12.

<sup>2</sup> Shipping Point: Whiteside, Tenn. Railroad: N. C. & St. L. On each respective price table, except that for Market Area 112, this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 4; and on the price table for Market Area 112 this mine shall have in each size group a price which is 30 cents more than is shown for mines included in Group No. 4.

<sup>3</sup> Shipping Point: Daisy, Tenn. Railroad: C. N. O. & T. P. On each respective price table this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 1.

<sup>4</sup> Shipping Point: Platt Sliding, North Chattanooga, Tenn. Railroad: Chattanooga Traction Company R. R. On each respective price table this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 1.

<sup>5</sup> Shipping Point: Tracy City, Tenn. Railroad: N. C. & St. L. On each respective price table this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 12.

<sup>6</sup> Shipping Point: Whiteside, Tenn. Railroad: C. N. O. & T. P. On each respective price table, except that for Market Area 112, this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 8; and on the price table for Market Area 112 this mine shall have in each size group a price which is 17 cents less than is shown for mines included in Group No. 8.

<sup>7</sup> Shipping Point: Whiteside, Tenn. Railroad: C. N. O. & T. P. On each respective price table this mine shall have in each size group the same respective prices as are shown for mines included in Group No. 6.

## FREE ALONGSIDE DELIVERIES

§ 333.27 Prices—Shipment by river (free alongside) for all uses (except for railway locomotive fuel) for delivery via the Tennessee River to f. a. s. consumers in the States of Tennessee and Alabama—Supplement R-VI

Code member index	Mine	Mine index No.	County	Seam	Lump: over 2", Egg: top size over 2", Egg: top size 2" and under	Lump: top size 2" and under, bottom size 2" and under	Lump: top size 2" and under, bottom size 1" and under	Soker: top size 1 1/2" and under, bottom size 1 1/2" and under	Soker: top size 3/4" and under, bottom size 3/4" and under	Straight and mod. M/R	Resultants: 6" and under	Resultants: 4" and under	Screenings: 2" and under	Screenings: 1 1/2" and under	Screenings: 3/4" and under	Screenings: 1/2" and under	Industrial Coal
LECROY & ALEXANDER (SUB-DISTRICT 8) Lecroy & Alexander (Paul Lecroy) Elliott, W. H. (Elliott Coal Co.)	Bellows Opening Elliott #1	1725 1726	Hamilton Marion	No. 10 No. 11	335 345	335 345	325 335	280 290	270 280	250 265	255 265	255 265	235 245	225 235	220 230	185 195	280 290



## FOR TRUCK SHIPMENTS

## § 333.34 General prices in cents per net ton for shipment into all market areas—Supplement T-I

Code member index	Mine	Mine index No.	Sub-district No.	Seam	Lump: top size over 2", egg: top size over 6"	Egg: top size 2" and under	Lump: top size 2" and under	Nut: top size 3" and under, bottom size over 1/2"		Chestnut: top size 3" and under, bottom size 1/2" and under		Chestnut: top size 1 1/2" and under, bottom size 1/2" and under		Run of mine, modified R/M		Results: 3" and under		Screenings: 1 1/2" and under		Indus-trial coal
								Wash	Raw	Wash	Raw	Wash	Raw	Wash	Raw	Wash	Raw	Wash	Raw	
ALABAMA	BLOUNT COUNTY	Bryant, J. J. Skinner, Ira	1727 1721	2 2	Berry Mt. Black Creek	395 385	370 370	265 375	245 355	320 330	320 325	305 315	305 315	305 315	295 295	295 295	280 280	280 280	24, 25, 26	
MARION COUNTY	Boston Coal Co. Canada, W. R.	1731 1728	2 2	Black Creek Black Creek	415 415	415 415	390 390	365 365	345 345	335 335	340 340	330 330	320 320	305 305	295 295	295 295	255 255	255 255	320 320	

## § 333.43 General prices in cents per net ton for shipment into all market areas—Supplement T-II

Code member index	Mine	Mine index No.	Sub-district	Seam	Lump: Over 2", egg: top size over 5"	Egg: Top size 6" and under, bot. size 2"	Lump: 2" and under	Nut: Top size 2" and under, bot. size 1"	Stoker: Top size 1 1/2" and under, bot. size 1"	Stoker: Top size 3/4" and under	Straight and modified M/R	Results: 6" and under	Results: 4" and under	Screens: 2" and under	Screens: 1 1/2" and under	Screens: 1 1/4" and under	Screens: 3/4" and under	Screens: 3/8" and under	Industrial coal
TENNESSEE-GEORGIA	HAMILTON COUNTY, TENN.	Bellows Opening	1725	4	No. 10	335	335	280	270	250	265	255	265	235	235	225	220	185	280
		Elliott #1	1726	4	No. 11	345	345	290	280	275	265	265	265	235	235	235	230	165	290

\* For sizes included see Size Group Table, § 333.42.

[F. R. Doc. 43-5131; Filed, April 2, 1943; 10:16 a. m.]

[Docket No. A-1904]

PART 342—MINIMUM PRICE SCHEDULE,  
DISTRICT NO. 22

## ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 22 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 22.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, re-

questing the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 22 for truck shipments; and

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

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

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

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 342.4 (Code member price index) is amended by adding thereto Supplement T-I, and § 342.21 (General prices) is amended by adding thereto Supplement T-II, which supplements are hereinafter set forth and hereby made a part hereof.

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

Dated: March 23, 1943.

[SEAL] DAN H. WHEELER,  
Director.



# TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 22

NOTE: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 342, Minimum Price Schedule for District No. 22 and Supplements thereto.

## FOR TRUCK SHIPMENTS

§ 342.4 Code member price index—Supplement T-I. The following price classifications and minimum prices shall be inserted in Minimum Price Schedule for District No. 22: Insert the following listings in proper alphabetical order under Code Membership Price Index:

Producer	Mine	Mine index No.	County	Sub-district price group	Prices—section	
					Rail	Truck
Pilati Co. (Leo Pilati)	Pilati No. 2	308	Carbon	2		342.21
Woodrow, Walter M.	Woodrow	309	Cascade	7		342.21

§ 342.21 General prices—Supplement T-II. Insert the following code member names, mine names, and counties under Sub-Districts Nos. 2 and 7, and the following prices:

Code member	Mine	Mine index No.	County	Size groups											
				1	2	3	4	5	6	7	8	9	10	11	12
SUB-DISTRICT NO. 2															
Pilati Company (Leo Pilati).	Pilati #2	308	Carbon	415	390	415		365		265	240	165	125	110	90
SUB-DISTRICT NO. 7															
Woodrow, Walter M.	Woodrow	309	Cascade	415	390	390	365	365	340	315	240	165		115	95

[F. R. Doc. 43-5130; Filed, April 2, 1943; 10:15 a. m.]

[Docket No. A-1917]

## PART 326—MINIMUM PRICE SCHEDULE, DISTRICT NO. 6

### ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 6 for a change in shipping point of Bethany Mine, Mine Index No. 5, in District No. 6.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with the Division by the above-named party, requesting a change in the shipping point of Bethany Mine, Mine Index No. 5, of P. V. & K. Coal Company, in District No. 6, from Bethany-Wellsburg, West Virginia, on the Pennsylvania Railroad to Wellsburg (McKinleyville), West Virginia, on the said railroad, for rail shipments; and

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

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

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

Now, therefore, it is ordered, That, pending final disposition of the above-entitled proceeding, temporary relief is granted as follows: Commencing forthwith, in § 326.6 (Numerical list of mines) the price classifications and minimum prices effective for the coals of the Bethany Mine, Mine Index No. 5, of P. V. & K. Coal Company, for rail shipments, shall be applicable only for

No. 67—3

shipments on the Pennsylvania Railroad from Wellsburg (McKinleyville), West Virginia, from the P. V. & K. tippie formerly known as the Standard No. 2 Mine tippie, and shall no longer be applicable for shipments on the Pennsylvania Railroad from Bethany-Wellsburg, West Virginia. All allowances or adjustments required or permitted mines in Freight Origin Group No. 30 shall be applicable for all shipments of the coals of the said mine from Wellsburg (McKinleyville), West Virginia, on the Pennsylvania Railroad.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the rules and regulations governing practice and procedure before the Bituminous Coal Division in proceedings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

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

Dated: April 2, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-5226; Filed, April 3, 1943; 10:23 a. m.]

[Docket No. A-1747]

## PART 337—MINIMUM PRICE SCHEDULE, DISTRICT NO. 17

### ORDER ESTABLISHING MINIMUM PRICES

Order of the Director in the matter of the petition of Bituminous Coal Pro-

ducers Board for District No. 17 requesting establishment of minimum prices of new size groups—Lump coal over 8", and double-screened coal 12" x 3" and 12" x 1½" or 1¼".

Upon the basis of the findings of fact and conclusions of law set forth in the opinion of the Director, filed simultaneously herewith, wherein it appears that the classification of the coals included in Size Groups 1 and 2 should be revised to include lump coal 8" and larger in size, double-screened coal with a maximum top screen opening of 12" and maximum bottom screen openings of 3" and 1½" (or 1¼") respectively, and pursuant to section 4 II (d) and other provisions of the Bituminous Coal Act of 1937,

It is hereby ordered, That effective as of the date hereof § 337.2 (Size Group table) is amended as follows:

1. The classification of coals in Size Group 1 should be revised to include lump coal 8" and larger in size and double-screened coal with a maximum top screen opening of 12" and a maximum bottom screen opening of 3".

2. The classification of coals in Size Group 2 should be revised to include double-screened coal with a maximum top screen opening of 12" and a maximum bottom screen opening of 1½".

Dated: April 3, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-5266; Filed, April 5, 1943; 10:36 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter VI—Selective Service System

[Amendment 143, 2d Ed.]

## PART 653—WORK OF NATIONAL IMPORTANCE UNDER CIVILIAN DIRECTION

### DUTIES OF ASSIGNEES

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 653.12 to read as follows:

§ 653.12 Duties. Assignees shall report to the camp to which they are assigned; remain therein until released or transferred elsewhere by proper authority, except when performing assigned duties or on authorized missions or leave outside of camp; perform their assigned duties promptly and efficiently; keep their persons, clothing, equipment, and quarters neat and clean; conserve and protect Government property; conduct themselves both in and outside of the camp so as to bring no discredit to the individual or the organization; and comply with such camp rules as may be

<sup>1</sup> The 12" x 1¼" size applies to Subdistricts 1 to 6, inclusive.



prescribed or such directions as may be issued from time to time by the Director of Selective Service.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

MARCH 31, 1943.

[F. R. Doc. 43-5260; Filed, April 3, 1943;  
5:07 p. m.]

[Amendment 144, 2d Ed.]

#### PART 625—APPEARANCES BEFORE LOCAL BOARD

##### STAY OF INDUCTION

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend the regulations by adding a new section to be known as § 625.3 to read as follows:

§ 625.3 *Induction stayed.* A registrant shall not be inducted during the period afforded him to appear in person before a member or members of his local board, and if the registrant requests a personal appearance, he shall not be inducted until 10 days after the Notice of Classification (Form 57) is mailed to him by the local board, as provided in paragraph (d) of § 625.2.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

APRIL 2, 1943.

[F. R. Doc. 43-5261; Filed, April 3, 1943;  
5:07 p. m.]

[Amendment 145, 2d Ed.]

#### PART 627—APPEAL TO BOARD OF APPEAL MISCELLANEOUS AMENDMENTS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (b) of § 627.2 to read as follows:

§ 627.2 *Who may appeal registrant's classification to board of appeal under certain circumstances.* \* \* \*

(b) The government appeal agent may take any appeal authorized under paragraph (a) of this section at any time within 10 days after the date when the local board mails to the registrant a Notice of Classification (Form 57) or at any time before the registrant is mailed an Order to Report for Induction (Form 150).

2. Amend § 627.31 to read as follows:

§ 627.31 *Action of local board if board of appeal does not change classification.* If the board of appeal affirms the local board classification, the local board, upon receiving the file from the board of appeal, shall proceed as follows:

(1) Mail a Notice of Continuance of Classification (Form 58) to the registrant and a Classification Advice (Form 59) to the government appeal agent and to the person who made the appeal, if other than the registrant or the government appeal agent.

(2) If one or more members of the board of appeal dissented from the determination of that board, the local board shall indicate on such notice and advice the numerical division of the board of appeal.

(3) Enter on the Classification Record (Form 100) the date of mailing such notice and advice.

(4) Enter on the Classification Record (Form 100) the fact that the board of appeal affirmed the local board classification.

3. Amend § 627.32 to read as follows:

§ 627.32 *Action of local board if board of appeal changes classification.* If the board of appeal does not affirm the local board classification, the local board, upon receiving the file from the board of appeal, shall proceed as follows:

(1) Mail a Notice of Classification (Form 57) to the registrant and a Classification Advice (Form 59) to the government appeal agent and to the person who made the appeal, if other than the registrant or the government appeal agent.

(2) If one or more members of the board of appeal dissented from the determination of that board, the local board shall indicate on such notice and advice the numerical division of the board of appeal.

(3) Enter on the Classification Record (Form 100) the date of mailing such notice and advice.

(4) Enter on the Classification Record (Form 100) the board of appeal classification and, with red ink, draw a line through the local board classification.

4. Amend paragraph (b) of § 627.61 to read as follows:

§ 627.61 *Reconsideration of board of appeal determination.* \* \* \*

(b) At any time within 10 days after the date when the local board mails to the registrant either a Notice of Continuance of Classification (Form 58) or a Notice of Classification (Form 57), as provided in §§ 627.31 and 627.32, or at any time before the registrant is mailed an Order to Report for Induction (Form 150), the government appeal agent, if he deems it to be in the national interest or necessary to avoid an injustice, may prepare and place in the registrant's file

a recommendation that the State Director of Selective Service either request the board of appeal to reconsider its determination or appeal to the President. The registrant's file shall then be forwarded to the State Director of Selective Service. As soon as the State Director of Selective Service has acted upon the government appeal agent's request he shall advise the local board and, if he determines neither to request the board of appeal to reconsider its determination nor to appeal to the President, he shall return the file to the local board.

5. The foregoing amendments to the Selective Service regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

APRIL 2, 1943.

[F. R. Doc. 43-5262; Filed, April 3, 1943;  
5:07 p. m.]

[Amendment 146, 2d Ed.]

#### PART 628—APPEAL TO THE PRESIDENT

##### STAY DURING PERIOD OF APPEAL

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8545, 5 F.R. 3779, E.O. No. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission in Administrative Order No. 26, 7 F.R. 10512, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 628.7 to read as follows:

§ 628.7 *Appeal to the President stays induction.* (a) When a registrant is classified by the board of appeal and one or more members of the board of appeal dissent from such classification, the registrant shall not be inducted during the period afforded him to take an appeal to the President.

(b) A registrant shall not be inducted during the time an appeal to the President is pending.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

APRIL 3, 1943.

[F. R. Doc. 43-5263; Filed, April 3, 1943;  
5:07 p. m.]

#### Chapter VIII—Board of Economic Warfare

##### Subchapter B—Export Control

[Amendment No. 43]

#### PART 804—INDIVIDUAL LICENSES

##### APPEALS

Section 804.20 *Appeals from rejections of applications for export licenses, extensions thereof, and revocations* is hereby amended in the following particulars:



1. The title of § 804.20 *Appeals from rejections of applications etc.*, is revised to read:

§ 804.20 *Appeals from rejections of applications for export licenses and release certificates, extensions thereof, and revocations.*

2. Paragraph (d) is hereby amended as follows:

(d) The rejected application for an export license or release certificate, the rejected application for the extension of an export license or release certificate, or the revoked export license or release certificate, as the case may be, shall be forwarded to the Office of Exports as part of an appeal. Photostatic or certified copies of any such documents may be furnished in lieu of the originals. Documents submitted in appeals involving release certificates shall bear the following notation: "Appeals: Program license release certificate", together with either the word "rejection", "extension refused", or "revocation", as the case may be.

3. Paragraph (h) is hereby amended by adding at the end of said paragraph the following:

The submission of "appeal letters" in appeals involving release certificates shall be made in duplicate.

This amendment shall become effective April 1, 1943.

(Sec. 6, 54 Stat. 714; Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

PAUL CORNELL,  
Chief of Office,  
Office of Exports.

APRIL 3, 1943.

[F. R. Doc. 43-5298; Filed, April 5, 1943; 11:26 a. m.]

[Amendment No. 44]

#### PART 802—GENERAL LICENSES

##### CANCELLATION OF CERTAIN GENERAL LICENSES

Part 802, General Licenses, is hereby amended in the following particulars:

1. Paragraph (a) of § 802.3 *General license country groups* is hereby amended by placing before the name of the countries Brazil and Argentina listed therein the letter "a" wherever the name of such countries appear in this section.

2. Paragraph (b) of § 802.3 *General license country groups* is hereby amended as follows:

(b) When a commodity is placed under general license to a particular "country group" it may, subject to the provisions of this subchapter, be exported to any country in that group: *Provided*, That wherever there appears before the name of a country designated in a "country group" the letter "a" no exportation may be made to such country pursuant to general licenses granted in § 802.7 and in paragraphs (c) and (d) of § 802.10 of this subchapter.

3. Subparagraph (2) in paragraph (b) of § 802.9 *General in transit licenses* is hereby amended to read as follows:

(2) The words "western hemisphere" when used in this section to designate countries of origin shall include only those countries designated by the following "general license numbers": 3 through 24 inclusive, 61, 62, 68 and 69. Such words when used in this section to designate countries of destination shall include only the following "general license numbers": 3, 5, 7 through 24 inclusive, 61, 62, 68 and 69.

The amendments set forth herein shall become effective on March 1, 1943 for the exportation of commodities to Brazil and effective on April 1, 1943 for the exportation of commodities to Argentina: *Provided*, That the following commodities may be exported to Brazil under previous general licenses until April 1, 1943.

Commodity:	Schedule B number
Coal	5001.00
	5002.00
	5003.00

and the following list of commodities may be exported to Brazil under general license provisions until May 1, 1943:

Commodity:	Schedule B number
Rosin, gum	2110.00
Rosin, wood	2111.00
Turpentine, gum	2114.00
Turpentine, wood	2115.10
Glass and glass products:	
Chemical glassware	5291.00
Cylinder, crown, and sheet	5215.00
Electric insulators	5292.00
Pharmaceutical	5232.00
Plate	5212.00
Roiled, cylinder, crown, and sheet glass	5220.00
Roiled including wire	5218.00
Clay and clay products:	
Bricks	5369.00
Electrical porcelain	5335.00
	5336.00
Firebrick	5368.00
Fire clay	5303.00
Fire-clay brick	5366.00
	5367.00
	5363.00
Silica brick	5364.00
	5714.00
Sulphur	5715.00
	5715.00
Caustic soda	8373.00
Soda ash	8365.00
Newsprint	4711.00

The above amendments shall not apply to shipments of commodities which are 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 said amendments, or to shipments of commodities made pursuant to valid Office of Defense Transportation permits which have been issued prior to the effective date of these amendments.

(Sec. 6, 54 Stat. 714; Public Law 75th, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

PAUL CORNELL,  
Chief of Office,  
Office of Exports.

APRIL 3, 1943.

[F. R. Doc. 43-5299; Filed, April 5, 1943; 11:26 a. m.]

[Amendment No. 45]

#### PART 810—PROGRAM LICENSES

Subchapter B, Export Control, is hereby amended by issuing the following additional part: Part 810—Program Licenses.

Sec.

810.1 Definitions.

810.2 General provisions.

810.3 Who may apply for release certificate.

810.4 Appeals.

AUTHORITY: §§ 810.1 to 810.4, inclusive, issued pursuant to sec. 6, 54 Stat. 714; Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807.

§ 810.1 *Definitions*. When used in this part:

(a) "Program" means a determination of the amounts and permissible end-uses of those commodities required by a designated country or countries and supplyable from the United States during a specific period.

(b) "End-use" means the specific ultimate use of an exported commodity.

(c) "Program license" means a license authorizing the exportation to a specified destination of those commodities specified in a "program".

(d) "Release certificate" means that document used to certify that designated commodities may be exported pursuant to a program license.

(e) "Certifying agency" means any agency (including the Office of Exports) authorized in a program license to issue release certificates.

(f) "Lend-Lease requisition" means a determination by the Office of Lend-Lease Administration to supply to a certain country designated commodities included within a "program".

§ 810.2 *General provisions*. (a) The commodities enumerated in § 801.2 of this subchapter may be exported pursuant to "program licenses": *Provided*, That such "program licenses" are issued subject to the following conditions:

(1) Such license will authorize the exportation of only those amounts of commodities specified in the "program" which are not exported pursuant to Lend-Lease requisitions.

(2) Such license shall authorize the exportation of only those commodities in the amounts and for the permissible "end-use" specified in the "program" for which it is issued.

(3) Such license shall be issued only for a "program" approved by the Office of Exports.

(4) Such license shall be valid only for that period stated in the program for which it is issued.

(5) Unless otherwise specifically authorized by the Office of Exports an exportation may be made under such license solely to the destination or destinations specified therein and may not be made with the knowledge or intention that the commodity so exported is to be re-exported from such destination or destinations.

(6) No exportation may be made pursuant to such license unless and until a



"release certificate" has been issued therefor by the "certifying agency" specified in such license.

(7) A person to whom a release certificate is issued may export the commodities specified therein under the program license designated by such certificate.

(8) The Office of Exports may amend, revoke, condition or qualify a license or the program for which it is issued but the same shall not be changed, altered or amended except by written approval of the Office of Exports.

§ 810.3 *Who may apply for release certificate.* Any person wishing to export commodities to a country or countries for which a program license has been issued may apply to the certifying agency for a release certificate.

§ 810.4 *Appeals.* (a) Any person whose application for a release certificate or for an extension thereof has been rejected or whose release certificate has been revoked by a certifying agency may appeal from such rejection or revocation to the Office of Exports.

(b) All appeals under this section shall be made in accordance with the provisions of § 804.20.

(c) When an appeal has been granted by the Office of Exports the exportation of the commodities or any of them subject to such appeal will be authorized by the issuance of either a release certificate or an individual license.

This amendment shall become effective April 1, 1943.

PAUL CORNELL,  
Chief of Office,  
Office of Exports.

APRIL 3, 1943.

[F. R. Doc. 43-5300; Filed, April 5, 1943;  
11:26 a. m.]

[Amendment No. 46]

#### PART 804—INDIVIDUAL LICENSES

##### EXTENSION OF INDIVIDUAL LICENSES FOR EXPORTATIONS TO CERTAIN BRITISH EMPIRE DESTINATIONS

Paragraph (f) of § 804.1 *General provisions* is hereby amended by adding thereto subparagraph (4) as follows:

(4) Provided that all individual licenses to export commodities to destinations in the British Empire (except Newfoundland and Middle East countries) which were valid and outstanding on March 31, 1943 shall remain valid until July 1, 1943.

This amendment shall become effective April 1, 1943.

(Sec. 6, 54 Stat. 714; Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 31, 7 F.R. 9807)

PAUL CORNELL,  
Chief of Office,  
Office of Exports.

APRIL 3, 1943.

[F. R. Doc. 43-5301; Filed, April 5, 1943;  
11:27 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-265]

##### MOHAWK GAS AND OIL CORP.

Mohawk Gas and Oil Corporation, 42 Van Guysling Avenue, Schenectady, New York, is engaged in the marketing of motor fuel. During the months of April, May, June and from July 1 to July 21, 1942, the Mohawk Gas and Oil Corporation delivered to twenty service stations a total of 85,558 gallons of motor fuel in excess of the amounts permitted to be delivered in accordance with the provisions of Limitation Order L-70. These excess deliveries were made by the Mohawk Gas and Oil Corporation in such reckless disregard of the provisions of Limitation Order L-70 as to constitute wilful violations thereof.

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

§ 1010.265 *Suspension order S-265.* (a) During each of the months of April, May, June and July, 1943, Mohawk Gas and Oil Corporation, its successors and assigns shall not deliver or cause to be delivered, directly or indirectly, any motor fuel, as defined in Limitation Order L-70, to any of the following service stations in excess of 75 per cent of the average monthly gallonage delivered to each such service station by Mohawk Gas and Oil Corporation during the period of October 1942 through January 1943:

Altrock's Service Station, Broadway and Curry Rd., Schenectady, N. Y.  
Albany Street Service Station, 744 Albany Street, Schenectady, N. Y.  
Edison Tydol Service Station, Edison Ave. and Weaver St., Schenectady, N. Y.  
Bovee's Service Station, 1769 State St., Schenectady, N. Y.  
Union Street Garage, 1634 Union St., Schenectady, N. Y.  
Baldwin's Service Station, Amsterdam Road, Schenectady, N. Y.  
Guy's Service Station, 1000 State St., Schenectady, N. Y.  
Old Tollgate Filling Station, Curry Rd., Schenectady, N. Y.  
Parkview Service Station, 1500 State St., Schenectady, N. Y.  
Nott Terrace Service Station, 135 Nott Terrace, Schenectady, N. Y.  
Maxson's Service Station, 2244 Broadway, Schenectady, N. Y.  
Boulevard Service Station, 145 Erie Boulevard, Schenectady, N. Y.  
Marshall's Service Center, 1001 Chrysler Avenue, Schenectady, N. Y.  
Mitchell's Service Station, 1759 Union Street, Schenectady, N. Y.  
Mohawk Avenue Garage, 25 Mohawk Avenue, Scotia, N. Y.  
Oswald's Service Station, 970 Emmett Street, Schenectady, N. Y.  
Ogle's Service Station, 265 Mohawk Ave., Scotia, N. Y.

Steven's Garage, 1837 Guilderland Ave., Schenectady, N. Y.  
H. Salamak, 52 Sacandaga Road, Scotia, N. Y.  
Union Service Station, 423 Union Street, Schenectady, N. Y.

(b) Nothing contained in this order shall be deemed to relieve Mohawk Gas and Oil Corporation, 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.

Issued this 2d day of April 1943.

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

[F. R. Doc. 43-5152; Filed, April 2, 1943;  
3:47 p. m.]

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

[Priorities Regulation 8, as Amended April 3, 1943]

##### REPORTS

§ 944.29 *Priorities Regulation 8; certain reporting requirements revoked.* All orders heretofore issued which require any person to report upon any of the forms listed in Appendix A to this regulation are hereby amended so as to revoke such requirements.

Issued this 3d day of April 1943.

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

##### APPENDIX A

Reports on the following forms need no longer be filed:

##### Forms PD:

6	45	58A
6A	45A	63
13	46	63A
14	46A	64
30	47	65
30A	47A	68
38	48	68A
41	48A	74
41A	52	74A
42	52A	81
42A	56	81A
43	56A	93
43A	57	119
44	57A	
44A	58	

[F. R. Doc. 43-5228; Filed, April 3, 1943;  
11:03 a. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-252]

##### H. W. HUNT COMPANY

H. W. Hunt Company, a corporation, of 167 Pleasant Street, Reading, Massachusetts, is engaged in the manufacture of brass pipe nipples and steel pipe nipples, and operates under the provisional of the Production Requirements Plan. During the second and third quarters of 1942 the company applied higher preference ratings to deliveries to it of brass



and steel pipe than were authorized under the Production Requirements Plan, and applied preference ratings to deliveries of greater quantities of brass and steel pipe than were authorized by the Production Requirements Plan. These improper applications of preference ratings, and these over-purchases were wilful violations of Preference Rating Order No. P-90, Priorities Regulation No. 11 as amended and Priorities Regulation No. 1 as amended.

These violations have impeded and hampered the war effort of the United States by diverting brass and steel to users unauthorized by the War Production Board. In view of the foregoing facts; *It is hereby ordered, That:*

§ 1010.252 *Suspension Order No. S-252.* (a) Deliveries of material to H. W. Hunt Company, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, except to enable it to fill orders bearing Preference Rating AA-2X or higher, and except as hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to H. W. Hunt Company, its successors and assigns, of any materials the supply or distribution of which is governed by any order of the War Production Board, except to enable it to fill orders bearing Preference Rating AA-2X or higher and except as hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve H. W. Hunt Company, its successors and assigns, from any restrictions, prohibition or provision contained in any other order or regulation of the War Production Board, whether now in force or hereafter issued, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect April 5, 1943 and shall expire on July 5, 1943, at which time the restrictions contained in this order are to be of no further effect.

Issued this 3d day of April 1943.

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

[F. R. Doc. 43-5230; Filed, April 3, 1943;  
11:03 a. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-260]

#### KENNY BOILER AND MANUFACTURING COMPANY

The Kenny Boiler and Manufacturing Company of St. Paul, Minnesota, is a corporation engaged in the business of installing, equipping and repairing boilers and related equipment, and operates under the Production Requirements Plan. During the third quarter of 1942 the Kenny Boiler and Manufacturing Com-

pany purchased approximately 20 tons of seamless steel boiler tubes, 20,965 feet of oxygen and acetylene, 1,140 pounds of bolts, nuts and rivets, \$837.50 worth of pipe and fittings, 18,713 pounds of cast iron bars, doors, frames, grates, etc., and 92 pounds of copper ferrets; and in the fourth quarter of 1942 11.5 tons of boiler tubes, 866 pounds of bolts and nuts, \$390.00 worth of valves and fittings, and 8 tons of iron castings. All of this material was in excess of the amount of such material which the company was authorized to purchase under the Production Requirements Plan. The company was familiar with the provisions and limitations of the Production Requirements Plan and consequently, the above over-purchases were wilful violations of Priorities Regulation No. 11 as amended.

These wilful violations of Priorities Regulation No. 11 have impeded and hampered the war effort of the United States. In view of the foregoing facts, *It is hereby ordered, That:*

§ 1010.260 *Suspension Order No. S-260.*

(a) Deliveries of material to Kenny Boiler and Manufacturing Company, its successors and assigns, shall not be accorded priority, directly or indirectly, over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, except as specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to Kenny Boiler and Manufacturing Company, its successors and assigns, of any material, the supply or distribution of which is governed by any order of the War Production Board, except as specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Kenny Boiler and Manufacturing Company, its successors and assigns, from any restrictions, prohibition, or provision contained in any order or regulation of the War Production Board, whether now in force or hereafter issued, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on April 5, 1943, and shall expire on July 5, 1943, at which time the restrictions contained in this Order are to be of no further effect.

Issued this 3d day of April 1943.

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

[F. R. Doc. 43-5231; Filed, April 3, 1943;  
11:03 a. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-263]

#### DART BOARD EQUIPMENT COMPANY

J. W. Tempest and T. W. Tempest, doing business as Dart Board Equipment Company, 306 Cherry Street, Philadel-

phia, Pennsylvania, are engaged in the production of darts and dart boards, and other toys and games. From November 25, 1942 to December 31, 1942, Dart Board Equipment Company used lead or lead base alloy, iron and steel to make 224,892 darts. Prior to November 25, 1942, J. W. Tempest, T. W. Tempest and Edward A. McTague, General Manager of the company, knew that darts were toys and that Conservation Order M-38-c prohibited the use of lead or lead base alloy in their production, that darts were game devices and that Conservation Order M-126 prohibited the use of iron or steel in their assembly, and that Limitation Order L-81 prohibited the use of iron and steel in the processing, fabrication and assembly of darts, which are toys and games.

This use of lead or lead base alloy, iron and steel constituted wilful violations of Conservation Orders M-38-c, Conservation Order M-126 and Limitation Order L-81, which have hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board.

In view of the foregoing facts, *It is hereby ordered, That:*

§ 1010.263 *Suspension Order No. S-263.*

(a) Deliveries of material to J. W. Tempest and T. W. Tempest, doing business as Dart Board Equipment Company or otherwise, jointly or separately, their successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board except as specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to J. W. Tempest and T. W. Tempest, doing business as Dart Board Equipment Company or otherwise, jointly or separately, their successors and assigns, of any material the supply or distribution of which is governed by any order of the War Production Board, except as specifically authorized in writing by the War Production Board.

(c) J. W. Tempest and T. W. Tempest, doing business as Dart Board Equipment Company or otherwise, jointly or separately, their successors and assigns, shall not accept deliveries of, or use, any iron, steel, lead or lead base alloy in the processing, manufacturing, fabrication or assembly of any article whatsoever, except as specifically authorized in writing by the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve J. W. Tempest and T. W. Tempest, doing business as Dart Board Equipment Company or otherwise, 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.

(e) This order shall take effect on April 5, 1943 and shall expire on October 5, 1943, at which time the restrictions



contained in this order shall be of no further effect.

Issued this 3d day of April 1943.

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

[F. R. Doc. 43-5232; Filed, April 3, 1943;  
11:03 a. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-269]

##### STAPLETON HEATING COMPANY

Stapleton Heating Company, Johnstown, Pennsylvania, is an individual proprietorship, owned and operated by R. A. Stapleton, engaged in the business of selling metal heating equipment. From July 1 to September 11, 1942, the company sold and delivered thirteen new metal hot water heating systems to ultimate consumers at prices ranging from \$430 to \$1,750. All of these sales were made on orders which did not bear any preference ratings or certifications and which had not been specifically authorized by the Director General for Operations. During this period the company knew of the restrictions contained in Limitation Order L-79 and its sales constituted wilful violations of that order.

These violations of Limitation Order L-79 have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered, That:

§ 1010.269 Suspension Order No. S-269.

(a) R. A. Stapleton, individually or doing business as Stapleton Heating Company or otherwise, shall not sell, transfer, deliver, install, accept delivery of or otherwise deal in any new metal heating equipment as the same is defined in Limitation Order L-79, except as specifically authorized by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve R. A. Stapleton 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 6, 1943, and shall expire on October 6, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 3d day of April 1943.

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

[F. R. Doc. 43-5233; Filed, April 3, 1943;  
11:03 a. m.]

#### PART 3229—FISH NETTING

[General Limitation Order L-282]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of fish nets for defense, for private account and export; and the following order is deemed

necessary and appropriate in the public interest and to promote the national defense:

§ 3229.1 General Limitation Order L-282—(a) *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.

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

(1) "Fish netting" means any meshed fabric of the type customarily used for catching fish for commercial purposes.

(2) "Military order" means an order for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, the governments of Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, or Yugoslavia, or the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." (Lend-Lease Act.)

(c) *Restriction on production and sales.* (1) After April 5, 1943, no person who produced during the calendar year 1942 more than twelve tons of fish netting shall manufacture, or process in any stage of manufacturing, any netting except

(i) That required to fill specific military orders for camouflage netting;

(ii) Fish netting.

(2) No such person shall sell or deliver any netting which he knows or has reason to believe will be used for any purpose other than camouflage or the catching of fish for commercial purposes.

(d) *Assignment of preference rating to producers of fish netting.* A preference rating of A-2 is hereby assigned to producers of fish netting for deliveries of yarn. No person shall utilize any yarn obtained by the use of this rating, except in the manufacture of camouflage netting covered by specific military orders or fish netting.

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

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

(g) *Records.* All producers of fish netting shall preserve such records for not less than two years as will clearly and adequately indicate his compliance with this order.

(h) *Communications to the War Production Board.* All reports, applications, forms or communications required under or referred to in this order, and all communications concerning this order, shall,

unless otherwise directed, be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Ref.: L-282.

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

Issued this 3d day of April 1943.

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

[F. R. Doc. 43-5229; Filed, April 3, 1943;  
11:03 a. m.]

#### PART 3032—FILM

[General Limitation Order L-178, as Amended  
April 1, 1943]

Section 3032.1 (General Limitation Order L-178) is hereby amended to read as follows:

§ 3032.1 General Limitation Order L-178—(a) *Definitions.* For the purposes of this order:

(1) "35 mm. film" means unexposed film 35 mm. wide with a nitrate or safety base, whether negative or positive, other than film packaged for use in 35 mm. still cameras and other than film in strips of less than 100 linear feet.

(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) "Transfer" means the sale, lease, trading, loan, delivery, shipment or transfer of 35 mm. film by one person to any other person, but shall not include:

(i) Transfers of 35 mm. film from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control, located within the 48 states and the District of Columbia of the United States of America;

(ii) Transfers of title merely for security purposes;

(iii) Transfers of 35 mm. film to and from warehouses where no substantial change in right, title or ownership to such 35 mm. film is effected;

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

(v) The following transfers of 35 mm. film when actually delivered to the second named persons within the 48 states and the District of Columbia of the United States of America:

(a) Eastman Kodak Company to J. E. Brulatour, Inc.

(b) Du Pont, E. I. de Nemours & Company to Smith & Aller, Ltd.

(c) Agfa Ansco to Agfa Raw Film Corporation.



(4) "Class A producer" means any of the following producing companies and their subsidiaries:

Columbia Pictures Corporation  
Hollywood Square  
Hollywood, California  
Metro-Goldwyn-Mayer  
Culver City, California  
Paramount Pictures, Inc.  
5451 Marathon Street  
Hollywood, California  
Radio-Keith-Orpheum Corporation  
780 North Gower Street  
Hollywood, California  
Republic Pictures Corporation  
4024 Radford Avenue  
North Hollywood, California  
Universal Pictures Company, Inc.  
Universal City, California  
Twentieth Century Fox Film Corporation  
10201 West Pico Boulevard  
Los Angeles, California  
Warner Brothers Pictures, Inc.  
400 West Olive Street  
Burbank, California

(5) "Class B producer" means any person other than a Class A producer who exposes 35 mm. picture negative film for the purpose of producing an entertainment motion picture for exhibition in theaters, at least one of whose motion pictures produced during 1941 was distributed by any Class A or Class B distributor.

(6) "Class C producer" means any person other than a Class A or Class B producer who exposes 35 mm. picture negative film for the purpose of producing an entertainment motion picture for exhibition in theaters.

(7) "Class A distributor" means any of the following distributing companies and their subsidiaries:

Columbia Pictures Corporation  
729 Seventh Avenue  
New York, New York  
Loew's Inc. (Metro-Goldwyn-Mayer)  
1540 Broadway  
New York, New York  
Paramount Pictures, Inc.  
1501 Broadway  
New York City  
Radio-Keith-Orpheum Corporation  
1270 Sixth Avenue  
New York, New York  
Republic Pictures Corporation  
1790 Broadway  
New York, New York  
Twentieth Century Fox Film Corporation  
444 West 56th Street  
New York, New York  
Universal Pictures Company, Inc.  
1250 Sixth Avenue  
New York, New York  
Vitagraph, Inc. (Warner Brothers)  
321 West 44th Street  
New York, New York

(8) "Class B distributor" means any of the following distributing companies and their subsidiaries:

Monogram Productions, Inc.  
4376 Sunset Drive  
Hollywood, California  
Producers Releasing Corporation  
1501 Broadway  
New York, New York  
United Artists Corporation  
729 Seventh Avenue  
New York, New York

(9) "Class C distributor" means any person other than a Class A or Class B distributor, who distributes 35 mm. prints of entertainment, factual, or special pictures for exhibition.

(10) "Expose", "exposing" or "exposed" includes, in addition to its normal meaning, to process by an imbibition method, such as technicolor.

(11) "Entertainment picture" means any picture, including a trailer for such picture, other than a factual or special picture or a newsreel.

(12) "Factual picture" means any picture whose main function is informational or instructional, including advertising and sales promotion pictures and newsreels produced by Class B newsreel producers, but not including special pictures or pictures whose main function is entertainment.

(13) "Newsreel" means any picture whose main function is to report news events.

(14) "Class A newsreel producer" means any of the following producing companies and their subsidiaries:

Paramount Pictures, Inc., producing Paramount News  
Pathe News, Inc.  
Universal Pictures Company, Inc., producing Universal Newsreel.  
News-of-the-Day Newsreel, Inc.  
Movietone News, Inc.  
Time, Inc., producing the March of Time.

(15) "Class B newsreel producer" means any person other than a Class A newsreel producer who produces newsreels.

(16) "Special picture" means any picture (i) Produced for scientific research purposes, such as recording and measuring;

(ii) Produced for micro-filming purposes;

(iii) Produced for identification picture purposes;

(iv) Produced for such other special purposes as the War Production Board may from time to time specify.

(b) *Restrictions on transfers of 35 mm. film for exposure in connection with entertainment pictures.* (1) No person shall transfer any 35 mm. film to any other person whatsoever for exposure in connection with entertainment pictures, except (i) Motion picture laboratories and other service organizations processing 35 mm. film may transfer 35 mm. film to or for the account of Class A or B distributors; or

(ii) With specific authorization of the War Production Board.

(2) During the period of three months beginning April 1, 1943, and during each three months period thereafter until otherwise ordered by the War Production Board, the War Production Board, upon proper application, will grant authorizations for the transfer of 35 mm. film to or for the account of the following persons exposing such film in connection with entertainment pictures:

(i) Any Class A producer and its Class A distributor in an amount not to exceed that specified in Schedule A of this order;

(ii) Any Class B distributor in an amount not to exceed that specified in Schedule A of this order;

(iii) Any Class B producer in such amounts as the War Production Board shall, from time to time, determine after taking into account the amounts of 35 mm. film which such Class B producer

has obtained from, or, through a charge against the account of, any Class A or Class B distributor;

(iv) Any Class C producer or Class C distributor in an amount not to exceed 22% of the 35 mm. film exposed by or for the respective account of such Class C producer or Class C distributor during the calendar year 1941.

(3) In addition to the amount of 35 mm. film which the War Production Board will authorize to be transferred pursuant to paragraph (b) (2) of this order, the War Production Board will authorize the transfer of additional amounts of 35 mm. film to any Class A, B or C distributor in amounts equal to 50% of the linear feet of 35 mm. film contained in positive prints of entertainment pictures which such distributor turned over to the Army of the United States for distribution and exhibition by the Army of the United States in the preceding calendar quarter, and 100% of the linear feet of 35 mm. film contained in positive prints of entertainment pictures which such distributor turned over to the Navy of the United States for distribution and exhibition by the Navy of the United States in the preceding calendar quarter.

(c) *Restrictions on transfers of 35 mm. film for exposure in connection with factual pictures.* (1) No person shall transfer any 35 mm. film to any other person (including government agencies) for exposure in connection with factual pictures except pursuant to (i) Such rules and regulations as the Bureau of Motion Pictures of the Office of War Information shall from time to time specify; or

(ii) The specific authorization of the War Production Board.

(2) During the three months period beginning April 1, 1943, and during each three months period thereafter until otherwise ordered, the War Production Board and the Bureau of Motion Pictures of the Office of War Information shall not authorize the transfer of more 35 mm. film for exposure in connection with factual pictures than 25,150,000 linear feet.

(d) *Restrictions on transfers of 35 mm. film for exposure in connection with special pictures.* No person shall transfer any 35 mm. film to any other person (including government agencies) for exposure in connection with special pictures except pursuant to the specific authorization of the War Production Board.

(e) *Restrictions on transfers of 35 mm. film for exposure by Class A newsreel producers.* (1) No person shall transfer any 35 mm. film for exposure by Class A newsreel producers in connection with newsreels produced by them, except (i) Motion picture laboratories or other service organizations processing 35 mm. film may transfer 35 mm. film to or for the account of Class A newsreel producers; or

(ii) Pursuant to specific authorization of the War Production Board.

(2) During the period of three months beginning April 1, 1943, and during each three months period thereafter until otherwise ordered by the War Production Board,



tion Board, the War Production Board, upon proper application, will grant authorizations for the transfer of 35 mm. film to or for the account of Class A newsreel producers for exposure in connection with newsreels in an amount not to exceed the amount specified opposite such Class A newsreel producer's name in Schedule B of this order.

(f) *Restrictions on exposure of 35 mm. film by laboratories.* No motion picture laboratory or other service organization processing 35 mm. film shall expose any such film, except (1) For the account of any person who has been authorized by the Bureau of Motion Pictures of the Office of War Information to obtain a transfer of 35 mm. film;

(2) For the account of any Class A or Class B distributor;

(3) For the account of any person who has been authorized by the War Production Board to obtain a transfer of 35 mm. film; or

(4) With the specific authorization of the War Production Board.

(g) *Applications for authorizations to transfer 35 mm. film.* Any person may apply to the War Production Board for a specific authorization to transfer 35 mm. film by executing and filing Form PD-763 with the Motion Picture and Photographic Section of the Consumers Durable Goods Division of the War Production Board, Washington, D. C.

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

(2) Every motion picture laboratory and other service organization processing 35 mm. film shall execute and file with the War Production Board, Washington, D. C., Ref: L-178, on or before the 10th day following the close of each calendar month, Form PD-764.

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

(j) *Appeals.* Any appeal from the provisions of this order must be made on Form PD-500.

(k) *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.

(l) *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.

(m) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consum-

ers Durable Goods Division, Washington, D. C., Ref.: L-178.

Issued this 1st day of April 1943.

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

SCHEDULE A	Linear feet
Columbia Pictures Corporation...	30,253,296
Metro-Goldwyn-Mayer and Loew's, Inc. ....	42,147,476
Monogram Productions, Inc. ....	5,848,397
Paramount Pictures, Inc. ....	30,722,843
Producers Releasing Corporation...	3,177,974
Radio-Keith-Orpheum Corporation...	27,435,119
Republic Pictures Corporation...	18,360,444
Twentieth Century Fox Film Corporation...	31,803,298
United Artists Corporation...	15,086,803
Universal Pictures Company, Inc. ....	27,448,441
Warner Brothers Pictures, Inc. and Vitagraph, Inc. ....	33,742,077

SCHEDULE B	Linear feet
Movietone News, Inc. ....	12,121,701
News-of-the-Day Newsreel, Inc. ....	11,685,076
Paramount Pictures, Inc., producing Paramount News...	11,627,566
Pathe News, Inc. ....	7,865,750
Time, Inc., producing the March of Time...	2,164,195
Universal Pictures Company, Inc., producing Universal Newsreel...	7,085,524

[F. R. Doc. 43-5114; Filed, April 1, 1943; 5:05 p. m.]

#### PART 1188—RAILROAD EQUIPMENT

[Limitation Order L-229, Revoked]

MATERIAL ENTERING INTO THE PRODUCTION OF REPLACEMENT PARTS FOR ELECTRIC RAILWAY CARS AND TROLLEY COACHES

Section 1188.6 *Limitation Order L-229* is hereby revoked effective April 5, 1943.

Issued this 5th day of April 1943.

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

[F. R. Doc. 43-5286; Filed, April 5, 1943; 11:20 a. m.]

#### PART 1198—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Limitation Order L-103 as Amended April 5, 1943]

Section 1198.1 *Limitation Order L-103* is hereby amended to read as follows:

§ 1198.1 *Limitation Order L-103—(a) 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.

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

(1) "Glass container" means any machine made bottle, jar, or tumbler which is made of glass and which is suitable for packing any product.

(2) "Closure" means any sealing or covering device affixed or to be affixed to a glass container for the purpose of retaining the contents within the container.

(3) "Finish" of a glass container means the configuration of the neck or opening which serves to engage specific parts of the closure in order to affix it to the glass container.

(4) "Design" of a glass container means the particular shape, weight, size, capacity, and contour of the body of such container (other than the finish), and shall include any lettering or decoration molded thereon, except the container manufacturers' identification marks.

(5) A "design in existence" means a design for which one or more molds have been cast and is further limited to the exact size and capacity of container produced therefrom.

(6) Any specification which refers to or includes the letters "G. C. A." means a specification (including the tolerances recognized with respect to such specification) issued by the Glass Container Association of America and in effect on May 11, 1942.

(7) "Exhibit" refers to the particular specifications set forth opposite an exhibit number (e. g. 10-40; 10-75; 50-23, etc.) as applied to the shape or contour appearing on the drawing, attached to this order, in connection with which such exhibit is listed. Any applicable footnotes appearing on said drawing shall be deemed to be incorporated in such specifications.

(c) *Issuance of schedules of simplification of lines.* The War Production Board may from time to time issue schedules establishing simplification practices with respect to the designs and/or finishes of glass containers for specific products. From and after the date of issuance of any such schedule no such containers shall be manufactured or used contrary to the provisions of such schedule, *Provided, however, That*

(1) Subject to the provisions of subparagraph (2) of this paragraph (c), nothing in this order or any schedule hereof shall prevent the manufacture, sale, delivery or use, for the packaging of any product, of any glass container which differs from any standard glass container established for such product by any schedule solely by reason of:

(i) The location of indented or other label space;

(ii) The degree of curvature of the shoulder and heel of the container;

(iii) The amount and location of any lettering which indicates capacity only;

(iv) A difference in height or weight when such difference does not exceed 5 percent of the height or weight shown for the applicable standard glass container;

(v) The existence or location of stippling or fluting.

(2) No person shall manufacture, sell, deliver or use any glass container pursuant to the provisions of subparagraph (1) of this paragraph (c) unless

(i) Such glass container is manufactured within nine months after the date of issuance of any applicable schedule; and

(ii) Such glass container is manufactured from a mold which was actually in existence prior to the date of issuance of any applicable schedule; and



(iii) The design of such glass container has been submitted to the War Production Board, Washington, D. C., Ref. L-103, and approved as within the exemption provided by subparagraph (1) of this paragraph (c).

(d) *Exhibits.* The exhibits listed on the drawings attached to this order shall have no application except as they are specifically referred to in this order or are established as standard glass containers by the provisions of any schedule issued pursuant to paragraph (c) hereof.

(e) *Freezing of all glass container designs not established as standards pursuant to any schedule of this order.* No person shall manufacture a glass container except:

(1) Where the design of such container was in existence on May 11, 1942; or, failing this, where any variations from a design then in existence have been effected by alterations of molds in existence on or before May 11, 1942.

(2) Where the design of such container corresponds to any exhibit attached to this order.

(3) Where the design of such container has been submitted by any person to the War Production Board, Washington, D. C., Ref. L-103, and approved under one of the following conditions:

(i) When no suitable glass container exists for packing a product not previously packed in glass;

(ii) When it is necessary to design a special glass container in order that it can be used on an existing filling or packing line.

(4) Nothing in subparagraphs (1), (2) or (3) of this paragraph (e) shall be deemed to permit the manufacture or use of glass containers contrary to the provisions of any schedule issued pursuant to paragraph (c) of this order.

(f) *Allowance of normal operating tolerances.* (1) Nothing in this order or any schedule hereof shall

(i) Prevent variations in the design or finish of a glass container within the limits of normal operating tolerances.

(ii) Prohibit the usual differences in glass container design when manufactured on glass container machinery of different types.

(g) *Interchangeable finishes.* (1) Unless specifically stated to the contrary in any schedule, nothing in this order or any schedule hereof shall prevent the interchange of finishes on glass containers described in an exhibit attached to this order, *Provided:*

(i) Such interchange can be effected without alteration of the specified body mold; and

(ii) The interchanged finish is no greater in diameter than that appearing on the exhibit for the body design to which it is to be applied, or, if another type of finish is used, no larger than the corresponding size of that type of finish.

No. 67—4

(iii) The capacity resulting from such interchange is no less than the capacity shown in the applicable exhibit.

(2) Nothing in this order or any schedule hereof shall prevent the modification of the weight, height, or capacity of a glass container described in any exhibit of this order to the minimum extent required by any interchange of finishes in accordance with the conditions of subparagraph (1) of this paragraph (g).

(h) *Extent of prohibitions against replacement of molds.* (1) Whenever any provision of this order or any schedule hereof prohibits the replacement of existing molds, such prohibition shall extend to the body mold only and shall not be deemed to prohibit the use of new neck rings nor new blank molds or other equipment necessary for use with a body mold.

(i) *Export.* Nothing in this order or any schedule hereof shall affect the manufacture, sale or delivery of glass containers intended to be shipped outside of the forty-eight states of the United States and the District of Columbia: *Provided,* That the said glass containers are made from molds in existence on or before May 11, 1942.

(j) *Miscellaneous provisions.*—(1) *Appeal.* 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.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or fur-

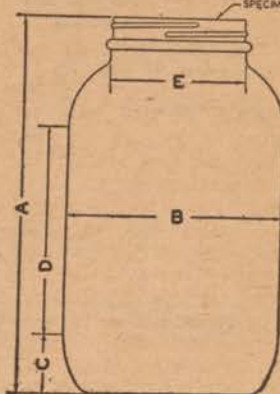
nishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority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

(3) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington, D. C., Ref. L-103.

Issued this 5th day of April 1943.

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

DRAWING NO. 1—PLAIN ROUND JAR  
SPECIMEN FINISH



PLAIN ROUND JAR

EXHIBIT SERIES 10-00

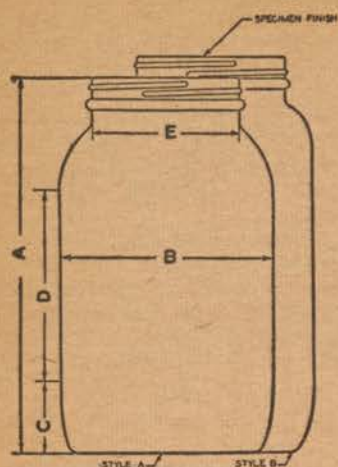
Exhibit No.	Overflow capacity, ounces	Maximum weight, ounces	A	B, maximum	C	D	E	G. C. A. finish No.
10-14	4 1/4	3 3/4	3 3/4	2 3/4	3 3/4	1 3/4	1 3/4	48-400
10-20	6 1/4	4 3/4	3 3/4	2 3/4	5 1/4	2 1/4	1 3/4	53-400
10-26	8 3/4	6	4 3/4	2 3/4	1 1/4	2 3/4	1 3/4	53-400
10-27	8 3/4	6	4 3/4	2 3/4	1 1/4	2 3/4	2 1/4	58-400
10-28	8 3/4	6	4 1/4	2 3/4	5 1/4	2 3/4	2 1/4	58-400
10-36	11 1/4	7 1/4	4 3/4	2 3/4	4 3/4	2 3/4	2 1/4	58-400
10-39	12 1/4	7 1/4	4 3/4	2 3/4	4 3/4	2 3/4	1 3/4	53-400
10-40	12 1/4	7 1/4	4 3/4	2 3/4	4 3/4	2 3/4	2 1/4	58-400
10-48	15 1/4	8 1/4	5 1/4	3 1/4	1 3/4	2 1/4	2 3/4	63-400
10-51	16 1/4	9	5 1/4	3 1/4	2 3/4	2 3/4	2 3/4	63-400
10-52	17	9 1/4	5 1/4	3 1/4	2 3/4	2 3/4	2 3/4	63-400
10-53	18 1/4	9 1/4	5 1/4	3 1/4	2 3/4	2 3/4	2 3/4	63-400
10-60	22 3/4	11 1/4	5 1/4	3 1/4	1 3/4	3 1/4	2 3/4	63-400
10-63	24 1/4	11 3/4	5 3/4	3 3/4	1 3/4	3 3/4	2 3/4	63-400
10-67	27 1/4	13	6 1/4	3 3/4	1	3 3/4	2 3/4	63-400
10-72	31	13 3/4	6 1/4	3 3/4	1 1/4	3 3/4	2 3/4	63-400
10-75	32 3/4	14	6 3/4	3 3/4	1 1/4	3 3/4	2 3/4	63-400
10-77	34	14 1/4	6 3/4	3 3/4	1 3/4	3 3/4	2 3/4	63-400
10-81	48 3/4	20 1/4	7 1/4	4 3/4	1 3/4	4 3/4	2 3/4	70-400

#### NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Container shall be round.
5. Bottom stippling optional.



DRAWING NO. 2—PLAIN ROUND QUART JAR



## PLAIN ROUND QUART JAR

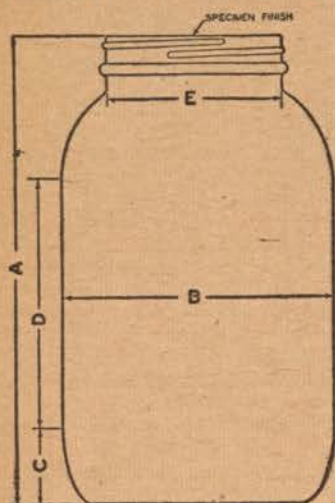
EXHIBIT SERIES 11-00

Exhibit No.	Style	Overflow capacity, oz.	Maximum weight, oz.	A	B max.	C	D	E	G. C. A. finish No.
11-75.....	A	32 $\frac{3}{4}$	14	6 $\frac{3}{4}$	3 $\frac{5}{8}$ $\frac{3}{4}$	1 $\frac{5}{8}$	3 $\frac{7}{8}$	2 $\frac{5}{8}$	70-400
11-76.....	B	32 $\frac{3}{8}$	14 $\frac{1}{2}$	7 $\frac{3}{4}$	3 $\frac{1}{2}$ $\frac{3}{4}$	1 $\frac{3}{4}$	4 $\frac{1}{4}$	2 $\frac{3}{8}$	70-400

## NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used adjustment to make correct capacity shall be made in the "B" dimension.
3. The profiles illustrated shall be maintained for the above exhibits.
4. Container shall be round.
5. Bottom stippling optional.

DRAWING NO. 3—LARGE SIZE JAR



## LARGE SIZE JAR

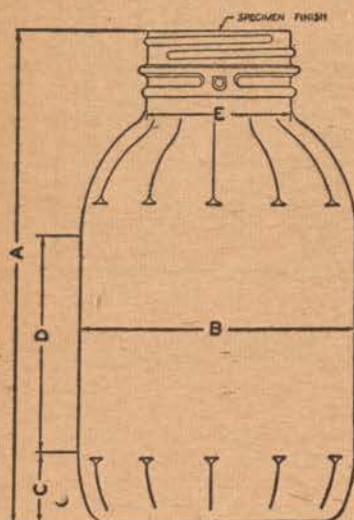
EXHIBIT SERIES 12-00

Exhibit No.	Size	Overflow capacity, oz.	Maximum weight, oz.	A	max. B	C	D	E	G. C. A. finish No.
12-86.....	$\frac{1}{2}$ gal.	65 $\frac{1}{4}$	28	8 $\frac{3}{4}$	4 $\frac{2}{8}$ $\frac{3}{4}$	1 $\frac{3}{4}$	4 $\frac{1}{2}$	3 $\frac{1}{8}$	83-400
12-91.....	No. 10.	105 $\frac{3}{8}$	37	9 $\frac{3}{32}$	6 $\frac{1}{4}$	1 $\frac{1}{2}$	4 $\frac{1}{2}$	3 $\frac{1}{8}$	83-400
12-90.....	1 gal.	130 $\frac{1}{2}$	40	10 $\frac{1}{16}$	6 $\frac{2}{32}$ $\frac{3}{4}$	1 $\frac{3}{4}$	5 $\frac{1}{8}$	3 $\frac{3}{8}$	89-400

## NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Container shall be round.
5. Bottom stippling optional.

DRAWING NO. 4—WIDE MOUTH PAIL



## WIDE MOUTH PAIL

EXHIBIT SERIES 14-00

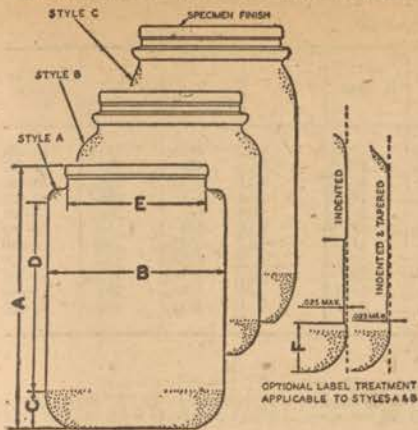
Exhibit No.	Size	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	C	D	E	G. C. A. finish No.
14-85.....	5 lb.	58 $\frac{1}{2}$	24	8 $\frac{9}{32}$	4 $\frac{1}{32}$ $\frac{1}{8}$	1 $\frac{1}{8}$	4 $\frac{1}{4}$	2 $\frac{5}{8}$	G-450
14-87.....	$\frac{1}{2}$ gal.	66	26	8 $\frac{23}{32}$	5 $\frac{1}{4}$	1 $\frac{1}{4}$	4 $\frac{1}{4}$	2 $\frac{5}{8}$	G-450
14-90.....	No. 10.	103	35	10	5 $\frac{5}{8}$ $\frac{3}{4}$	1 $\frac{1}{2}$	4 $\frac{1}{2}$	2 $\frac{5}{8}$	G-450
14-92.....	10 lb.	116	41	10 $\frac{9}{16}$	6 $\frac{1}{32}$	1 $\frac{1}{2}$	4 $\frac{5}{8}$	2 $\frac{5}{8}$	G-450
14-96.....	1 gal.	132	44	10 $\frac{5}{8}$	6 $\frac{1}{32}$ $\frac{3}{4}$	1 $\frac{3}{4}$	4 $\frac{3}{4}$	2 $\frac{5}{8}$	G-450

## NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Stippling may be substituted for fluting in the decorated areas shown at shoulder and heel. Containers shall be either fluted or stippled, never plain.
5. Container shall be round.
6. Bottom stippling optional.



DRAWING NO. 5—VEGETABLE AND FRUIT JAR



VEGETABLE AND FRUIT JAR

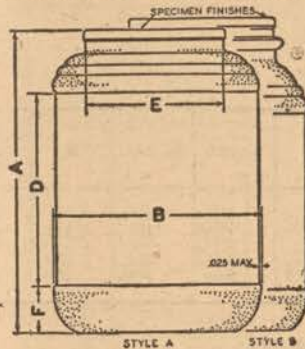
EXHIBIT SERIES 15-00

Exhibit No.	Style	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	C	D	E	G. C. A. finish No.
15-50	A	17	7½	4½	3½	2½	3½	2½	66 mm.
15-51	B	17	8	4½	3½	1½	2½	2½	66 mm.
15-52	C	17	8½	5½	3½	¾	3	2½	66 mm.
15-58	A	28½	12	4¾	4¾	2½	3½	3½	83 mm.
15-69	B	28½	13	4¾	4¾	¾	2½	3½	83 mm.
15-70	C	28½	13½	6½	4¾	5¾	3½	3½	83 mm.

## NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to those illustrated shall be maintained for the above exhibits consistent with the "C", "F" and "D" dimensions.
4. Style "C" shall be straight sided only. Styles "A" and "B" may be straight sided or, with 2½" minimum and 1½" maximum for the "F" dimension. The label space may be indented or tapered as shown.
5. Shoulder and heel stippling as indicated is optional.
6. Container shall be round.
7. Bottom stippling optional.

DRAWING NO. 6—25½ OZ. JUICE JAR



25½ OZ. JUICE JAR

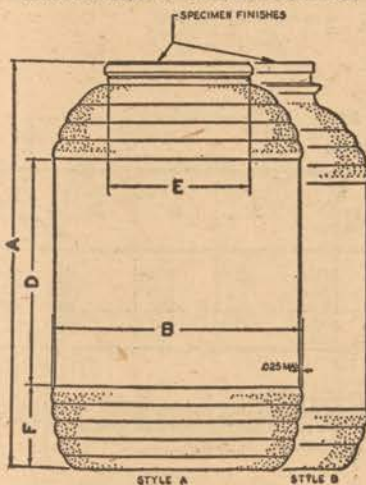
EXHIBIT SERIES 16-00

Exhibit No.	Style	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	F	D	E	G. C. A. finish No.
16-64	A	25½	11	5½	3¾	2½	3½	2½	66-mm.
16-65	B	25½	11½	5¾	3¾	2½	3¾	2½	66-mm.

## NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. The profiles illustrated shall be maintained for the above exhibits. A label recess must be maintained.
4. Shoulder and heel of jar shall be stippled as indicated.
5. Container shall be round.
6. Bottom stippling optional.

DRAWING NO. 7—49 OZ. JUICE JAR



49 OZ. JUICE JAR

EXHIBIT SERIES 16-00

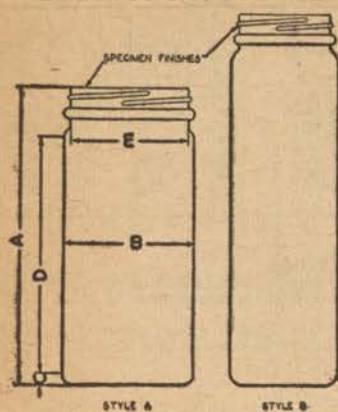
Exhibit No.	Style	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	F	D	E	G. C. A. finish No.
16-80	A	49	20	7½	4½	1½	4½	2½	66-mm.
16-81	B	49	20	7½	4½	1½	4½	2½	66-mm.

## NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. The profiles illustrated shall be maintained for the above exhibits. A label recess must be maintained.
4. Shoulder and heel of jar shall be stippled as indicated.
5. Container shall be round.
6. Bottom stippling optional.



DRAWING NO. 8—OLIVE BOTTLE



## OLIVE BOTTLE

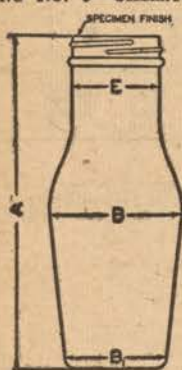
EXHIBIT SERIES 17-00

Exhibit No.	Style	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	C	D	E	G. C. A. finish No.
17-22	A	61 $\frac{1}{16}$	65 $\frac{1}{2}$	44 $\frac{9}{16}$	2 $\frac{3}{4}$	9 $\frac{1}{2}$	3 $\frac{1}{2}$	11 $\frac{1}{16}$	53-400
17-26	A	8 $\frac{1}{4}$	8 $\frac{1}{16}$	52 $\frac{1}{16}$	2 $\frac{1}{4}$	9 $\frac{1}{2}$	4 $\frac{1}{2}$	2 $\frac{3}{4}$	53-400
17-38	A	12 $\frac{3}{4}$	10	61 $\frac{1}{16}$	2 $\frac{1}{2}$	9 $\frac{1}{2}$	4 $\frac{1}{2}$	2 $\frac{3}{4}$	53-400
17-50	A	16 $\frac{3}{8}$	11 $\frac{1}{4}$	61 $\frac{1}{16}$	2 $\frac{1}{2}$	11 $\frac{1}{2}$	5 $\frac{1}{2}$	2 $\frac{3}{4}$	53-400
17-56	A	20 $\frac{3}{8}$	14 $\frac{1}{2}$	71 $\frac{1}{2}$	2 $\frac{1}{2}$	9 $\frac{1}{2}$	5 $\frac{1}{2}$	2 $\frac{3}{4}$	53-400
17-76	A	22 $\frac{3}{8}$	14 $\frac{1}{2}$	72 $\frac{3}{16}$	2 $\frac{1}{2}$	9 $\frac{1}{2}$	5 $\frac{1}{2}$	2 $\frac{3}{4}$	53-400
17-09	B	2 $\frac{1}{4}$	3 $\frac{3}{4}$	3 $\frac{1}{2}$	11 $\frac{1}{2}$	9 $\frac{1}{2}$	2 $\frac{3}{4}$	1 $\frac{3}{4}$	38-400
17-11	B	3 $\frac{1}{2}$	4 $\frac{1}{4}$	5 $\frac{1}{4}$	19 $\frac{1}{2}$	9 $\frac{1}{2}$	3 $\frac{1}{2}$	1 $\frac{3}{4}$	38-400
17-17	B	5 $\frac{1}{2}$	5 $\frac{1}{4}$	51 $\frac{1}{16}$	1 $\frac{1}{2}$	9 $\frac{1}{2}$	4 $\frac{1}{2}$	11 $\frac{1}{2}$	43-400
17-23	B	7 $\frac{1}{2}$	7 $\frac{1}{4}$	62 $\frac{3}{16}$	1 $\frac{1}{2}$	9 $\frac{1}{2}$	5 $\frac{1}{2}$	1 $\frac{3}{4}$	43-400
17-33	B	10 $\frac{1}{4}$	10 $\frac{1}{4}$	77 $\frac{1}{16}$	2 $\frac{1}{4}$	9 $\frac{1}{2}$	6 $\frac{1}{4}$	1 $\frac{3}{4}$	53-400

## NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to those illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Container shall be round.
5. Bottom stippling optional.

DRAWING NO. 9—CHERRY BOTTLE



## CHERRY BOTTLE

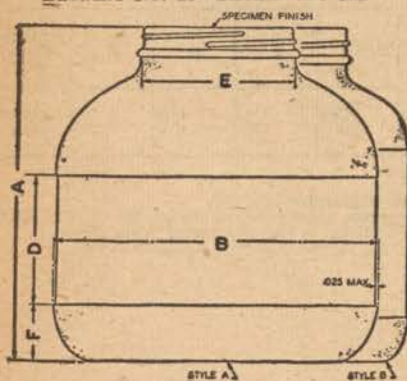
EXHIBIT SERIES 18-00

Exhibit No.	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	B <sub>1</sub> , max.	E	G. C. A. finish No.
18-08	21 $\frac{1}{16}$	4 $\frac{1}{2}$	4 $\frac{1}{2}$	14 $\frac{1}{4}$	12 $\frac{3}{4}$	1 $\frac{3}{4}$	38-400
18-14	4 $\frac{1}{16}$	5 $\frac{1}{2}$	52 $\frac{1}{16}$	16 $\frac{1}{4}$	1 $\frac{1}{2}$	1 $\frac{3}{4}$	38-400
18-22	7	6 $\frac{1}{4}$	6 $\frac{1}{4}$	22 $\frac{3}{4}$	1 $\frac{1}{2}$	11 $\frac{1}{2}$	43-400
18-42	13 $\frac{1}{4}$	13 $\frac{1}{2}$	87 $\frac{1}{4}$	21 $\frac{1}{4}$	2 $\frac{1}{4}$	11 $\frac{1}{2}$	53-400
18-62	24 $\frac{1}{4}$	20 $\frac{1}{2}$	107 $\frac{1}{4}$	39 $\frac{1}{2}$	28 $\frac{3}{4}$	11 $\frac{1}{2}$	53-400

## NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" and "B<sub>1</sub>" dimensions.
3. Profiles similar to that illustrated shall be maintained for the above exhibits.
4. Container shall be round.
5. Bottom stippling optional.

DRAWING NO. 10—SHORTENING JAR



## SHORTENING JAR

EXHIBIT SERIES 19-00

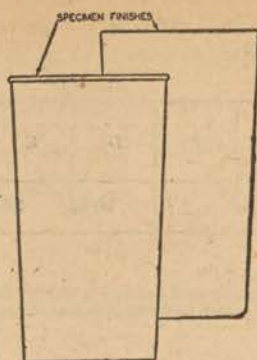
Exhibit No.	Style	Overflow capacity, oz.	Maximum weight, oz.	A	B, maximum	F	D	E	Finish size
19-57	A	20	10	4 $\frac{1}{4}$	38 $\frac{3}{4}$	1 $\frac{1}{2}$	11 $\frac{1}{2}$	3 $\frac{1}{4}$	83-400
19-85	A	58 $\frac{3}{16}$	24	6	5 $\frac{1}{4}$	1	2 $\frac{1}{2}$	3 $\frac{1}{4}$	83-400
19-88	B	20	11 $\frac{1}{2}$	4 $\frac{1}{4}$	32 $\frac{3}{4}$	1 $\frac{1}{2}$	2 $\frac{1}{2}$	3 $\frac{1}{4}$	89-400
19-88	B	58 $\frac{3}{16}$	24	6	5 $\frac{1}{4}$	1 $\frac{1}{2}$	3	3 $\frac{1}{4}$	89-400

## NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "F" and "D" dimensions. A label recess must be maintained.
4. Shoulder and heel of jar shall be stippled as indicated.
5. Container shall be round.
6. Bottom stippling optional.



DRAWING NO. 11—TUMBLERS



## TUMBLERS

EXHIBIT SERIES 20-00

Exhibit No.	Overflow capacity, oz.	Capacity overflow, plus or minus, oz.	G. C. A. finish No., max.
20-13.....	3¾ to 4¼	¾	58 mm.
20-16.....	4¾ to 5¼	¾	63 mm.
20-19.....	5¾ to 6¼	¾	63 mm.
20-20.....	6¾ to 7¼	¾	63 mm.
20-23.....	7 to 7½	¾	68 mm.
20-26.....	8 to 8½	¾	68 mm.
20-30.....	9¼ to 9¾	¾	68 mm.
20-32.....	9¾ to 10¼	¾	73 mm.
20-39.....	11¾ to 12¾	¾	73 mm.
20-44.....	13¾ to 14¾	¾	80 mm.

## NOTES

1. Container shall be round.
2. Bottom stippling optional.

## STUBBY ROUND BOTTLE

EXHIBIT SERIES 50-00

DRAWING NO. 12—STUBBY ROUND BOTTLE

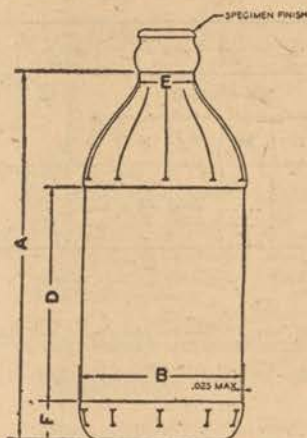
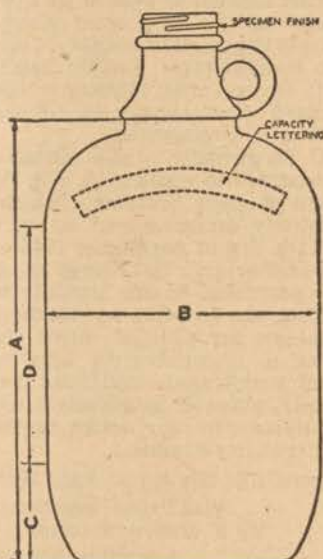


Exhibit No.	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	F	D	E	Finish size
50-08.....	2¼	3	3¼	1¾	¾	2½	1½	20-400
50-14.....	4¼	4¼	4¼	1¾	¾	2¾	1	26-2410
50-21.....	6¼	5½	4½	2¾	1½	2¾	1	26-2410
50-28.....	8¾	6½	5¾	2¾	1½	3¼	1	26-2410
50-40.....	12¾	8½	6¾	2¾	1½	3¾	1	26-2410
50-51.....	16¾	10¾	7¾	2¾	1½	3¾	1	26-2410
50-52.....	17¾	10¾	8¾	2¾	1½	3¾	1	26-2410
50-64.....	25¾	14	11¾	3¼	2¾	4¾	1	26-2410
50-76.....	33¾	17	13¾	3¾	2¾	5	1	26-2410
50-77.....	34	17	13¾	3¾	2¾	5	1	26-2410
50-81.....	48¼	23	18¾	4¾	3¾	5¾	1	26-2410
50-85.....	58¼	26½	21¾	5¾	4¾	6¾	1	26-700
50-91.....	105¾	37	31¾	6¾	5¾	11¾	1	26-700

## NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "F" and "D" dimensions. A label recess must be maintained.
4. Bottles shall be fluted as shown.
5. Container shall be round.
6. Bottom stippling optional.

DRAWING NO. 13—GLASS JUG



## GLASS JUG

EXHIBIT SERIES 51-00

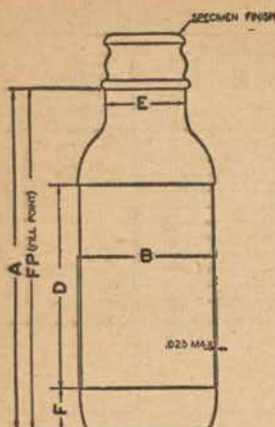
Exhibit No.	Size	Overflow capacity, oz.	Maximum weight, oz.	A	B, max.	C	D	G. C. A. finish No.
51-86.....	Half gallon.....	66	31	8	4¾	14¾	4¾	38-400
51-87.....	Half gallon.....	66	31	8	4¾	14¾	4¾	70-450
51-88.....	Half gallon.....	67	31	8	5	14¾	4¾	38-400
51-89.....	Half gallon.....	67	31	8	5	14¾	4¾	70-450
51-92.....	Gallon.....	130	46	9¾	6¾	11¾	4¾	38-400
51-93.....	Gallon.....	130	46	9¾	6¾	11¾	4¾	70-450
51-94.....	Gallon.....	131¼	46	9¾	6¾	11¾	4¾	38-400
51-95.....	Gallon.....	131¼	46	9¾	6¾	11¾	4¾	70-450
51-96.....	Gallon.....	134¾	48	9¾	6¾	11¾	4¾	38-400
51-97.....	Gallon.....	134¾	48	9¾	6¾	11¾	4¾	70-450
51-98.....	Gallon.....	136	48	9¾	6¾	11¾	4¾	38-400
51-99.....	Gallon.....	136	48	9¾	6¾	11¾	4¾	70-450

## NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. Profiles similar to that illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. Container shall be round.
5. Bottom stippling optional.



DRAWING NO. 14—CHILI SAUCE BOTTLE



CHILI SAUCE BOTTLE

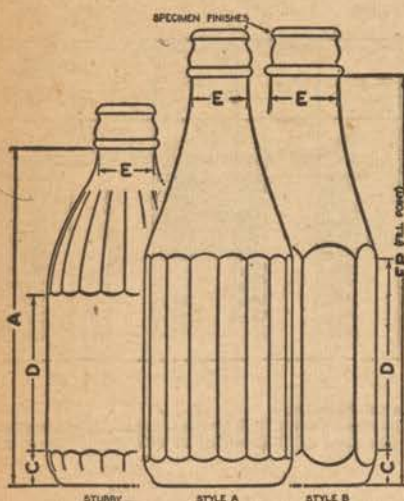
EXHIBIT SERIES 52-00

Exhibit No.	Capacity to F. P., oz.	Maximum weight, oz.	FP	A	B, max.	F	D	E	G. C. A. finish No.
52-33	10 1/4	9 1/4	6 1/16	6 1/16	22 3/4	3/4	3 1/4	1 1/4	26-250

## NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the "B" dimension.
3. The profile illustrated shall be maintained for the above exhibit. A label recess must be maintained.
4. Container shall be round.
5. Bottom stippling optional.

DRAWING NO. 15—CATSUP BOTTLE



CATSUP BOTTLE

EXHIBIT SERIES 53-00

Exhibit No.	Style	Capacity to F. P., oz.	Maximum weight, oz.	FP up	A	C			D			E	G. C. A. finish No.
						No. of panels							
						8	16	20	8	16	20		
53-38	Stubby	12¼	8¾	5½	5½			¾			2¼	1½	26-250
53-39	A	12¼	10¼	7¾	7¾	¾	¾		3¾	3¾		1½	26-250
53-40	B	12¼	10¾	7¾	7¾	¾	¾		3¾	3¾		1½	31-250

## NOTES

1. Finishes are interchangeable in accordance with provisions of the order.
2. When lower glass weights are used, adjustment to make correct capacity shall be made in the body diameters.
3. Profiles similar to those illustrated shall be maintained for the above exhibits consistent with the "C" and "D" dimensions.
4. The stubby style is made with 20 panels only. Styles "A" and "B" may be made with either 8 or 16 panels.
5. Container shall be round.
6. Bottom stippling optional.

[F. R. Doc. 43-5279; Filed, April 5, 1943; 11:18 a. m.]

## PART 1198—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Schedule A to Limitation Order L-103, as Amended April 5, 1943]

## DISTILLED SPIRITS

§ 1198.2 *Schedule A to Limitation Order L-103*—(a) *Definitions*. For the purposes of this schedule:

(1) "Distilled spirits" means whiskey, gin, brandy, and rum.

(2) A "standard glass container for distilled spirits" means a glass container described in Exhibits A-1-a, A-2-a, A-3-a, A-4-a, A-5, or A-6 of this schedule which possesses the finish prescribed for the respective container in the said exhibits or any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L-103.

(b) *Simplified practice*. (1) Until further order of the War Production Board, the manufacture of glass containers for distilled spirits is limited to the following capacities: 1 quart (32 fluid ounces); 3/4 quart (25.6 fluid

ounces); 1 pint (16 fluid ounces), and 1/2 pint (8 fluid ounces) and the manufacture of glass containers for all other liquors (such as cordials, cocktails, and specialties) is limited to capacities of 1/2 pint (8 fluid ounces) or more.

(2) (i) Prior to September 1, 1942, no glass container for distilled spirits shall be manufactured which has a glass weight heavier than the following:

(a) If of quart capacity, not more than 22 oz. avoirdupois;

(b) If of 3/4 quart capacity, not more than 20 1/2 oz. avoirdupois;

(c) If of pint capacity, not more than 15 oz. avoirdupois;

(d) If of half-pint capacity, not more than 10 oz. avoirdupois.

(ii) On and after September 1, 1942, and prior to January 1, 1943, no glass container for distilled spirits shall be manufactured which has a glass weight heavier than the following:

(a) If of quart capacity, not more than 20 1/2 oz. avoirdupois;

(b) If of 3/4 quart capacity, not more than 19 oz. avoirdupois;

(c) If of pint capacity, not more than 13 1/2 oz. avoirdupois;

(d) If of half-pint capacity, not more than 8 1/2 oz. avoirdupois.

(3) (i) No mold for a glass container for distilled spirits may be replaced—whether because of wear or for any other reason—except by a mold which conforms to the specifications of a "standard glass container for distilled spirits."

(ii) On and after January 1, 1943, only standard glass containers for distilled spirits may be produced.

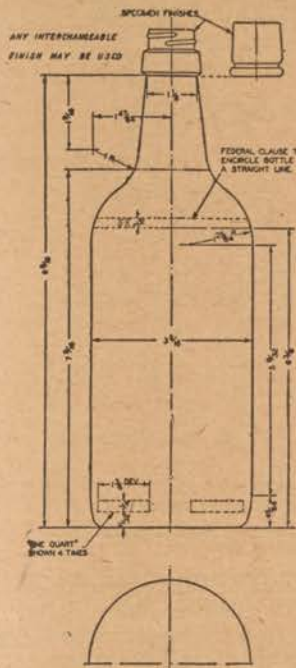
(4) No provision of this schedule shall be construed to restrict the sale, delivery or use of glass containers which were completely manufactured on or before the 12th day of September 1942.

(c) *Lettering*. (1) Except as specifically permitted by the exhibits of this schedule, the lettering on standard glass containers for distilled spirits shall be limited to manufacturers' identification (which may include trademark, name or symbol), place of manufacture, date of manufacture by year, design number and mold or cavity number.

Issued this 5th day of April 1943.

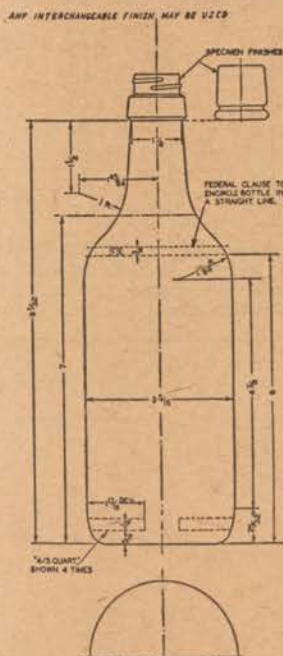
WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.



EXHIBIT A-1-2 OF SCHEDULE A, LIMITATION  
ORDER L-103*Standard Glass Container—Distilled  
Spirits Bottle, 32 ounce capacity*

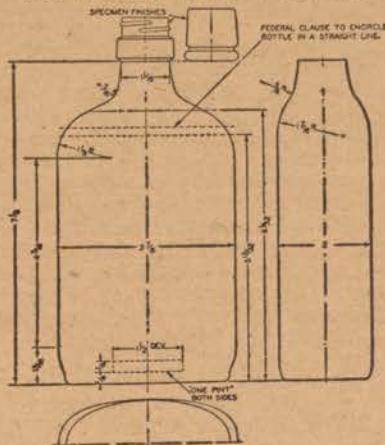
Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.

Bottles must be round—19 oz. wt.

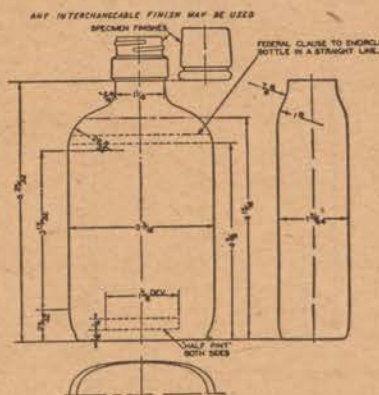
EXHIBIT A-2-2 OF SCHEDULE A, LIMITATION  
ORDER L-103*Standard Glass Container—Distilled  
Spirits Bottle 25.6 ounce capacity*

Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.

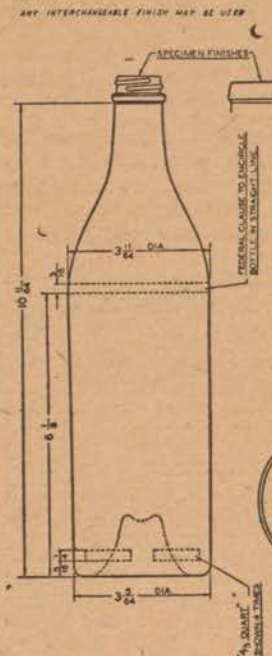
Bottle must be round—17 oz. wt.

EXHIBIT A-3-2 OF SCHEDULE A, LIMITATION  
ORDER L-103*Standard Glass Container—Distilled  
Spirits Flask, 16-ounce capacity*

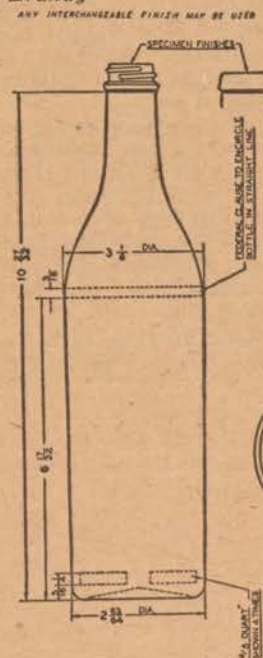
Any interchangeable finish may be used.  
Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.  
Bottle wt. 13 1/2 oz.

EXHIBIT A-4-2 OF SCHEDULE A, LIMITATION  
ORDER L-103*Standard Glass Container—Distilled  
Spirits Flask, 8 ounce capacity*

Bottles shall be plain and without decoration except for capacity designation, Federal indicia, glass maker's identification. No label spotting design features allowed.  
Bottle wt. 8 1/2 oz.

EXHIBIT A-5 OF SCHEDULE A, LIMITATION  
ORDER L-103*Standard Glass Container—Distilled  
Spirits Bottle, 25.6 ounce capacity—  
Rum*

Bottle must be round—18 oz. wt.  
Bottles shall be plain and without decoration except for cap lett., Federal indicia, glass maker's identification. No label spotting design features allowed.

EXHIBIT A-6 OF SCHEDULE A, LIMITATION  
ORDER L-103*Standard Glass Container—Distilled  
Spirits Bottle, 25.6 ounce capacity—  
Brandy*

Bottles must be round—18 1/2 oz. wt.  
Bottles shall be plain and without decoration except for cap lett., Federal indicia, glass maker's identification. No label spotting design features allowed.

[F. R. Doc. 43-5280; Filed, April 5, 1943;  
11:18 a. m.]



**PART 1198—GLASS CONTAINER AND CLOSURE  
SIMPLIFICATION**

[Schedule B to Limitation Order L-103, as  
Amended April 5, 1943]

**MALT BEVERAGES**

§ 1198.3 *Schedule B to Limitation Order L-103*—(a) *Definitions.* For the purposes of this schedule:

(1) "Malt beverages" means beer, ale, stout, near-beer, and beverages of a similar kind, made by alcoholic fermentation of malted barley with or without other food products, and with hops or hop extracts.

(2) A "standard glass container for malt beverages" means a glass container described in Exhibits B-1, B-2, B-3-a, B-4, B-5-a, B-6 to B-9, inclusive, B-10-a, and B-11 to B-13, inclusive of this schedule, which possesses the finish prescribed for the respective container in the said exhibits or any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L-103.

(b) *Simplified practice.* (1) Until further order of the War Production Board, the manufacture of glass containers for malt beverages is limited to the following capacities: 12 fluid ounces; 1 quart (32 fluid ounces); and one-half gallon (64 fluid ounces).

(2) No glass container for malt beverages shall be manufactured which has a glass weight heavier than the following:

(i) If of one-half gallon capacity, not more than 39 oz. avoirdupois;

(ii) If of quart capacity, not more than 30 oz. avoirdupois;

(iii) If of 12 fluid ounce capacity, and (a) in the so-called "steinie" shape, not more than 10½ oz. avoirdupois; (b) in the so-called "export", "ale", or "select" shapes, not more than 12 oz. avoirdupois.

(3) (i) No mold for a glass container for malt beverages may be replaced—whether because of wear or for any other reason—except by a mold which conforms to the specifications of a standard glass container for malt beverages.

(ii) On and after January 1, 1943, only standard glass containers for malt beverages may be produced.

(iii) On and after April 15, 1943, the standard glass containers described in

Exhibits 12 and 13 shall be manufactured only for malt beverages to be shipped outside of the forty-eight states of the United States of America and the District of Columbia.

(4) No provision of this schedule shall be construed to restrict the sale, delivery, or use of glass containers which were completely manufactured on or before the 12th day of September 1942.

(c) *Lettering.* (1) Except as specifically permitted by the exhibits of this schedule the lettering on standard glass containers for malt beverages shall be limited to manufacturers' identification (which may include trademark, name or symbol), place of manufacture, date of manufacture by year, design number and mold or cavity number.

Issued this 5th day of April 1943.

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

**EXHIBIT B-1 OF SCHEDULE B, LIMITATION  
ORDER L-103**

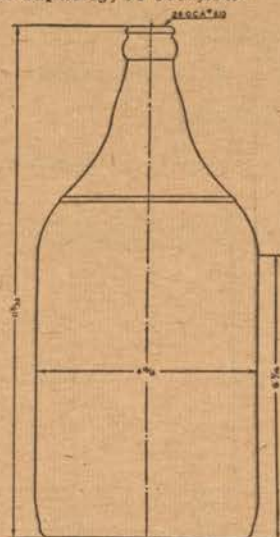
*Standard Glass Container—Steinie Shape Beer Bottle for Unpasteurized Beer 64 ounce capacity, 66½ overflow*



Bottles must be round—34 oz. wt.

**EXHIBIT B-2 OF SCHEDULE B, LIMITATION  
ORDER L-103**

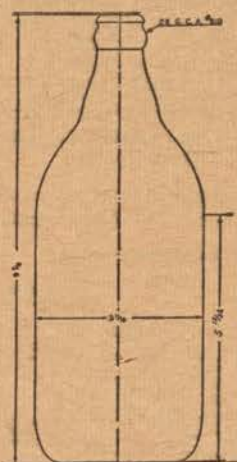
*Standard Glass Container—Steinie Shape Beer Bottle for Pasteurized Beer, 64 ounce capacity, 68 overflow*



Bottles must be round—39 oz. wt.

**EXHIBIT B-3-A OF SCHEDULE B, LIMITATION  
ORDER L-103**

*Standard Glass Container—Steinie Shape Beer Bottle, 32 ounce capacity, 33¾ overflow*



Any interchangeable finish may be used.  
Optional weights 20 and 24 oz.—adjust diameter to make capacity.  
Bottles must be round.



EXHIBIT B-4 OF SCHEDULE B, LIMITATION  
ORDER L-103

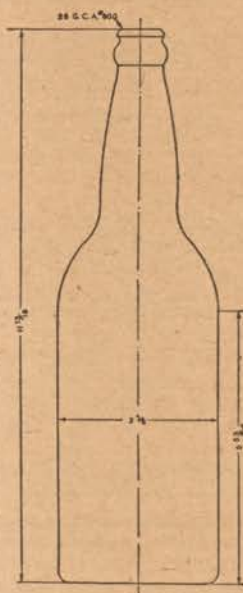
Standard Glass Container—Steinie Shape  
Beer Bottle, 12 ounce capacity,  $12\frac{3}{4}$   
overflow



Bottles must be round—9 3/4 oz. wt.

EXHIBIT B-5-A OF SCHEDULE B, LIMITATION  
ORDER L-103

Standard Glass Container—Export  
Shape Beer Bottle, 32 ounce capacity,  
 $33\frac{1}{4}$  overflow

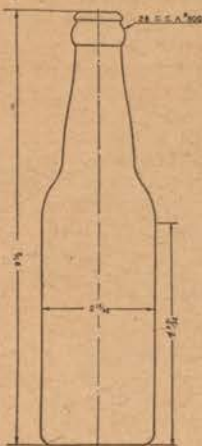


Bottles must be round—28 oz. wt.  
Any interchangeable finish may be used.

No. 67—5

EXHIBIT B-6 OF SCHEDULE B, LIMITATION  
ORDER L-103

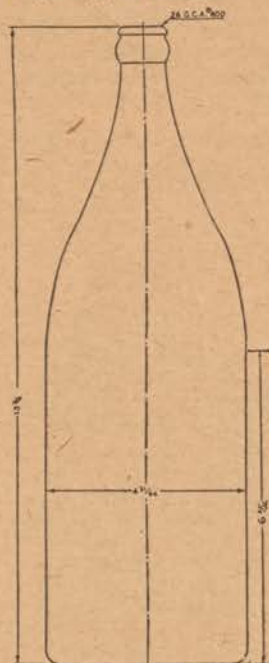
Standard Glass Container—Export  
Shape Beer Bottle, 12 ounce capacity,  
 $12\frac{3}{4}$  overflow



Bottles must be round—12 oz. wt.

EXHIBIT B-7 OF SCHEDULE B, LIMITATION  
ORDER L-103

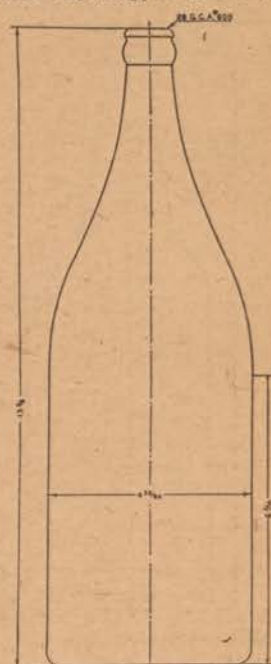
Standard Glass Container—Select Shape  
Beer Bottle for Pasteurized Beer, 64  
ounce capacity, 68 overflow



Bottles must be round—39 oz. wt.

EXHIBIT B-8 OF SCHEDULE B, LIMITATION  
ORDER L-103

Standard Glass Container—Select Shape  
Beer Bottle for Unpasteurized Beer,  
64 ounce capacity,  $66\frac{1}{2}$  overflow



Bottles must be round—36 oz. wt.

EXHIBIT B-9 OF SCHEDULE B, LIMITATION  
ORDER L-103

Standard Glass Container—Select Shape  
Beer Bottle, 12 ounce capacity,  $12\frac{3}{4}$   
overflow

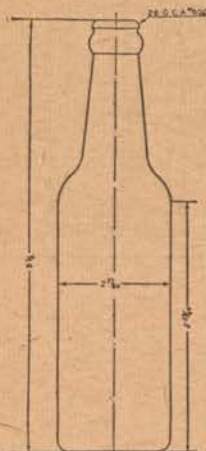


Bottles must be round—12 oz. wt.

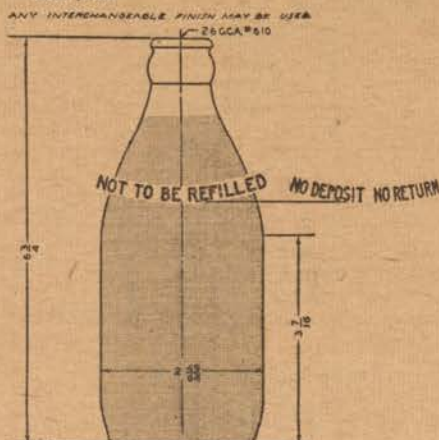
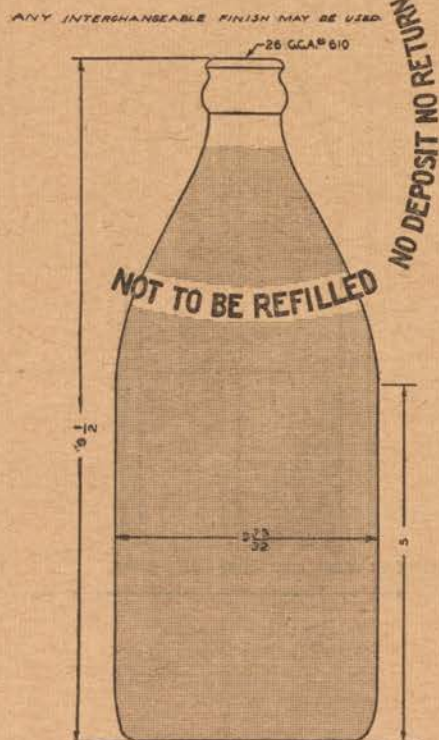


EXHIBIT B-10-A OF SCHEDULE B, LIMITATION  
ORDER L-103Standard Glass Container—Ale Bottle,  
32 ounce capacity, 33 $\frac{1}{4}$  overflow

Bottles must be round—28 oz. wt.

EXHIBIT B-11 OF SCHEDULE B, LIMITATION  
ORDER L-103Standard Glass Container—Ale Bottle,  
12 ounce capacity, 12 $\frac{3}{4}$  overflow

Bottles must be round—12 oz. wt.

EXHIBIT B-12 OF SCHEDULE B, LIMITATION  
ORDER L-103Standard Glass Container—Single Trip  
Beer Bottle, 12 ounce capacity, 12 $\frac{3}{4}$   
overflowThe bottle shall be round with stippling  
and lettering as shown—8 oz. max. weight.EXHIBIT B-13, LIMITATION ORDER L-103  
Standard Glass Container—Single Trip  
Beer Bottle, 32 ounce capacity, 33 $\frac{1}{4}$   
overflowThe bottle shall be round with stippling  
and lettering as shown—18 oz. max. weight.[F. R. Doc. 43-5281; Filed, April 5, 1943;  
11:18 a. m.]PART 1198—GLASS CONTAINER AND  
CLOSURE SIMPLIFICATION[Schedule C to Limitation Order L-103 as  
Amended April 5, 1943]GLASS CONTAINERS FOR CERTAIN FOOD  
PRODUCTSSection 1198.4 Schedule C to Limita-  
tion Order L-103 is hereby amended to  
read as follows:§ 1198.4 Schedule C to Limitation  
Order L-103—(a) Definition. For the  
purposes of this schedule:

"Standard glass container" means any container constructed in accordance with the specifications and design prescribed by any exhibit set forth in Drawings 1 to 15, inclusive, annexed to Order L-103, which possesses the finish prescribed for such exhibit or, subject to the provisions of paragraph (b) (2) hereof, any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L-103.

(b) Restrictions on use. (1) With the exceptions set forth in paragraph (c) of this schedule, on and after July 4, 1943, no person shall use a glass container for the packing for sale of any product listed in the annexed table, except a standard glass container, having a capacity equal to or greater than that specified for such product in column II of said table.

(2) Notwithstanding the provisions of paragraph (g) of Order L-103, no person shall use for the packing for sale of any product listed in the table annexed to this schedule any glass container with a "deep screw cap" finish, except as specifically permitted by an exhibit authorized for such product.

(c) Exceptions. (1) Nothing in this schedule shall prevent the use, for the packing of any product listed in the annexed table, of any glass containers which were completely manufactured before the 4th day of July 1943.

(2) Nothing in this schedule shall restrict the sale, delivery, use or manufacture of glass containers with a capacity larger than 140 fluid ounces, of designs that existed on May 11, 1942.

(3) Nothing in this schedule shall prohibit any person who packed less than a total of 5,000 containers with all of the products listed in the annexed table during the calendar year 1942 from purchasing, accepting delivery of, or using without restriction, during any subsequent calendar year, a maximum of 5,000 glass containers for packing such products.

(4) Except as specifically permitted by the drawings and exhibits annexed to Order L-103 molded lettering or decoration on standard glass containers for the respective products listed in said table shall be limited to the manufacturers' identification (which may include trademark, name, symbol), place of manufacture, date of manufacture by year, design number, and mold or cavity number.

(d) Manufacture. (1) No person shall manufacture, sell, or deliver any glass container which he knows, or has reason



to believe, will be used in violation of any provision of this schedule.

(2) On and after the 5th day of April 1943, no molds may be manufactured for a container for any of the products listed in the annexed table which does not conform to the specifications of a standard glass container usable for such product, nor may any mold for a container for a product listed in the annexed table be replaced—whether because of wear or for any other reason—except by a mold which conforms to said specifications.

Issued this 5th day of April 1943.

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

TABLE

II. Minimum  
Overflow capacity  
in fluid ounces

I. Product	
1. Fruit butter	12
2. Preserves	12
3. Jelly	19
4. Salad dressings (including products using salad dressing as a base)	18
5. Olive oil	2
6. Edible oils (other than olive oil)	16
7. Shortenings	20
8. Maple syrup	12
9. Syrups (except chocolate and maple), including blended, bottlers, cane, corn, molasses, sorghum, malt, and fountain syrups	16
10. Chocolate syrup	18
11. Tomato catsup	12
12. Chili sauce and cocktail sauce	10
13. Tomato paste	
Not less than 25% by weight dry tomato solids	16
14. Tomato pulp and puree	
Not less than 10.7% (specific gravity 1.045) or more than 25% by weight dry tomato solids	12
15. Vinegar	16
16. Fruits and vegetables and mixtures thereof, including ripe olives, but excluding cranberries and maraschino cherries	16
17. Honey	16
18. Pickles and relishes	18
19. Peanut butter	18
20. Fruit and vegetable juices and mixtures thereof	12
21. Olives, green	3
22. Maraschino cherries	4
23. Cranberries and cranberry sauce	18
24. Pectin, liquid	8

<sup>1</sup> Any tumbler may be used (in addition to standard) for packing the applicable product provided:

(i) Such tumbler was made from a mold that was actually in existence on or before April 5, 1943;

(ii) Such tumbler has no larger than a 70 mm. finish;

(iii) The capacity of such tumbler is no less than 8 fl. oz. and no greater than 9½ fl. oz.

<sup>2</sup> Until completion of the 1943 packing season for tomato catsup, any bottle of a design previously used for tomato catsup may be used therefor, in addition to the specified standards, provided:

(i) Said bottle was made from a mold actually in existence on April 5, 1943;

(ii) Such bottle is made to hold 14 oz. by weight of tomato catsup;

(iii) The height of such bottle to the "fill point" does not exceed 7½ inches.

After completion of 1943 tomato catsup packing season, only the containers permitted for said product pursuant to paragraph (b) (1) of this schedule may be used.

[F. R. Doc. 43-5282; Filed, April 5, 1943; 11:18 a. m.]

# PART 1192—GLASS CONTAINER AND CLOSURE SIMPLIFICATION

[Schedule D to Limitation Order L-103, as Amended April 5, 1943]

## GLASS CONTAINERS FOR WINES

§ 1198.5 *Schedule D to Limitation Order L-103—(a) Definitions.* For the purposes of this schedule:

(1) "Wine" means the product of the normal alcoholic fermentation of the juice of grapes, fruits, or other agricultural products, with or without added brandy or other spirits, and shall include, but shall not be limited to, sparkling and carbonated wine vermouth, flavored wines, cider, perry, sake, in each instance only if containing not less than 7 per centum and not more than 24 per centum alcohol by volume.

(2) A "standard glass container for wines" means a glass container described in Exhibits D-1-A, D-2-A, D-3, D-4, D-5, D-6, D-7, D-8-A and D-9-A of this schedule, which possesses the finish prescribed for the respective container in the said exhibits or any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L-103.

(b) *Restrictions on use.* (1) With the exceptions set forth in paragraph (c) of this schedule, on and after October 1, 1942, no person shall use a glass container of other than the following capacities for the packaging of wines for sale:

- (i) One gallon.
- (ii) One half-gallon.
- (iii) 26 fluid ounce champagne.
- (iv) 13 fluid ounce champagne.
- (v) 1 quart, flat bottom.
- (vi) 4/5 quart, push-up bottom.
- (vii) 4/5 quart, flat bottom.
- (viii) 4/5 pint, flat bottom.
- (ix) 1 pint, flat bottom.

(2) With the exceptions set forth in paragraph (c) of this schedule, on and after March 1, 1943, no person shall use a glass container other than a standard glass container as herein defined for the packaging of wines for sale.

(c) *Exceptions.* (1) Nothing in this schedule shall prevent the use for the packaging of wines of any non-standard glass containers which were:

(i) Completely manufactured on or before the first day of October, 1942, or

(ii) Which have the same capacity as any standard glass container described in this schedule and which were completely manufactured prior to March 1, 1943, from a mold actually in existence prior to the 2d day of January, 1943.

(2) Except as specifically permitted by the exhibits of this schedule, the lettering on standard glass containers for wines shall be limited to manufacturers' identification, (which may include trademark, name or symbol), place of manufacture, date of manufacture by year, design number and mold or cavity number.

(d) *Manufacture.* (1) No molds may be manufactured for a wine bottle or finish which do not conform to the specifications of a standard glass container for wines, nor may any mold for a glass container for wines be replaced, whether

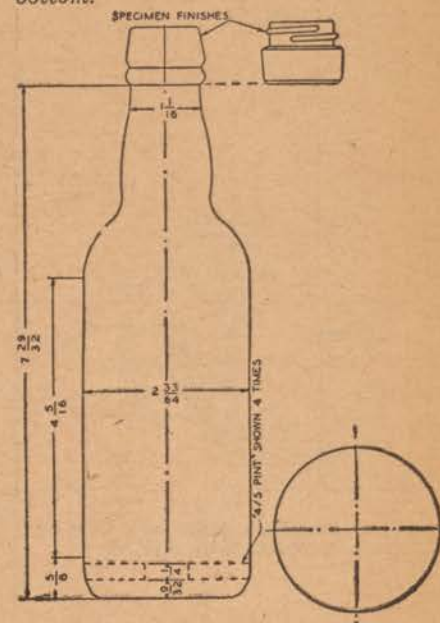
because of wear or for any other reason, except by a mold which conforms to said specifications.

Issued this 5th day of April 1943.

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

## EXHIBIT D-1-a

Standard Glass Container Wine Bottle—12.8 oz. capacity, bulb neck, flat bottom.

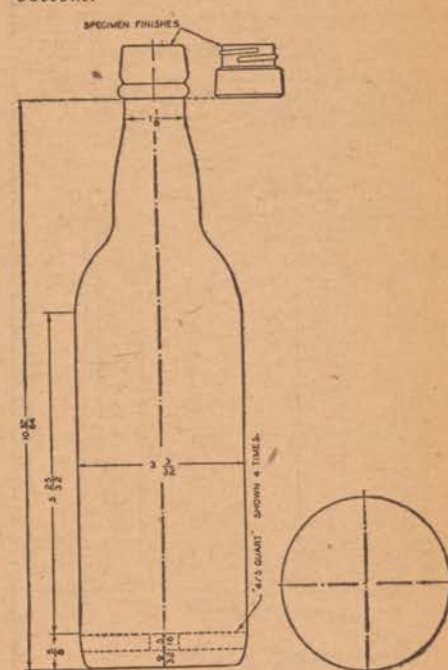


Any interchangeable finish may be used.

Bottles must be round, 11 oz. max. wt.

## EXHIBIT D-2-a

Standard Glass Container Wine Bottle—25.6 oz. capacity, bulb neck, flat bottom.



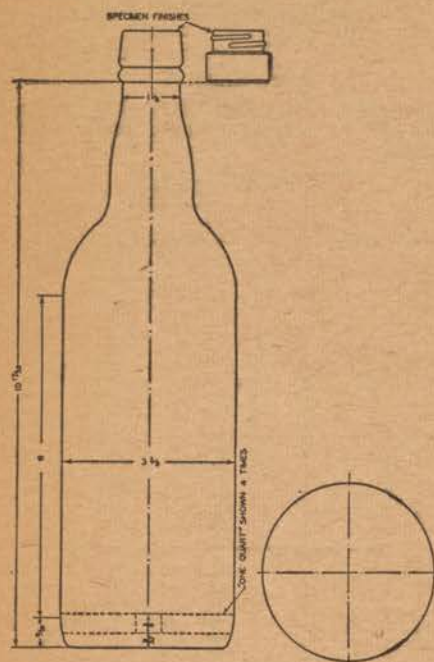
Any interchangeable finish may be used.

Bottles must be round, 19 oz. max. wt.



## EXHIBIT D-8-a

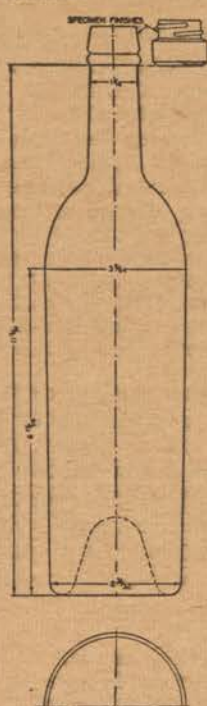
Standard Glass Container Wine Bottle—32 oz. capacity, bulb neck, flat bottom.



Any interchangeable finish may be used. Bottles must be round, 20 oz. max. wt.

## EXHIBIT D-3

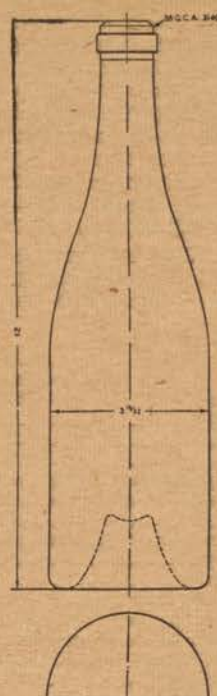
Standard Glass Container—Wine Bottle, 25.6 ounce capacity, straight neck pushup bottom.



Any interchangeable finish may be used. Bottles must be round, 21 oz. max. wt.

## EXHIBIT D-5

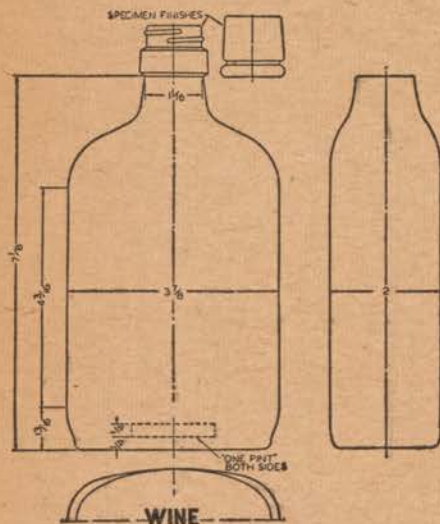
Standard Glass Container—Champagne Bottle, 26 ounce capacity



Any interchangeable finish may be used. Bottles must be round, 37 oz. max. wt.

## EXHIBIT D-9-a

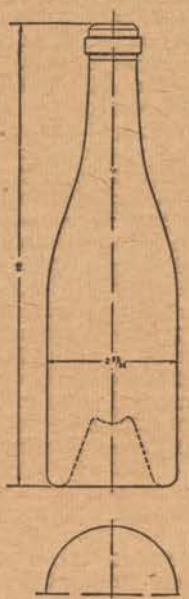
Standard Glass Container Wine Bottle—16 oz. capacity.



Any interchangeable finish may be used. Bottle wt. 13 1/2 oz. max.

## EXHIBIT D-4

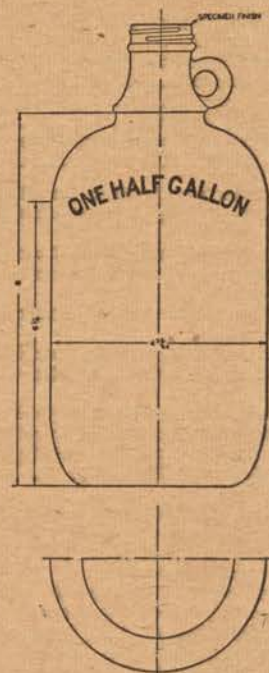
Standard Glass Container—Champagne Bottle, 13 ounce capacity



Any interchangeable finish may be used. Bottles must be round, 20 oz. max. wt.

## EXHIBIT D-6

Standard Glass Container—Wine Bottle, 64-ounce capacity

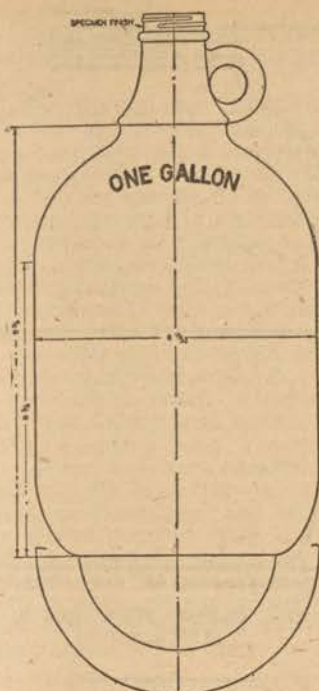


Any interchangeable finish may be used. Bottles must be round, 31 oz. max. wt.



## EXHIBIT D-7

Standard Glass Container—Wine Bottle,  
128 ounce capacity



Any interchangeable finish may be used.  
Bottles must be round, 46 oz. max. wt.

[F. R. Doc. 43-5283; Filed, April 5, 1943;  
11:18 a. m.]

PART 1198—GLASS CONTAINER AND CLOSURE  
SIMPLIFICATION

[Schedule E to Limitation Order L-103, as  
Amended April 5, 1943]

GLASS CONTAINERS FOR PROTECTIVE COATINGS

§ 1198.6 *Schedule E to Limitation Order L-103*—(a) *Definitions*. For the purposes of this schedule:

(1) "Protective coatings" means paints (including paste water paints), varnishes, lacquers, shellacs, stains, linseed oil, turpentine, benzine, mineral spirits, varnish and paint removers, thinners and driers. The term shall not include inks or artists' supplies.

(2) A "standard glass container for protective coatings" means:

(i) A glass container described in Exhibits E-1 to E-9, inclusive, of this schedule;

(ii) A glass container described in Exhibits 10-14, 10-20, 10-40, 10-48, 10-67, 10-72, 10-77, 51-86, 51-88, 51-92, 51-94, 51-96, 51-98, 12-86 and 12-96 of Limitation Order L-103;

which possesses the finish prescribed for the respective container in the said exhibits or any other finish which is interchanged therewith in accordance with paragraph (g) of Limitation Order L-103.

(b) *Restrictions on use*. With the exceptions set forth in paragraph (c) of this schedule, on and after January 1, 1943,

(1) No person shall use a glass container other than a standard glass container as herein defined for the packaging of protective coatings for sale or for sample purposes.

(2) [Deleted April 5, 1943]

(3) No person shall use any standard glass containers with a finish larger than 38 mm. for the packing, for sale or for sample purposes, of shellacs and clear varnishes, and jobbing items (including but not limited to linseed oil, turpentine, benzine, mineral spirits, lacquer thinners, varnish and paint removers, and driers).

(c) *Exceptions*. (1) Nothing in this schedule shall prevent the use for the packaging of protective coatings of any non-standard glass containers which were completely manufactured on or before the 1st day of February, 1943, and in the hands of the user thereof on or before the 1st day of March, 1943.

(2) Nothing in this schedule shall restrict the sale, delivery, use or manufacture of glass containers, made from a mold actually in existence on the 7th day of December, 1942, which have an overflow capacity of between 65 and 70 fl. oz. or between 130 and 140 fl. oz.; but such molds may not be replaced except in accordance with paragraph (d) of this schedule.

(3) Lettering on standard glass containers for protective coatings shall be limited to the manufacturers' identification (which may include trademark, name, symbol), place of manufacture, date of manufacture by year, design number, and mold or cavity number.

(d) *Manufacture*. On and after the 7th day of December, 1942, no molds may be manufactured for a protective coating jar or finish which does not conform to the specifications of a standard glass container for protective coatings, nor may any mold for a glass container for protective coatings be replaced—whether because of wear or for any other reason—except by a mold which conforms to the said specifications.

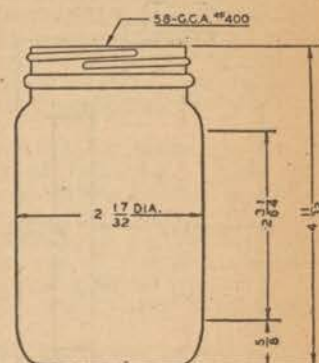
Issued this 5th day of April 1943.

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

## EXHIBIT 1 OF SCHEDULE E

Standard Glass Container—Paint

ANY INTERCHANGEABLE FINISH MAY BE USED.

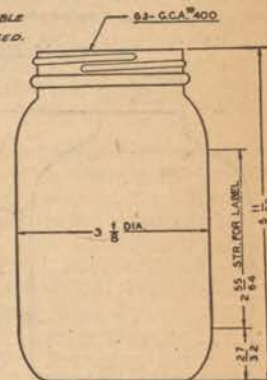


OVERFLOW CAPACITY—6 3/4 OZS.  
GLASS WEIGHT—6 OZS.

## EXHIBIT 2 OF SCHEDULE E

Standard Glass Container—Paint

ANY INTERCHANGEABLE  
FINISH MAY BE USED.

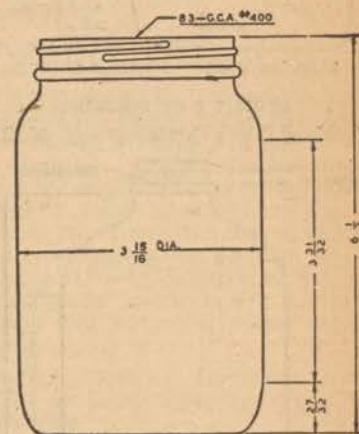


OVERFLOW CAPACITY—17 OZS.  
GLASS WEIGHT 9 1/4 OZS.

## EXHIBIT 3 OF SCHEDULE E

Standard Glass Container—Paint

ANY INTERCHANGEABLE FINISH MAY BE USED

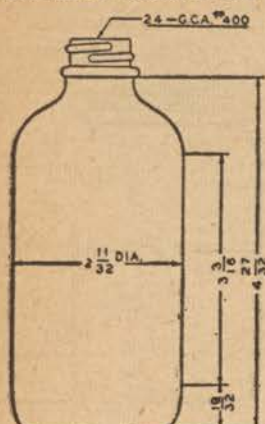


OVERFLOW CAPACITY—34 OZS. GLASS WEIGHT—14 1/2 OZS.



## EXHIBIT 4 OF SCHEDULE E

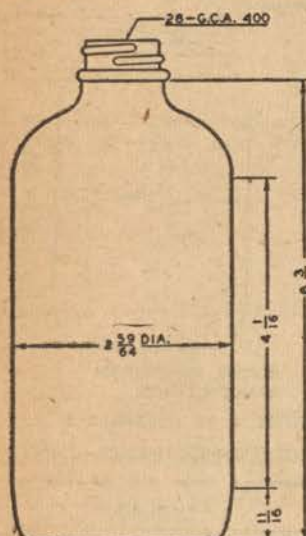
Standard Glass Container—N. M. Round  
ANY INTERCHANGEABLE FINISH MAY BE USED



CAPACITY—8 OZS. GLASS WEIGHT—5 3/4 OZS.

## EXHIBIT 5 OF SCHEDULE E

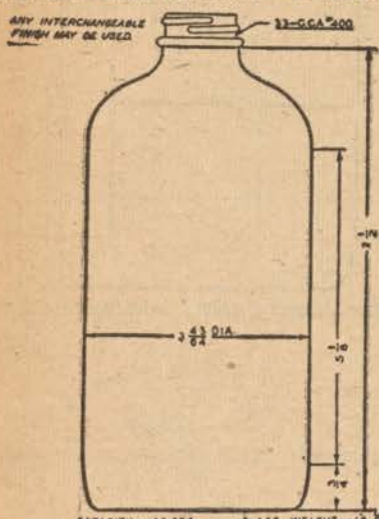
Standard Glass Container—N. M. Round  
ANY INTERCHANGEABLE FINISH MAY BE USED



CAPACITY—16 OZS. GLASS WEIGHT—9 1/2 OZS.

## EXHIBIT 6 OF SCHEDULE E

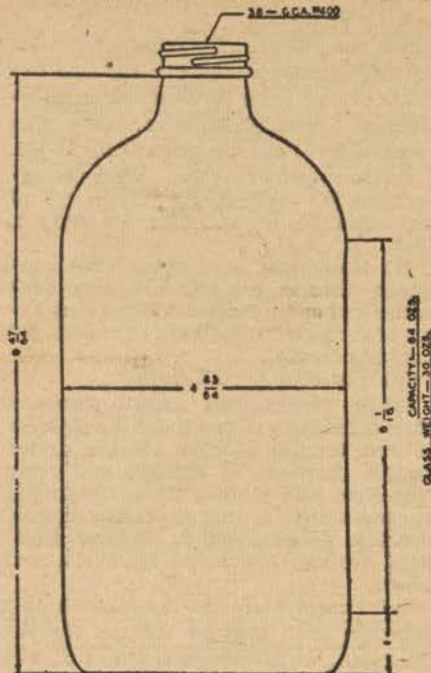
Standard Glass Container—N. M. Round



CAPACITY—32 OZS. GLASS WEIGHT—18 1/2 OZS.

## EXHIBIT 7 OF SCHEDULE E

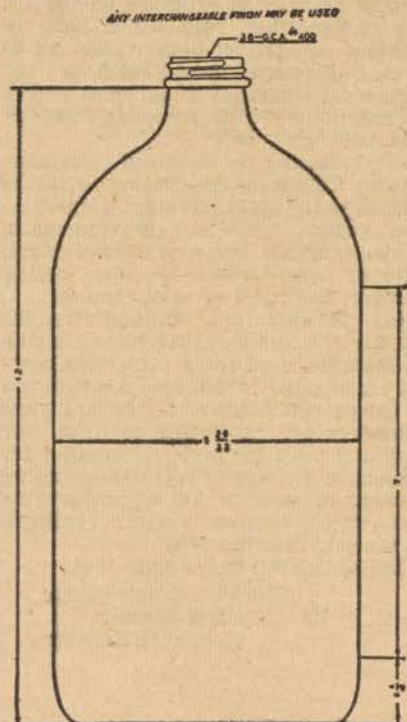
Standard Glass Container—N. M. Round  
ANY INTERCHANGEABLE FINISH MAY BE USED



CAPACITY—64 OZS.  
GLASS WEIGHT—30 OZS.

## EXHIBIT 8 OF SCHEDULE E

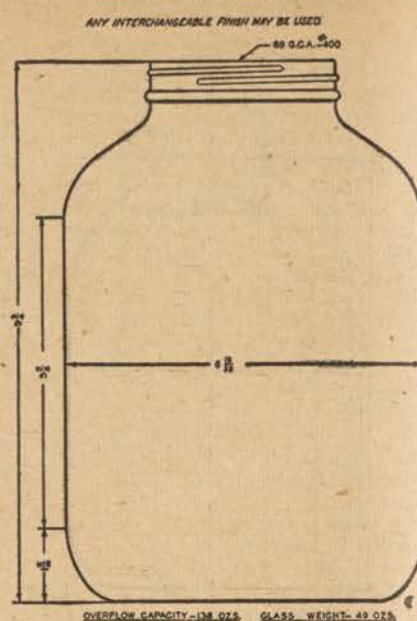
Standard Glass Container—N. M. Round



CAPACITY—128 OZS.  
GLASS WEIGHT—50 OZS.

## EXHIBIT 9 OF SCHEDULE E

Standard Glass Container—Paint



[F. R. Doc. 43-5284; Filed, April 5, 1943;  
11:18 a. m.]

## PART 1273—STYRENE

[Supplementary Order M-170-a]

## POLYSTYRENE

§ 1273.2 *Supplementary Order M-170-a*—(a) *Definitions.* For the purpose of this order:

(1) "Polystyrene" means the polymers of styrene (vinyl benzene), but does not include the copolymers of styrene with other monomers such as butadiene or methyl methacrylate. The term "polystyrene" does not include fabricated forms of polystyrene such as sheets, rods, tubes, molded parts or coated fabric, and does not include polystyrene scrap or polystyrene consisting entirely of reprocessed scrap.

(2) "Producer" means any person engaged in the production of polystyrene.

(3) "Distributor" means any purchaser of polystyrene who resells it in the form of polystyrene as defined, with or without further compounding or processing.

(b) *Restrictions on use and delivery of polystyrene.* (1) On and after May 1, 1943, no producer or distributor shall use or deliver polystyrene, and no person shall accept delivery of polystyrene from a producer or distributor, except as specifically authorized by the War Production Board upon application pursuant to paragraph (d).

(2) Each person authorized to accept delivery of polystyrene shall use such polystyrene for the purpose authorized, except as otherwise specifically directed by the War Production Board.

(3) The War Production Board at its discretion may at any time issue special directions to any person with respect to use or delivery of polystyrene by such person, or of products made from polystyrene allocated to such person,



notwithstanding the provisions of paragraph (c) hereof, or special directions to any producer with respect to the kinds of polystyrene which he may produce or manufacture.

(c) *Small order exemption.* Notwithstanding the provisions of paragraph (b) (1):

(1) Any person may accept delivery of, and any producer or distributor may use, 50 pounds or less of polystyrene in the aggregate during any one calendar month without specific authorization.

(2) Each producer or distributor may deliver during each calendar month to persons entitled to accept delivery pursuant to paragraph (c) (1), without regard to preference ratings, a quantity of polystyrene not exceeding in the aggregate the total amount which he shall have been specifically authorized by the War Production Board to deliver for small orders during such month.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of polystyrene from a producer or distributor, and each producer or distributor seeking authorization to use polystyrene during any calendar month, shall file application on Form PD-600, in the manner prescribed therein, subject to the following instructions for the purpose of this order.

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

*Time.* Applications shall be made in time to ensure that copies will have reached the producer or distributor and the War Production Board on or before the 15th day of the month preceding the month for which authorization for use or acceptance of delivery is sought, except that distributors may apply on Form PD-600 on or before the 19th day of the month.

*Number of copies.* Five copies shall be prepared, of which one (in which Tables II, III and IV may be left blank) shall be forwarded to the producer or distributor, and three certified and completely filled out copies shall be forwarded to the War Production Board, Chemicals Division, Washington, D. C., Ref.: M-170-a.

*Number of sets.* A separate set of PD-600 application forms shall be submitted for each supplier and each different delivery destination or plant of the applicant.

*Heading.* Under name of chemical specify polystyrene; under War Production Board order number, specify M-170-a; under unit of measure, specify pounds or gallons; and otherwise fill in as indicated.

*Use from stock.* If application is made exclusively for use of polystyrene in inventory, specify "own stock" as supplier in heading. If application is made partly for use of polystyrene in inventory, and partly for delivery of polystyrene by a producer or distributor, so indicate in Column 10 and specify the producer or distributor as "supplier" in the heading.

*Table I.* Specify in the heading the month and year for which authorization for use or acceptance of delivery is sought.

*Column 1.* Specify supplier's formula number or identification symbols or trade name specification, if known. If not known, identify physical form, as molding powder, solution, etc.

*Column 2.* Specify separately quantities required for each primary product and product use, and indicate whether unit of measure is pounds or gallons.

*Column 3.* Fill in as follows (as the case may be):

Molded coil form.  
Extruded rod.  
Battery cement.  
Other (specify).  
Resale (as polystyrene).  
Inventory (as polystyrene).

*Column 4.* Identify and specify end use of finished product or assembly, and identify where possible the government agency as, for example: Signal Corps radio.

Opposite "inventory" in Column 3, add "subject to paragraph (e)" in Column 4.

In the case of a distributor, opposite "resale" in Column 3, add "pursuant to further authorization or for paragraph (c) small orders" in Column 4.

*Columns 5 through 10.* Leave blank, except for remarks, if any, in Column 10.

*Tables II and III.* Fill in as indicated.

*Table IV.* Leave blank.

(2) Each producer or distributor seeking authorization to make delivery of polystyrene shall file application each month on Form PD-601 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

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

*Time.* Producers and distributors shall apply on Form PD-601 in time to ensure that copies will have reached the War Production Board on or before the 22nd day of the month prior to the allocation month.

*Number of copies.* A set of four copies shall be prepared; one copy shall be retained by the applicant and three certified copies shall be sent to the War Production Board, Chemicals Division, Washington, D. C., Reference: M-170-a.

*Number of sets.* Each producer or distributor shall file a separate set of PD-601 reports for each of his plants or principal distribution points.

*Heading.* Under name of chemical, specify polystyrene; under War Production Board order number, specify M-170-a; specify allocation month; under unit of measure, specify pounds or gallons; and otherwise fill in as indicated.

*Column 1.* List all customers who have filed Form PD-600 with the applicant. After the customers' names, list "aggregate small orders" and fill in other columns accordingly.

*Column 2.* Fill in as indicated.

*Column 3.* Specify grade or physical form as stated in each customer's PD-600.

*Column 4.* Fill in as indicated, specifying pounds or gallons as the unit of measure.

*Columns 5, 6.* Leave blank.

*Column 7.* Use to correct any inaccuracies in grade listed by customer, as shown in Column 3.

*Rolling stock.* Leave blank the columns at the end of Table I referring to hopper cars and tank cars required.

*Table II.* Producers shall fill in as indicated, leaving Columns 15 and 16 blank. Distributors shall fill in Columns 8, 10, 12, and 13 as indicated, leaving the rest of the table 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 special instructions to any such person with respect to preparing and filing forms PD-600 and PD-601.

(e) *Allocations for inventory.* Polystyrene allocated for inventory shall not be used for any purpose except as specifically authorized by the War Production Board, or except to fill orders for

specifically authorized uses pending arrival of the polystyrene allocated to fill such orders. Upon arrival of such polystyrene the allocated inventory shall be restored.

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

(g) *Miscellaneous provisions—(1) Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable War Production Board regulations, as amended from time to time, except Priorities Regulation No. 13, which shall be subject to this order to the extent that it is inconsistent herewith.

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

(3) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Reference: M-170-a. Issued this 5th day of April 1943.

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

[F. R. Doc. 43-5289; Filed, April 5, 1943; 11:20 a. m.]

#### PART 3053—CONVEYING MACHINERY AND MECHANICAL POWER TRANSMISSION EQUIPMENT

[General Limitation Order L-193 as Amended April 5, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials, and in the engineering and other facilities, used in the manufacture of conveying machinery and mechanical power transmission equipment, 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:

§ 3053.1 *General Limitation Order L-193—(a) Definitions.* For the purpose of this order:

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

(2) "Conveying machinery" means any machinery (and any important component part thereof) used for the me-



chanical handling of materials; except (i) belting, (ii) farm machinery, (iii) machinery or parts used on board ship in the operation of any vessel owned or operated by the Army, Navy, Maritime Commission, or War Shipping Administration, or used in the operating of aircraft, tanks, ordnance, or similar combat equipment, (iv) power and hand lift trucks, (v) cranes, hoists and platform elevators, (vi) construction mixers, pavers, graders, drag lines and power shovels, and similar construction machinery, (vii) cars and car dumpers, (viii) steel mill tables, (ix) sintering conveyors, (x) metal pig conveyors, and (xi) underground mining machinery.

(3) "Mechanical power transmission equipment" means equipment (and any important component part thereof) of the following kinds (except equipment or parts used in the operation of any vessel owned or operated by the Army, Navy, Maritime Commission, or War Shipping Administration, or used in the operation of aircraft, tanks, ordnance or similar combat equipment):

(i) Open and enclosed gearing for transmitting more than  $\frac{1}{4}$  horsepower; except marine propulsion gears, gears manufactured by a person for incorporation into other machinery also produced by him, gears built into turbines, and gears used on household, manually powered, automotive, or farm machinery;

(ii) Mechanical drives and parts thereof for transmitting more than  $\frac{1}{4}$  horsepower; except belting, drives manufactured by a person for incorporation into other machinery also produced by him, and drives used on household, manually powered, automotive, or farm machinery.

(4) "Order" includes any arrangement for the delivery of conveying machinery or mechanical power transmission equipment, whether by purchase and sale, lease, rental or otherwise.

(5) "Engineering services" means services of an engineering nature rendered for a customer or prospective customer in connection with an order or prospective order for the planning, designing, manufacture, delivery, installation, extension, or rearrangement of conveying machinery, or in connection with any bid or estimate or prospective bid or estimate for such an order; but does not include preliminary conferences, discussions, or advice, or the making of line drawings for preliminary purposes, prior to the formulation of a bid or estimate.

(6) "Bid or estimate" means a definitive bid or estimate for the planning, designing, manufacture, delivery, installation, extension, or rearrangement of conveying machinery, but does not include preliminary estimates not intended to form a basis for a firm order.

(7) "Manufacture" means fabrication or shop assembly of conveying machinery or mechanical power transmission equipment, or any component part thereof; but does not include the making of engineering drawings, blue prints, designs, estimates, or surveys.

(8) "Restricted order" means any order for new conveying machinery or mechanical power transmission equipment or parts, in the amount of \$5,000 or more

(not including amounts applicable to foundations or erection labor); and any order which is part of a planned group of orders for new conveying machinery or mechanical power transmission equipment, aggregating \$5,000 or more in amount (not including amounts applicable to foundations or erection labor) for items, units or parts of conveying machinery or mechanical power transmission equipment having related operational functions.

(9) "Anti-friction bearings" means all types of ball, needle and roller bearings.

(b) *Restrictions on acceptance and placing of orders.* (1) On and after October 7, 1942 no person shall place or tender, and no person shall accept, any restricted order, unless the order has been authorized by the War Production Board as provided in paragraph (d) below.

(2) On and after October 7, 1942 no person shall render engineering services, or make any bid or estimate, for any restricted order, and no person shall order or request any such engineering services or invite any such bid or estimate; except with respect to an order theretofore authorized by the War Production Board, in accordance with the provisions of paragraph (d) below.

(3) The provisions of paragraph (b) shall not apply to any order for machinery or equipment for the direct use of the Army, Navy, Maritime Commission, or War Shipping Administration (as defined in paragraph (c) (3)) or to any engineering services or bid or estimate in connection therewith.

The provisions of paragraph (b) (2) above shall not apply to any engineering services in connection with any restricted order accepted by the manufacturer prior to October 7, 1942, or to any engineering services in connection with any bid or estimate which was in the process of formulation on that date.

(c) *Restrictions on manufacture and delivery.* (1) Except as otherwise provided in paragraph (c) (3) hereof, on and after October 7, 1942 no person shall commence or continue the manufacture of any conveying machinery or mechanical power transmission equipment or parts thereof, in fulfillment of any restricted order, and no person shall deliver or accept delivery of any such machinery or equipment or parts thereof, in fulfillment of any restricted order; unless the order shall have been authorized by the War Production Board, in accordance with the provisions of paragraph (d) below. No person shall maintain an inventory of parts for conveying machinery or mechanical power transmission equipment in excess of a minimum practicable working inventory.

(2) Except as otherwise provided in paragraph (c) (3) hereof, on and after October 7, 1942 no person shall manufacture or deliver, and no person shall knowingly accept the delivery of, any conveying machinery or mechanical power transmission equipment, or parts thereof, unless such machinery or equipment or parts are manufactured in accordance with the restrictions on the use of materials prescribed in Schedule A hereto: *Provided, however,* That parts

fabricated or processed, prior to October 7, 1942 to the point where other use is impracticable, may be used in fulfillment of any order at any time.

(3) The limitations and restrictions of paragraph (c) shall not apply:

(i) To the manufacture or delivery of any conveying machinery or mechanical power transmission equipment in the process of manufacture on October 7, 1942 in fulfillment of any order accepted by the manufacturer prior to August 1, 1942.

(ii) For ninety days following October 7, 1942, to the manufacture or delivery of any conveying machinery or mechanical power transmission equipment in the process of manufacture on October 7, 1942 in fulfillment of any order accepted by the manufacturer on or after August 1, 1942 but prior to October 7, 1942.

(iii) For ninety days following October 7, 1942 to the manufacture or delivery in fulfillment of any order for the use of the Army, Navy, Maritime Commission or War Shipping Administration, to the extent that any applicable specifications of the Army, Navy, Maritime Commission, or War Shipping Administration, require construction, design, or materials not in accordance with the provisions of this order. As used herein, the terms "Army", "Navy", "Maritime Commission" or "War Shipping Administration" shall not include any privately operated plant or shipyard financed by or controlled by any of those organizations, or operated on a cost-plus-fixed-fee basis. For the purposes of this paragraph (c) an order for machinery or equipment shall be deemed to have been in the process of manufacture on October 7, 1942 only if fabrication or assembly of a component part, in fulfillment of such order and not for inventory or stock, was begun prior to October 7, 1942.

(d) *Procedure for obtaining authorization of War Production Board.* (1) The authorization of the War Production Board for orders accepted on or after October 7, 1942, required by the provisions of paragraph (b), may be applied for by the purchaser by filing an application on Form PD-681 with the War Production Board.

(2) The authorization for orders accepted prior to October 7, 1942 by the manufacturer, required by the provisions of paragraph (c) (1), may be applied for by the manufacturer. Such application shall be made by letter in duplicate filed with the War Production Board and shall contain a list of restricted orders of such manufacturer then on hand, together with the name of the purchaser, the date of each order and value thereof, a description of the equipment or machinery, the specified delivery date, the percentage of completion of the order on October 7, 1942, the Production Code symbols, the preference rating and preference rating certificate or general preference rating order number applicable to each order.

(3) The authorization of the War Production Board shall apply not only to the order by the original purchaser for the machinery or equipment covered by the above mentioned Form PD-681 or



the application under subparagraph (2) above, but also to any orders for conveying machinery or mechanical power transmission equipment placed by such purchaser's suppliers in fulfillment of the authorized order. The original purchaser shall either (i) transmit a reproduction of the authorization of the War Production Board to his supplier of the authorized order or (ii) furnish him with the following certification (on the order or in an attached document):

I hereby certify that the within (or attached) order has been authorized by the War Production Board under the provisions of paragraph (d) of General Limitation Order L-193, by authorization No. \_\_\_\_\_, dated \_\_\_\_\_, covering the within described machinery or equipment.

By \_\_\_\_\_ Company  
(authorized official)

The purchaser's supplier shall furnish a similar certification on or in connection with any restricted order which he places in fulfillment of the purchaser's authorized order.

Any such certification shall be signed by a duly authorized official of the purchaser or supplier making the certification and shall constitute a representation to the War Production Board, as well as to the person to whom addressed, of the facts certified therein.

(e) *Production schedules.* On or before November 15, 1942, and on or before the 15th day of each succeeding calendar month, every manufacturer shall file, in triplicate, a report on Form PD-682 showing such production and delivery schedules for restricted orders and such other information as shall be required by said form. The War Production Board may at any time change such schedule of deliveries or production or direct the adoption of any other schedule; allocate any order listed on the schedule to any other manufacturer; or direct the delivery of any conveying machinery or mechanical power transmission equipment listed on the schedule to any other person, at the price and terms previously established with such variation as may be justified under the circumstances.

(f) *Miscellaneous provisions.*—(1) *Manufacturers' responsibility with respect to orders less than \$5000.* Notwithstanding any other provision of this order, an order in an amount less than \$5000 which is a restricted order (as defined in paragraph (a) (8)) because it is part of a planned group of orders aggregating \$5000 or more, shall be deemed to be unrestricted with respect to the manufacturer (but not the purchaser), unless the manufacturer has reason to believe that such order is a restricted order.

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

(3) *Other limitation orders.* Nothing in this order shall be construed to permit any person to sell, deliver, or otherwise transfer, or any manufacturer to purchase, receive delivery of or otherwise acquire any raw materials, semi-processed parts, or finished products in contravention of the terms of any L or M order, or amendments or supplements thereto, or other regulation of the War Production Board effective at the date of any such sale, delivery, or other transfer. Where the limitations imposed by any other L or M order are applicable to the subject matter of this order, the most restrictive limitation shall apply, unless otherwise specifically provided herein.

(4) *Violations.* Any person who willfully violates any provision of this order, or who willfully furnishes false information to the War Production Board 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 War Production Board.

(5) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board setting forth the pertinent facts and the reasons he considers he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(6) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington, D. C. Ref.: L-193.

Issued this 5th day of April 1943.

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

#### SCHEDULE A

#### RESTRICTIONS AND LIMITATIONS ON THE USE OF MATERIALS IN CONVEYING MACHINERY OR MECHANICAL POWER TRANSMISSION EQUIPMENT

(a) As used in this schedule, (1) "alloy steel" and "alloy iron" mean alloy steel and alloy iron as defined in Order M-21-a, as amended and supplemented from time to time; and (2) "line shafting" means any shaft driving two or more machines or any single length or rigidly coupled lengths of shafting supported by three or more bearings.

(b) *Conveying machinery.* The materials listed below are restricted or prohibited in the construction of conveying machinery, as prescribed below; except as the War Production Board may waive compliance with any such restriction or prohibition, upon application by the manufacturer or purchaser by letter or other communication, setting forth pertinent facts disclosing the necessity for such waiver.

(1) *Bins, bunkers, hoppers and tanks* (when used as part of conveying machinery or equipment). No metal shall be used in bins, hoppers, tanks, or bunkers having a capacity of more than 400 cubic feet, level

filled, except in clips, gussets, bolts, nuts, screws, lag screws, hinges, tension rods, reinforcing bars or mesh, washers, and hopper bottoms of less than 400 cubic feet capacity. No steel plate of a thickness in excess of  $\frac{1}{4}$  inch shall be used in bins, tanks, or hoppers with a capacity of less than 400 cubic feet, level filled. No liner plates of steel or rubber shall be used in steel bins, steel tanks, or steel hoppers. Steel liners for wood bins or wood bunkers shall not exceed No. 10 U. S. gage in thickness.

(2) *Conveyors and elevators.* No alloy steel or alloy iron shall be used for parts of chains (other than chains for the transmission of power); except for (i) pins and bushings in steel conveyor chains or cast sprocket chains, or (ii) chains used in the heat zone of heat treating and metallurgical furnaces, to the extent permitted under Order M-21-g. No bushings other than carbon steel or gray iron shall be inserted in bores of conveyor chain rollers.

(3) *Conveyor and elevator sprockets.* No alloy steel or alloy iron shall be used in chain sprocket wheels, except for sprockets to be used in the heat zone of heat treating and metallurgical furnaces, to the extent permitted under Order M-21-g.

(4) *Conveyor structures.* (i) No steel, except in clips, bearing brackets, gussets, bolts, nuts, screws, lag screws, hinges, tension rods, reinforcing bars, mesh, and washers, shall be used in the following structural parts:

(A) Supports for fixed conveyor frames, except supports for gravity, live roll and package conveyors when the height of the support does not exceed 36 inches.

(B) Fixed bulk material belt conveyor frames (including stringers).

(C) Conveyor galleries.

(D) Belt conveyor decking.

(E) Walkways, toe boards, handrails, stairways, and platforms.

(F) Guards of housing used only for protection.

(G) Bucket elevator casings; except corner angle iron for self-supporting casings, and boot lining and loading legs. Such corner angle iron for self-supporting casings, and boot lining and loading legs shall not exceed  $\frac{1}{4}$  inch in thickness.

(H) Troughs or trough covers for fixed flight, drag, scraper or screw conveyors; except where liquids or semi-liquids are being conveyed, or where the trough is a structural member of the supporting framework; and except for materials or parts used for repairs to such troughs or trough covers. The above mentioned exception for repairs shall not be construed to permit the replacement of non-metallic parts with metal parts, the use of steel to a greater extent or with a greater thickness than used in the part being repaired or replaced, or the use of alloy steels for the replacement of carbon steel materials.

(I) Continuous stream, conduit elevator-conveyor casings; except for (1) terminal sections, (2) curved sections, (3) straight casings for carrying strands only, and (4) wearing bars for return strands only: *Provided, however,* That no steel exceeding  $\frac{3}{16}$ " in thickness shall be used in the manufacture of such exempted items.

(ii) Trough linings for fixed conveyors shall not exceed No. 10 U. S. gage in thickness.

(iii) Steel for chutes and spouts shall not exceed  $\frac{3}{16}$  inch in thickness.

(iv) No steel or rubber liner plates shall be used in steel chutes or steel spouts.

(v) Steel linings for wood chutes or wood spouts shall not exceed No. 10 U. S. gage in thickness.

(vi) No copper bearing sheets or plates shall be used.

(vii) Steel troughing belt carriers and steel return belt idler rolls shall not exceed 5 inches nominal diameter on idlers up to 42 inches; and shall not exceed 6 inches on



idlers 42 inches and over; provided that this limitation shall not apply to parts used for repair or replacement purposes.

(c) *Mechanical power transmission equipment.* The materials listed below are restricted or prohibited in the construction of mechanical power transmission equipment as prescribed below; except as the War Production Board may waive compliance with any such restriction or prohibition, upon application by the manufacturer or purchaser by letter or other communication, setting forth pertinent facts disclosing the necessity for such waiver.

(1) *Anti-friction bearings.* (i) Anti-friction bearings shall not be used in hangers, pillow blocks, loose pulleys, and clutch pulleys for line shafting except for the following purposes, as certified by the purchaser:

(A) The reduction or elimination of fire hazards resulting from the combustible nature of the material being processed.

(B) Reduction or elimination of waste due to spillage.

(C) Reduction of starting or running loads where the use of anti-friction bearings will correct an overload pertaining to the primary source of power.

(D) The repair or replacement of bearings for line shafting: *Provided, however,* That no anti-friction bearings shall be used for repair or replacement purposes for line shafting not previously equipped with such bearings.

The above mentioned certification by the purchaser shall be included in or shall accompany the purchase order, shall be signed by a duly authorized official of the purchaser, and shall be in the following form:

"The undersigned hereby certifies that the anti-friction bearings covered by order \_\_\_\_\_ (here give

order number or other pertinent description) are for the following purposes as permitted by the provisions of Item (c) (1) of List A to Order L-193:

(here fill in the purposes for which the bearings will be used)

By \_\_\_\_\_ Company

Such certification shall be deemed a representation to the War Production Board as well as to the supplier to whom the order is tendered.

(1) No alloy steel or alloy iron shall be used in bearing housings.

(2) *Bearings.* No alloy steel or alloy iron shall be used in base, cap or liner castings for sleeve bearings; or in bearing hangers, base plates, floor stands, or wall brackets for line shafting.

(3) *Chains.* (i) No alloy steel or alloy iron shall be used in cast sprocket chains.

(ii) No alloy steel shall be used in semi-finished or finished roller chain, bushed drive chain, or silent chain except in those parts thereof which the manufacturer made of alloy steel prior to January 21, 1943.

(4) No alloy steel or alloy iron shall be used in chain sprocket wheels.

(5) *Shafting appliances.* No alloy steel or alloy iron shall be used in the construction of shafting appliances in rigid couplings, collars, or pulleys and sheaves.

(6) *Gears.* No alloy steel or alloy iron shall be used in cast teeth or molded teeth gears and pinions or in gear housings.

(d) *Rust proofing.* No metallic plating or coating shall be used in the rust proofing of conveyor machinery or mechanical power transmission equipment, except that galvanizing may be used to prevent contamination of food or in the case of anchor bolts set in concrete and subject to corrosive chemical action.

[F. R. Doc. 43-5271; Filed, April 5, 1943; 11:18 a. m.]

# PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule IX to Limitation Order L-217]

## TANK CAR HEATERS AND PUMPING BOOSTERS OR CIRCULATORS

§ 3115.10 *Schedule IX to Limitation Order L-217—(a) Definitions.* For the purpose of this Schedule IX:

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

(2) "Producer" means any person engaged in the manufacture of tank car heaters or pumping boosters or circulators.

(3) "Tank car heater" means a mechanical device consisting of a steam boiler (with adjustable low pressure oil burner and a type of closed circuit return condensation system), designed for raising the temperature of bituminous materials in railroad tank cars to permit proper temperature applications thereof.

(4) "Pumping booster," otherwise known as a "circulator," means a mechanical device consisting of a direct fired heating unit with asphalt pump and engine assembly equipment and adjustable low pressure oil burner system, designed for the heating, circulating, and pumping of bituminous materials to a distributor or other unit.

(5) "Repair part" means any part manufactured for use in the repair of tank car heaters or pumping boosters or circulators.

(6) "The military" means the Army, Navy, Maritime Commission, or War Shipping Administration.

(b) *Limitation on production.* (1) On and after April 30, 1943, no producer shall put into process any materials for the manufacture of tank car heaters or pumping boosters or circulators which do not conform to the sizes and types established in paragraphs (c) and (d) hereof. Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on April 5, 1943.

(2) No person who is not actively engaged in the current production of tank car heaters or pumping boosters or circulators, as indicated on any Form PD-697 filed by him prior to March 31, 1943, pursuant to Order L-192, shall enter into the production of any tank car heaters or pumping boosters or circulators.

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes and types of tank car heaters.* Producers are limited to one model in each of the following sizes and types of tank car heaters:

(1) Two car size of 26-36 boiler H. P. at not less than 125 pounds per square inch working pressure, two wheel trailer mounted.

(2) Three car size of 40-55 boiler H. P. at not less than 125 pounds per square inch working pressure, two wheel trailer mounted.

(d) *Limitations on sizes and types of pumping boosters or circulators.* Pro-

ducers are limited to one model of pumping booster or circulator, which shall be of a size capable of raising the temperature of a 10,000 gallon tank car 50 degrees per hour when pumping and unloading, at 175 gallons per minute, bituminous materials of a viscosity less than penetration asphalt; this size may be two or four wheel trailer mounted or truck or skid mounted.

(e) *Conservation of materials.* On and after April 5, 1943, except to fill orders placed by or for the account of the military, no producer shall manufacture any tank car heaters or pumping boosters or circulators requiring rubber tires.

(f) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

Issued this 5th day of April 1943.

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

[F. R. Doc. 43-5272; Filed, April 5, 1943; 11:19 a. m.]

# PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule X to Limitation Order L-217]

## BITUMINOUS PAVING FINISHERS

§ 3115.11 *Schedule X to Limitation Order L-217—(a) Definitions.* For the purpose of this Schedule X:

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

(2) "Producer" means any person engaged in the manufacture of bituminous paving finishers.

(3) "Bituminous paving finishers" means a self-propelled, hopper type machine, designed for spreading, levelling, and screed-finishing either hot or cold mix bituminous materials for road surfacing.

(4) "Repair part" means any part manufactured for use in the repair of bituminous paving finishers.

(b) *Limitation on production.* (1) On and after April 30, 1943, no producer shall put into process any materials for the manufacture of bituminous paving finishers, except in one model of the 10-foot size, with cut-off and extension attachments. Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on April 5, 1943.

(2) No person who is not actively engaged in the current production of bituminous paving finishers, as indicated on any Form PD-697 filed by him prior to March 31, 1943, pursuant to Order L-192, shall enter into the production of any bituminous paving finishers.

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect



the applicability of the provisions of Limitation Order L-192.

Issued this 5th day of April, 1943.

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

[F. R. Doc. 43-5273; Filed, April 5, 1943;  
11:19 a. m.]

**PART 3115—CONSTRUCTION MACHINERY AND  
EQUIPMENT SIMPLIFICATION AND CONSER-  
VATION**

[Schedule XI to Limitation Order L-217]

**BITUMINOUS DISTRIBUTORS AND BITUMINOUS  
DISTRIBUTOR PUMPS**

§ 3115.12 *Schedule XI to Limitation Order L-217—(a) Definitions.* For the purpose of this Schedule XI:

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

(2) "Producer" means any person engaged in the manufacture of bituminous distributors or bituminous distributor pumps.

(3) "Bituminous distributor" means a truck or trailer mounted heater and application machine, consisting of a tank, flues and burners heating system, positive displacement pump, gasoline engine, applying spraybar, and temperature and application gauges and controls, designed for bituminous road surfacing.

(4) "Bituminous distributor pump" means a rotary gear or impeller, or rotating plunger type pump, positive displacement, and positive uniform pressure, which is designed to pump no more bituminous material than is sprayed, and which is mounted at rear lowest drain point of the bituminous distributor in direct line flow to spraybar.

(5) "Repair part" means any part manufactured for use in the repair of bituminous distributors or bituminous distributor pumps.

(b) *Limitation on production.* (1) On and after April 30, 1943, no producer shall put into process any materials for the manufacture of bituminous distributors or bituminous distributor pumps, which do not conform to the sizes and types established in paragraphs (c) and (d) hereof. Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on April 5, 1943.

(2) No person who is not actively engaged in the current production of bituminous distributors or bituminous distributor pumps, as indicated on any Form PD-697 filed by him prior to March 31, 1943, pursuant to Order L-192, shall enter into the production of bituminous distributors or bituminous distributor pumps.

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on Sizes and Types of Bituminous Distributors.* Producers are limited to one model in each of the fol-

lowing sizes and types of bituminous distributors:

(1) 800 gallons capacity, trailer or truck mounted.

(2) 1,250 gallons capacity, trailer or truck mounted.

both sizes to be manufactured in accordance with U. S. Army, Corps of Engineers Specification AB-1503.

(d) *Limitation on Sizes and Types of Bituminous Distributor Pumps.* Producers are limited to bituminous distributor pumps of the following specifications only:

The rated capacity of the pump shall be not less than 375 gallons per minute, and the pump shall have not less than 4" intake and 3" discharge openings.

(e) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

Issued this 5th day of April 1943.

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

[F. R. Doc. 43-5274; Filed, April 5, 1943;  
11:19 a. m.]

**PART 3115—CONSTRUCTION MACHINERY AND  
EQUIPMENT SIMPLIFICATION AND  
CONSERVATION**

[Schedule XII to Limitation Order L-217]

**BITUMINOUS HEATING KETTLES**

§ 3115.13 *Schedule XII to Limitation Order L-217—(a) Definitions.* For the purpose of this Schedule XII:

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

(2) "Producer" means any person engaged in the manufacture of bituminous heating kettles.

(3) "Bituminous heating kettle" means a wheel, skid or leg mounted device, consisting of a steel container with burner heating equipment with or without flue system, or with other heating equipment, together with miscellaneous operation attachments, designed for the heating of tars, asphalts and like bituminous materials, and the applying thereof.

(4) "The Military" means the Army, Navy, Maritime Commission, or War Shipping Administration.

(5) "Repair part" means any part manufactured for use in the repair of bituminous heating kettles.

(b) *Limitation on production.* (1) On and after April 30, 1943, no producer shall put into process any materials for the manufacture of bituminous heating kettles which do not conform to the sizes established in paragraph (c) hereof. Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on April 5, 1943.

(2) No person who is not actively engaged in the current production of bitu-

minous heating kettles, as indicated on any Form PD-697 filed by him prior to March 31, 1943, pursuant to Order L-192, shall enter into the production of any bituminous heating kettles.

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes.* Producers are limited to one model in each of the following sizes of bituminous heating kettles:

(1) 30 gallons capacity.

(2) 80 gallons capacity.

(3) 110 gallons capacity.

(4) 165 gallons capacity.

(d) *Conservation of materials.* On and after April 5, 1943, except to fill orders placed by or for the account of the military, no producer shall incorporate any of the following items into bituminous heating kettles:

Rubber tires  
More than one draw off cock  
Mercury type thermometers (except hand inspector pencil type)  
Power spray attachments  
Barrel warming hoods  
Barrel holsts  
More than one burner shut off valve  
Mud guards

(e) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

Issued this 5th day of April 1943.

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

[F. R. Doc. 43-5275; Filed, April 5, 1943;  
11:19 a. m.]

**PART 3115—CONSTRUCTION MACHINERY AND  
EQUIPMENT SIMPLIFICATION AND CONSER-  
VATION**

[Schedule XIII to Limitation Order L-217]

**BITUMINOUS MATERIALS MAINTENANCE UNITS**

§ 3115.14 *Schedule XIII to Limitation Order L-217—(a) Definitions.* For the purposes of this Schedule XIII:

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

(2) "Producer" means any person engaged in the manufacture of bituminous materials maintenance units or pumps.

(3) "Bituminous materials maintenance unit", otherwise known as a sprayer, utility, or tank unit, means a wheel or truck mounted mechanical unit, consisting of a tank and pump, one or more spray attachments, and with or without tank heating system and spraybar, designed for spraying light bituminous materials.

(4) "Pump" means a rotary, positive displacement type pump, designed for use on bituminous materials maintenance units.

(5) "The Military" means the Army, Navy, Maritime Commission, or War Shipping Administration.



(6) "Repair part" means any part manufactured for use in the repair of bituminous materials maintenance units or pumps.

(b) *Limitation on production.* (1) On and after April 30, 1943, no producer shall put into process any materials for the manufacture of bituminous materials maintenance units or pumps which do not conform to the sizes and types established in paragraphs (c) and (d) hereof. Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on April 5, 1943.

(2) No person who is not actively engaged in the current production of bituminous materials maintenance units or pumps, as indicated on any Form PD-697 filed by him prior to March 31, 1943, pursuant to Order L-192, shall enter into the production of any bituminous materials maintenance units or pumps.

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes and types of bituminous materials maintenance units.* Producers are limited to one model in each of the following sizes of bituminous materials maintenance units:

(1) 120 gallon capacity, two wheel mounted.

(2) 300 gallon capacity, two wheel mounted.

(3) 600 gallon capacity, two wheel mounted.

(d) *Limitation on types of pumps.* Producers are limited to pumps of the following specifications only:

The rated capacity of the pump shall be not more than 100 gallons per minute.

(e) *Conservation of materials.* On and after April 5, 1943, except to fill orders placed by or for the account of the military, no producer shall manufacture any bituminous materials maintenance units requiring rubber tires.

(f) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

Issued this 5th day of April 1943.

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

[F. R. Doc. 43-5276; Filed, April 5, 1943;  
11:19 a. m.]

#### PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule XIV to Limitation Order L-217]

##### BITUMINOUS PATCH PLANTS

§ 3115.15 *Schedule XIV to Limitation Order L-217—(a) Definitions.* For the purpose of this Schedule XIV:

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

(2) "Producer" means any person engaged in the manufacture of bituminous patch plants.

(3) "Bituminous patch plants" means maintenance plants of any of the following types:

(i) Drum type, in which the aggregate and bitumens are mixed in a power driven revolving drum;

(ii) Cold mix portable or stationary type plant, consisting of a horizontal pug mill mixer, side elevating charging skip, side discharge gates, and equipped with pump, power unit, and heater (optional);

(iii) Hot or cold mix patch portable type, consisting of an aggregate hopper and measuring device, feeder or weighing device, pug mill, bitumen kettle, metering pump, optional heaters and dryers, and with or without boiler (depending upon the type of mix), with devices for delivering aggregates to and from the mixing unit; all driven from one central power unit; or

(iv) Continuous portable type, consisting of a calibrated gate measuring device, pug mill, asphalt metering pump, optional bitumen heaters and dryers, with devices for delivering aggregates to and from the mixing unit; all driven from one central power unit.

(4) "Repair part" means any part manufactured for use in the repair of bituminous patch plants.

(b) *Limitations on production.* (1) On and after April 30, 1943, no producer shall put into process any materials for the manufacture of bituminous patch plants which do not conform to the sizes established in paragraph (c) hereof. Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on April 5, 1943.

(2) No person who is not actively engaged in the current production of bituminous patch plants, as indicated on any Form PD-697 filed by him prior to March 31, 1943, pursuant to Order L-192, shall enter into the production of any bituminous patch plants.

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation on sizes.* Producers are limited to one model in each of the following sizes of bituminous patch plants:

(1) 10 tons per hour capacity.

(2) one size only between 15 and 30 tons per hour capacity.

(d) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

Issued this 5th day of April 1943.

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

[F. R. Doc. 43-5277; Filed, April 5, 1943;  
11:19 a. m.]

#### PART 3115—CONSTRUCTION MACHINERY AND EQUIPMENT SIMPLIFICATION AND CONSERVATION

[Schedule XV to Limitation Order L-217]  
ASPHALT SURFACE HEATERS

§ 3115.16 *Schedule XV to Limitation Order L-217—(a) Definitions.* For the purpose of this Schedule XV:

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

(2) "Producer" means any person engaged in the manufacture of asphalt surface heaters.

(3) "Asphalt surface heater" means a machine designed for heating sheet asphalt and for softening old bituminous surfaces for the purpose of levelling and patching.

(4) "Repair part" means any part manufactured for use in the repair of asphalt surface heaters.

(b) *Limitations on production of surface heaters.* (1) On and after April 30, 1943, no producer shall put into process any materials for the manufacture of asphalt surface heaters except in one model of the 4' x 6' size (24 sq. ft. area). Nothing in this paragraph (b) (1) shall be deemed to prohibit the use of any such materials which may have been in transit to such producer or in process by him on April 5, 1943.

(2) No person who is not actively engaged in the current production of asphalt surface heaters, as indicated on any Form PD-697 filed by him prior to March 31, 1943, pursuant to Order L-192, shall enter into the production of any asphalt surface heaters.

(3) Nothing in this schedule shall be deemed to restrict the production of repair parts.

(c) *Limitation Order L-192.* Nothing in this schedule shall be deemed to affect the applicability of the provisions of Limitation Order L-192.

Issued this 5th day of April 1943.

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

[F. R. Doc. 43-5278; Filed, April 5, 1943;  
11:20 a. m.]

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

[Interpretation 3 of CMP Reg. 1]

A manufacturer of equipment who also sells controlled materials merely for use in the operation of such equipment may include such controlled materials in his application for allotment as manufacturer of the equipment, but such requirements must be separately indicated. For example, a manufacturer of a metal gun or a wire stitcher who sells rod or wire for use with his product (whether he makes such sales with the product or separately) may include his requirements for such rod or wire in his application for controlled materials needed to manufacture the gun or stitcher, but he should indicate separately on his application or in an attached note the amount of controlled material required for such purposes as distinct from the manufacture of the gun or stitcher.

Issued this 5th day of April 1943.

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

[F. R. Doc. 43-5292; Filed, April 5, 1943;  
11:20 a. m.]



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

[Interpretation 1 of CMP Reg. 5]

Office supplies are not included in List A of CMP Regulation No. 5 and consequently the procedures provided by the regulation may be used to obtain such supplies provided they do not come within the following categories which are specifically mentioned in List A:

## Item

2. Printed matter and stationery. This refers only to printed matter and items such as letterheads, envelopes and forms.

3. Paper, paperboard, and products manufactured therefrom; molded pulp products.

5. Office machinery or office equipment.

Safety shoes are included in List A of the regulation and consequently the procedures provided by the regulation may not be used to obtain them. Safety shoes are not included among the items constituting exceptions to item 6 of the list.

Issued this 5th day of April 1943.

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

[F. R. Doc. 43-5293; Filed, April 5, 1943;  
11:20 a. m.]

## PART 3177—MOTOR TRUCK AND TRAILER BODIES

[Limitation Order L-253<sup>1</sup> as Amended April 5, 1943]

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of iron, steel and other materials required in the production of motor truck and trailer bodies for defense, for private account and export, the following limitation order is deemed necessary and appropriate in the public interest:

§ 3177.1 *Limitation Order L-253—(a) Definitions.* For the purposes of this order:

(1) "Truck" means a motor truck chassis designed for use on or off the highway for the transportation of property or materials.

(2) "Trailer" means a semi-trailer chassis or full trailer chassis designed for use on or off the highway for the transportation of property or materials.

(3) "Body" means a superstructure, including built-in parts, produced for mounting on a truck or trailer, or built integrally as a trailer by the attachment of axle and wheel equipment, but does not include concrete and asphalt mixers, crushing plants and similar items of construction and machinery.

(i) "Dump body" means a body designed to transport solid materials in bulk and to unload by tipping, through bottom openings or otherwise by gravity.

(ii) "Tank body" means a body produced to transport liquid or gaseous materials in bulk.

<sup>1</sup> The effect of this amended order is to amend Schedule A.

(4) "Built-in parts" means parts which are integral parts of a body, or parts which are not readily detachable from such bodies including but not limited to cabinets, hanger rails, inside wheelhouses, partitions, racks, and shelving.

(5) "Producer" means any individual, partnership, association, corporation, or other organization engaged in the production of bodies.

(6) "Iron and steel" means any material, the principal ingredient of which is ferrous metal not including screws, nails, bolts, rivets, and other joining hardware.

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

(b) *Limitations on use of iron and steel in bodies.* (1) On and after March 1, 1943, no producer shall, unless as authorized in paragraphs (e) and (j) of this order, use any iron or steel in the manufacture of bodies, except in the following:

(i) Parts to reinforce (but not to cover) frames and platforms; body outrails; iron castings; trailer coupling devices; cross and longitudinal frame members (but not body cross bolsters); electrical equipment, including lights, fixtures, or signaling devices; essential body hardware; reflectors; louver or static type ventilators; wheelhouse mudguards and frames.

(ii) Parts necessary in the mounting of bodies, including but not limited to brackets, drive-shaft guards, chassis frame extensions and reinforcements, outriggers, spring leaves and auxiliary springs.

(2) Steel used in any of the parts enumerated in subparagraphs (1) (i) and (ii) above shall in no instance be alloy steel.

(c) *Limitations on dimensions and weights of dump bodies.* (1) On and after March 1, 1943, no producer shall, except as provided in paragraphs (e) and (j) of this order, produce any dump body which does not conform to the following dimensions and weights:

(i) Light dump bodies: an inside length of not less than seven (7) or more than eight (8) feet and a capacity of not less than two and one-half (2½) cubic yards, water level, and containing iron and steel of an aggregate weight not in excess of nine hundred and twenty-five (925) pounds, no part of which shall be alloy steel, including all hardware, but excluding the weight of mounting parts as set forth in paragraph (b) (1) (ii) of this order.

(ii) Medium dump bodies: an inside length of not less than nine (9) or more than ten (10) feet and a capacity of not less than four (4) cubic yards, water level, and containing iron and steel of an aggregate weight not in excess of one thousand six hundred fifty (1650) pounds, no part of which shall be alloy steel, including all hardware, but ex-

cluding the weight of mounting parts as set forth in paragraph (b) (1) (ii) of this order.

(d) *Prohibition of production of tank bodies.* On and after February 10, 1943, no producer shall produce any tank body except as specifically authorized by the War Production Board, or as provided for in paragraph (e) of this order.

(e) *Army and Navy exemptions.* In respect to bodies sold to or produced under contracts or orders for delivery to or for the account of the Army or Navy of the United States:

(1) Until May 1, 1943, the provisions of paragraphs (b), (c) and (d) shall not apply to such bodies.

(2) On and after May 1, 1943, the provisions of paragraphs (b), (c) and (d) of this order shall not apply to any body of a type listed on Schedule A to this order, as amended from time to time, provided that where a date is stated on Schedule A in connection with any listed type of body, the restrictions of paragraphs (b) and (c) shall apply to such type of body on and after the date stated.

(f) *Records.* Every person to whom this order applies shall keep and preserve for a period of not less than two years accurate and complete records of his inventories, production and sales.

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

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

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

(j) *Appeals.* An appeal from the provisions of this order shall be made by filing Form PD-792, in triplicate with the War Production Board, Automotive Division, Ref.: L-253, referring to the particular provision appealed from and stating fully the information called for by Form PD-792.

(k) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to War Production Board, Automotive Division, Washington, D. C., Ref.: Order L-253.

Issued this 5th day of April 1943.

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



## SCHEDULE A

Note: Schedule A was amended in its entirety April 5, 1943.

Body type	Dates on and after which the provisions of paragraphs (b) and (c) shall apply.
Pintle loaded trailers:	
Armored	None specified
1/4 ton cargo, 2 wheel Amphibian	None specified
1/2 ton dump, 2 wheel	Dec. 31, 1943
1/2 ton public address, 2 wheel	None specified
1 ton cargo, 2 wheel	Sept. 30, 1943
1 ton, 250 gallon water tank	Dec. 31, 1943
Chlorination, 2 wheel	None specified
Water purification, 2 wheel	None specified
Horse van, 2 wheel	Dec. 31, 1943
Pilots	None specified
K38	Dec. 31, 1943
Semitrailleurs:	
Armored	None specified
Mobile laundry	None specified
Shoe repair	Dec. 31, 1943
Clothing repair	Dec. 31, 1943
Instrument repair	Dec. 31, 1943
Textile repair	Dec. 31, 1943
Tire repair	Dec. 31, 1943
Refrigerator, 10 ton, 15 ton	Dec. 31, 1943
K22	None specified
K35	Dec. 31, 1943
K65	Dec. 31, 1943
K67	Dec. 31, 1943
K78	None specified
Pilots	None specified
Oil tanks	None specified
Fuel tanks	None specified
Water, tank, 1500 gal.	None specified
Trailers:	
Asphalt, with coils, 1500 gal.	None specified
Armored	None specified
Bathing unit, portable, field	Dec. 31, 1943
Distributor, bituminous, 1250 gal.	None specified
Generator housing	None specified
Map reproduction van type, 10 ton	Dec. 31, 1943
Mobile record unit	None specified
40 ton, tank transporter	Dec. 31, 1943
K28	Dec. 31, 1943
K34	Dec. 31, 1943
K39	Dec. 31, 1943
K43, K44	Dec. 31, 1943
K50	Sept. 30, 1943
K72	Dec. 31, 1943
K75	Dec. 31, 1943
K76	Dec. 31, 1943
K77	Dec. 31, 1943
SKD 2226	June 30, 1944
SKD 2226-1	June 30, 1944
1 ton, parts stockroom	June 30, 1944
2 ton, parts stockroom	June 30, 1944
3 ton, darkroom	June 30, 1944
5 ton, machine shop	June 30, 1944
6 ton, van	June 30, 1944
Oil tanks	None specified
Fuel tanks	None specified
Pilots	None specified
Trucks:	
Armored	None specified
Mobile machine shop	None specified
1/4 ton, 4 x 4, amphibian	None specified
1/4 ton, 4 x 4, reconnaissance	None specified
3/4 ton, 4 x 4, ambulance	June 30, 1944
3/4 ton, 4 x 4, command reconnaissance	June 30, 1944
3/4 ton, 4 x 4, weapons carrier	Dec. 31, 1943
1 ton, 4 x 4, combat	June 30, 1944

Body type	Dates on and after which the provisions of paragraphs (b) and (c) shall apply.
1 1/2 ton, 4 x 4, earth borer	Dec. 31, 1943
1 1/2 ton, 6 x 6, cargo	June 30, 1944
1 1/2 ton, bomb service	None specified
1 1/2 ton, 4 x 4, telephone construction	Dec. 31, 1943
1 1/2 ton, 4 x 4, enclosed general purpose	Dec. 31, 1943
2 1/2 ton, 4 x 2, 1 1/2, 2, 2 1/2 cubic yd. dump	Dec. 31, 1943
2 1/2 ton, 6 x 6, 3 1/2 cu. yd. dump	None specified
2 1/2 ton, 6 x 6, amphibian	None specified
2 1/2 ton, 6 x 6, earth borer	June 30, 1944
2 1/2-4 ton, 6 x 6, map reproduction	Dec. 31, 1943
2 1/2 ton, 6 x 6, surgical operating	None specified
2 1/2 ton, 6 x 6, 700 gal. water tank	None specified
2 1/2 ton, 4 x 4, prime mover	June 30, 1944
3 ton multilith	None specified
4 ton, 6 x 6, 800 gal. bituminous supply	None specified
4 ton, 6 x 6, 800 gal. distributor	None specified
4 ton, 6 x 6, 1000 gal. water distributor	June 30, 1944
5 ton, refrigerator	June 30, 1944
5 ton, communications	Dec. 31, 1943
5 ton, 4 x 2, 5 cu. yd. dump	Dec. 31, 1943
5-6 ton, 4 x 4, tractor, ponton	Dec. 31, 1943
6 ton, 6 x 6, bridge construction	None specified
6 ton, 6 x 6, van	Sept. 30, 1943
M-1 wrecker	June 30, 1944
K30	Dec. 31, 1943
K31	Dec. 31, 1943
K53	Dec. 31, 1943
K56	Sept. 30, 1943
K60	Dec. 31, 1943
K62	Dec. 31, 1943
Garbage, tamper type	Dec. 31, 1943
Pilots	None specified
Oil tanks	None specified
Fuel tanks	None specified

This schedule will be amended from time to time by the addition or removal of body types or changes in dates, or otherwise.

[F. R. Doc. 43-5287; Filed, April 5, 1943; 11:20 a. m.]

# PART 3203—MATERIAL ENTERING INTO THE PRODUCTION OF MAINTENANCE EQUIPMENT FOR PASSENGER AUTOMOBILES, LIGHT, MEDIUM AND HEAVY MOTOR TRUCKS, TRUCK TRACTORS, TRUCK TRAILERS, PASSENGER CARRIERS, AND OFF-THE-HIGHWAY MOTOR VEHICLES

[Limitation Order L-270]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the manufacture of automotive maintenance equipment 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:

§ 3203.1 Limitation Order L-270—(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:

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

(2) "Producer" means any person engaged in the manufacture or assembly of any automotive maintenance equipment.

(3) "Automotive maintenance equipment" means the items listed on Schedules A, B, and C, to this order, as the same may be amended from time to time, which are manufactured or assembled for automotive repair usage.

(4) "Automotive repair usage" means repairing, reconditioning, rebuilding, renewing, servicing, or maintaining automotive vehicles or parts of automotive vehicles.

(5) "Automotive vehicles" means passenger automobiles, light, medium and heavy motor trucks, truck tractors, truck trailers, passenger carriers, and off-the-highway motor vehicles.

(6) "Original equipment" means any automotive maintenance equipment produced for or purchased by manufacturers of automotive vehicles for shipment with such vehicles and included in the manufacturer's sales price of the automotive vehicle.

(c) Restrictions on production. On and after April 30, 1943:

(1) No producer shall manufacture or assemble any automotive maintenance equipment listed in Schedule A.

(2) No producer shall manufacture or assemble in any calendar quarter any item of automotive maintenance equipment listed in Schedule B in excess of twenty (20) per cent of the number of like items of automotive maintenance equipment sold by him for other than original equipment in the corresponding calendar quarter of 1941.

(i) In the event that the limitation imposed by paragraph (c) (2) should result in restricting production, in any calendar quarter, to less than his minimum practical factory run of any item of automotive maintenance equipment listed in Schedule B, a producer may, notwithstanding the provision of paragraph (c) (2), produce a minimum practical factory run, provided that his dollar volume of sales of such item, in any calendar quarter shall not exceed twenty (20) per cent of the total dollar volume of his sales of such item in the corresponding calendar quarter of 1941. But in no event may his production of such items during three consecutive calendar quarters exceed twenty (20) per cent of his produc-



tion of such items during the three corresponding calendar quarters of 1941.

(3) No producer shall manufacture or assemble in any calendar quarter any item of automotive maintenance equipment listed in Schedule C in excess of seventy-five (75) per cent of the number of like items of automotive maintenance equipment sold by him for other than original equipment in the corresponding calendar quarter of 1941.

(4) No producer shall manufacture or assemble in any calendar quarter a dollar volume of repair or replacement parts for automotive maintenance equipment in excess of ten (10) per cent of the total dollar volume of automotive maintenance equipment sold by him in the corresponding calendar quarter of 1941.

(5) No producer shall use copper products or copper base alloy products in the manufacture of automotive maintenance equipment, except: for conducting electric current; in bearings, bushings, and check valves; where noncorrosive metal is required; and when so used, such copper products and copper base alloy products shall be reduced to the minimum quantity and minimum gauges, size and grade of copper product or copper base alloy product necessary for the proper operation of the automotive maintenance equipment.

(6) No producer shall use any aluminum, steel, or other critical materials in the manufacture of automotive maintenance equipment where the use of less critical materials is practicable and, when so used, such aluminum, steel, or other critical materials shall be reduced to the minimum quantity and grade necessary for the proper operation of the automotive maintenance equipment.

(d) *Restriction of sales by producers.* No producer shall sell, transfer or deliver to any person any automotive maintenance equipment, or any replacement parts for automotive maintenance equipment except pursuant to orders bearing a preference rating of AA-5 or higher.

(e) *Exceptions to applicability of this order.* (1) The terms and restrictions of this order shall not apply to any automotive maintenance equipment sold to or produced under contracts or orders for delivery to or for the account of the United States Army, Navy, Maritime Commission, or the War Shipping Administration.

(2) The terms and restrictions of paragraphs (c) (2), (3) and (4) shall not apply to any automotive maintenance equipment sold to or produced under contracts or orders for delivery to or for the account of:

(i) The Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development;

(ii) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece,

Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies and Protectorates, and Yugoslavia;

(iii) Any agency of the United States Government, for delivery to, or for the account of, the government of any country listed above, or any other country, including those in the Western Hemisphere, pursuant to the act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States," (Lend-Lease Act).

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

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as the Board shall from time to time request. No reports or questionnaires are to be filed by any person until forms therefor are prescribed by the War Production Board.

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

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

(j) *Appeals.* Any appeal from the provisions of this order may be made by filing Form PD-500 in triplicate with the Automotive Division, War Production Board, stating therein the information called for.

(k) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington, D. C. Reference: Order L-270.

Issued this 5th day of April 1943.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

#### SCHEDULE A

Air towers.  
Alignment machines (in excess of 500 pounds gross weight).  
Analyzers, combustion.  
Battery boosters.  
Battery carrier straps (metal except post lugs).  
Battery chargers, fast type.  
Battery chargers, trickle type (except industrial installation).  
Body and fender tools (hand, pneumatic, hydraulic, or electric operated).

Brake testing machines.  
Car Washers.  
Creepers (metal except casters).  
Degreasing machines.  
Distributor setting machines, synchrograph type.  
Dynamometers, chassis.  
Engine Cleaners (internal or external).  
Frame Straightening Racks.  
Frame straightening machines.  
Front end combination inspection and/or Correction Machines (in excess of 500 pounds gross weight).  
Gasoline mileage testers.  
Headlight testers.  
Jacks, service—portable type, mechanical or hydraulic (except three, five, eight, twelve, and twenty ton capacity).  
Jacks, shop—wheel type, mechanical or hydraulic (except four and ten ton capacity).  
Lifts—electric, hydraulic, pneumatic (excepting jacks).  
Motor analyzers.  
Motor repair stands (metal).  
Scuff Detectors (in excess of 55 pounds metal content).  
Tire air pressure gauges (except pencil type and truck service type).  
Tire pumps, hand operated (except with 1½" x 20" barrel, flat base and two ply hose).  
Wheel balancers.  
Wheel dollies (metal).

#### SCHEDULE B

Alignment machines (metal content, 500 pounds or less)  
Air chucks  
Axle bending bars  
Battery cell testers (prong type)  
Battery chargers (wall type, twelve battery or over capacity)  
Battery charging clips  
Battery fillers  
Battery jumpers  
Brake fillers  
Brake lining applicators  
Brake riveters  
Brake shoe gauges  
Cam angle meters  
Camber gauges  
Caster gauges  
Circuit testers  
Cleaners, steam or vapor  
Coil testers  
Condenser testers  
Front axle straighteners (metal content, 450 pounds or less)  
Front end combination inspection and/or correction machines (metal content, 500 pounds or less)  
Horses or trestles (metal)  
Hydraulic rams  
Jacks, push-pull (hydraulic or mechanical)  
Jacks, shop-wheel type, hydraulic or mechanical (four and ten ton capacity)  
Piston expanders  
Piston ring compressors  
Ring groove cleaning tools  
Scuff detectors (metal content, 55 pounds or less)  
Spark plug gauges  
Spark plug cleaners  
Spark plug tire pumps  
Spark plug tire pump adapters  
Tire pumps, foot operated  
Tire pumps, hand operated (1½" x 20" barrel, flat base and two ply hose)  
Tire pumps, automobile engine operated  
Toe-in gauges  
Turning radius plates  
Wrecking cranes  
Wheel straighteners



## SCHEDULE C

Air pressure gauges (Pencil type and truck service type)  
Align reamers  
Anti-freeze testers  
Battery hydrometers  
Brake drum gauges  
Brake drum grinders  
Brake drum lathes  
Clutch rebuilders  
Compression gauges  
Connecting rod aligners  
Connecting rod grinders  
Connecting rod reamers  
Crankshaft grinders  
Cylinder boring bars  
Cylinder grinders  
Cylinder hones  
Cylinder ridge reamers  
Jacks, service—Portable type, hydraulic or mechanical (three, five, eight, twelve and twenty ton capacity)  
Main bearing boring equipment  
Piston grinders  
Piston pin grinders  
Piston pin hones  
Piston pin reamers  
Pressure plate grinders  
Ring gear riveters  
Timing lights  
Tire air pressure gauges (Pencil type and truck service type)  
Transmission jacks  
Vacuum gauges  
Valve grinders  
Valve guide reamers  
Valve refacers  
Valve seat insert tools  
Valve seat insert grinders  
Valve seat reamers

[F. R. Doc. 43-5288; Filed, April 5, 1943;  
11:20 a. m.]

PART 3216—MATERIAL ENTERING INTO THE OPERATION OF TRANSPORTATION SYSTEMS

[Preference Rating Order P-142]

Preference Rating Order: For the purpose of facilitating the acquisition of materials for maintenance, repair, operating supplies and certain other requirements of transportation systems in the public interest and to promote the national defense, preference ratings are hereby assigned to deliveries of such materials upon the following terms:

§ 3216.1 *Preference Rating Order P-142*—(a) *Definitions*. For the purpose of this order:

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

(2) "Transportation system" means a steam railroad, an electric railroad, a terminal railroad, a switching railroad, a private car line company, a rapid transit system, an electric street railway system, a trolley coach system, or a common carrier passenger motor bus system.

(3) "Operator" means any person to the extent that he is engaged in the business of transporting passengers or prop-

erty over a transportation system. The term does not include any person who can obtain all of his controlled material requirements at retail, or from warehouses or distributors under the provisions of CMP Regulation No. 4, and who has not elected to operate under this Order P-142 pursuant to paragraph (g) (1) hereof; such person shall continue to operate under the provisions of CMP Regulation No. 5 and all other applicable regulations.

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

(5) "Controlled material" means controlled material as defined in Schedule I of CMP Regulation No. 1, as amended from time to time.

(6) "Maintenance and repair" means the upkeep or restoration of any unit of the operator's property or equipment by using the minimum amount of material necessary

(i) To keep the unit usable for the purpose intended in its existing design.

(ii) To restore parts of the unit to their original usefulness, or

(iii) To renew parts to restore the unit to its usefulness for the purpose intended in its existing design.

The term does not include the use of material for "heavy repair of locomotives" or "heavy repair of railroad cars" as those terms are defined hereinafter; except that the following may be deemed maintenance and repair: modernization of locomotives when the cost of labor and material per locomotive does not exceed \$500, and the new installation on railroad cars of truck snubbers, bottom rod guards and break beam safety devices.

(7) "Operating supplies" means those materials and supplies which are essential to the operations of the operator's transportation system, the rendering of services, and the collection of revenues in connection therewith, but not including those items shown in List A of CMP Regulation No. 5, as amended from time to time. In addition there may be included as operating supplies minor items of productive capital equipment not exceeding \$500 per unit (excluding cost of labor).

(8) "Construction" means the use of material to provide additional facilities or to rehabilitate existing facilities for a purpose not intended in the existing design.

(9) "Heavy repair of locomotives" means any of the following:

(i) Such repair to boiler, machinery and tender as is necessary to put the unit in thorough order and in condition to run out a new term of assigned mileage (sometimes known as class 1, 2 and 3 repair), and also such intermediate repair thereto as is necessary to enable the unit to run out its full mileage assignment (sometimes known as class 4 and 5 repair);

(ii) Conversion, which means any change in the general machinery or wheel arrangement of the locomotive; or

(iii) Modernization, which means the addition of accessories and/or specialties to the locomotive.

(10) "Heavy repair of railroad cars" means either of the following:

(i) Program repair for any group of cars, or, if the operator does not so program such repairs, repair of any car requiring 50 or more man hours per car for freight cars, or 100 or more man hours per car for passenger cars; or

(ii) Conversion, which means the modification of the structure of an existing car to such an extent as to change the type of the car.

(b) *Preference ratings*. (1) Subject to the restrictions of this order, the following procedure is established for the assignment of preference ratings to orders to be placed by an operator after March 31, 1943, for material other than controlled materials for a use authorized by paragraph (d) hereof, except that preference ratings for Class A products for which an allotment is required will be assigned at the time the allotment is made:

(i) The War Production Board may assign in writing specific preference ratings to deliveries of specific materials essential for emergency repairs, upon application made pursuant to paragraph (g) (2) hereof;

(ii) The War Production Board may specifically assign in writing preference ratings to deliveries of materials, in the quantities, for the periods, and on the terms and conditions specified in the copy of Form PD-844 returned to the operator, upon application made pursuant to paragraph (g) (3) hereof.

(2) The ratings assigned in accordance with paragraph (b) (1) hereof may be applied by an operator to deliveries of material other than controlled material only by use of a certification in substantially the following form (in lieu of the endorsement specified in Priorities Regulation No. 3, and the certification required in CMP Regulation No. 5), signed manually or as provided in Priorities Regulation No. 7:

*Preference Rating* \* \* \* (specify rating)—CMP allotment symbol MRO—P-142. No. --- (show serial No.). The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that all material and items covered by this order are required for an essential use authorized by paragraph (d) of Preference Rating Order P-142; that this order is rated and placed in compliance with said Order P-142; and that the delivery requested has been duly authorized on the applicable Form PD-844 returned to the undersigned.

However, in lieu of the above certification, the certification specified in CMP Regulation No. 7 may be used, *Provided*, That the designation P-142 and appropriate serial number is included therein.

(3) The ratings applied in accordance with paragraph (b) (2) hereof may be extended in the manner provided in Pri-



ortities Regulation No. 3, subject, however, to the restrictions contained in CMP Regulation No. 3.

(4) An order for material, other than controlled material, bearing a rating applied or extended in accordance with this paragraph (b) and the CMP allotment symbol MRO-P-142, No. — shall have the same status as a rated order bearing a CMP allotment number under all applicable CMP regulations. Such symbol shall constitute an "allotment number or symbol" for the purpose of CMP Regulation No. 3.

(c) *Controlled materials.* (1) Subject to the restrictions of this order, any operator requiring delivery after March 31, 1943, of any controlled material, except aluminum, for a use authorized by paragraph (d) hereof, may obtain such controlled material (to the extent authorized pursuant to application made upon Form PD-844 in accordance with paragraph (g) (3) hereof) by placing on his delivery order substantially the following certification, signed manually or as provided in Priorities Regulation No. 7:

CMP allotment symbol MRO-P-142, No. — (Show serial No.). The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the controlled material covered by this order is required for an essential use authorized by paragraph (d) of Preference Rating Order P-142, and that delivery thereof has been duly authorized on the applicable Form PD-844 returned to the undersigned.

However, in lieu of the above certification, the certification specified in CMP Regulation No. 7 may be used, *Provided*, That the designation P-142 and appropriate serial number is included therein.

(2) An order for controlled material for a use authorized by paragraph (d) hereof, and bearing the CMP allotment symbol MRO-P-142, No. — and the certification required in this paragraph (c), shall constitute an authorized controlled material order under all applicable CMP regulations.

(3) Aluminum for delivery after March 31, 1943, required by an operator for any purpose authorized by this order, may be obtained only upon specific application to the War Production Board, pursuant to paragraph (g) (2) hereof.

(d) *Restrictions on use of material.* (1) No operator shall use any material (including controlled materials, Class A products, Class B products, and other products and materials) acquired under the provisions of paragraph (b) or (c) of this order, nor make withdrawals of any material from inventory, except for the following purposes:

- (i) Maintenance, repair and operating supplies;
- (ii) Heavy repair of locomotives;
- (iii) Heavy repair of railroad cars;
- (iv) Replacement of rail with the weight of rail and type of fastenings conforming to the operator's standard practice; or

(v) For any other use when specifically authorized in writing by the War Production Board.

(2) No operator shall make withdrawals of any material from inventory for construction except to the extent specifically permitted by Conservation Order L-41, as amended from time to time; *Provided*, That any new materials (in excess of \$500 for any one project) so used from inventory shall be replaced only pursuant to the provisions of an approved order in the P-19 series.

(e) *Conservation of materials.* (1) Every operator shall, whenever possible, use conservation measures such as substitution, redesign and respecification to eliminate scarce materials normally used; and shall plan his operation, maintenance and repair schedules in accordance with the relative urgency and national need for transportation, subject to the provisions of this order. The War Production Board may from time to time issue supplementary orders or schedules requiring the elimination or diminution of the use of any material with or without the substitution of other materials, and may specify the use to which specific types of materials can be put.

(f) *Inventory control.* Notwithstanding any provision of this order, and unless otherwise specifically authorized in writing by the War Production Board, no operator shall accept delivery of any item of material (except fuel) if his storehouse inventory of such item is, or will by virtue of such acceptance become, greater than the quantity of such item he will be required by his current practices to put into a use authorized by this order during the succeeding 60-day period. Nothing in this paragraph (f) shall be deemed to prevent any operator from maintaining minimum stocks of material for emergency use, nor from acquiring reasonable stocks of ties and lumber for seasoning. Shipment of material from the storehouse in advance of its actual need shall be deemed contrary to the intent of this paragraph.

(g) *Procedure.*—(1) No operator shall be entitled to any assistance under the provisions of this order (except as provided under paragraph (m) hereof), until he has been assigned an authorized serial number, which may be obtained upon application by letter to the War Production Board, stating that the applicant will be unable to obtain all of his controlled material requirements at retail or under the provisions of CMP Regulation No. 4. In addition, any person who can obtain all such requirements at retail or under that regulation may elect to apply as above for an authorized serial number. When such serial number is assigned to him, he shall be deemed an operator under all the provisions of this Order P-142.

(2) An operator, in order to secure authorization or exemption under paragraphs (b) (1) (i), (c) (3), (d) (1) (v),

(f) or (h) (2) hereof, must communicate with the War Production Board, describing the nature of the emergency or the reason why specific authorization is necessary, and the amount and type of material involved. The War Production Board will thereupon notify such operator in writing whether, and to what extent, his application is approved.

(3) An operator, in order to secure authorization for delivery of material under paragraphs (b) (1) (ii) and (c) (1) hereof, must forward to the War Production Board, 60 days prior to the beginning of each calendar quarter, an application on Form PD-844 filled out in accordance with instructions thereon, and in accordance with any supplemental instructions covering all or any one or more operators, or specific classes of operators, under the provisions of this Order P-142. A supplemental application on Form PD-844 may be filed as the need arises. The War Production Board will in each case return such Form, notifying the operator whether, and to what extent, his application is approved.

(h) *Resale of materials.* (1) An operator may resell material (whether or not obtained with the assistance of this order):

- (i) To any other operator.
- (ii) To another person when such material is to be physically incorporated in repairs of equipment that is used in the maintenance, repair, or operations of the operator's own property, *Provided*, That such material could have been used by the operator itself in making its own repairs without violation of any of the provisions of this order.
- (iii) To the operator's own transportation system subsidiaries, or for the maintenance of track or equipment not owned but customarily maintained by the operator or its subsidiaries, or
- (iv) For the repair of equipment of another carrier in accordance with the Code of Rules for the Interchange of Traffic as adopted by the Association of American Railroads,

and any such sale shall be expressly permitted within the provisions of paragraph (c) (3) of Priorities Regulation No. 13: *Provided*, That nothing in this paragraph (h) (1) shall be deemed to authorize receipt or use of any material by any person in violation of any inventory or use restriction imposed by this order or any other order or regulation of the War Production Board, and no operator shall make any sale of material authorized above if he knows or has reason to believe that receipt or use thereof by the buyer will be in violation of any such restriction.

(2) In addition, an operator may resell such material when specifically authorized in writing by the War Production Board.

(i) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to



the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Records, audits and reports.* Each operator shall keep and preserve for a period of not less than two years accurate and complete records of all transactions affected by this order and shall submit from time to time to audit and inspection by duly authorized representatives of the War Production Board. Each operator shall execute and file with the War Production Board or other designated agency such reports and questionnaires as the War Production Board shall from time to time require.

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

(l) *Applicability of 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 Regulations No. 5 or No. 5A shall apply to operators as defined in paragraph (a) (3) of this order, and no such operator shall obtain any material under the provisions of either of those regulations; except that operators of common carrier passenger motor bus systems may obtain material for delivery in the second quarter of 1943 under the provisions of CMP Regulation No. 5.

(m) *Applicability of Order P-88.* This order shall supersede Preference Rating Order P-88 as of April —, 1943, and all ratings assigned or issued thereunder are revoked as of that date; except that ratings assigned on Form PD-351 for the second quarter of 1943, and authorizations for deliveries of material in quantities, and on the terms and conditions specified on said Form PD-351 for that quarter, shall remain valid just as if they were ratings and authorizations specified on Form PD-844, pursuant to the provisions of this Order P-142.

(n) *Communications.* All communications concerning this order, unless otherwise directed, shall be addressed to: War Production Board, Transportation Equipment Division, Washington, D. C.; Ref.: P-142.

Issued this 5th day of April 1943.

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

[F. R. Doc. 43-5291; Filed, April 5, 1943;  
11:20 a. m.]

#### PART 3237—ADIPIC ACID AND DERIVATIVES

[Conservation Order M-304]

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

##### § 3237.1 Conservation Order M-304—

(a) *Definitions.* (1) "Adipic acid" means adipic acid in any form and from whatever source derived.

(2) "Derivative" means any chemical compound other than "Nylon" derived from adipic acid, including but not limited to diisobutyl adipate.

(3) "Producer" means any person who produces adipic acid, whether for his own account or for another person pursuant to toll agreement.

(b) *Restrictions on use and delivery.*

(1) No producer shall use or deliver adipic acid or its derivatives, and no person shall accept delivery of adipic acid or its derivatives from a producer, except:

(i) For the manufacture of "Nylon"; or  
(ii) As specifically authorized by the War Production Board upon application pursuant to paragraph (c).

(2) Each person authorized to accept delivery of adipic acid or its derivatives shall use such material for the purpose authorized, except as otherwise specifically directed by the War Production Board.

(3) The War Production Board, at its discretion, may at any time issue special directions to any person with respect to the use, delivery or production of adipic acid or its derivatives, or of products made from adipic acid or its derivatives allocated to such person.

(c) *Applications and reports.* (1) Each person seeking authorization to accept delivery of, and each producer seeking authorization to use, adipic acid or any of its derivatives, for a purpose other than the manufacture of "Nylon", shall file application on Form PD-600 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

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

*Number of copies.* If the applicant is seeking delivery of adipic acid or any of its derivatives from a producer he shall prepare a set of five copies, retaining one and forwarding four certified copies to the War Production Board. One such copy may have Tables II, III and IV blank and this will be the copy mailed by the War Production Board to the producer.

If the applicant is a producer seeking authorization to use his own stock of adipic acid or any of its derivatives, he shall prepare a set of four copies, retaining one and

forwarding three certified copies to the War Production Board.

*Heading.* Under name of chemical, specify adipic acid or the particular derivative sought; under War Production Board order number, specify M-304; specify pounds as unit of measure; and otherwise fill in as indicated.

*Table I.* Fill in as indicated, leaving Column 1 blank. In Column 3 specify product to be manufactured from the material requested, and in Column 4 specify the end use of the primary product.

Also explain fully in Column 4 why the material sought is essential to the manufacture of the primary product, what attempt at substitution has been made, and how much longer the material sought will be required in such manufacture.

*Tables II, III and IV.* Fill in as indicated, leaving Column 11 blank.

(2) Receipt by a producer from the War Production Board of a copy of Form PD-600 signed by the Executive Secretary or Recording Secretary, shall constitute authorization for the purpose of this order to make the deliveries called for by the form.

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

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

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

(3) *Previous directives.* This order supersedes and cancels previous directives with respect to adipic acid and its derivatives, but does not alter or modify previous special directives with respect to "Nylon".

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C.; Ref: M-304.

Issued this 5th day of April 1943.

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

[F. R. Doc. 43-5290; Filed, April 5, 1943;  
11:20 a. m.]



## Chapter XI—Office of Price Administration

## PART 1305—ADMINISTRATION

[Gen. RO 5, Amendment 9]

## FOOD RATIONING FOR INSTITUTIONAL USERS

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

General Ration Order No. 5 is amended in the following respects:

1. The title to Article XXIV is amended to read as follows: "Article XXIV—War Relocation Authority, Department of Justice and Veterans' Administration Obtain Allotments from Washington Office."

2. Section 24.2 is added to read as follows:

SEC. 24.2 *How the Veterans' Administration obtains rationed foods for institutional use.* (a) The Veterans' Administration is not required to register with a board under this order establishments operated by it which make an institutional use of rationed foods. The Veterans' Administration may, at any time apply to the Washington Office for allotments of rationed foods for such establishments. Allotments will be given in accordance with arrangements made with the Office of Price Administration. The Washington Office will issue one certificate for each rationed food for each allotment period. The amount for which the certificate is issued may be distributed, through the use of ration checks, to the various establishments operated by the Veterans' Administration.

(b) Ration bank accounts may be opened for establishments operated by the Veterans' Administration.

This amendment shall become effective April 8, 1943.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9634, respectively, Food Dir. 5, 6, 7, 8 F.R. 2251, 3471, 3471, respectively)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5171; Filed, April 2, 1943; 4:23 p. m.]

## PART 1305—ADMINISTRATION

[Supp. Order 40]

## EFFECT OF REPEAL, REVOCATION, AMENDMENT OR OTHER MODIFICATION OF PRICE REGULATIONS

A statement to accompany this Supplementary Order No. 40 has been issued

\*Copies may be obtained from the Office of Price Administration.  
18 F.R. 2195, 2348, 2598, 2666, 2667, 3178, 3216, 3255, 3616.

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

For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, It is hereby ordered, That:

§ 1305.54 *Effect of repeal, revocation, amendment or other modification of price regulations.*—(a) The repeal, revocation, amendment or other modification of a price regulation or any part thereof shall not have the effect to release or extinguish any penalty or liability incurred under such price regulation unless otherwise expressly provided but such price regulation or part thereof shall be treated as remaining in force for the purpose of allowing or sustaining any proper suit, action, prosecution or proceeding with respect to such penalty or liability.

(b) The term "price regulation" means a price schedule effective in accordance with section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation heretofore or hereafter issued, or any amendment or supplement thereto or order thereunder heretofore or hereafter issued.

This order shall become effective April 2, 1943.

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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5181; Filed, April 2, 1943; 5:20 p. m.]

## PART 1306—IRON AND STEEL

[RPS 49, Correction to Amendment 12]

## RESALE OF IRON OR STEEL PRODUCTS

Amendment No. 12 to Revised Price Schedule No. 49 is corrected in the following respects:

1. In § 1306.164, Table I—Base prices for rejects, the figure "3.58" for Plate at New York is corrected to read "3.38".

2. In § 1306.164, Table IV—Base prices for side and end shearings, the figure "2.69" for hot rolled sheets at San Francisco (city) is corrected to read "2.96".

3. In § 1306.164, Table VIII—Permissible extras on plates and sheets sheared to specifications, in F. under "Only permissible extras," after the words "90% of mill gauge extra for plates," the words "and 90% of mill extra for pickling (if pickled) of plates" are added.

4. In § 1306.164, Table IX—Sheet and plate shearing, slitting and flame-cutting schedule, under "A. Sheet shearing and slitting charges," "I. To length only," the phrase "12" to under 24'" is corrected to read "Under 24'."

17 F.R. 1300, 1836, 2132, 2473, 2540, 2682, 3330, 3893, 4342, 5176, 6893, 6935, 8943, 10844; 8 F.R. 319, 1583, 2388.

5. In § 1306.164, Table IX—Under "B. Plate shearing charges," under "Length", the phrase "6" to under 12'" is corrected to read "Under 12'."

This correction shall be effective as of March 1, 1943.

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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5162; Filed, April 2, 1943; 4:24 p. m.]

## PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 109, Amendment 3]

## AIRCRAFT LUMBER

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 109 is amended in the following respects:

1. Section 1312.361, Table 1, Note 6 is amended and Note 7 is added, to read as follows:

6. For rough lumber, footage of all thicknesses shall be computed on net rough size board measure.

7. For surfaced lumber, the maximum prices shall be the prices set forth in this table, but the seller may use the following rules for computing board footage content:

(i) For sizes surfaced thicker than 3/4":

Thicker than—	And not thicker than—	Compute as for nominal thickness of—
3/4"	1 1/4"	1 1/4"
1 1/4"	1 3/4"	1 3/4"
1 3/4"	1 7/8"	1 7/8"
1 7/8"	2"	2"
2"	2 1/4"	2 1/4"

(ii) For sizes surfaced 3/4" and thinner, add 1/4" to the finished thickness.

2. Section 1312.361, Table 4, Notes 6, 7, 8, and 9 are renumbered 7, 8, 9, and 10, respectively and Note 5 is amended and Note 6 is added, to read as follows:

5. For rough lumber, footage of all thicknesses shall be computed on net rough size board measure.

6. For surfaced lumber, the maximum prices shall be the prices set forth in this Table, but the seller may use the following rules for computing board footage content:

(i) For sizes surfaced thicker than 3/4":

Thicker than—	And not thicker than—	Compute as for nominal thickness of—
3/4"	1 1/4"	1 1/4"
1 1/4"	1 3/4"	1 3/4"
1 3/4"	1 7/8"	1 7/8"
1 7/8"	2"	2"
2"	2 1/4"	2 1/4"

(ii) For sizes surfaced 3/4" and thinner, add 1/4" to the finished thickness.

17 F.R. 2238, 2543, 5667, 8585, 10100; 8 F.R. 270.



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. 43-5080; Filed, April 1, 1943; 4:25 p. m.]

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

[MPR 143<sup>1</sup> as Amended April 2, 1943]

**WHOLESALE PRICES FOR NEW RUBBER TIRES AND TUBES**

Section 1315.1501 (a), (b), and (d) amended; §§ 1315.1501 (c) (3), and (d) (5), 1315.1510 (a) (10) added; § 1315.1501 (d) (5) redesignated (d) (6) and amended so that Maximum Price Regulation No. 134, as amended by Amendment 4, shall read as follows:

In the judgment of the Price Administrator, the wholesale prices of new rubber tires and tubes have risen and are threatening further to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the wholesale prices of new rubber tires and tubes prevailing between October 1 and October 15, 1941, and has made adjustment for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of the considerations<sup>2</sup> involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Revised Procedural Regulation No. 1<sup>3</sup> issued by the Office of Price Administration, Maximum Price Regulation No. 143 is hereby issued.

Sec.

- 1315.1501 Maximum wholesale prices for new rubber tires and tubes.
- 1315.1502 Less than maximum prices.
- 1315.1503 Adjustable pricing.
- 1315.1504 Evasion.
- 1315.1505 Records and reports.
- 1315.1506 Enforcement.

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

<sup>1</sup> 7 F.R. 3664.

<sup>2</sup> Statements of considerations are also issued simultaneously with the issuance of amendments.

<sup>3</sup> 7 F.R. 8961.

Sec.

- 1315.1507 Licensing: Applicability of the registration and licensing provisions of the General Maximum Price Regulation.
- 1315.1508 Applicability of General Maximum Price Regulation.
- 1315.1509 Petitions for amendment.
- 1315.1510 Definitions.
- 1315.1511 Effective date.
- 1315.1512 Effective dates of amendments.

AUTHORITY: §§ 1315.1501 to 1315.1512 inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1315.1501 *Maximum wholesale prices for new rubber tires and tubes.* On and after May 18, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver new rubber tires or tubes at wholesale, and no person shall buy or receive new rubber tires or tubes at wholesale in the course of trade or business at prices higher than the maximum prices, and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of new rubber tires or tubes at wholesale to a purchaser if prior to May 18, 1942 such new rubber tires or tubes had been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that the prohibition contained in any price regulation against buying or receiving any commodity or service at a price higher than the maximum price permitted by such regulation shall not apply to any war procurement agency, or government whose defense is vital to the defense of the United States.]

(a) (1) *Tires and tubes other than passenger-car.* The maximum wholesale price for any new rubber tires or tubes, except passenger-car tires and tubes, shall be the first applicable price among the prices set forth in the following subdivisions (i) to (iv), inclusive:

(i) The highest net price charged by the seller for new rubber tires or tubes of the same brand, type, quality and size delivered during March, 1942, to a purchaser of the same class.

(ii) A price determined by taking the highest net price charged by the seller for new rubber tires or tubes of the same brand, type, quality and size delivered during March, 1942 to the most comparable purchaser and adjusting such price in accordance with the price differentials prevailing in the industry between such purchasers on March 1, 1942.

(iii) A price determined by ascertaining in accordance with the provisions of subdivisions (i) or (ii), the maximum price for the new rubber tires or tubes which are most comparable as to type, quality, and size, and adjusting such price in accordance with the price differentials prevailing in the industry on March 1, 1942, for differences in brand, type, quality, and size.

(iv) A price determined by taking the net price charged by the seller for the last delivery prior to March 1942, of new rubber tires or tubes which are comparable as to type, quality, and size and adjusting such price in accordance with the price differentials prevailing in the industry on March 1, 1942, for differences in brand, type, quality, and size and for differences between purchasers.

(2) Notwithstanding any provision of subparagraph (1), the maximum wholesale price for any factory second truck tires or tubes shall be calculated by applying a percentage discount to the maximum wholesale price which would apply to the tire or tube under subparagraph (1) if it were not a factory second. The percentage discount to be applied shall be as follows on the following items:

truck tires	20%
truck tubes	25%

(b) (1) *Passenger-car tires and tubes other than Exhibit C tires and tubes and reclaimed rubber war tires.* The maximum wholesale price for any new rubber passenger-car tires or tubes, except Exhibit C passenger-car tires and tubes and passenger-car reclaimed rubber war tires, shall be the first applicable price among the prices set forth in the following subdivisions (i) to (iv), inclusive:

(i) The highest net price charged by the seller for new rubber passenger-car tires or tubes of the same brand, type, quality and size delivered during March, 1942, to a purchaser of the same class, increased by a dollar amount equal to 16% of the maximum retail price established by Revised Price Schedule No. 63,<sup>4</sup> apart from the 16% increase provided in paragraph (n) of §§ 1315.110 and 1315.111, for such new rubber passenger-car tires or tubes.

(ii) A price determined by taking the highest net price charged by the seller for new rubber passenger-car tires or tubes of the same brand, type, quality and size delivered during March, 1942, to the most comparable purchaser, adjusting such price in accordance with the price differentials prevailing in the industry between such purchasers on March 1, 1942, and adding to such adjusted price a dollar amount equal to 16% of the maximum retail price established by Revised Price Schedule No. 63, apart from the 16% increase provided in paragraph (n) of §§ 1315.110 and 1315.111, for such new rubber passenger-car tires or tubes.

(iii) A price determined by ascertaining in accordance with the provisions of subdivisions (i) or (ii), for the new rubber passenger-car tires or tubes which are most comparable as to type,

<sup>4</sup> 8 F.R. 2110, 2663.



quality and size, the base price to which the percentage of the maximum retail price is to be added under these subparagraphs, adjusting such base price in accordance with the price differentials prevailing in the industry on March 1, 1942, for differences in brand, type, quality and size, and adding to such adjusted base price a dollar amount equal to 16% of the maximum retail price established by Revised Price Schedule No. 63, apart from the 16% increase provided in paragraph (n) of §§ 1315.110 and 1315.111, for the particular new rubber passenger-car tires or tubes for which a maximum wholesale price is being determined under this subdivision (iii).

(iv) A price determined by taking the net price charged by the seller for the last delivery prior to March, 1942, of new rubber passenger-car tires or tubes which are comparable as to type, quality and size, adjusting such price in accordance with the price differentials prevailing in the industry on March 1, 1942, for differences in brand, type, quality and size and for differences between purchasers, and adding to such adjusted price a dollar amount equal to 16% of the maximum retail price established by Revised Price Schedule No. 63, apart from the 16% increase provided in paragraph (n) of §§ 1315.110 and 1315.111, for the particular new rubber passenger-car tires or tubes for which a maximum wholesale price is being determined under this subdivision (iv).

(2) Notwithstanding any provision of subparagraph (1), the maximum wholesale price for any factory second passenger-car tires or tubes, except Exhibit C passenger-car tires and tubes and passenger-car reclaimed rubber war tires, shall be calculated by applying a discount of 25% to the maximum wholesale price which would apply to the tire or tube under subparagraph (1) if it were not a factory second.

(c) *Exhibit C passenger-car tires and tubes.* (1) The maximum wholesale price for any Exhibit C passenger-car tires or tubes shall be a price determined according to whichever of the following subdivisions (i) to (iii) is applicable:

(i) If the Exhibit C filed with the Office of Price Administration on which the particular tires or tubes are listed sets forth consumer list prices, the maximum price for such tires or tubes shall be a price determined by taking the price set forth on the Exhibit C list for tires or tubes of the same brand, type, quality and size; deducting the prescribed 20, 40, or 60 percent discount set forth for such tires or tubes on the Exhibit C; applying to the price which results after such prescribed discount is deducted all discounts from consumer list prices which the seller had in effect on March

1, 1942, for a purchaser of the same class on current brands of tires or tubes which are comparable as to type, quality and size; and increasing that resultant price by a dollar amount equal to 16% of the price set forth on the Exhibit C list, after deducting the prescribed 20, 40, or 60% discount, for the tires or tubes for which a maximum wholesale price is being computed.

(ii) If the Exhibit C filed with the Office of Price Administration on which the particular tires or tubes are listed sets forth net wholesale prices, the maximum price for such tires or tubes applicable to the manufacturer or distributor who filed such Exhibit C, shall be a price determined by taking the price set forth on the Exhibit C list for tires or tubes of the same brand, type, quality and size which is applicable to the class of purchasers in which the particular buyer falls; deducting the prescribed 20, 40, or 60% discount set forth for such tires or tubes on the Exhibit C; applying to the price which results after such prescribed discount is deducted all discounts, if any, from such net wholesale prices which the seller had in effect on March 1, 1942, for a purchaser of the same class on current brands of tires or tubes which are comparable as to type, quality and size; and increasing that resultant price by a dollar amount equal to 16% of a consumer list price for the tires or tubes for which a maximum wholesale price is being computed, which consumer list price shall be computed as follows:

Take the maximum retail price established by Revised Price Schedule No. 63, apart from the 16% increase provided in paragraph (n) of §§ 1315.110 and 1315.111, for the passenger-car tires or tubes of the same manufacturer or distributor which are most comparable as to type, quality, and size; adjust such price in accordance with the price differentials prevailing in the industry on March 1, 1942, for differences in brand, type, quality and size; and deduct the prescribed 20, 40, or 60% discount set forth on Exhibit C for the tires or tubes for which a maximum wholesale price is being computed.

(iii) If the Exhibit C filed with the Office of Price Administration on which the particular tires or tubes are listed sets forth net wholesale prices, the maximum price for such tires or tubes applicable to any seller other than the manufacturer or distributor who filed such Exhibit C, shall be a price determined by taking the price set forth on the Exhibit C list for tires or tubes of the same brand, type, quality and size which is applicable to the seller on his purchases of such tires; deducting the prescribed 20, 40, or 60 per cent discount set forth for such tires or tubes on the Exhibit C; applying to the price which results after such prescribed discount is deducted the normal mark-up which the seller had in effect on March 1, 1942 for a purchaser of the same class on current brands of tires or tubes which are comparable as to type, quality and size; and increasing that resultant price by a dollar amount equal to 16% of a consumer list price for the tires or tubes for which a maximum wholesale price is being computed, which con-

sumer list price shall be computed as follows:

Take the maximum retail price established by Revised Price Schedule No. 63, apart from the 16% increase provided in paragraph (n) of §§ 1315.110 and 1315.111, for the passenger-car tires or tubes of the same manufacturer or distributor which are most comparable as to type, quality, and size; adjust such price in accordance with the price differentials prevailing in the industry on March 1, 1942, for differences in brand, type, quality and size; and deduct the prescribed 20, 40 or 60 per cent discount set forth in Exhibit C for the tires or tubes for which a maximum wholesale price is being computed. (Paragraph (c) (1) as amended by Amendment No. 3. 8 F.R. 320)

(2) It shall be the duty of the seller to determine which of the tires or tubes he is selling appear on the Exhibit C filed with the Office of Price Administration by the manufacturer or distributor thereof, the prices set forth for such tires or tubes on the Exhibit C list, whether such prices are consumer list prices or net wholesale prices, whether a discount of 20, 40, or 60 per cent is prescribed by the Exhibit C for such tires or tubes, and any other information which is necessary to enable the seller to determine the maximum prices for Exhibit C passenger-car tires or tubes under subparagraph (1) of this paragraph. Such information can ordinarily be obtained from the manufacturer or distributor of the tires or tubes involved. All such information can be obtained by any seller by writing to the Office of Price Administration, Washington, D. C., where an accurate Exhibit C for each manufacturer and distributor is on file and available for inspection at all times.

(3) Notwithstanding any provision of subparagraph (1), the maximum wholesale price for any factory second Exhibit C passenger-car tires or tubes shall be calculated by applying a discount of 25% to the maximum wholesale price which would apply to the tire or tube under subparagraph (1) if it were not a factory second.

(d) *Passenger-car reclaimed rubber war tires.* The maximum wholesale price for any new passenger-car reclaimed rubber war tires shall be a price determined according to whichever of the following subparagraphs (1) to (5) is applicable:

(1) *Sales on the basis of consumer price lists.* (1) For any seller who quoted wholesale prices during March, 1942, by applying discounts to a consumer price list, the maximum wholesale price for any new passenger-car reclaimed rubber war tires shall be determined by deducting from the maximum retail price of such reclaimed rubber war tires, as established by Revised Price Schedule No. 63, a percentage discount equal to the smallest discount from maximum retail prices at which the seller delivered, or if he did not deliver, at which he offered for delivery, during March, 1942, to a purchaser of the same class, the brand of passenger-car tires listed in paragraph



(b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on such reclaimed rubber war tires.

(ii) If such seller did not deliver or offer for delivery during March, 1942, to a purchaser of the same class, any tires of the brand listed in paragraph (b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on the reclaimed rubber war tires, the maximum wholesale price for such reclaimed rubber war tires shall be determined by calculating the maximum wholesale price for the most comparable purchaser in accordance with the provisions of subdivision (i), and adjusting the price so calculated in accordance with the price differentials prevailing in the industry between such purchasers on March 1, 1942. (Paragraphs (d) (1) (i) and (ii) added by Amendment No. 2. 7 F.R. 9890.)

(iii) If such seller did not deliver or offer for delivery during March, 1942, to any purchaser, any tires of the brand listed in paragraph (b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on the reclaimed rubber war tires, the maximum wholesale price for such reclaimed rubber war tires shall be the maximum wholesale price to a purchaser of the same class for the most comparable seller, calculated in accordance with the provisions of subdivision (i) or (ii).

(iv) For any sale or delivery by a manufacturer where the maximum wholesale price determined under subdivisions (i), (ii) or (iii) is less than 45% of the maximum retail price of such reclaimed rubber war tires, as established by Revised Price Schedule No. 63, the manufacturer may calculate his maximum price in accordance with the procedure set forth in subparagraph (3) of this paragraph, as though it were a sale or delivery of private brand tires to the private brand distributor. When a manufacturer follows the procedure set forth in subparagraph (3) in calculating his maximum price to any purchaser who is not the private brand distributor of the tires involved, any reference in subparagraph (3) to the private brand distributor shall be deemed to be a reference to the particular purchaser involved, and any reference in subparagraph (3) to the brand of tire listed for the distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63 shall be deemed to be a reference to whichever brand of passenger-car tire delivered or offered for delivery during November, 1941, by the manufacturer to the particular purchaser, has a maximum retail price on the 6.00-16 size closest to \$17.11. All provisions of subparagraph (3), including the reporting provision, must be followed. In addition the manufacturer must report to the Office of Price Administration, Washington, D. C., what his maximum price would have been under subdivisions (i), (ii), or (iii) of this subparagraph (1), on the

first sale or delivery of the tires to the purchaser. (Subdivisions (iii) and (iv) added by Amendment No. 3. 8 F.R. 320.)

(2) *Sales on the basis of net wholesale price lists.* (i) For any seller who quoted wholesale prices during March, 1942, on the basis of a net wholesale price list, the maximum wholesale price for any new passenger-car reclaimed rubber war tires shall be determined by taking the highest net price at which the seller delivered, or if he did not deliver, at which he offered for delivery, during March, 1942, to a purchaser of the same class, the 6.00-16 size of the brand of passenger-car tires listed in paragraph (b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on such reclaimed rubber war tires, expressing that price as a percentage of the maximum retail price for the 6.00-16 size of the same brand, as established by Revised Price Schedule No. 63 apart from the 16% increase provided in paragraph (n) of §§ 1315.110 and 1315.111, and applying that percentage to the maximum retail prices for the reclaimed rubber war tires, as established by Revised Price Schedule No. 63.

(ii) If such seller did not deliver or offer for delivery during March, 1942, to a purchaser of the same class, any 6.00-16 size tires of the brand listed in paragraph (b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on the reclaimed rubber war tires, the maximum wholesale price for such reclaimed rubber war tires shall be determined by calculating the maximum wholesale price for the most comparable purchaser in accordance with the provisions of subdivision (i), and adjusting the price so calculated in accordance with the price differentials prevailing in the industry between such purchasers on March 1, 1942. (Subparagraph 2 (i) and (ii) added by Amendment No. 2. 7 F.R. 9890.)

(iii) If such seller did not deliver or offer for delivery during March, 1942, to any purchaser, any 6.00-16 size tires of the brand listed in paragraph (b) of §§ 1315.110 or 1315.111 of Revised Price Schedule No. 63 for the manufacturer or private brand distributor whose company name or brand name appears on the reclaimed rubber war tires, the maximum wholesale price for such reclaimed rubber war tires shall be the maximum wholesale price to a purchaser of the same class for the most comparable seller, calculated in accordance with the provisions of subdivision (i) or (ii).

(iv) Notwithstanding the provisions of subdivisions (i), (ii) or (iii), the maximum wholesale price for any new passenger-car reclaimed rubber war tires on which the name General Tire and Rubber Co. appears, shall be the price applicable to a purchaser of the same class calculated in accordance with the provisions of subdivisions (i), (ii) or (iii), increased by 7 percent.

(v) For any sale or delivery by a manufacturer where the maximum wholesale price determined under sub-

divisions (i), (ii), (iii) or (iv) is less than 45% of the maximum retail price of such reclaimed rubber war tires, as established by Revised Price Schedule No. 63, the manufacturer may calculate his maximum price in accordance with the procedure set forth in subparagraph (3) of this paragraph, as though it were a sale or delivery of private brand tires to the private brand distributor. When a manufacturer follows the procedure set forth in subparagraph (3) in calculating his maximum price to any purchaser who is not the private brand distributor of the tires involved, any reference in subparagraph (3) to the private brand distributor shall be deemed to be a reference to the particular purchaser involved, and any reference in subparagraph (3) to the brand of tire listed for the distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63 shall be deemed to be a reference to whichever brand of passenger-car tire delivered or offered for delivery during November, 1941, by the manufacturer to the particular purchaser, has a maximum retail price on the 6.00-16 size closest to \$17.11. All provisions of subparagraph (3), including the reporting provision, must be followed. In addition the manufacturer must report to the Office of Price Administration, Washington, D. C., what his maximum price would have been under subdivisions (i), (ii), (iii) or (iv) of this subparagraph (2), on the first sale or delivery of the tires to the purchaser. (Subdivisions (iii), (iv) and (v) added by Amendment No. 3. 8 F.R. 320.)

(3) *Manufacturers' sales to private brand distributors.* Notwithstanding any provision of subparagraphs (1) and (2) of this paragraph, the maximum wholesale price for any sale or delivery by a manufacturer to a private brand distributor of new passenger-car reclaimed rubber war tires bearing the distributor's company name or brand name shall be the price determined upon the manufacturer's first sale or delivery of such tires to the private brand distributor, by applying to the factory cost of the particular size of reclaimed rubber war tire, determined according to subdivision (i), the percentage mark-up applicable to the purchaser, determined according to subdivision (ii). The maximum wholesale price so established shall be the maximum wholesale price for all future deliveries of such reclaimed rubber war tires by the manufacturer to the same private brand distributor.

(i) *Computation of factory cost.* The factory cost of a reclaimed rubber war tire shall be the sum total of direct labor costs, direct materials costs including waste, and factory overhead. The direct labor costs shall be determined by multiplying the number of hours of each type of labor required in the manufacture of the tire by the wage rates determined in accordance with inferior subdivision (a) of this subdivision (i). The direct materials costs shall be determined by multiplying the quantity of each type of material required in the manufacture of the tire by the materials prices determined in accordance with inferior subdivision (b) of this subdivision (i). If any materials are supplied or paid for



directly by the private brand distributor, the cost of such materials shall not be included in calculating the factory cost of the reclaimed rubber war tire. Waste shall be determined by applying the same methods as were used or would have been used by the manufacturer in similar production during March, 1942, adjusted to reflect the actual quantity of waste in the production of the reclaimed rubber war tire. The factory overhead shall include the following items: expense materials, supplies and miscellaneous expense; indirect labor and salaries; repairs and maintenance; depreciation; insurance; taxes, excluding income and excess profits taxes; power; royalties; mold depreciation if the manufacturer owns the mold; factory warehousing and shipping expenses (at location in the same town or city as the factory is located). The factory overhead shall be determined by using the bases and predetermined rates which the manufacturer had in effect on November 1, 1941, in determining the factory overhead on the brand of passenger-car tire listed in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63 for the private brand distributor whose company name or brand name appears on the reclaimed rubber war tire. If the manufacturer did not manufacture during November, 1941, any tires of the brand so listed for that distributor, the factory overhead shall be determined by using the rates and bases actually used by the manufacturer during November, 1941, in determining the factory overhead on the brand of tires most comparable thereto.

(a) *Wage rates.* The wage rates applicable to any tire shall be the highest wage rates, in effect in the manufacturer's plant for any substantial portion of March, 1942, for each class of labor involved in the production of the tire. If the manufacturer did not employ a given class of labor in March, 1942, he shall use the highest wage rate paid for any substantial portion of March, 1942, by the nearest employer operating under comparable conditions who employed that class of labor during that month.

(b) *Materials prices.* The price of any materials used in the tire being priced shall be the highest price charged during March, 1942, (as defined in subdivision (iii) of this subparagraph (3)) by the manufacturer's supplier; except that if the Office of Price Administration has established a lower maximum price for the sale of that material to the manufacturer by his supplier, such lower price shall govern. If the material was not delivered or offered for delivery by the manufacturer's supplier during March, 1942, the material price shall be the first price at which the manufacturer's supplier offered to sell the material to a purchaser of the same class as the manufacturer after March 31, 1942, or the maximum price for the material established by the Office of Price Administration, whichever is the lower. The manufacturer's supplier shall be (1) his March, 1942, supplier of the material, or (2) lacking a March, 1942, supplier of the material, his most recent supplier of the material. If neither of these exists, it shall be his potential supplier. For the

purposes of this inferior subdivision (b) if the manufacturer shall receive a written affirmation from the seller that the material is being sold at a price which is not in excess of the maximum price established by the Office of Price Administration, and if the manufacturer shall have no cause to doubt the accuracy of the affirmation, and if, as of the time of his determination of the price of a tire, the maximum price of which is established by this paragraph, the manufacturer shall have no reason to believe that the selling price of the material is in excess of the maximum price established by the Office of Price Administration, the price as affirmed by the seller shall be deemed to be the maximum price established by the Office of Price Administration for that material.

(ii) *Percentage mark-up.* The percentage mark-up to be applied to the factory cost of any size of reclaimed rubber war tire in determining its maximum price to any particular private brand distributor shall be the difference between the manufacturer's actual factory cost in November, 1941, for the 6.00-16 size tire of the brand listed for that distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63, and the highest net price at which such tire was delivered, or if it was not delivered, at which it was offered for delivery, by the manufacturer during November, 1941, to that private brand distributor, expressed as a percentage of such November, 1941, factory cost. In determining the actual November, 1941, factory cost on the 6.00-16 size tire of the brand specified above, the manufacturer shall consider the same elements of cost as those specified by subdivision (i) of this subparagraph (3) for determining the factory cost of a reclaimed rubber war tire. If the manufacturer did not deliver or offer for delivery to a particular private brand distributor during November, 1941, any 6.00-16 size tires of the brand listed for that distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63, the percentage mark-up to be applied in determining the maximum price to that distributor shall be a mark-up approved in writing by the Office of Price Administration upon application by the manufacturer as provided in subdivision (v) of this subparagraph (3).

(iii) *Definitions.* When used in subdivision (i) (b) of this subparagraph (3), the phrase "highest price charged during March, 1942", means:

(a) The highest price at which the seller delivered, or if he did not deliver, at which he offered the commodity for delivery, during March, 1942, to the same manufacturer in a quantity normal for that manufacturer.

(b) If the seller made no such delivery or offer for delivery during March, 1942, to the same manufacturer, the highest price at which the seller delivered, or if he did not deliver, at which he offered the commodity for delivery, during March, 1942, to a purchaser of the same class as the manufacturer in a quantity normal for that purchaser.

(c) If the seller made no such delivery or offer for delivery during March, 1942, to the same manufacturer or to a pur-

chaser of the same class, the highest price charged by the seller during March, 1942, to a purchaser of a different class, in a quantity normal for that purchaser, adjusted to reflect the seller's customary differential between the two classes of purchasers.

(iv) *Report of maximum prices.* Within five days after a private brand distributor first agrees to buy tires for which a maximum price must be determined under this subparagraph (3) or within five days after the completion of the production of the tires for the first sale or delivery of such tires to such a purchaser, whichever is later, the manufacturer shall report to the Office of Price Administration, Washington, D. C., the maximum price as computed by him for each size of tire. The report shall show in detail the computation of the factory cost of each size of reclaimed rubber war tire and shall include a detailed showing of how the percentage mark-up to be applied was determined. The showing of how the percentage mark-up was determined either shall give in detail a breakdown of the November, 1941, factory cost of the 6.00-16 size tire of the brand listed for the same distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63 and set forth the highest net price at which such tire was delivered, or if it was not delivered, at which it was offered for delivery by the manufacturer during November, 1941, to the same private brand distributor, or it shall state that application for approval of a percentage mark-up has been made pursuant to subdivision (v) of this subparagraph (3). The report under this subdivision (iv) shall be made on Form 243-1, copies of which are available at the Office of Price Administration, Washington, D. C., and shall include in detail all the information called for on that form. The manufacturer may not accept payment for any such tires until fifteen days have elapsed after the mailing of the report. Within this fifteen day period the price so reported shall be subject to adjustment by the Office of Price Administration. If the fifteen days elapse without the Office of Price Administration making any adjustment in the price reported, that price shall be the maximum wholesale price to that purchaser and shall apply to all future deliveries of such tires until adjusted by written order of the Office of Price Administration. If within this fifteen day period the Office of Price Administration has not disapproved in writing a mark-up requested in accordance with subdivision (v) of subparagraph (3), the manufacturer may consider that mark-up as approved. Subsequent to this fifteen day period, the price reported shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

(v) *Application for approval of a percentage mark-up.* If the manufacturer did not deliver or offer for delivery to a particular private brand distributor during November, 1941, any 6.00-16 size tires of the brand listed for that distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63, the manu-



facturer must apply to the Office of Price Administration for approval of a percentage mark-up to be used in determining the maximum price to such distributor under this subparagraph (3). Such application for approval must set forth the mark-up requested along with a showing that it is in line with other mark-ups determined according to subdivision (ii) of this subparagraph (3) and a detailed explanation of the basis for determining such mark-up. The application must be made at the same time as or prior to the report of maximum prices under subdivision (iv) of this subparagraph (3). The Office of Price Administration will approve or disapprove in writing the percentage mark-up for which approval is requested. (Subparagraph (3) added by Amendment No. 2. 7 F.R. 9890.)

(4) *Other sales under cost-plus contracts—(i) Manufacturers.* For any sale or delivery of new passenger-car reclaimed rubber war tires by a manufacturer to a purchaser to whom the manufacturer was selling tires pursuant to a cost-plus contract during March, 1942, the maximum wholesale price shall be a price calculated in accordance with the procedure set forth in subparagraph (3) of this paragraph, as though it were a sale or delivery of private brand tires by a manufacturer to the private brand distributor. This inferior subdivision (i) does not apply to a sale or delivery of private brand tires to the private brand distributor, which is priced under subparagraph (3). When a manufacturer follows the procedure set forth in subparagraph (3) in calculating his maximum price to any purchaser who is not the private brand distributor of the tires involved, any reference in subparagraph (3) to the private brand distributor shall be deemed to be a reference to the particular purchaser involved, and any reference in subparagraph (3) to the brand of tire listed for the distributor in paragraph (b) of § 1315.111 of Revised Price Schedule No. 63 shall be deemed to be a reference to whichever brand of passenger-car tire delivered or offered for delivery during November, 1941, by the manufacturer to the particular purchaser, has a maximum retail price on the 6.00-16 size closest to \$17.11. All provisions of subparagraph (3), including the reporting provision, must be followed.

(ii) *Other sellers.* For any sale or delivery of new passenger-car reclaimed rubber war tires by any seller other than a manufacturer to a purchaser to whom the seller was selling tires pursuant to a cost-plus contract during March, 1942, the maximum wholesale price shall be the price determined upon the seller's first sale or delivery of such tires to the particular purchaser, by applying to the seller's net buying price of the particular size of reclaimed rubber war tire, the percentage mark-up applicable to the purchaser. The percentage mark-up to be applied to the seller's net buying price of any size of reclaimed rubber war tire in determining its maximum price to any particular purchaser shall be the difference between the seller's net buying price in November, 1941, of the 6.00-16

size tire of the brand designated in the next sentence, and the highest net price at which such tire was delivered, or if it was not delivered, at which it was offered for delivery, by the seller during November, 1941, to that purchaser, expressed as a percentage of the seller's November, 1941, net buying price. The brand of tire to be used in calculating the percentage mark-up shall be whichever brand of passenger-car tire delivered or offered for delivery during November, 1941, by the seller to the particular purchaser, has a maximum retail price on the 6.00-16 size closest to \$17.11 if the seller is pricing a manufacturers' brand under this subdivision or closest to \$15.37 if the seller is pricing a private brand under this subdivision. The maximum wholesale price so established shall be the maximum wholesale price for all future deliveries of such reclaimed rubber war tires by the seller to the same purchaser. The seller shall report his maximum prices in accordance with the provisions of subdivision (iv) of subparagraph (3) of this paragraph, except that he need not use Form 243:1 in making his report and he shall show on his report his own net buying prices which he used in making his calculations instead of the factory costs referred to in that subdivision (iv). (Subparagraph (4) added by Amendment No. 3. 8 F.R. 320.)

(5) *Factory seconds.* Notwithstanding any provision of subparagraph (1) to (4), inclusive, the maximum wholesale price for any factory second passenger-car reclaimed rubber war tires shall be calculated by applying a discount of 25 percent to the maximum wholesale price which would apply to the tire under subparagraphs (1) to (4), inclusive, if it were not a factory second.

(6) *Retail price labels.* On and after December 1, 1942, before the delivery of any passenger-car reclaimed rubber war tire to any purchaser, every manufacturer and private brand distributor must, for those tires which bear its own company name or brand name, attach or cause to be attached securely to each such tire or to the wrapping on the tire, so that it is clearly visible, either a tag or a label displaying the following statement, with the maximum retail price of the tire at least one inch in height:

OPA retail ceiling price \$..... plus Federal Excise Tax. This notice may not be removed until delivered to the consumer.

[Paragraph (4) added by Amendment No. 2, 7 F.R. 9890, and redesignated (6) by Amendment No. 4.]

(e) *Other tires and tubes.* The maximum wholesale price for any new rubber tires or tubes which cannot be priced under paragraphs (a) to (d), inclusive, of this section shall be a price determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provisions of this paragraph shall file with the Office of Price Administration in Washington, D. C., an application setting forth (1) a description in detail of the tires or tubes for which a maximum price is sought, including the brand

name, type, sizes and plies; (2) a statement of the facts which make it impossible for him to determine a maximum price under paragraphs (a) to (d), inclusive; (3) his proposed pricing method; and (4) a statement of the reasons why he believes that the use of this method will result in a maximum price which is in line with the level of maximum prices established by this Maximum Price Regulation No. 143. Such authorization will be given in the form of an order prescribing a method of determining the maximum price. (Paragraph (e) added by Amendment No. 2. 7 F.R. 9890.)

[NOTE: Supplementary Order No. 34 (7 F.R. 10779) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

(f) *Sales for export.* The maximum wholesale price at which a person may export any new rubber tires or tubes shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation<sup>6</sup> issued by the Office of Price Administration on April 25, 1942.

(g) *Taxes.* (1) If the seller customarily stated and collected separately from the purchase price during March, 1942, the Federal Excise Tax levied in respect to tires and tubes, the seller shall not include the tax in determining the maximum price under paragraphs (a) or (b) of this section and in such case may collect the dollar amount of such tax in addition to the maximum price.

(2) If the seller did not customarily state and collect separately from the purchase price during March 1942, the Federal Excise Tax levied in respect to tires and tubes, the seller shall include the tax in determining the maximum price under paragraphs (a) or (b) of this section and in such case may not collect the tax in addition to the maximum price. (Paragraphs (d) and (e) redesignated (f) and (g) by Amendment No. 2. 7 F.R. 9890.)

(3) The dollar amount of the Federal Excise Tax levied in respect to tires and tubes may be added to the maximum prices established by paragraphs (c) and (d) of this section. (Subparagraph (3) amended by Amendment No. 2. 7 F.R. 9890.)

[NOTE: Supplementary Order No. 31 (7 F.R. 9894) provides that:

"Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1315.1502 *Less than maximum prices.* Lower prices than those set forth in § 1315.1501 may be charged, demanded, paid or offered.

§ 1315.1503 *Adjustable pricing.* No person subject to the provisions of this

<sup>6</sup> 7 F.R. 5059, 7242, 8829, 9000, 10530.



Maximum Price Regulation No. 143 shall enter into any agreement permitting the adjustment of the wholesale prices of new rubber tires or tubes to prices which may be higher than the maximum prices, except that any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment or for adjustment or exception requires extended consideration, the Price Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1315.1504 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 143 shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase of or relating to new rubber tires or tubes, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1315.1505 *Records and reports.* (a) Every person making a sale or purchase, subject to Maximum Price Regulation No. 143, of new rubber tires or tubes after May 17, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records of each such sale or purchase showing the date thereof, the name and the address of the buyer and seller, the price paid or received, and the quantity of each brand, type, quality and size of new rubber tires and tubes sold or purchased.

(b) Any manufacturer or private brand distributor who proposes to sell for the first time any tires or tubes, except passenger-car tires or tubes, of a brand, size, or type which was not on the price list from which that brand owner quoted prices on November 25, 1941, shall report to the Office of Price Administration, Washington, D. C., at least five days before he offers any such tires or tubes for sale, the maximum wholesale prices for such tires or tubes as determined by the seller under subparagraph (3) or (4) of paragraph (a) of § 1315.1501. The report shall set forth the brand name of the tires or tubes, indicating their type, the sizes and plies in which such brand is to be manufactured, and the maximum wholesale prices for each class of purchasers. It shall also give in detail the basis used for determining the maximum wholesale prices, including the brand name, type, maximum wholesale prices, and maximum retail prices of the comparable tires or tubes which are used as the basis for the determination under subparagraph (3) or (4) of paragraph (a) of § 1315.1501, and including a detailed explanation of the differences in type, quality, size, and cost between the tires or tubes for which maximum prices are being established and such comparable tires or tubes and any other reasons supporting the adjustments made. The

seller may not accept payment for the tires or tubes until fifteen days have elapsed after the mailing of the report. Within this fifteen day period the price so reported shall be subject to adjustment by the Office of Price Administration. Subsequent to this fifteen day period, such price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration. (Paragraph (b) amended by Amendment No. 2, 7 F.R. 9890)

(c) Every manufacturer who produces passenger-car reclaimed rubber war tires shall file a report with the Office of Price Administration, Washington, D. C., stating the unit costs as of January 1, 1943, and as of the first day of every calendar quarter thereafter, for each size of passenger-car reclaimed rubber war tire it produces. The unit costs shall be reported on Form 243:2 and shall show labor costs and materials costs on the basis of wage rates and materials prices prevailing during March 1942, and factory overhead and other elements of unit cost computed by using the same rates and bases as were actually used during November 1941 for computing unit costs on the brand of passenger-car tire listed for the same manufacturer in paragraph (b) of § 1315.110 of Revised Price Schedule No. 63, giving in detail all the unit cost information called for on Form 243:2. Copies of Form 243:2 are available at the Office of Price Administration, Washington, D. C. The reports shall be filed not later than thirty days after the date as of which they must state the unit costs.

(d) On or before January 1, 1943, every manufacturer and private brand distributor shall file with the Office of Price Administration, Washington, D. C., a report covering every one of its brands, sizes, and types of tires or tubes, except reclaimed rubber war tires, which was not on the price list from which that brand owner quoted prices on November 25, 1941, but which has been sold on the market for the first time between that date and November 25, 1942. Such report shall list each brand name, indicating the type of tire or tube, show the sizes and plies in which each of those brands is manufactured, set forth the maximum wholesale prices established for such tires or tubes for each class of purchasers, and give in detail the basis which was used for determining the maximum wholesale prices, indicating the exact provision of this regulation which was applied.

(e) On or before January 1, 1943, every manufacturer and private brand distributor shall file with the Office of Price Administration, Washington, D. C., a detailed report of its complete discount structure or net selling prices which are applicable to passenger-car reclaimed rubber war tires under subparagraphs (1) and (2) of § 1315.1501 (d). Such report shall indicate the highest prices charged for the brand of passenger-car tire listed for such manufacturer or distributor in paragraph (b) of § 1315.110 or 1315.111 of Revised Price Schedule No. 63, to each class of purchasers during March, 1942, by showing either the maximum retail price list from which discounts were allowed and the smallest

discount allowed to each class of purchasers or the highest net price charged to each class of purchasers for the 6.00-16 size. The report shall also set forth a complete list of all the classes of purchasers to whom such seller delivered or offered such tires during March, 1942, indicating in detail all the bases, such as volume of purchases or function in the trade, used by the seller in distinguishing between classes of purchasers.

(f) Such persons shall submit such other reports to the Office of Price Administration and keep such other records in addition to or in place of the records and reports required in paragraphs (a) to (d) of this section as the Office of Price Administration may from time to time require or permit. (Paragraphs (c), (d), (e) and (f) added by Amendment No. 2, 7 F.R. 9890.)

§ 1315.1506 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 143 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 143 or any price schedule, regulation or order issued by the Office of Price Administration, or of any acts or practices which constitute such a violation, are urged to communicate with the nearest District, State, or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1315.1507 *Licensing: Applicability of the registration and licensing provisions of the General Maximum Price Regulation.* The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 143 selling at wholesale any rubber tires or tubes covered by this Maximum Price Regulation No. 143. When used in this section the term "selling at wholesale" has the definition given to it by § 1499.20 (p) of the General Maximum Price Regulation. (§ 1315.1507 as amended by Amendment No. 1, 7 F.R. 5712)

§ 1315.1508 *Applicability of General Maximum Price Regulation.* Except as provided in § 1315.1507, the provisions of this Maximum Price Regulation No. 143 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries for which maximum prices are established by this Regulation.

§ 1315.1509 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 143 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1. (§ 1315.1509 as amended by Supplementary Order No. 26, 7 F.R. 8948)

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applica-



tions for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Supplementary Order No. 9 (7 F.R. 5444) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those on scrap, waste, and salvage materials.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1315.1510 *Definitions.* (a) When used in this Maximum Price Regulation No. 143 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) "Sale at wholesale" means any sale, other than a sale to a vehicle manufacturer for original equipment of such vehicle, except a sale at retail.

(3) "Sale at retail" means any sale to a purchaser for use by such purchaser and not for resale.

(4) "Tires and tubes" means any rubber tires and tubes manufactured for use on passenger-cars, trucks, busses, off-the-road equipment, motorcycles, industrial and commercial tractors, trailers, industrial equipment and farm implements.

(5) "New" as applied to tires and tubes means a tire or tube that has been used less than 1,000 miles.

(6) "Rubber" means all forms and types of rubber including synthetic and reclaimed rubber.

(7) "Passenger-car tires and tubes" means tires and tubes primarily designed for use on a passenger automobile.

(8) "Exhibit C passenger-car tires and tubes" means any new rubber passenger-car tires and tubes of a brand, type, quality and size listed on the Exhibit C filed with the Office of Price Administration in March, 1942, by the manufacturer or distributor of such tires or tubes in connection with the Tire Return Plan sponsored by the Office of Price Administration, and made part of the contract between such manufacturer or distributor and Defense Supplies Corporation.

(9) "Passenger-car reclaimed rubber war tire" means any passenger-car tire, regardless of the brand or other name appearing thereon, which is manufactured primarily of reclaimed rubber under restrictions of the War Production Board applicable to such war tires, and which has the words "War Tire" marked on the sidewall. (Subparagraph (9) added by Amendment No. 2. 7 F.R. 9890)

(10) "Factory second" means any new rubber tire or tube upon which the manufacturer or distributor has placed a special identifying mark to indicate that he has found it to be defective in his final inspection.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of The Emergency Price Control Act of 1942, shall apply to other terms used herein. (Paragraph (b) added by Amendment No. 2. 7 F.R. 9890)

§ 1315.1511 *Effective date.* This Maximum Price Regulation No. 143 (§§ 1315.1501 to 1315.1511, inclusive) shall become effective May 18, 1942. On or after May 11, 1942 and before May 18, 1942, new rubber tires or tubes may be sold or delivered at wholesale either at the maximum prices established by the General Maximum Price Regulation or at the maximum prices established by this Maximum Price Regulation No. 143. (Issued May 14, 1942)

§ 1315.1512 *Effective dates of amendments.*

Amendment Nos. and Issuance dates:	Effective
Amendment 1, 7-23-42	7-24-42
Amendment 2, 11-25-42	11-25-42
Amendment 3, 1-6-43	1-21-43
Amendment 4, 4-2-43	4-8-43

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator

[F. R. Doc. 43-5170; Filed, April 2, 1943; 4:23 p. m.]

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

[RPS 63, Amendment 9]

#### RETAIL PRICES FOR NEW RUBBER TIRES AND TUBES

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. 63 is amended in the following respects:

1. Section 1315.104 (c) is amended by adding at the end thereof the following sentence:

*Except, That any such seller may strike from the tag or label on a passenger-car reclaimed rubber war tire the notation that the tire is a Grade III tire.*

2. Section 1315.108 (a) (9) is added to read as follows:

(9) "Factory second" means any new rubber tire or tube upon which the manufacturer or distributor has placed a special identifying mark to indicate that he has found it to be defective in his final inspection.

3. Section 1315.110 (b) is amended by inserting the brand name "Streamline" as the brand of passenger-car tire in the item in the table in which The Armstrong Rubber Company is listed as the manufacturer.

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

7 F.R. 1323, 2132, 3036, 3791, 5708, 6048, 6215, 7364, 8948, 9888; 8 F.R. 2110, 2663.

4. Section 1315.110 (m) (1) is amended to read as follows:

(1) The Armstrong Rubber Company:  
(i) Maximum prices for the 6.00-16, (4 ply) "Air Coaster" and "Standard" brands of passenger-car tires shall be \$12.90 and \$10.05, respectively. Other sizes and plies of these brands shall remain in the same percentage relationship to these prices as they bore on The Armstrong Rubber Company's Consumer price list in effect on November 25, 1941. Maximum prices for the "Mud and Snow" brand of passenger-car tires shall be:

Size	Ply	Maximum price
6.00-16	4	\$13.20
6.00-16	6	16.50
6.50-16	4	16.25
6.50-16	6	19.90
5.25/5.50-17	4	12.05
5.25/5.50-17	6	15.15
6.00/6.50-17	6	17.85
5.25/5.50-18	4	11.75
5.25/5.50-18	6	14.81
4.75/5.00-19	4	10.05
4.75/5.00-19	6	12.66

(ii) Maximum prices for the following sizes in the following brands of truck tires shall be:

#### (a) HEATMASTER

Size	Ply	Maximum price
9.75-15	12	\$66.90
7.50-16	6	35.25
7.00-17	8	35.55
6.00-20	6	24.09
11.00-20 (10.50 x 20)	12	120.50
12.00-24 (11.25 x 24)	14	109.30
14.00-24	16	256.15

#### (b) MUD AND SNOW—NONDIRECTIONAL

Size	Ply	Maximum price
6.00-16	6	\$22.00
7.50-16	6	38.06
7.50-16	8	41.90
7.00-20	8	38.22
7.00-20	10	49.85
7.50-20	10	66.47

#### (c) FAMOUS COACH

Size	Ply	Maximum price
10.00-20 (38 x 9)	14	\$123.20
10.00-24 (42 x 9)	14	133.30

5. Section 1315.110 (m) (5) is added to read as follows:

(5) Cupples Company: Maximum prices for the "Safe-Ride" brand of passenger-car tubes shall be the consumer list prices of such tubes on file with the Office of Price Administration which were in effect on November 25, 1941.

6. Section 1315.110 (m) (6) is added to read as follows:

(6) The Firestone Tire and Rubber Company:

(i) Maximum prices for the following sizes in the following brands of truck tires shall be:

#### (a) TRANSPORT

Size	Ply	Maximum price
7.50-15	10	\$55.35
9.00-15	12	85.85
10.00-15	12	96.99
10.00-15	14	102.75



## (b) HEAVY DUTY

Size	Ply	Maximum price
7.50-24.....	8	\$53.60

## (c) GROUND-GRIP TYPE G

21.00-24.....	24	\$828.55
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(ii) Maximum prices for the following sizes in the following brands of truck tubes shall be:

## (a) Transport

Size:	Maximum price
9.00-13.....	\$5.90

7. Section 1315.110 (m) (7) is added to read as follows:

(7) The Gates Rubber Company: Maximum prices for the following sizes in the following brands of truck tires shall be:

## (i) VULCO H. D. TRUCK AND BUS

Size	Ply	Maximum price
6.50-20 (32 x 6).....	8	\$35.30
8.25-20.....	12	77.95
9.00-20.....	12	94.60
10.00-20.....	14	123.45
10.00-22.....	14	129.05
11.00-20.....	14	145.30
11.00-24.....	14	152.55

## (ii) VULCO H. D. COMMERCIAL

7.00-16.....	6	\$29.00
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## (iii) VULCO TRACTION TREAD H. D.

11.00-20 (10.50 x 20).....	14	\$152.05
10.00-20 (9.75 x 20).....	14	129.10

8. Section 1315.110 (m) (8) is added to read as follows:

(8) The General Tire and Rubber Company:

(i) Maximum prices for the following sizes in the following brands of truck tires shall be:

## (a) NONDIRECTIONAL

Size	Ply	Maximum price
7.50-16.....	6	\$38.06
11.00-20.....	12	126.52
14.00-20.....	12	227.25
14.00-20.....	16	253.44
10.00-22.....	12	113.25

## (b) SUPER HIGHWAY

7.00-17.....	8	\$35.59
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## (c) RAYWAY (SUPER HIGHWAY TREAD)

10.00-22.....	12	\$121.32
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## (d) HIGHWAY

6.50-10.....	6	\$25.21
6.50-10.....	8	29.25

## (e) YALE COMMERCIAL

6.00-16.....	6	\$20.95
6.50-16.....	6	24.20

(ii) Maximum prices for the following sizes in the following brands of truck tubes shall be:

## (a) Jumbo Junior

Size:	Maximum price
8 x 3.00-4.....	\$1.52
10 x 3.50-4.....	1.56
12 x 4.00-6.....	1.61
16 x 5.00-8.....	1.87
6.50-10.....	2.56

9. Section 1315.110 (m) (9) is added to read as follows:

(9) Lee Tire and Rubber Company: Maximum prices for the following sizes in the following brands of truck tires shall be:

## (i) RAYON TIRES

Size	Ply	Maximum price
8.25-20.....	10	\$76.40
8.25-20.....	12	87.80
9.00-20.....	10	91.15
10.00-20.....	12	115.55
11.00-20.....	12	136.65

10. Section 1315.110 (m) (10) is added to read as follows:

(10) The Mansfield Tire and Rubber Company:

(i) Maximum prices for the following sizes in the following brands of truck tires shall be:

## (a) HIWAY TREAD (MANSFIELD, CENTURY, RICHLAND, UNITED)

Size	Ply	Maximum price
8.25-15.....	12	\$79.00
7.00-17.....	8	35.55
9.00-22.....	10	84.75
10.00-24.....	12	110.85

## (b) MUD AND SNOW (MANSFIELD AND UNBRANDED)

7.50-18.....	8	\$48.70
10.00-18.....	10	88.90
6.50-20 (32 x 6).....	8	37.00
9.00-20 (36 x 8).....	12	100.90
11.00-20.....	12	126.50

(ii) Maximum prices for the following sizes in the following brands of truck tubes shall be:

## (a) Mansfield

Size:	Maximum price
8.25-15.....	\$9.85
9.00-22.....	12.25

11. Section 1315.110 (p) is amended by designating the text thereof subparagraph (1) and adding a new subparagraph (2) to read as follows:

(2) Notwithstanding any other provision of subparagraph (1), the maximum retail prices for the following brands of tires and tubes owned by the following manufacturers shall be as follows:

(i) The Firestone Tire and Rubber Company: Maximum prices for the following sizes in the following brands of tires shall be:

## (a) TRACTOR TIRE—ANS TREAD

Size	Ply	Maximum price
10 x 24.....	6	\$47.60

## (b) GROUND GRIP EXCAVATOR

8.25-20.....	12	\$83.20
9.00-20.....	12	100.90
11.00-24.....	14	162.80

## (c) ROCK GRIP EXCAVATOR

10.00-20.....	14	\$125.70
11.00-20.....	14	154.90
12.00-24.....	16	210.55

## (d) ALL TRACTION EXCAVATOR

8.25-20.....	12	\$83.20
9.00-20.....	12	100.90
10.00-20.....	14	125.70
11.00-20.....	14	154.90

(ii) The General Tire and Rubber Company: Maximum prices for the following sizes in the following brands of tires shall be:

## (a) TRACTOR GRADER

Size	Ply	Maximum price
13.00-20.....	10	\$126.96
14.00-20.....	12	186.59
9.00-24.....	10	88.91

## (b) EARTH MOVER

8.25-20.....	10	\$64.12
13.00-20.....	14	185.00

## (c) ROCK SPECIAL

11.00-24.....	14	\$162.82
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## (d) JUMBO JUNIOR SILENT GRIP

8 x 3.00-4.....	4	\$4.44
10 x 3.50-4.....	4	4.93
12 x 4.00-6.....	4	5.77
16 x 5.00-8.....	6	11.10

12. Section 1315.110 (q) is added to read as follows:

(q) The maximum retail prices for factory seconds of manufacturers' brands of passenger-car and truck tires and tubes shall be calculated by applying a percentage discount to the maximum retail price which would apply to the tire or tube under paragraphs (a) to (c), inclusive, of this section, if it were not a factory second. The percentage discount to be applied shall be as follows on the following items:

	Percent
Truck tires.....	20
Passenger-car tires.....	25
Truck tubes.....	25
Passenger-car tubes.....	25

13. Section 1315.111 (b) is amended by revoking the item in the table which reads "Hicks Rubber Co., Inc.—Lone



Star-Star Masterpiece" and by inserting in the table, in the appropriate places for the distributors' names to ap-

pear in alphabetical order, the following items, as shown below under the table headings:

Distributor	Brand of passenger-car tires	Brand of truck tires
Anchor Tire & Battery Co.	Interstate Super	Interstate Heavy Duty.
Continental Products, Inc.	Brighton Deluxe	Brighton Heavy Duty.
Harrison Wholesale Co.	Pilot	
Star Rubber Co.	Lone Star	Star Masterpiece.

14. Section 1315.111 (d) is amended by revoking the item in the table which reads "Hicks Rubber Co., Inc.—Meteor Red" and by inserting in the table, in

the appropriate places for the distributors' names to appear in alphabetical order, the following items, as shown below under the table headings:

Distributor	Brand of passenger-car tubes	Brand of truck tubes
Anchor Tire & Battery Co.	Interstate Heavy Duty	Interstate Heavy Duty.
Central Rubber & Supply Co.	Hilab.	Hilab.
Central Tire Co., Inc.	Gem Red & Cream Reinforced.	
Continental Products, Inc.	World.	World.
Daniels' Supply Store.	Daniels' Deluxe	
Hardman Tire Service.	Hardman.	Hardman.
Harrison Wholesale Co.	Templeton.	Betterbilt.
Hi-Speed Tire & Accessory Co.	Speed Master Heavy Duty	Speed Master Heavy Duty.
R. A. Hyde Oil Co.	Deluxe Heavy Duty	
Johnson City Tire & Retreading Co.	Lifebelt.	Lifebelt.
Kaufman & Chernick, Inc.	Yankee Hi-Speed	
Lehr Auto & Electrical Supply Co.	Bilrite.	Bilrite.
Marler Boot and Auto Supply Co.		Marler's Deluxe.
Motor Parts and Auto Supply Co.		Evertite Heavy Duty.
Penn-Jersey Auto Stores, Inc.	Lion.	
Star Rubber Co.	Meteor Red.	
The Stockwood Co., Inc.	Stockwood Heavy Duty.	Stockwood Pinch Proof.
Tire Rebuilders.	Tybil.	Tybil.
Trutred Tires, Inc.	Trutred Heavy Duty.	Trutred Heavy Duty.
Warwick H. Lambie.	Defiance.	Defiance.

15. Section 1315.111 (e) (1) is amended by inserting in the table, in the appropriate places for the distributors' names to appear in alphabetical order, the following items, as shown below under the table headings:

Distributor	Brand of passenger-car tubes	Maximum price
Marler Boot and Auto Supply Co.	Marler's Deluxe.	\$2.75
Motor Parts & Supply Co.	Evertite Heavy Duty.	2.91

16. Section 1315.111 (e) (2) is amended by revoking the item in the table which reads "Hicks Rubber Co., Inc.—Star Deluxe—10.25" and by inserting in the table, in the appropriate place for the distributors' names to appear in alphabetical order, the following item, as shown below under the table headings:

Distributor	Brand of truck tubes	Maximum price
Star Rubber Co.	Star Deluxe.	\$10.25

17. Section 1315.111 (m) (3) is added to read as follows:

(3) Star Rubber Company: Maximum prices for the following sizes in the following brands of truck tires shall be:

#### (i) STAR MASTERPIECE

Size	Ply	Maximum price
7.50-16.	6	\$32.62
7.00-17.	8	32.00
7.50-17.	8	38.97
7.50-18.	8	41.62
9.00-18.	10	70.29
10.00-18.	12	89.64
8.25-20.	12	70.11
9.00-20 (36 x 8)	12	85.05
9.00-20 (36 x 8)	14	93.55
10.00-20.	12	92.11

#### (ii) MUD GRIP

6.50-20 (32 x 6)	8	\$33.30
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18. Section 1315.111 (q) is added to read as follows:

(q) The maximum retail prices for factory seconds of private brands of passenger-car and truck tires and tubes shall be calculated by applying a percentage discount to the maximum retail price which would apply to the tire or tube under paragraphs (a) to (o), inclusive, of this section, if it were not a factory second. The percentage discount to be applied shall be as follows on the following items:

	Percent
Truck tires.	20
Passenger-car tires.	25
Truck tubes.	25
Passenger-car tubes.	25

19. Section 1315.112 (b) is added to read as follows:

(b) The maximum retail prices for factory seconds of passenger-car re-

claimed rubber war tires shall be calculated by applying a discount of 25% to the prices listed in paragraph (a).

This amendment shall become effective April 8, 1943.

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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5176; Filed, April 2, 1943; 4:26 p. m.]

#### PART 1340—FUEL

[RPS 88, Amendment 89]

#### 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.\*

Section 1340.159 (b) (9) is amended to read as follows:

(9) Notwithstanding the provisions of other subparagraphs of this paragraph (b) or of paragraph (c) of this section, the maximum tank wagon prices, and delivered container prices, when delivery is made in single lots of 260 gallons or less, for all fuel oils and heating oils including but not limited to kerosene, range oil, Nos. 1, 2, 3, 4, 5, and 6 fuel oil, diesel oil and gas oil in the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Idaho (but only in the counties of Ada, Adams, Benewah, Boise, Bonner, Boundary, Canyon, Clearwater, Elmore, Gem, Kootenai, Idaho, Latah, Lewis, Nez Perce, Owyhee, Payette, Shoshone, Valley, and Washington), Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, Washington, West Virginia, Wisconsin, and in the District of Columbia, shall be .3 of a cent per gallon above the maximum prices in the above states and the District of Columbia as determined under any provision of this price schedule which would otherwise govern except that the total amount charged on each lot sold shall be adjusted to the nearest cent.

This amendment shall become effective April 2, 1943.

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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5183; Filed, April 2, 1943; 5:20 p. m.]

\*Copies may be obtained from the Office of Price Administration.  
18 F.R. 3718.



## PART 1340—FUEL

[MPR 137,<sup>1</sup> Amendment 31]

## PETROLEUM PRODUCTS SOLD AT RETAIL

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

Section 1340.91 (h) is amended to read as follows:

(h) Notwithstanding the provisions of other paragraphs of this section, the maximum prices for kerosene, range oil, No. 1 or Pacific Specification No. 100 fuel oil and diesel fuel oil for sellers at retail establishments in the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Idaho (but only in the Counties of Adah, Adams, Benewah, Boise, Bonner, Boundary, Canyon, Clearwater, Elmore, Gem, Kootenai, Idaho, Latah, Lewis, Nez Perce, Owyhee, Payette, Shoshone, Valley, and Washington), Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, Washington, West Virginia, Wisconsin, and in the District of Columbia shall be .3 of a cent per gallon above the maximum prices in the above states and the District of Columbia as determined under any provision of this maximum price regulation which would otherwise govern except that the total amount charged on each lot sold shall be adjusted to the nearest cent.

This amendment shall become effective April 2, 1943.

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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5182; Filed, April 2, 1943;  
5:20 p. m.]

## PART 1351—FOODS AND FOOD PRODUCTS

[RPS 53,<sup>2</sup> Amendment 26]

## FATS AND OILS

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

A new paragraph (g) is added to § 1351.151, as set forth below:

§ 1351.151 *Maximum prices for fats and oils.* \* \* \*

(g) *Brokers' commissions paid by buyers.* (1) All maximum prices estab-

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

<sup>1</sup> 7 F.R. 3165, 3749, 4273, 4653, 4780, 4853, 5363, 5868, 5941, 6057, 6896, 7902, 8353, 8938, 8948, 9335, 10684, 11008, 11112, 11075; 8 F.R. 231, 232, 1226, 1556, 1799.

<sup>2</sup> 7 F.R. 1309, 1836, 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.

lished by Revised Price Schedule No. 53 are modified as follows:

Where the buyer pays a broker or other person a commission or other contingent compensation for services in bringing about, or otherwise connected with, any purchase, sale, delivery, acquisition, or other transfer of any fats or oils for which a maximum price is established by Revised Price Schedule No. 53, (i) the maximum total price that the buyer may pay for the fats or oils and as such commission or other contingent compensation, shall be the maximum prices for such fats or oils specified in Revised Price Schedule No. 53, and (ii) the maximum price that the seller may receive for the fats or oils sold shall be that sum which, when added to such commission or other contingent compensation paid by the buyer, equals the maximum prices for such fats or oils specified in said Revised Price Schedule No. 53.

(2) *Exception.* The provisions of subdivision (1) hereof (§ 1351.151 (g) (1)) shall not apply to purchases made from the United States Government, or any state, municipal or other governmental unit, or any agencies of any of them, where the buyer customarily has paid broker's commissions or fees during the two years preceding the month of March 1942; in such case the buyer, in addition to paying the broker's commissions or fees, may pay the seller, and the seller may receive, the maximum prices specified in Revised Price Schedule No. 53.

§ 1351.159 *Effective dates of amendment.* \* \* \*

(z) Amendment No. 26 (§ 1351.159 (g)) to Revised Price Schedule No. 53 shall become effective April 8, 1943.

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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5164; Filed, April 2, 1943;  
4:24 p. m.]

## PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,<sup>1</sup> Amendment 19]

## CHEESE

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

Section 1351.807a is amended to read as follows:

§ 1351.807a *Special provision for foreign-type cheese.* Sellers of cheese, except the following:

Processed cheese of all kinds.

Cheddar cheese covered by Maximum Price Regulation No. 289.<sup>2</sup>

<sup>1</sup> 7 F.R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F.R. 158, 876, 877, 1120, 1468, 1741, 1885, 2024, 2038, 2346, 2431, 3001, 3070, 3846.

<sup>2</sup> 7 F.R. 10996; 8 F.R. 490, 1458, 1885, 1972, 3252, 3227.

Aged cheddar cheese covered by Maximum Price Regulation No. 280.

Colby cheese.

Washed curd cheese.

Monterey or jack cheese.

All other cheeses of cheddar class having a moisture content of 40% or more.

Cottage cheese.

Baker's cheese.

Pot cheese.

Smearcase cheese.

Neufchatel cheese.

All other cheese of less than 20% butterfat content in the water free substance.

may add 3¢ per pound to the maximum prices provided in § 1351.803 hereof: *Provided*, That this 3¢ increase shall not be applied to those stocks of cheeses which were in the seller's possession prior to February 10, 1943. However, a cheese factory may apply this increase to cheeses which it has manufactured and delivers on or after February 10, 1943, regardless of whether such cheeses were manufactured before or after that date.

"Colby cheese" and "washed curd cheese" means colby cheese and washed curd cheese as defined in the "Standards of Identity for Cheddar Cheese, Cheese, Washed Curd Cheese, Colby Cheese" promulgated by the Food and Drug Administration and published in the FEDERAL REGISTER of January 9, 1941, Page 195.

"Cottage cheese", and "neufchatel cheese" means cottage cheese, and neufchatel cheese as defined in the "Definitions and Standards of Identity for Creamed Cheese, Neufchatel Cheese, Cottage Cheese and Creamed Cottage Cheese" promulgated by the Food and Drug Administration, and published in the FEDERAL REGISTER of December 23, 1942, pages 10758 and 10759.

This amendment shall become effective April 2, 1943.

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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5168; Filed, April 2, 1943;  
4:23 p. m.]

## PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289,<sup>1</sup> Amendment 8]

## DAIRY 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.\*

Maximum Price Regulation No. 289 is amended in the following respects:

1. Section 1351.1501 (e) and (f) are added to read as follows:

(e) Industrial casein (inedible)\*

(f) Whey powder (except that which is for human consumption)<sup>2</sup>

<sup>1</sup> 7 F.R. 10996; 8 F.R. 490, 1455, 1885, 1972, 3252, 3227.

<sup>2</sup> Casein and whey powder which are manufactured for human consumption shall continue to be priced pursuant to Maximum Price Regulation No. 280.



2. In § 1351.1503 (a), the first sentence is amended to read as follows:

(a) On and after December 30, 1942, or the effective date of any amendment fixing maximum prices for additional listed dairy products or affecting the maximum price of any listed dairy product, regardless of any contract, agreement or other obligation, no person shall sell or deliver a listed dairy product, and no person in the course of trade or business, shall buy or receive a listed dairy product at a price higher than the maximum price permitted by this Maximum Price Regulation No. 289, and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

3. Section 1351.1523 is added to read as follows:

§ 1351.1523 *Maximum prices for industrial casein (inedible)*—(a) *Definitions.* (1) "Casein" means the chemical compound which is precipitated from skim milk by the action of rennet or of one of several acids customarily selected as a precipitating agent. For the purpose of this amendment, the curd resulting from the precipitation shall not be deemed "industrial casein" unless it is prepared for the purpose of ultimate utilization in one or more manufactured commodities that are not consumed as edible products by human beings.

(2) "Processed acid-casein", means acid-precipitated "industrial casein" which is dried, ground, screened and blended with other individual quantities of such casein in such manner as to produce a product of uniform quality that will meet the needs of individual consumers. Such processed acid-casein shall be cream or light yellow in color, be nearly odorless with no more than a trace of sourness, have a moisture content of not more than 10%, contain not more than 2.25% fat (moisture-free basis) or less than 14.2% nitrogen (moisture-, fat-, and ash-free basis) or more than 4.0% ash (moisture-free basis), and the total acidity shall not be more than 10.5 c. c. of N/10 alkali per gram.

(3) "Processed rennet-casein", means rennet-precipitated "industrial casein" which is dried, ground, screened, and blended with other individual quantities of such casein in such manner as to produce a product of uniform quality that will meet the needs of individual consumers. Such processed rennet-casein shall be light cream or cream in color, be nearly odorless with no more than a trace of sourness, have a moisture content of not more than 10%, contain not more than 1% fat (moisture-free basis) or less than 14.2% nitrogen (moisture-, fat-, and ash-free basis) or less than 7.5% ash (moisture-free basis), and the total acidity shall not be more than 2.5 c. c. of N/10 alkali per gram.

(4) "Dry acid-casein", means acid-precipitated "industrial casein", the curd of which has been dried but has not been ground, or screened or blended.

(5) "Dry rennet-casein", means rennet-precipitated "industrial casein", the curd of which has been dried but has not been ground, or screened or blended.

(6) "Wet curd acid-casein", means acid-precipitated "industrial casein" which has not been dried, or ground, or screened or blended.

(7) "Wet curd rennet-casein", means rennet precipitated "industrial casein" which has not been dried, or ground, or screened or blended.

(8) "Bag" means the burlap or other container holding approximately 100 pounds in which casein is customarily packed by the manufacturer or blender. It may or may not be lined with paper or another similar substance.

(b) *Maximum prices for processed acid-casein and processed rennet-casein.* Maximum prices for sales and deliveries of processed acid-casein or processed rennet-casein to any person shall be those listed in the following Table A:

TABLE A

Quantity	Cents per pound	
	Acid	Rennet
100 bags or more.....	21	22½
20 bags to 99 bags inclusive.....	21½	22¾
Less than 20 bags.....	21¾	23¼

(1) The above maximum prices shall be f. o. b. the seller's plant, warehouse, or other place from which the casein is shipped. Where the seller produces the casein in several plants and then transports it to a warehouse before shipping it to the buyer, the casein shall be sold f. o. b. such shipping point and not f. o. b. the plant where it was produced.

(2) If the sale is made on a delivered basis, then maximum delivered price shall be the f. o. b. price listed for each quantity in Table A above, plus the lowest available freight rate from the shipping point to the purchaser's receiving point, but charges for freight shall in no case exceed the amount actually paid by the seller for the given shipment.

(c) *Maximum prices for wet curd acid-casein, wet curd rennet-casein, dry acid-casein and dry rennet-casein.* Maximum prices for sales and deliveries of wet curd acid-casein, wet curd rennet-casein, dry acid-casein and dry rennet-casein, to any person in any quantity shall be the prices listed in the following Table B; except that a seller who customarily extended a quantity discount, shall continue to do so as provided below in paragraph (e):

TABLE B

Type of casein	Cents per pound
Wet curd acid-casein.....dry basis.....	14¾
Wet curd rennet-casein.....dry basis.....	16¼
Dry acid-casein.....	17¾
Dry rennet-casein.....	19¼

(1) The above maximum prices shall be f. o. b. the seller's plant, warehouse, or other place from which the casein is shipped. Where the seller produces the casein in several plants and then transports it to a warehouse before shipping it to the buyer, the casein shall be sold f. o. b. such shipping point and not f. o. b. the plant where it was produced.

(2) If the sale is made on a delivered basis, then maximum delivered price shall be the f. o. b. price listed for each type in Table B above, plus the lowest available freight rate from the shipping point to the purchaser's receiving point, but charges for freight shall in no case exceed the amount actually paid by the seller for the given shipment.

(d) *Quality differentials.* The maximum prices established in this section for each type of casein shall not be increased by any charge for a special mesh, viscosity, or any other process or treatment in manufacturing. In no case shall the seller charge more per pound than the prices provided in this section. Where, however, the casein does not meet the standards set forth in the definitions for each type of casein, the maximum prices set forth herein shall be reduced to reflect the customary differential between the price for casein which meets the standards set forth herein and such sub-standard casein.

(e) *Discounts and allowances.* The maximum prices established by this section shall not be increased by brokerage fees, commissions or other charges. However, the maximum prices shall be decreased to reflect the seller's customary discounts and allowances including those for prompt payment.

(f) *Evasion.* Specifically, the provisions of this section shall not be evaded by any requirement by the seller or agreement between the buyer and seller that a seller may ship or a buyer receive casein in smaller quantity than that which was actually ordered or would have been ordered but for the attempted evasion.

4. Section 1351.1524 is added to read as follows:

§ 1351.1524 *Maximum prices for whey powder (except that which is for human consumption)*—(a) *Definitions.* (1) "Whey powder", means the substance which is derived from the reduction of the moisture content of liquid whey. It is a byproduct of the manufacture of cheese or casein or both. The dried product shall contain at least 65% lactose (milk sugar) and shall otherwise meet specifications set forth on page 22 of "Official Publication" published by the Association of American Feed Control Officials Incorporated.

(2) "Bag" means the burlap or other container holding approximately 100 pounds in which whey powder is customarily packed by the manufacturer or blender. It may or may not be lined with paper or another similar substance.

(3) "Wholesaler" means any person who buys whey powder, unloads his purchase into a warehouse and resells the same, in the original container without mixing it.

(4) "Retailer" means any person who buys whey powder and resells the same, without mixing it, to the consumer in lots of 5 bags or less.

(5) "Consumer" means any person who buys whey powder for the purpose of actually feeding it to animals or poultry.

(b) *Maximum prices for sales and deliveries of whey powder by manufac-*



turers. Maximum prices for sales and deliveries of whey powder by a manufacturer to any person shall be the prices listed in the following Table A:

TABLE A

Quantity	Cents per pound
100 bags or more.....	8
6 to 99 bags inclusive.....	8 $\frac{1}{10}$
5 bags or less.....	8 $\frac{1}{4}$

(1) The above maximum prices shall be f. o. b. the seller's plant, warehouse, or other place from which the whey powder is shipped. Where the seller produces the whey powder in several plants and then transports it to a warehouse before shipping it to the buyer, the whey powder shall be sold f. o. b. such shipping point and not f. o. b. the plant where it was produced.

(2) If the sale is made on a delivered basis, then maximum delivered price shall be the f. o. b. price listed for each quantity in Table A above, plus the lowest available freight rate from the shipping point to the purchaser's receiving point, but charges for freight shall in no case exceed the amount actually paid by the seller for the given shipment.

(c) *Maximum prices for sales and deliveries of whey powder by wholesalers.* The maximum price in cents per pound that any wholesaler may charge for whey powder shall be:

$\frac{1}{4}$ ¢ (maximum profit margin) over the price listed in Table A for whey powder in quantities of 100 bags or more, which is 8¢ per pound, plus all applicable transportation charges actually paid for moving such whey powder to his place of business at the lowest available freight rate.

Transportation charges to be added, shall be determined by dividing the total charge for a shipment by the number of pounds shipped. If, on the other hand, the wholesaler buys whey powder on a delivered basis, he shall determine his cost for such whey powder by dividing the cost to him of the whey powder delivered by the number of pounds delivered and then add  $\frac{1}{4}$ ¢ per pound (maximum profit margin) to determine his maximum price.

Where the wholesaler delivers the whey powder he may add to the maximum prices established pursuant to this paragraph, the lowest of the following delivery charges:

(1) His actual cost for transporting the whey powder from his shipping point to buyer's receiving point.

(2) His customary delivering charge, if he had an established charge for such deliveries prior to the effective date of this paragraph.

(3) The published common carrier rate for shipping a like quantity of whey powder from his shipping point to buyer's receiving point.

(d) *Maximum prices for sales and deliveries of whey powder by retailers.* The maximum price in cents per pound that any retailer may charge for whey powder shall be:

(1)  $\frac{1}{2}$ ¢ per pound (maximum profit margin) for sales of 1 to 5 bags inclusive, and

(2)  $\frac{3}{4}$ ¢ per pound (maximum profit margin) for sales of less than 1 bag over the maximum price paid by him in cents per pound to his supplier, plus all applicable transportation charges actually paid for moving such whey powder to his place of business at the lowest available freight rate. Transportation charges to be added shall be determined by dividing the total charge for a shipment by the number of pounds shipped. If, on the other hand, the retailer buys whey powder on a delivered basis, he shall determine his cost for such whey powder by dividing the cost to him of the whey powder delivered by the number of pounds delivered and then add his appropriate differential ( $\frac{1}{2}$ ¢ of  $\frac{3}{4}$ ¢ per pound as the case may be) to determine his maximum price.

Where the retailer delivers the whey powder he may add to the maximum prices established pursuant to this paragraph, the lower of the following delivery charges:

(1) His actual cost for transporting the whey powder from his shipping point to buyer's receiving point.

(2) His customary delivering charge, if he had an established charge for such deliveries prior to the effective date of this paragraph.

(e) *Method of computation and fractions of a cent.* In computing maximum prices pursuant to this amendment, the wholesaler or retailer shall carry all calculations to the third decimal of a cent to arrive at his maximum price per pound. He shall then multiply this price (carried to the third decimal of a cent) by the number of pounds he is selling in each individual sale. The result arrived at by this multiplication shall be his maximum price for the sale. Any fractions of a cent resulting from such multiplication shall be adjusted to the next higher cent if they are one-half cent or more, and to the next lower cent if they are less than one-half cent.

(f) *Discounts and allowances.* The maximum prices established by this section shall not be increased by brokerage fees, commissions or other charges. However, the maximum prices shall be decreased to reflect the seller's customary discounts and allowances including those for prompt payment.

(g) *Evasion.* Specifically, the provisions of this section shall not be evaded by any requirement by the seller or agreement between the buyer and seller that a seller may ship or a buyer receive whey powder in smaller quantity than that which was actually ordered or would have been ordered but for the attempted evasion.

This amendment shall become effective April 8, 1943.

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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5160; Filed, April 2, 1943;  
4:25 p. m.]

## PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289, Amendment 10]

## DAIRY 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.\*

Maximum Price Regulation No. 289 is amended in the following respects:

1. Section 1351.1519 (a) (1) is amended to read as follows:

(1) *In the State of Wisconsin.* The maximum price for Cheddar Cheese delivered at all places in the state of Wisconsin regardless of the point of origin, shall be as set forth in Table A below, except as provided in subparagraph (5) below for "cheddars," "twins," and larger styles of 37.7% moisture content or less.

TABLE A

Maximum price (cents per lb.)	Styles	Approximate weight (lbs.)
23 $\frac{1}{4}$ .....	Cheddar, Twins, and larger styles.	70 and over
23 $\frac{1}{2}$ .....	Flats.....	25
23 $\frac{3}{4}$ .....	Double daisies.....	44
23 $\frac{1}{2}$ .....	Triple daisies.....	66
24.....	Single daisies.....	22
24.....	Longhorns.....	12
24.....	Young Americas.....	10
24 $\frac{1}{2}$ .....	Square prints.....	12
24 $\frac{1}{2}$ .....	Pienies and midgets.....	
24 $\frac{1}{2}$ .....	Natural loaf and smaller styles.	5 or less

2. Section 1351.1519 (a) (2) is amended to read as follows:

(2) *Outside the State of Wisconsin.* The maximum prices for Cheddar Cheese delivered at all places outside the state of Wisconsin, regardless of the point of origin, shall be the prices listed in Table A above plus transportation charges. The transportation charges shall be the lowest published railroad carlot freight rate per pound gross weight from Plymouth, Wisconsin to that place times 1.15. Calculation of transportation charges on a cents per pound basis shall be carried to the second decimal point.

3. Section 1351.1519 (a) (5) is amended to read as follows:

(5) *Maximum prices for "cheddars," "twins," and larger styles of a moisture content of 37.7% or less.* The maximum price for any of the following sales of "cheddar," "twin," or larger styles of cheddar cheese of a moisture content of 37.7% or less shall be as provided in subdivisions (i) and (ii) of this subparagraph: All sales by any factory producing the cheese sold; sales by any seller to the U. S. Government or any agency thereof; sales by any seller to a cheese processor for manufacture into processed cheese; sales by any seller to any manufacturer of food products for use in the manufacture of such food products.

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

<sup>1</sup> 7 F.R. 10996; 8 F.R. 490, 1458, 1885, 1972, 3252, 3327.



(i) For delivery at all places in the state of Wisconsin, the maximum price shall be as set forth in Table B below.

(ii) For delivery in all places outside the state of Wisconsin, the maximum price shall be the appropriate price in Table B for the particular cheese sold plus transportation charges. The transportation charges shall be those described in subparagraph (2) above.

TABLE B

Where moisture content is—	Maximum price, cents per pound
33.2% or less	25.54
Over 33.2% but not over 33.7%	25.35
Over 33.7% but not over 34.2%	25.16
Over 34.2% but not over 34.7%	24.97
Over 34.7% but not over 35.2%	24.77
Over 35.2% but not over 35.7%	24.58
Over 35.7% but not over 36.2%	24.39
Over 36.2% but not over 36.7%	24.20
Over 36.7% but not over 37.2%	24.01
Over 37.2% but not over 37.7%	23.82

4. Section 1351.1519 (a) (6) is amended to read as follows:

(6) *Assembling costs.* (i) Whenever assembling operations are performed by an "authorized cheese assembler" one cent per pound may be added to the maximum prices established in subparagraphs (1), (2), and (5) of this paragraph for each pound of Cheddar cheese so assembled. An "authorized cheese assembler" means a cheese assembler authorized by the Food Distribution Administration of the United States Department of Agriculture pursuant to Food Distribution Order No. 15—Cheddar Cheese issued by the United States Department of Agriculture.

(ii) For the purposes of this subparagraph no person shall be entitled to the additional cent per pound for assembling unless he performs the following functions: accumulates cheese; grades it in accordance with legal requirements or, in the absence of such requirements, in accordance with customary industry practices; paraffins it; stores it in a refrigerated space; weighs it; and customarily ships it in carload lots. For the purpose of this subparagraph paraffining means a covering of all surfaces of the cheese by dipping in paraffin having a temperature of not less than 240° Fahrenheit. The cheese before paraffining must have dry, clean surfaces free of mold and be not less than three days old at time of dipping.

(iii) This allowance of one cent per pound shall include transportation costs, if any, from the cheese factory to the assembling warehouse, whether the assembling warehouse is located inside or outside the state of Wisconsin.

5. Paragraph (b) of Table D in § 1351.1519 (c) (1) (i) is hereby revoked.

6. The following sentence is added to § 1351.1519 (e) (2): *Provided, further,* That the maximum price for all sales of Cheddar cheese aged or cured 2 months or longer, to the U. S. Government or any of its agencies, made pursuant to a contract entered into before April 1, 1943 shall be the maximum price established by Maximum Price Regulation No. 280<sup>2</sup>

*Provided,* That such cheese is delivered to the buyer prior to May 1, 1943.

7. Section 1351.1519 (g) is added to read as follows:

(g) All sales of Cheddar cheese by a cheese factory to an assembler are exempted from the requirements of § 1351.1505 of this regulation. However, for all such sales, the cheese factory shall preserve for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, remittance statements furnished the cheese factory by the assembler.

8. Section 1351.1519 (a) (8) is added to read as follows:

(8) In addition to the maximum prices established by this paragraph, a cheese assembler may compensate any cheese factory that has customarily transported the cheese manufactured by it from the cheese factory to the assembling warehouse, for such transportation service: *Provided, however,* That no amount may be paid by a cheese assembler, or charged by a cheese factory for such service greater than the maximum price established for such service by the General Maximum Price Regulation.<sup>3</sup>

This amendment shall become effective April 2, 1943.

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5184; Filed, April 2, 1943; 5:20 p. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289, Amendment 11]

##### DAIRY 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.\*

1. Section 1351.1505 is amended to read as follows:

§ 1351.1505 *Records and reports.* (a) Every sale of a listed dairy product covered by this Maximum Price Regulation No. 289, except as hereafter provided in this regulation, shall after the effective date of this regulation be invoiced by the seller. The original invoice shall be delivered to the buyer and shall state (1) the date of purchase, (2) the name and address of the buyer and seller, (3) the quantity, grade and type of package of each listed dairy product sold, (4) the price per unit of sale and in total, (5) the geographical place for which the price is calculated.

2. Section 1351.1520 is amended to read as follows:

§ 1351.1520 *Maximum prices for butter—(a) Bulk butter—(1) Definition.* "Bulk butter" means unprinted butter

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

<sup>2</sup> 8 F. R. 3096.

<sup>3</sup> 7 F. R. 10996; 8 F. R. 490, 1458, 1885, 1972, 3252, 3327.

packed solid in fibre boxes or other shipping containers except wooden tubs.

(2) *Sales by a creamery or manufacturer of butter.* The maximum price for any of the following sales of bulk butter by a creamery or manufacturer of butter shall be as set forth in the following subdivisions (i) to (ix) inclusive, of this subparagraph: A sale to any purchaser on the basis of F. O. B. the creamery or place of manufacture; a sale for delivery to a primary distributor, jobber, or retailer distributing warehouse; a sale for delivery to any purchaser who alone or in combination with other purchasers buys in carload lots for single delivery.

(i) The maximum price for bulk butter of the following scores or grades delivered in the cities of Chicago (and all of Cook County, Illinois), New York, and San Francisco shall be as follows:

TABLE A

	Chi- cago	New York	San Fran- cisco
	Cents per lb.	Cents per lb.	Cents per lb.
U. S. grade AA or U. S. 93 score	46½	47¼	48
U. S. grade A or U. S. 92 score	46	46¾	47½
U. S. grade B or U. S. 90 score	45½	46½	47¼
U. S. grade C or U. S. 89 score	45¼	46	46¾
U. S. cooking grade	44	44¾	45½
No grade	40	40¾	41½

(ii) The maximum price for any particular score or grade of bulk butter delivered at any place east of a line running south from the Canadian Border along the eastern shore of Lake Michigan, the Illinois-Indiana State Line, the Illinois-Kentucky State line, and then south along the eastern bank of the Mississippi River to the state of Louisiana, and thence along the Mississippi-Louisiana state line to the Gulf of Mexico, shall be the maximum price in Chicago for that particular score or grade of butter, as stated in Table A above, plus the lowest published railroad car lot freight rate per lb. gross weight from Chicago to the place of delivery with no adjustment allowed for tare or icing.

(a) *Provided, however,* That any place in the states of Virginia, West Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts, Rhode Island, New Hampshire, and Vermont and in the District of Columbia, the maximum price shall not exceed the maximum price in New York City for that particular score or grade of butter as stated in Table A above.

(iii) The maximum price for any particular score or grade of bulk butter delivered at any place in Minnesota, Wisconsin, the upper peninsula of Michigan, Iowa, Missouri, and Illinois (except the city of Chicago and Cook County) shall be the maximum price in New York City for such score or grade of butter, as stated in Table A above, less transportation charges to New York City. Transportation charges shall be the lowest published railroad car lot freight rate per pound, gross weight, from that place to New York City times 1.15.

(iv) The maximum price for any particular score or grade of bulk butter delivered at any place in the states of

<sup>2</sup> 7 F. R. 10144, 10337, 10475, 10585, 10786, 10995; 8 F. R. 158, 876, 877, 1120, 1463, 1741, 1885, 2024, 2038, 2346, 2431, 3001, 3070, 3846, 4131.



Washington and Oregon shall be as follows:

	Cents per lb.
U. S. grade AA or U. S. 93 score.....	47¾
U. S. grade A or U. S. 92 score.....	47¼
U. S. grade B or U. S. 90 score.....	47
U. S. grade C or U. S. 89 score.....	46½
U. S. cooking grade.....	45½
No grade.....	41¼

(v) The maximum price for any particular score or grade of bulk butter delivered at any place in the states of California, Nevada, and Arizona, shall be as follows:

	Cents per lb.
U. S. grade AA or U. S. 93 score.....	48
U. S. grade A or U. S. 92 score.....	47½
U. S. grade B or U. S. 90 score.....	47¼
U. S. grade C or U. S. 89 score.....	46¾
U. S. cooking grade.....	45½
No grade.....	41½

(vi) The maximum price for any particular score or grade of bulk butter delivered at any place in the state of Arkansas and at Fort Worth and Dallas, Texas, shall be as follows:

	Cents per lb.
U. S. grade AA or U. S. 93 score.....	46¾
U. S. grade A or U. S. 92 score.....	46
U. S. grade B or U. S. 90 score.....	45¾
U. S. grade C or U. S. 89 score.....	45¼
U. S. cooking grade.....	44
No grade.....	40

(vii) The maximum price for any particular score or grade of bulk butter delivered at any place in Louisiana or at any place in Texas except that area lying north of the line formed by the southern boundaries of the following counties: Andrews, Martin, Howard, Mitchell, Noland, Taylor, Callahan, Eastland, Palo Pinto, Parker, Wise, Denton, Collin, Lamar, Fannin, and Red River, shall be the maximum price for that particular score or grade stated in foregoing subdivision (vi) of this subparagraph plus transportation charges from Fort Worth, Texas to that place. Transportation charges shall be the lowest published railroad car lot freight rate per pound, gross weight, from Fort Worth to that place times 1.15.

(viii) The maximum price for any particular score or grade of bulk butter delivered at any place in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, New Mexico, Colorado, Utah, Wyoming, Montana, Idaho, and that part of Texas not included in the foregoing subdivision (vii) of this subparagraph shall be the maximum price for that particular score or grade in San Francisco, as stated in Table A above, less transportation charges from that place to San Francisco. Transportation charges shall be the lowest published railroad car lot freight rate per pound, gross weight, from that place to San Francisco, times 1.15.

(ix) The maximum prices established in the foregoing subdivisions (i) to (viii) inclusive, of this subparagraph are for sales of bulk butter delivered to the purchaser at any place. Bulk butter sold f. o. b. any place shall be considered "delivered" to the purchaser at that place.

(3) *Sales by a primary distributor—*  
(i) *Definition.* A "primary distributor" is a person who customarily receives but-

ter from a creamery or manufacturer of butter and who sells to primary distributors, jobbers, retailer distributing warehouses, non-federal governmental users, or to commercial, institutional, or industrial users. A branch warehouse or branch sales agency of a creamery or manufacturer of butter shall be deemed a primary distributor if such branch warehouse or branch sales agency is located in a town or city other than the town or city in which the butter sold by it is manufactured.

(ii) The maximum price for the sale of any particular score or grade of bulk butter by a primary distributor delivered to the purchaser at any place shall be the maximum price for "sales by a creamery" of that particular score or grade in that place established in subparagraph (2) of this paragraph, plus:

¼¢ per lb. for sales of 20,000 lbs. or more  
½¢ per lb. for sales of less than 20,000 lbs.  
¾¢ per lb. for sales of less than 20,000 lbs. where before such sale the primary distributor receives physical possession of the butter and stores it in a warehouse or in his place of business.

(4) *Sales by a jobber—*(i) *Definition.* A "jobber" means anyone who sells to, and makes delivery to the physical premises of, an individual retail store, a non-federal government user (such as a state or municipal hospital), an individual commercial user (such as a restaurant, hotel, or club), an individual institutional user (such as a hospital or school), or an individual industrial user (such as a baker or other food processor who uses butter in his manufacturing process). No sale where delivery is not made to the physical premises of a purchaser designated in this subdivision shall be deemed a sale by a jobber within the meaning of this subparagraph.

(ii) The maximum price for the sale of any particular score or grade of bulk butter in any place by a jobber shall be the maximum price for "sales by a creamery" of that particular score or grade in that place as established in subdivisions (i) to (viii) inclusive, of paragraph (2) of this paragraph, plus:

2¼¢ per lb. for deliveries of 1 to 200 lbs. inclusive  
2½¢ per lb. for deliveries of over 200 but not over 500 lbs.  
2¾¢ per lb. for deliveries of over 500 but not over 1500 lbs.  
3¢ per lb. for deliveries of over 1500 to 5000 lbs. inclusive

(iii) Sales of bulk butter to individual retail stores, non-federal governmental users, or to individual commercial, institutional, or industrial users, where the quantity sold is over 5000 lbs. or where delivery is not made to the physical premises of the individual retail store, non-federal governmental user, commercial user, institutional user, or industrial user, shall be considered "sales by a primary distributor", and the maximum price for such sales shall be determined by the provisions of subparagraph (3) (ii) of this paragraph establishing maximum prices for "sales by a primary distributor." *Provided however,* That this subdivision shall have no application to sales by a creamery or manufacturer, or to sales by a creamery or manu-

facturer of butter to any purchaser who f. o. b. the creamery or place of manufacturer, or to sales by a creamery or manufacturer of butter to any purchaser who alone or in combination with other purchasers buys in carload lots for single delivery.

(5) *Sales to the United States Government.* (i) The maximum price for the sale of any particular score or grade of bulk butter in any place to the United States government or any agency thereof shall be determined in accordance with subparagraph (2) of this paragraph establishing maximum prices for "sales by a creamery."

(ii) *Provided, however,* That this maximum price for sales to the United States government or any agency thereof may be increased by the following amounts where a sale is made to, and delivery made to the physical location of, an individual military or naval establishment, or a federal hospital, school, or penal institution:

2¾¢ per lb. for deliveries of 1 to 200 lbs. inclusive  
2½¢ per lb. for deliveries of over 200 but not over 500 lbs.  
2¼¢ per lb. for deliveries of over 500 but not over 1500 lbs.  
¾¢ per lb. for deliveries of over 1500 to 5000 lbs. inclusive

However, where delivery is not made to the physical location of the purchaser, or where the sale is of a quantity greater than 5000 lbs., no amount may be added to the maximum price established in subdivision (i) of this subparagraph.

(b) *Butter in prints or packages.* (1) The maximum price for the sale of any particular score or grade of butter in prints or packages delivered at any place shall be the maximum price for bulk butter of that score or grade in that place by that type of seller to that type of purchaser, as determinable from the provisions of paragraph (a) of this section, plus the appropriate following sum:

1¼¢ per lb. for ½ lb. or 1 lb. prints or rolls parchment wrapped  
1¾¢ per lb. for ½ lb. to 1 lb. prints in cartons  
2¢ per lb. for ¼ lb. prints in cartons  
1½¢ per lb. for ¼ lb. prints without cartons  
3¢ per lb. for butterettes, chiplets, or similar types of restaurant cut butter  
1¢ per lb. for all other consumer packages  
½¢ per lb. for unprinted butter packed in tubs

Except in the case of butter packed in tubs, the above prices are for butter in prints or packages packed in cases or boxes.

(2) Any creamery or manufacturer of butter who either directly or indirectly through an agent or association leases or rents equipment for the printing or packaging of butter or who enters into any agreement with another person for the printing or packaging of butter for him, may not sell such printed or packaged butter to any person at a price higher than the maximum price established by paragraph (a) of this section for sales of bulk butter by creameries or manufacturers of butter to such person plus the exact sum paid by the creamery or manufacturer for such printing or packaging. *Provided, how-*



ever, That in no case may the sum which may be added for printing or packaging exceed the appropriate allowance for printing or packaging established in Table B of this paragraph.

(3) The maximum price in any place for the sale, for shipment beyond the shores of the continental United States, of any particular score or grade of butter in the form of 1 lb. prints or rolls parchment wrapped and immersed in salt brine in paraffined barrels lined with a cotton bag, shall be the maximum price for that score or grade established by paragraph (a) of this section for that particular sale, plus the appropriate following sum:

Barrels containing:	Cents per lb.
Not over 25 lbs.	6
Over 25 lbs. but not over 50 lbs.	4½
Over 50 lbs. but not over 56 lbs.	4½
Over 56 lbs. but not over 60 lbs.	4
Over 60 lbs. but not over 100 lbs.	3½
Over 100 lbs. but not over 112.	3
Over 112 lbs.	2½

(c) *Sales at retail by retail route-sellers.* (1) A "retail route-seller" is a person who customarily makes sales of butter directly from a truck or wagon operated by a driver-salesman over a regular route. A "retail route-seller" shall include a dairy company operating delivery routes through driver-salesmen, but shall not include a grocery store or meat market which delivers butter.

(2) The maximum price for any particular score or grade and form of butter sold at retail in any place by a retail route-seller shall be the maximum price for that particular score or grade established for "sales by a creamery" in paragraph (a) (2) of this section, plus the appropriate sum for that particular form as determinable from the provisions of Table B of paragraph (b) of this section, plus 8½¢ per lb.

(d) *Sales at retail by a creamery or manufacturer of butter.* (1) The maximum price for any particular score or grade and form of butter sold at retail in any place by a creamery or manufacturer of butter shall be the maximum price for that particular score or grade established for "sales by a creamery" in paragraph (a) (2) of this section, plus the appropriate sum from Table B of this section for that particular form, plus 7¢ per lb.

(2) For the purposes of this paragraph, no sale of butter to a purchaser in excess of 2 lbs. shall be considered a sale at retail.

(e) *Maximum prices for any sale not provided for.* (1) The maximum price for the sale of any particular score or grade of butter by any person to another for which a maximum price has not been established by the foregoing paragraphs shall be:

(i) The maximum price for that particular score or grade established for "sales by a creamery" in paragraph (a) (2) of this section if such butter is in bulk.

(ii) The maximum price for that particular score or grade established for "sales by a creamery" in paragraph (a) (2) of this section plus the appropriate sum designated in Table B of paragraph

(b) (1) of this section if such butter is in prints or packages.

(f) *Maximum price in places not on railroad line or siding.* The maximum price for any sale of butter by any person to a purchaser in any place not located on a railroad line or siding shall be the maximum price established by the provisions of this section for a sale by such person to a purchaser of the same type in that closest place which is located on a railroad line or siding and which is in the same area, as determinable from the provisions of subdivisions (i) to (viii), inclusive, of paragraph (a) (2) of this section.

(g) *Reference to Food Distribution Order No. 2.* The Dairy Products Marketing Association shall be considered an agency of the United States Government for purposes of purchasing butter set aside by a creamery for sale to the United States Government. The Dairy Products Marketing Association or any other agency of the United States Government may compensate any "authorized receiver" of butter for services rendered in assembling unprinted butter for sale to the United States Government to an amount not to exceed ½ cent per pound for each pound of butter assembled. An "authorized receiver" for the purposes of this paragraph means an authorized receiver as defined in Food Distribution Order No. 2 issued by the Food Distribution Administration of the United States Department of Agriculture.

(h) *Process butter—(1) Definition.* "Process butter" is butter, as defined in Bureau of Dairy Industry Order No. 1 Revised, issued December 24, 1936 by the United States Department of Agriculture, which has been subjected to any process by which it is melted, clarified, or refined and made to resemble genuine butter. It does not include adulterated butter as defined in section 4 of the Act of May 9, 1902 (32 Stat. 195).

(2) The maximum price for any sale of process butter shall be determined in accordance with the appropriate provisions of this section establishing a maximum price for sales of butter of "no grade".

(i) *Labelling.* On and after June 1, 1943 the wrappers or cartons covering prints of butter of 93 score or Grade AA sold by any person, including retailers who print, to any other person must be clearly labelled either "93 score" or "Grade AA".

(j) *Calculations.* (1) In calculating transportation charges referred to in the foregoing paragraphs, the 3% transportation tax imposed by section 620 of the Revenue Act of 1942 shall not be included. All calculations of transportation charges shall be made on a cents per lb. basis and shall be carried to the second decimal point.

(2) All maximum prices for butter of any score or grade or form shall be calculated as follows: In sales of quantities of 1 lb. or less, the fractional price per lb. shall be adjusted to the nearest cent, or the next higher cent where the fractional price is ½¢. In multiple pound sales, the fractional price per lb. shall be multiplied by the number of pounds

sold and the total price then adjusted to the nearest cent, or to the next higher cent where the total price ends with the fraction of ½¢. Sales at retail by retail route-sellers shall be deemed multiple pound sales unless separate collections are made for each single delivery of 1 lb. or less.

(k) *Special provisions for records and reports.* The provisions of § 1351.1505 of this regulation shall apply to all sales of butter except sales at retail by creameries, manufacturers of butter, or retail route-sellers. Any retail route-seller, or creamery or manufacturer of butter selling at retail which has customarily given a purchaser a sales slip, receipt, or similar evidence of purchase shall continue to do so, and upon request from a purchaser, regardless of previous custom, shall give the purchaser such a receipt. This receipt shall state those facts required by § 1351.1505 of this regulation to be stated on an invoice.

(l) *Exempt sales—(1) Sales at retail.* The provisions of this section shall not be applicable to sales of butter at retail except as provided above in paragraphs (c) and (d) of this section with respect to sales and deliveries at retail by route-sellers and sales at retail by creameries, or manufacturers of butter.

(2) The sales exempted under subparagraph (1) of this paragraph are in addition to the sales exempted by the application of certain provisions of the General Maximum Price Regulation as provided in § 1351.1511 hereof.

(m) *Definitions—(1) Butter.* "Butter" means the food product, commonly known as butter, which is made exclusively from milk or cream, or both, with or without the addition of common salt or coloring matter, and containing not less than 80% by weight of milk fat, all tolerance being allowed for. Such percentage of milk fat requirement shall equal that determined by the method prescribed in official and tentative methods of analysis of the Association of Official Agricultural Chemists, 5th edition, 1940.

(2) *Score or grade of butter.* "Score or grade of butter" means the quality of butter determined in accordance with the Official United States Standards for U. S. Grades of Creamery Butter issued in January, 1943 by the United States Department of Agriculture and effective February 1, 1943.

(3) *Form of butter.* "Form of butter" means the form in which it is sold and delivered, namely, bulk, prints, or packages.

(4) *Place.* "Place" means any city, town, village, or hamlet in the United States.

(5) *Retailer distributing warehouse.* A "retailer distributing warehouse" is a place where butter is received and held for distribution to retail stores, or retail route-sellers. Chain store warehouses, retailer owned cooperative warehouses, and dairy companies operating retail routes or retail stores are included within the meaning of "retailer distributing warehouses."

This amendment shall become effective April 2, 1943.



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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

Approved:

CLAUDE R. WICKARD,  
Secretary of Agriculture.

[F. R. Doc. 43-5185; Filed, April 2, 1943;  
5:19 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136,<sup>1</sup> as Amended, Amendment 73]

MACHINES AND PARTS, AND MACHINERY SERVICES

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

In § 1390.32 (h) the item "Gas welding and cutting equipment" is amended to read as follows: "Gas welding and cutting equipment, welding rods, welding wire, electrodes, and supplies."

This amendment shall become effective April 8, 1943.

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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

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4:25 p. m.]

PART 1390—MACHINERY & TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,<sup>2</sup> Amendment 74]

MACHINERY AND PARTS AND MACHINERY SERVICES

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

Maximum Price Regulation No. 136, as amended, is amended in the following respects:

1. In § 1390.32 (b) the item "Soot blowers and cleaners, industrial and ma-

rine" is amended to read as follows and placed therein in alphabetical order:

Power operated industrial and marine soot blowers and tube cleaners.

2. In § 1390.32 (c) the item "Foundry machinery" is amended to read as follows:

Foundry machinery (including ladles not over 40 ton capacity).

3. In § 1390.32 (f) the item "Freight cars" is amended to read as follows:

Freight cars (including all types and sizes of flanged wheel mining and industrial cars).

4. In § 1390.32 (g) the items "Furnaces and ovens, (industrial)" and "material handling equipment, industrial (cars, trucks, racks, etc.)" are amended to read as follows and placed therein in alphabetical order:

Industrial furnaces and ovens (not including space heating furnaces and stoves, blast furnaces, open hearth furnaces, Bessemer converters, soaking pits, coke ovens, and industrial furnaces used solely for the manufacture of pig iron or steel).

Material handling equipment (including skid platforms; cars and trucks except those equipped with flanged wheels, racks except shelving and stationary storage racks, etc.).

This amendment shall become effective April 8, 1943.

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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5166; Filed, April 2, 1943;  
4:24 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,<sup>2</sup> Amendment 75]

MACHINES AND PARTS AND MACHINERY SERVICES

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

In § 1390.34 the item diamond dies smaller than .002 inches in diameter is amended to read as follows:

Diamond dies.

This amendment shall become effective April 8, 1943.

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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5159; Filed, April 2, 1943;  
4:25 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,<sup>1</sup> Amendment 38]

MILEAGE RATIONING: GASOLINE REGULATIONS

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

Ration Order 5C is amended in the following respects:

Section 1394.8007 is amended to read as follows:

§ 1394.8007 *Lost, stolen, destroyed, mutilated, or wrongfully withheld coupon books or bulk coupons.* In the event of loss, theft, destruction, or mutilation of any coupon book or bulk coupons or the wrongful withholding of such coupons from the rightful holder, the person entitled to the possession thereof shall make application for the replacement of such book or coupons pursuant to the provisions of Procedural Regulation No. 12:<sup>2</sup> *Provided*, That where application is made for replacement of a coupon book or bulk coupons which have been lost or stolen, the board shall waive all waiting periods provided for in paragraphs (a) and (b) of § 1300.954 of Procedural Regulation No. 12 where such requirement will result in extreme hardship upon the individual, impede essential transportation or will be contrary to the public interest; *Provided further*, That where application is made to a board other than the board of original issuance of the coupon book or bulk coupons, an additional copy of the application shall be made to be forwarded to the board of original issuance.

This amendment shall become effective April 8, 1943.

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

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5175; Filed, April 2, 1943;  
4:26 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,<sup>1</sup> Amendment 39]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith,

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

<sup>1</sup> 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2780, 2720, 3096, 3201, 3253, 3255, 3253, 3254, 3315.

<sup>2</sup> 8 F.R. 3171.

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

<sup>1</sup> 7 F.R. 3198, 3370, 3447, 3723, 4176, 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 7010, 7246, 7320, 7365, 7509, 7602, 6973, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822, 9823, 9899, 10109, 10230, 10556; 8 F.R. 155, 369, 534, 1058, 1382, 2270, 3314, 3370.

<sup>2</sup> 7 F.R. 3198, 3370, 3447, 3723, 4176, 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 9729, 9736, 9822, 9823, 9899, 10109, 10230, 10556; 8 F.R. 155, 369, 534, 1058, 1382, 2270, 3314, 3370.



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

Ration Order 5C is amended in the following respects:

1. In § 1394.8052 (c) the first sentence is amended to read as follows:

If a board determines that, for one or more of the reasons specified in paragraph (a) of this section, more mileage is needed, or in the case of a non-highway ration, more gasoline is required, than that stated in the application on the basis of which the current ration was issued, it may, upon receiving the surrender of the former ration, issue a new and further ration in accordance with the provisions of paragraph (b) of § 1394.8054.

2. Section 1394.8053 (d) is amended to read as follows:

(d) If the board determines that the vehicle or vehicles for which an application is made are being operated in such fashion as to obtain the maximum mileage per gallon of gasoline reasonably possible, it may, upon receiving the surrender of the former ration, issue a new and further ration in accordance with the provisions of paragraph (b) of § 1394.8054.

Section 1394.8054 (b) is amended to read as follows:

(b) Except as provided in paragraph (c) of this section, when granting a further ration pursuant to the provisions of §§ 1394.8052 or 1394.8053 for use prior to the original expiration date of a current ration, the board shall require the surrender of such current ration and upon receiving the surrender thereof shall issue a new ration valid from the date of issuance.

This amendment shall become effective April 8, 1943.

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

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 597, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5186; Filed, April 2, 1943;  
5:19 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13, Amendment 9]

##### PROCESSED FOODS

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

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

18 F.R. 1840, 2288, 2677, 2681, 2684, 2943, 3179.

Ration Order 13 is amended in the following respects:

1. Section 3.1 (a) is amended to read as follows:

(a) A place where processed foods are produced is a processor establishment. Any place at which a "person" produces "processed foods" for sale or other "transfer", is a "processor establishment." (This article does not apply with respect to dry beans, peas, or lentils, to "growers" or to "country shippers." Article XXIV sets forth the definitions and rules controlling growers and country shippers with respect to dry beans, peas, and lentils. However, any person who is a grower or country shipper of dry beans, peas, or lentils as well as a "processor" of other processed foods is controlled by both Article XXIV and Article III of this order.)

(1) A person produces processed foods:

(i) If he bottles, cans or packs fruits, fruit juices, vegetables, vegetable juices, soups or baby foods, in hermetically sealed containers and sterilizes them by the use of heat; or

(ii) If he packs and freezes fruits or vegetables in containers of ten (10) pounds or less; or

(iii) If he sorts, washes, and dries or dehydrates fruits; or

(iv) If he packs fruit or vegetable juices from containers over one (1) gallon into hermetically sealed containers of one (1) gallon or less and sterilizes them by the use of heat; or

(v) If he packs frozen fruits or vegetables from containers over ten (10) pounds into containers of ten (10) pounds or less; or

(vi) If he precooks dry beans, peas, or lentils; or

(vii) If he packages dried or dehydrated vegetables or meat stocks whether or not in combination with noodles or other similar paste products for use as a dried soup or soup base; or

(viii) If he uses processed foods to produce other processed foods (as, if he uses canned peaches to make canned fruit salad).

Note: Not all items in the above groups are processed foods as that term is defined. For example, fruit and vegetable juices packed in containers over one gallon are not processed foods. Canned olives are not processed foods. Therefore, a person who packs fruit juices in containers over one gallon, or who cans or bottles olives, does not thereby produce a processed food.

2. Section 4.1 (a) is amended to read as follows:

(a) Any place, including a public warehouse, where a "person" who deals in "processed foods" keeps stocks of those foods for sale or other "transfer" is a "wholesale establishment," if fifty percent or more of those stocks are transferred from there directly to persons other than "consumers." However, if he keeps the stocks which are not transferred to consumers, just to supply his own establishments, it is a wholesale establishment only if it supplies:

(1) At least one of his wholesale establishments; or

(2) At least four of his "retail establishments."

(A place where a person regularly keeps for sale or transfer only stocks of processed foods which he himself produced or imported is a "processor establishment" and not a wholesale establishment. In addition, this Article does not apply, with respect to dry beans, peas, or lentils, to "growers" or to "country shippers." Article XXIV sets forth the definitions and rules controlling growers and country shippers with respect to dry beans, peas, and lentils. However, any person who is a grower or country shipper of dry beans, peas, or lentils as well as a "wholesaler" of other processed foods, is controlled by both Article XXIV and Article IV of this order.)

3. Section 6.1 (c) is added to read as follows:

(c) A wholesaler or retailer who marks or labels dry beans, peas, or lentils in accordance with applicable federal or state seed laws (or, if none is applicable, in accordance with the standards stated in the federal seed law), does not thereby become an industrial user.

4. Section 9.2 (a) is amended to read as follows:

(a) Beginning March 1, 1943, only "retailers", "wholesalers", "processors", "country shippers", and "growers" may sell or transfer processed foods. (Certain transactions between consumers, covered in § 2.3 (b); certain transactions by seed dealers, covered in § 14.7; and certain other transactions, covered in Article X are excepted from this rule.)

5. Section 9.8 (a) is amended to read as follows:

(a) If a retailer, wholesaler, processor, country shipper, or grower receives points in advance for a transfer of processed foods, and is unable to transfer all or any part of the amount ordered, he may return the points in excess. He must return the points in the same form he would use to give up points for a purchase or other acquisition of processed foods. (For example, a wholesaler can give up points only in the form of a ration check. He would, therefore, deposit all the points received by him, and draw a check for any amount to be returned. However, this section does not apply to consumers, except in connection with mail order transactions.)

6. Section 10.2 (a) is amended to read as follows:

(a) Any person may exchange processed foods with any other person for processed foods of equal point value, without giving up or taking points. (This rule applies even if there is a money payment to make up any difference in the money value of the processed foods exchanged.) However, neither a "grower" nor a "country shipper" may exchange dry beans, peas, or lentils for other processed foods.



7. Section 10.9 is amended to read as follows:

**SEC. 10.9 Processed foods may be transferred to prospective buyers for sampling, point-free and may be used for sampling and demonstration.** (a) A processor, country shipper, or grower may deliver processed foods to prospective buyers (other than consumers) for sampling, without getting points. However, he may not deliver in this way more than one-fortieth of one percent of the total amount of processed foods produced or imported by him.

(b) A retailer or "wholesaler", who acquires processed foods from a processor, country shipper, or grower, may sample some of them in order to check grades and quality, and may use some of them to demonstrate them to prospective purchasers other than consumers. However, he may not use for this purpose more than one-tenth of one percent of the total amount of processed foods acquired by him. A wholesaler shall attach to his monthly report to the Washington Office on OPA Form R-1310 a statement accounting for the amount of processed foods used by him for sampling or demonstration to prospective purchasers.

8. Section 10.13 is added to read as follows:

**SEC. 10.13 Grower of dry beans, peas, or lentils may transfer them to country shippers point-free.** (a) No points need be given up for a sale or transfer of dry beans, peas, or lentils by a "grower" to a "country shipper". At the time of the point-free sale or transfer, the country shipper must give to the grower, and the grower must get from the country shipper, a written receipt on which the country shipper's O. P. A. registration number appears.

9. Section 10.14 is added to read as follows:

**SEC. 10.14 Country shipper or grower of dry beans, peas, or lentils may transfer them point-free to growers for seed purposes.** (a) No points need be given up for a sale or transfer of dry beans, peas, or lentils by a country shipper or grower to a grower, when the transferee acquires the dry beans, peas, or lentils for use as seed.

10. Section 10.15 is added to read as follows:

**SEC. 10.15. Wholesaler or retailer may transfer dry beans, peas, or lentils point-free for seed.** (a) No points need be given up for a sale or transfer of dry beans, peas, or lentils by a wholesaler or retailer to a person when such person acquires the dry beans, peas, or lentils for use as seed. However, when the transferor sells or transfers, point-free for use as seed, dry beans, peas, or lentils which were in his inventory on March 1, 1943, or which he acquired for points, he shall make and keep a record of the name and address of the transferee, the date of the sale or transfer, and the amounts of dry beans, peas, or lentils transferred point-free for use as seed.

11. Section 10.16 is added to read as follows:

**SEC. 10.16 Dry beans, peas, or lentils may be transferred point-free between country shippers.** (a) No points need be given up for a sale or transfer of dry beans, peas, or lentils by one country shipper to another country shipper. At the time of the point-free sale or transfer, the country shippers must exchange written receipts and invoices on which their respective names and addresses and O. P. A. registration numbers appear.

12. Section 14.6 is added to read as follows:

**SEC. 14.6 Wholesaler or retailer may apply for points to replace dry beans, peas, or lentils transferred point-free for seed.** (a) Any wholesaler or retailer who sells or transfers, point-free for use as seed, dry beans, peas, or lentils which were in his inventory on March 1, 1943, or which he acquired for points, may apply on OPA Form R-315 to the Board with which he is registered (or to the Washington Office, if he is registered there) for a certificate for the number of points which he would have received if his transferees had given up points for the dry beans, peas, or lentils so transferred.

(b) The application must contain a statement:

(1) Of the amounts of such dry beans, peas, or lentils sold or transferred point-free for seed purposes;

(2) That the applicant did not receive points for the sales or transfers;

(3) Of the number of points which he would have received if his transferees had given up points for the dry beans, peas, or lentils sold or transferred point-free for use as seed; and

(4) Of the dates between which the sales or transfers were made. The total number of points for which application is made must not exceed the total point value of the amounts of dry beans, peas, and lentils which were in the applicant's inventory on March 1, 1943, or which he acquired for points and which he sold or transferred point-free for use as seed and of which records are kept as required by § 10.15 (a).

(c) If the Board (or the Washington Office) finds the statements made in the application to be true, it will issue to him a certificate for the number of points needed to replace the dry beans, peas, or lentils sold or transferred point-free for use as seed.

13. Section 14.7 is added to read as follows:

**SEC. 14.7 Person acquiring seed beans, peas, or lentils may transfer them as food only for points.** (a) Any person who, for sale or transfer, acquired dry beans, peas, or lentils marked or labeled in accordance with any applicable federal or state seed laws (or, if none is applicable, in accordance with the standards stated in the federal seed law), may transfer them for use as food only if the transferee gives up points equal to the point value of the processed foods so sold or transferred.

(b) Points received for dry seed beans, peas, or lentils, acquired point-free for use or transfer as seed but sold or transferred for use as food, may not be used

by the transferor for any purpose. They must, within 5 days of the sale or transfer, be given up to the board for the place where the principal business office of the transferor is located. At the time the points are given up, the transferor must report in writing to the board:

(1) The amounts of dry seed beans, peas, or lentils sold or transferred as food;

(2) The reason that the dry seed beans, peas, or lentils were sold or transferred as food; and

(3) The names and addresses of the persons to whom they were transferred.

14. A new Article XXIV, containing §§ 24.1, 24.2, 24.3, 24.4, 24.5, 24.6, 24.7, 24.8, and 24.9, is added to read as follows:

**Article XXIV—Growers and Country Shippers of Dry Beans, Peas, and Lentils**

**SEC. 24.1 Explanation of terms grower and country shipper with respect to dry beans, peas, and lentils—(a) Grower.** Any "person" who, for sale or "transfer", grows or produces dry beans, peas, or lentils for his own account or for the account of himself and others, is a "grower" with respect to the dry beans, peas, and lentils grown or produced by him. However, if he is a "country shipper", he is a country shipper even with respect to the dry beans, peas, and lentils grown or produced by him.

(b) **Country shipper.** A country shipper is:

(1) The first person who "acquires" dry beans, peas, or lentils from a grower for purposes of sale or "transfer" if such person is regularly engaged in the distribution of dry beans, peas, or lentils and if more than fifty percent of the dry beans, peas, and lentils sold or transferred by him are sold or transferred to persons other than "consumers", "retailers", or "industrial" or "institutional users"; or

(2) A person who imports dry beans, peas, or lentils for purposes of sale or transfer.

Note: Such person is a country shipper whether he acquires the dry beans, peas, or lentils by warehouse receipt, or otherwise. A person operating a warehouse in which dry beans, peas, or lentils are sorted or cleaned for the account of another person is not a country shipper unless the warehouseman acquires title to the dry beans, peas, or lentils.

(c) **Country shipper may not be grower, processor, or wholesaler.** A person who is a country shipper may not be a grower, "processor", or "wholesaler" with respect to dry beans, peas, or lentils, nor may he include dry beans, peas, or lentils in the inventory or transfers of any of his processor or "wholesale establishments". Any country shipper of dry beans, peas, or lentils who is also a processor of other "processed foods" is covered by Article III with respect to the other processed foods and by Article XXIV with respect to dry beans, peas, or lentils.

(d) **A person who is a country shipper or a grower and also a retailer must be treated as two separate persons.** A person who has a "retail establishment" and who is also a country shipper or a grower must be treated as two separate persons.



**SEC. 24.2 Country shippers must register and file reports.**—(a) *Registration.* Every country shipper of dry beans, peas, or lentils must register with the Office of Price Administration by filing OPA Form R-1303 at any time before April 20, 1943. The form must be completed and signed by the country shipper or his authorized agent.

(b) *Reports.* Every country shipper of dry beans, peas, or lentils must file a monthly report, also on OPA Form R-1303, covering his operations during the month before. The reports must be signed by him or his authorized agent. His first report will cover March 1943, and will be his registration. Reports for each subsequent month must be filed within 20 days after the end of the month. Any country shipper of dry beans, peas, or lentils who is also a processor of other processed foods must file monthly reports on both OPA Form R-1305 and OPA Form R-1303.

(c) *Some country shippers need not file reports for months after March 1943.* A country shipper of dry beans, peas, or lentils who handled less than 10,000 pounds of dry beans, peas, and lentils during 1942 must register but need not file a report for any month after March 1943. However, if the dry beans, peas, and lentils transferred by him in 1943 reach a total of 10,000 pounds, he must file reports beginning for the month in which that figure was reached.

(d) *Country shippers must give information called for by form.* Country shippers of dry beans, peas, or lentils must give all the information called for by OPA Form R-1303.

(e) *Registration and reports must be filed in Washington.* The Country shipper's registration and monthly reports must be filed by mailing OPA Form R-1303 to the Office of Price Administration, care of the Bureau of the Census, Washington, D. C. The form is considered filed on time if the envelope is postmarked on or before the last day it is due.

**SEC. 24.3 Country shipper is given a registration number.** (a) After a country shipper of dry beans, peas, or lentils has registered, the "Washington Office" will send him a card giving him his registration number. After he gets the registration number, he must use it on each report, invoice, or similar document prepared in connection with any sale or transfer by him of dry beans, peas, or lentils. (A country shipper who is also a processor of other processed foods will receive two registration numbers. He will receive one registration number as a processor when he registers by filing OPA Form R-1305. That number must be used on his documents prepared in connection with his sales or transfers of processed foods other than dry beans, peas, and lentils. He will receive a different registration number when he registers by filing OPA Form R-1303. That second number must be used on his documents prepared in connection with his sales, transfers, and acquisitions of dry beans, peas, or lentils.)

**SEC. 24.4 Country shipper may not do business if he does not register and file reports.** (a) No country shipper may

transfer or acquire dry beans, peas, or lentils after April 20, 1943 unless he has registered in the manner required.

(b) No country shipper may transfer or acquire dry beans, peas, or lentils after any date on which a report is due from him, unless he has filed that report.

**SEC. 24.5 Country shippers must report their inventories.** (a) As part of his registration and monthly reports, a country shipper must report his inventory.

(b) A country shipper's inventory consists of all dry beans, peas, and lentils owned or possessed by him, or in transit to him. However, the following items are not part of that inventory:

(1) Dry beans, peas, or lentils stored for the account of persons other than his purchasers or transferees;

(2) Dry beans, peas, or lentils held by him as security for a loan made by him to another (or similar transaction); or

(3) Dry beans, peas, or lentils in transit to him for either of those purposes.

**SEC. 24.6 A country shipper must turn over the points he receives to the Washington office.** (a) A country shipper of dry beans, peas, or lentils is not permitted to buy or acquire processed foods with the points he gets for sale or transfer of dry beans, peas, and lentils which were part of the inventory reported by him, except for one purpose: to get back dry beans, peas, or lentils which he sold or transferred, if his transferee returns them to him.

(b) A country shipper must give up to the Office of Price Administration for cancellation, all points he receives for sales or transfers of dry beans, peas, and lentils. Not later than the 20th day of every month he must issue and mail to the Office of Price Administration, care of the Bureau of the Census, Washington, D. C., his certified ration check (payable to the Office of Price Administration) for all those points he received during the month before. A country shipper who is required to file monthly reports on OPA Form R-1303, must attach his check to the report. A country shipper who does not have to file monthly reports must send his check in a sealed envelope, enclosing a statement showing his name, principal business address, and registration number.

(c) A country shipper who used some of those points to get back dry beans, peas, or lentils which he transferred must issue and send his check for the rest. He must enclose with his check a statement giving the name of the person who returned the dry beans, peas, or lentils and their point value.

**SEC. 24.7 A country shipper must keep records.** (a) Beginning April 1943, every country shipper of dry beans, peas, or lentils must keep at his principal business office a record showing:

(1) All dry beans, peas, and lentils acquired by him;

(2) All dry beans, peas, and lentils sold or transferred for points;

(3) All dry beans, peas, and lentils sold or transferred for purposes of seed;

(4) All dry beans, peas, and lentils sold or transferred point-free to other country shippers; and

(5) All weight adjustments.

(b) He must also keep, at his principal business office, a copy of his registration and of his monthly report on OPA Form R-1303 (if any are required).

(c) In addition, at the time of any change in the point value of dry beans, peas, or lentils, every country shipper must make a record of the amount of that item which he has in his inventory. The record must show the point value of the item before and after the change and the amount by which the point value of his inventory was increased or decreased as a result.

**SEC. 24.8 Country shippers must open a ration bank account.** (a) Every country shipper must open at least one ration bank account for his operations in dry beans, peas, and lentils. If he has more than one business office, he may, if he wishes, open a separate account for each or for any group of them.

**SEC. 24.9 Growers who sell or transfer dry beans, peas, or lentils to persons other than country shippers must do so only for points.** (a) Any grower, who sells or transfers dry beans, peas, or lentils directly to persons other than country shippers, must do so only for points equal to the point value of the dry beans, peas, and lentils sold or transferred.

(b) Points, received by a grower as a result of sales or transfers of dry beans, peas, or lentils directly to persons other than country shippers, may not be used by the grower for any purpose. They must, between the 1st and 10th days of the following month, be given up to the Board for the place where the dry beans, peas, or lentils were grown.

15. Section 21.1 (a) (12) is amended to read as follows:

(12) "Processor establishment" means any place where a "person" produces "processed foods" for sale or "transfer". This does not apply, with respect to dry beans, peas, or lentils, to "growers" or to "country shippers". A person is considered to "produce" if he:

(i) Bottles, cans or packs fruits, fruit juices, vegetables, vegetable juices, soups or baby foods, in hermetically sealed containers and sterilizes them by the use of heat; or

(ii) Packs and freezes fruits or vegetables in containers of ten (10) pounds or less; or

(iii) Sorts, washes and dries or dehydrates fruits; or

(iv) Packs fruit or vegetable juices from containers over one (1) gallon into hermetically sealed containers of one (1) gallon or less and sterilizes them by the use of heat; or

(v) Packs frozen fruits or vegetables from containers over ten (10) pounds into containers of ten (10) pounds or less; or

(vi) Precooks dry beans, peas, or lentils; or

(vii) Packages dried or dehydrated vegetables or meat stocks whether or not in combination with noodles or other similar paste products for use as a dried soup or soup base; or

(viii) Uses processed foods to produce other processed foods.



The term "processor establishment" also means any place to which a person imports processed foods into the United States, from any place outside the United States, for sale or transfer. It also includes a place at which a person does not produce or import processed foods, if he regularly keeps there, for sale or transfer, only processed foods which he himself produced or imported. Finally, there is one case in which a place where a person keeps stocks of processed foods produced or imported by someone else is a processor establishment. If he keeps those stocks at that place just to use them to produce other processed foods, that place is a processor establishment.

16. Section 21.1 (a) (18) is amended to read as follows:

(18) "Wholesale establishment" means any place (other than a "processor establishment" or a place at which dry beans, peas, or lentils are kept by a "grower" or "country shipper") where a "person" who deals in "processed foods" keeps stocks of those foods for sale or transfer, if fifty percent or more of those stocks are transferred from there directly to persons other than "consumers". However, if he keeps the stocks which are not transferred to consumers, just to supply his own establishments, it is a wholesale establishment only if it supplies;

(i) At least one of his wholesale establishments; or

(ii) At least four of his "retail establishments".

17. Section 21.1 (a) (20) is added to read as follows:

(20) "Country shipper" means:

(i) The first "person" who "acquires" dry beans, peas, or lentils from a "grower" for purposes of sale or "transfer" if such person is regularly engaged in the distribution of dry beans, peas, or lentils and if more than fifty percent of the dry beans, peas, and lentils sold or transferred by him are sold or transferred to persons other than "consumers", "retailers", or "industrial" or "institutional users";

(ii) A person who imports dry beans, peas, or lentils for purposes of sale or transfer.

18. Section 21.1 (a) (21) is added to read as follows:

(21) "Grower" means any "person" who, for sale or "transfer", grows or produces dry beans, peas, or lentils for his own account or for the account of himself and others. Such person is a grower with respect to the dry beans, peas, and lentils grown or produced by him. However, if he is a "country shipper", he is a country shipper even with respect to the dry beans, peas, and lentils grown or produced by him.

This amendment shall become effective 12:01 a. m. on April 2, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5167; Filed, April 2, 1943;  
4:23 p. m.]

#### PART 1428—SPONGES AND CHAMOIS [MPR 267, Amendment 1]

##### SPONGES

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.\*

MPR 267 is amended in the following respects:

1. Section 1428.9 (b) is hereby revoked.

2. Section 1428.10 is amended by deleting the phrase "except as provided in § 1428.14 hereof."

3. Section 1428.11 (a) (3) is amended to read as follows:

(3) "Packer" means a person who buys sponges from a producer and re-

cleans, grades, sorts, trims, and packs them for resale.

4. Section 1428.11 (a) (4) is amended to read as follows:

(4) "Distributor" means a person other than a jobber or retailer who acquires sponges from a packer and who further processes the sponges and repacks them for resale in the distributor trade channels; or a person who purchases sponges from a seller located outside the limits of continental United States and further processes and repacks them for resale in usual distributor trade channels.

5. Section 1428.11 (a) (6) is amended by inserting after "4/6," the number "6s," and by inserting after "8/10," the number "10s."

6. Section 1428.11 (a) (7) is amended to read as follows:

(7) "Bale" means a lot in excess of 25 pounds in weight of a single size group of sponges corresponding in the bulk to any of the descriptions specified in the left hand columns of the tables of prices set forth in 1428.13 and 1428.14, packed in the manner usual in the trade.

7. Section 1428.13 (a) is amended to read as follows:

(a) The prices set forth below are maximum prices per pound for sponges, f. o. b. packing plant, when sold to distributors. The maximum prices are gross prices for sales to distributors and the seller shall deduct therefrom his customary allowances, or discounts related

TABLE OF PRICES—A

	1/10	10/12	12/16	16/20	20/30
Rock Island Wool #1 & B Forms	\$12.60	\$11.50	\$10.90	\$10.65	-----
Rock Island Wool #1, B & C Forms	11.75	10.75	10.35	10.10	-----
Rock Island Wool C Forms	11.00	10.10	9.80	9.50	-----
Rock Island Wool #1 Cuts	12.60	11.20	10.35	10.10	-----
Rock Island Wool #1 & B Cuts	11.75	10.75	9.80	9.50	-----
Rock Island Wool B Cuts	11.00	10.10	9.50	9.25	-----
Rock Island Wool #2 Forms	9.80	9.50	9.25	9.25	\$8.40
Rock Island Wool #2 Cuts	9.80	9.50	8.95	8.70	8.10
Rock Island Wool #3	8.55	8.10	7.85	7.30	7.30
Rock Island Wool #4	6.15	5.90	5.30	5.05	4.75
Florida Yellow #1 and #2	5.95	5.95	5.95	5.70	5.70
Florida Yellow #3	4.60	4.60	4.05	3.50	3.50
Florida Yellow #4	2.05	2.05	2.05	1.75	1.75
Florida Grass #1 and #2	4.95	4.95	4.95	4.60	4.35
Florida Grass #3	3.50	3.50	3.15	3.00	2.90
Florida Grass #4	1.75	1.75	1.75	1.65	1.45

to the quantity of sponges sold or the time of payment.

8. Section 1428.13 (b) is amended to read as follows:

(b) All packing or packaging shall be in a manner and must conform to the grades listed in Tables A, B, and C.

9. The head-note of § 1428.14 Appendix B is amended to read as follows:

§ 1428.14 Appendix B: Maximum packer's and distributor's prices for sponges.

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

17 F.R. 9318.

10. Section 1428.14 (a) is amended to read as follows:

(a) Prices set forth below are maximum prices per pound for sponges, f. o. b. cars at the locality of the seller's warehouse, when sold in bales to jobbers. When sold in bales to retailers or consumers, the maximum prices shall be the prices set forth in Table B, plus 10%. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances, or discounts related to the quantity of sponges sold or the time of payment.



TABLE OF PRICES—B

	1/10	10/12	12/16	16/20	20/30
Rock Island Sheepswool #1 & B Forms	\$17.65	\$16.05	\$15.25	\$14.90	-----
Rock Island Sheepswool #1, B & C Forms	16.40	15.00	14.45	14.10	-----
Rock Island Sheepswool C Forms	15.30	14.10	13.65	13.30	-----
Rock Island Sheepswool #1 Cuts	17.65	15.60	14.45	14.10	-----
Rock Island Sheepswool #1 & B Cuts	16.40	15.00	13.65	13.30	-----
Rock Island Sheepswool B Cuts	15.30	14.10	13.30	12.95	-----
Rock Island Sheepswool #2 Forms	13.65	13.30	12.95	12.95	\$11.70
Rock Island Sheepswool #2 Cuts	13.65	13.30	12.50	12.15	11.35
Rock Island Sheepswool #3	11.95	11.35	11.00	10.20	10.20
Rock Island Sheepswool #4	8.80	8.25	7.45	7.00	6.65
Florida Yellow #1 and #2	8.50	8.50	8.50	8.20	8.20
Florida Yellow #3	6.60	6.60	5.80	5.00	5.00
Florida Yellow #4	2.95	2.95	2.95	2.55	2.55
Florida Grass #1 and #2	7.10	7.10	7.10	6.60	6.30
Florida Grass #3	5.00	5.00	4.55	4.25	4.20
Florida Grass #4	2.55	2.55	2.55	2.35	2.10

11. Section 1428.14 (a) (1) is added to read as follows:

(1) The prices set forth below are maximum prices per pound for Cuban Wool and Cuban Grass sponges, f. o. b. cars at the locality of the distributors' warehouse when sold in bales to jobbers. When sold in bales to retailers or consumers the maximum prices shall be the prices set forth in Table "C" plus 10%. The maximum prices are gross prices and the seller shall deduct therefrom his customary allowances or discounts related to the quantity of sponges sold or the time of payment.

TABLE OF PRICES—C

(Distributors prices for Cuban Sponges in bales to Jobbers)

	4/12	12/30	All sizes
Cuba Wool #1 Forms or Cuts	\$13.60	\$12.95	-----
Cuba Wool #2 Forms or Cuts	12.80	11.90	-----
Cuba Wool #3 Forms or Cuts	11.90	10.80	-----
Cuba Wool #4 Forms or Cuts	10.80	9.10	-----
Cuba Wool #5 Forms or Cuts	-----	-----	\$8.20
Cuba Wool #6 Forms or Cuts	-----	-----	6.05
Cuba Grass #1 Forms or Cuts	-----	-----	7.70
Cuba Grass #2 Forms or Cuts	-----	-----	6.95
Cuba Grass #3 Forms or Cuts	-----	-----	6.20
Cuba Grass #4 Forms or Cuts	-----	-----	5.50
Cuba Grass #5 Forms or Cuts	-----	-----	3.80
Cuba Grass #6 Forms or Cuts	-----	-----	2.05

12. Section 1428.14 (b) is amended to read as follows:

(b) The maximum prices for sales of sponges by weight in lots of less than a bale shall be the price per pound obtained by adding to the price specified for each type, size, and grade of sponges, in paragraph (a) of this section, (1) for sales in lots over ten pounds of a single type, size and grade of sponges, ten percent per pound, or (2) for sales in lots of ten pounds or less of a single type, size, and grade of sponges, fifteen percent of the price specified in paragraph (a).

13. Section 1428.14 (c) is amended by deleting the phrase "Except where a petition for exception under paragraph (b) of § 1428.9 has been allowed," by inserting after the phrase "the quantity by number" the phrase "or by net weight", and by inserting after the phrase "rather than by" the word "gross".

14. Section 1428.14 (c) (1) is amended by inserting after the phrase "10 pounds or less" the words "107 percent".

15. Section 1428.14 (c) (3) is amended by inserting after "4s," the number "6s,"

and by inserting after "8s," the number "10s,".

16. Section 1428.14 (c) (4) is added to read as follows:

(4) For sponges known to the trade as "Boxed sponges", which have been washed, bleached or tagged and placed in corrugated or display containers with the retail price attached, add 50¢ per pound to the prices set forth in § 1428.14 (c) (1).

This amendment shall become effective April 8, 1943.

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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5173; Filed, April 2, 1943;  
4:25 p. m.]

#### PART 1440—PROCESSED FOOD COMMODITIES [MPR 326, Amendment 1]

##### MACARONI PRODUCTS AND NOODLE 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.\*

Maximum Price Regulation 326 is amended in the following respects:

1. Section 1440.3a is added to read as follows:

§ 1440.3a *Wagon wholesalers' maximum prices.* Wagon wholesalers shall determine their maximum prices per dozen or other unit of each variety, type, brand, container size and style of macaroni products and noodle products by adding to their net cost thereof a markup of 25% of such net cost. These maximum prices shall be recalculated on receipt of an item whenever there is any change in the net cost.

"Net cost" means the invoice price for macaroni products and noodle products delivered in a customary quantity from a customary supplier by the customary mode of transportation at the wagon wholesaler's customary receiving point less all discounts allowed him, except the discount for prompt payment. No charge or cost for local unloading or local trucking shall ever be included.

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

†8 F.R. 2098.

A "wagon wholesaler" for the purposes of this regulation is a wholesaler who distributes macaroni products or noodle products from an inventory stocked in trucks or other conveyances to retail outlets, or to commercial, industrial or institutional users. Such conveyances must be under the supervision of driver salesmen who make delivery at the time and point of sale.

Such wholesaler is a wagon wholesaler only for the macaroni products and noodle products which he buys and resells in this manner.

2. Section 1440.3b is added to read as follows:

§ 1440.3b *Primary distributors' maximum prices.* The maximum price per dozen or other unit which a primary distributor may charge for each variety, type, brand, container size and style of macaroni products and noodle products to each class of wholesalers thereof shall be:

(a) The primary distributor's maximum price per dozen or other unit for each variety, type, brand, container size and style of macaroni products and noodle products figured in accordance with the General Maximum Price Regulation, plus

(b) The difference between his supplier's maximum price for that item figured in accordance with this regulation and his supplier's maximum price for that item established under the General Maximum Price Regulation.

A "primary distributor" for the purposes of this regulation is one who purchases macaroni products or noodle products from a producer thereof and resells them to wholesalers and retail distributing warehouses.

Such distributor is a primary distributor only for the macaroni products and noodle products which he buys and resells in this manner.

3. Section 1440.7 is amended to read as follows:

§ 1440.7 *Enforcement.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions, suits for treble damages and suspension of licenses provided by the Emergency Price Control Act of 1942, as amended.

4. Section 1440.11 is amended to read as follows:

§ 1440.11 *Applicability of the General Maximum Price Regulation<sup>2</sup> and Maximum Price Regulation No. 262.<sup>3</sup>* (a) Except as provided in paragraph (b) of this section, the provisions of this regulation supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of macaroni products and noodle products for which maximum prices are established by this regulation. They also supersede the provisions of Maximum Price Regulation No. 262 with respect to egg noodles.

(b) The registration and licensing provisions of §§ 1499.15 and 1499.16

<sup>2</sup>8 F.R. 3096.

<sup>3</sup>7 F.R. 9244, 10844; 8 F.R. 262, 273, 437, 973, 2285.



of the General Maximum Price Regulation are applicable to every wagon wholesaler and primary distributor subject to this regulation.

This amendment shall become effective April 8, 1943.

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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5187; Filed, April 2, 1943;  
5:19 p. m.]

#### PART 1442—CORDAGE

[MPR 340<sup>1</sup>, Amendment 1]

##### JUTE AND ISTLE YARN, ROVE AND ROPE

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 340 is amended in the following respects:

1. Section 2 (b), (2) is amended to read as follows:

(2) *Rope.* This regulation covers all sales of No. 1 jute rope and No. 2 jute and istle rope by a manufacturer or by a jobber.

Manufacturers' and jobbers' sales of such rope are divided into three categories: (i) sales to jobbers and military purchases; (ii) sale to industrial users; (iii) sales to retail stores.

The term "jobber" means a person who purchases rope for the purpose of resale to industrial users and retail stores.

The term "industrial user" means any person who in 1942 was treated by the seller as an industrial user of rope as evidenced by price quotations and business correspondence, and any other person purchasing rope in substantially similar quantities and under substantially similar circumstances. The term is limited to a person who purchases rope for use and not for resale, and in general refers to persons who purchase rope in substantial quantities.

The term "military purchases" means purchases by the War Department, the Department of the Navy, the United States Maritime Commission or the Lend-Lease Section in the Procurement Division of the Treasury Department of the United States or any agency of the foregoing.

The term "retail store" means a person who purchases rope for the purpose of resale to ultimate users other than industrial users.

2. Section 4 (a) is amended by inserting, after the phrase "Price to jobber" in each of the first and fourth price columns in the table of maximum prices, the words "and for military purchases".

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

<sup>1</sup> 8 F.R. 2994.

3. Section 13 is added to read as follows:

SEC. 13 *Emergency military purchases.* The provisions of this regulation or any other regulation issued by the Office of Price Administration shall not apply to any emergency purchase for immediate delivery of any jute or istle rope for which a maximum price is established by this regulation by the War Department, the Department of the Navy, the United States Maritime Commission or the Lend-Lease Section in the Procurement Division of the Treasury Department of the United States or any agency of the foregoing: *Provided*, That a person making such emergency purchases on behalf of any of the foregoing agencies files a report with the Office of Price Administration, Washington, D. C., within five days after such purchase is made, certifying that it was made in a situation in which it was imperative to secure the rope immediately and in which it was impossible to secure, or unfair to require, immediate delivery at the applicable maximum price and setting forth (a) the name and address of the seller (b) the date of purchase (c) date of delivery (d) description of the rope purchased (e) quantity purchased (f) price at which purchased and (g) a brief statement of the facts giving rise to the emergency situation which necessitated the purchase at a price higher than the applicable maximum price.

This amendment shall become effective April 8, 1943.

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

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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5174; Filed, April 2, 1943;  
4:26 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[GMPR,<sup>1</sup> Amendment 48]

##### USED TIN CANS

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

Section 1499.9 (b) (2) of the GMPR is amended to read as follows:

(2) By any person, of his used supplies or equipment not acquired or produced by him for the purpose of sale: *Provided, however*, That the exception contained in this subparagraph shall not apply to the following:

<sup>1</sup> 8 F.R. 3096.

(i) Sales or deliveries of used tin cans sold or delivered to persons authorized or licensed under paragraph (b) (4) of Supplementary Order No. M-72-a, issued by the Director General for Operations, War Production Board;

(ii) Sales or deliveries of scrap burlap and scrap bagging or bale coverings composed of jute, hemp, istle, sisal, or similar fibers.

This amendment shall become effective April 8, 1943.

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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5165; Filed, April 2, 1943;  
4:24 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR,<sup>1</sup> Amendment 151]

##### HICKORY PICKER STICK BLANKS

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

Section 1499.73 (a) (90) is added to read as follows:

(90) *Hickory picker stick blanks, color no defect.*—(i) *Products covered.* This amendment covers, under the term "hickory picker stick blanks, color no defect", all sizes of picker stick blanks which satisfy the following specifications: manufactured from live, tough, heavy weight hickory logs; and to be bright, free from all timber defects, straight and straight grained, and color no defect.

(ii) *Maximum price.* The maximum price for any size hickory picker stick blank, color no defect, is to be the price which before this amendment was the seller's ceiling price for the same size hickory picker stick blank, color a defect. This means that the seller's maximum prices for hickory blanks made entirely of white sapwood shall also be the seller's ceiling prices for hickory blanks which contain any amount of red heartwood.

This amendment shall become effective April 8, 1943.

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

Issued this 2nd day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5163; Filed, April 2, 1943;  
4:24 p. m.]

<sup>1</sup> 7 F.R. 3155, 3330, 3666, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5783, 5775, 5784, 6058, 6091, 6007, 6216, 6613, 6794, 6939, 7093, 7322, 7434, 7758, 7915, 8431, 8681, 9004, 8942, 9435, 3990, 9615, 9618, 9782, 10155, 10454; 8 F.R. 371, 1204, 1317, 2029, 2110.



## PART 1499—COMMODITIES AND SERVICES

[SR 14<sup>1</sup> to GMPR,<sup>2</sup> Amendment 156]

## CRUDE RUBBER COMMODITIES

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

Section 1499.73 (a) (92) is added to read as follows:

(92) *Commodities made in whole or in part of crude rubber.* The maximum prices for commodities made in whole or in part of crude rubber shall be those established by §§ 1499.2 or 1499.3 of the General Maximum Price Regulation. Notwithstanding any other provisions of the General Maximum Price Regulation, any person may offer or agree to sell or buy a commodity made in whole or in part of crude rubber at a price in excess of the maximum price in effect at the time the offer is made, in order to reflect the increase in the price of crude rubber occurring after March 31, 1943: *Provided*, That no person shall pay or receive for a commodity made in whole or in part of crude rubber a price which

is in excess of the maximum price in effect at the time of delivery.

This amendment shall become effective April 2, 1943.

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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5188; Filed, April 2, 1943;  
5:20 p. m.]

## PART 1499—COMMODITIES AND SERVICES

[Order 363 Under § 1499.3 (b), GMPR]

## BAYER-SEMESAN COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, *It is ordered*:

§ 1499.1799 *Authorization of maximum prices for sales of Arasan manufactured by Bayer-Semesan Company.* (a) On and after April 3, 1943, the maximum prices for the sale of Arasan, a fungicide, manufactured by Bayer-Semesan Company of Wilmington, Delaware shall be the prices set forth below:

Product	Size of unit	Maximum prices for sales to jobbers	Maximum prices for sales to retailers	Maximum prices for sales to consumers
Arasan.....	Case of 144 1-ounce packages..... 1-ounce package.....	\$11.05	\$13.80	\$0.16

(b) The prices set forth in the preceding paragraph shall be subject to terms by the seller, with respect to transportation charges and discounts, which are no less favorable to the purchaser than those which are in effect for sales of Arasan in the next larger size of unit.

(c) The Bayer-Semesan Company shall furnish to each jobber, at or before

the time of its first delivery of Arasan to the jobber, and each jobber shall furnish to each retailer, at or before the time of first delivery to the retailer, a written notification, which shall read as follows:

OPA has authorized the following prices for sales of Arasan, subject to all customary discounts.

Product	Size of unit	Maximum prices for sales to jobbers	Maximum prices for sales to retailers	Maximum prices for sales to consumers
Arasan.....	Case of 144 1-ounce packages..... 1-ounce package.....	\$11.05	\$13.80	\$0.16

OPA requires each jobber to furnish a copy of this notice to each retailer, at or before the time of first delivery to retailer.

OPA requires that you keep a copy of this notice for examination.

(d) This Order No. 363 may be revoked or amended by the Price Administrator at any time.

This order shall become effective April 3, 1943.

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

<sup>1</sup> 7 F.R. 5486, 5709, 6008, 5911, 6217, 6939, 6477, 6473, 6774, 6775, 6793, 6887, 6892, 6776, 6939, 7011, 7012, 6965, 7250, 7289, 7203, 7365, 7401, 7453, 7400, 7510, 7536, 7604, 7538, 7511, 7535, 7739, 7671, 7812, 7914, 7946, 8237, 8024, 8199, 8351, 8358, 8524.

<sup>2</sup> 7 F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6001, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7454, 7758, 7913, 8431.

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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5169; Filed, April 2, 1943;  
4:23 p. m.]

## PART 1499—COMMODITIES AND SERVICES

[MPR 165 as amended,<sup>1</sup> Supp. Service Reg. 7 as amended]

## SERVICES RENDERED IN CONNECTION WITH THE NEGOTIATION OF PURCHASE OR SALE OF A COMMODITY

A statement of the considerations involved in the issuance of Supplementary

<sup>1</sup> 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10557, 10619, 10718, 11010; 8 F.R. 1060, 3324.

Service Regulation No. 7 has been filed with the Division of the Federal Register.\* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Supplementary Service Regulation No. 7 is hereby amended to read as follows:

§ 1499.657 *Modification of maximum prices established by Maximum Price Regulation No. 165, as amended, for commission selling of fuel and heating oils in certain States and District of Columbia.* (a) Any person engaged in the service of commission selling or commission distribution, from tank wagons, of fuel oil and heating oil, including but not limited to kerosene, range oil, Nos. 1, 2, 3, 4, 5, and 6 fuel oil, Diesel oil and gas oil in the States of Connecticut, Delaware, Florida (east of the Apalachicola River), Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Vermont, Virginia, Washington, West Virginia, Wisconsin, and in the District of Columbia is hereby permitted to charge, and any person purchasing such service is hereby permitted to pay, three-tenths of a cent per gallon in addition to the maximum price established for such seller under this regulation.

(b) This Supplementary Service Regulation No. 7, as amended (§ 1499.657) shall become effective April 8, 1943.

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

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5161; Filed, April 2, 1943;  
4:25 p. m.]

## PART 1351—FOODS AND FOOD PRODUCTS

[RPS 53,<sup>1</sup> Amendment 27]

## FATS AND OILS

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. 53 is amended in the following respects:

1. Section 1351.151 (b) (12) (v) (f) is amended by deleting from the last sentence thereof the words "by the distributing units of processors, and."

2. Section 1351.151 (b) (12) (v) (i) is added to read as follows:

(i) Where a processor sells a brand of standard or hydrogenated shortening enumerated in §§ 1351.151 (b) (12) (i) or (ii) hereof through a branch house or

<sup>1</sup> 7 F.R. 1309, 1836, 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.



car route owned by the processor or owned by a corporation more than 50% of whose stock is owned or controlled by the processor, to a purchaser other than (1) a jobber, or (2) a wholesaler, or (3) a purchaser who buys a carlot or that quantity to which the lowest price usually is applied in the processor's published lists, or (4) a purchaser who during the years 1941 and 1942 customarily has bought in carlots or the quantity to which the lowest price usually is applied in the processor's published lists, the processor's maximum price on such sales shall be 106% of the lesser of (i) the amount that he bills his branch house or car route for the shortening so sold, or (ii) the maximum price permitted him by §§ 1351.151 (b) (12) (i) (v) (h) hereof for carlot shipments of the shortening so sold.

3. Section 1351.151 (b) (12) (v) (j) is added to read as follows:

(j) Where a processor sells a brand of salad or cooking oil enumerated in §§ 1351.151 (b) (12) (iii) or (iv) hereof through a branch house or car route owned by the processor or owned by a corporation more than 50% of whose stock is owned or controlled by the processor, to a purchaser other than (1) a jobber, or (2) a wholesaler, or (3) a purchaser who buys a carlot or that quantity to which the lowest price usually is applied in the processor's published lists, or (4) a purchaser who during the years 1941 and 1942 customarily has bought in carlots or the quantity to which the lowest price usually is applied in the processor's published lists, the processor's maximum price on such sales shall be 110% of the lesser of (i) the amount that he bills his branch house or car route for the oil so sold, or (ii) the maximum price permitted him by §§ 1351.151 (b) (12) (i) to (v) (h) hereof for carlot shipments of the oil so sold.

This amendment shall become effective April 9, 1943.

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

Issued this 3d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5243; Filed, April 3, 1943; 1:06 p. m.]

#### PART 1351—FOODS AND FOOD PRODUCTS [RPS 53, Amendment 28]

##### FATS AND OILS

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. 53 is amended in the following respects:

1. The table in § 1351.151 (b) (8) (iv) is amended by inserting an additional line in said table, after the line reading "Neu-

tral lard . . . 1 cent per pound over base or standard commercial refined lard." and before the line reading "Lard flakes . . . 1½ cents per pound over base or standard commercial refined lard." which additional line shall read as follows: "Edible lard oil . . . 1½ cents per pound over base or standard commercial refined lard."

2. Section 1351.151 (b) (8) (viii) is amended to read as follows:

(viii) The maximum price per pound, f. o. b. shipping point, for lard sold to the Federal Surplus Commodity Corporation shall be the maximum delivered price, per pound, permitted by this schedule for carload quantities of similar lard, similarly packed, sold to other purchasers, and delivered at the point of shipment.

3. Section 1351.151 (b) (8) (xii) (I) is revoked, and a new § 1351.151 (b) (8) (xii) (I) is added, to read as follows:

(I) "Edible lard oil" means the liquid or oil portion mechanically pressed from prime steam lard, which oil has a minimum stability of seven hours measured by the active oxygen method, has been previously conditioned by seeding under controlled temperatures, and conforms to the following specifications:

**Moisture.**—Not to exceed 0.3% as tested by the vacuum oven method of the Association of Official Agricultural Chemists, 6th ed., 1940, P. 423.

**Suspended matter.**—Shall be free from any appreciable amount of suspended matter.

**F.F.A.**—Shall not exceed 0.5% as tested by Association of Official Agricultural Chemists, 6th ed., 1940, P. 436.

**Taste and odor.**—Shall be mild, sweet, and normal for pure lard.

**Viscosity.**—At 100° F., Saybolt Method, shall be not more than 200 seconds.

This amendment shall become effective April 9, 1943.

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

Issued this 3d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5244; Filed, April 3, 1943; 1:06 p. m.]

#### PART 1499—COMMODITIES AND SERVICES [Order 225 Under § 1499.18 (b) GMPR]

##### ECONOMY BLOUSE COMPANY

Order No. 225 under § 1499.18 (b) of the General Maximum Price Regulation; Docket No. GFI-111-P.

For the reasons set forth in the opinion issued simultaneously herewith, it is ordered:

§ 1499.1825 Adjustment of maximum prices for boys' shirts manufactured by Economy Blouse Company—(a) Economy Blouse Company of 1225 Broadway, New York, New York, may sell and deliver, and any person may buy from that company, boys' shirts, Range No. 450, at prices not in excess of \$6.50 per dozen.

(b) The maximum price set forth in paragraph (a) herein shall be subject to protestant's customary discounts and trade practices.

(c) Economy Blouse Company shall cause the following written notice to be sent to all persons to whom it sells boys' shirts, Range No. 450:

The Office of Price Administration has permitted me to raise my maximum price for sales to you of boys' shirts, Range No. 450, to \$6.50 per dozen. The amount of the increase to this price over any previous maximum price represents only that part of the cost increases which I am unable to absorb and was granted with the understanding that retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise the maximum price on a resale of this item.

(d) All prayers in the protest not granted herein are denied.

(e) This Order No. 225 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 225 (§ 1499.1825) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established for § 1499.2.

(g) This Order No. 225 (§ 1499.1825) shall become effective April 5, 1943.

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

Issued this 3d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5245; Filed, April 3, 1943; 1:06 p. m.]

#### PART 1499—COMMODITIES AND SERVICES [Order 364 Under § 1499.3 (b) of GMPR]

##### PORTER SHOE COMPANY

The Porter Shoe Company of Milford, Massachusetts, made application under § 1499.3 (b) of the General Maximum Price Regulation for approval of maximum prices for its new line of men's Cavalier or Faust slippers. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\* For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, it is ordered:

§ 1499.1851 Approval of maximum prices for sale by Porter Shoe Company of Milford, Massachusetts of men's Kid Cavalier or Faust slipper. (a) On and after April 5, 1943, the maximum prices at which the Porter Shoe Company of Milford, Massachusetts may sell, deliver and offer for sale its men's Kid Cavalier or Faust slippers shall be as follows:

Stock No.	Maximum prices		
	Wholesalers	Chain stores	Small retailers
804.....	\$1.70	\$1.85	\$2.00
805.....	1.70	1.85	2.00
600.....	1.70	1.85	2.00
601.....	1.70	1.85	2.00

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

<sup>1</sup> 7 F.R. 1309, 1836, 2132, 2430, 3821, 4229, 4294, 4484, 5605, 7665, 7666, 7977, 8204, 8653, 8702, 8948, 9130, 9189, 9393, 9486, 9558, 10471, 10530, 11069; 8 F.R. 1200, 1972, 2875, 3251.



(b) The maximum prices authorized by this Order No. 364 shall be subject to discounts, allowances and terms no less favorable than those in effect during March 1942 for sales by Porter Shoe Company of its men's Romeo slipper.

(c) The maximum prices authorized by paragraph (a) of this Order No. 364 shall be subject to adjustment at any time by the Office of Price Administration.

(d) This Order No. 364 may be amended or revoked by the Office of Price Administration.

(e) This Order No. 364 shall become effective April 5, 1943.

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

Issued this 3d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5246; Filed, April 3, 1943;  
1:05 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Order 18 Under § 1499.3 (c) of GMPR]

##### BUHL SONS COMPANY

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

§ 1499.818 *Method of determining maximum retail prices of certain carpets*—(a) The maximum price for a resale of one of the following carpets previously sold by Buhl Sons Company, Detroit, Michigan, shall be determined as set forth in subparagraphs (1) and (2) below:

16392-T, 36" Tap.....	\$1.29½
16393-V, 45" Tap.....	1.62
16395-J, 36" Velvet.....	1.67
16395-S, 45" Velvet.....	2.10
16395-L, 45" Velvet.....	2.22
16392-T, 45" Velvet.....	2.30

(1) To determine the maximum price in the case of a retail sale, the seller shall multiply his landed costs by 166½ percent.

(2) To determine the maximum price in the case of a sale in a retailer's contract department or by a contractor, the seller shall multiply his landed costs by 133½ percent.

(b) "Landed costs" for the purposes of this section shall be Buhl Sons Company's f. o. b. Detroit, Michigan, price for the fabric plus the costs paid by the seller for transportation from Buhl Sons Company's warehouse in Detroit, Michigan, to the reseller's place of business. Transportation costs allowed in computing landed costs may not exceed the costs of direct transportation from Buhl Sons Company's warehouse in Detroit, Michigan, to the seller's place of business by the least expensive readily available method of public carrier.

(c) This Order No. 18 (§ 1499.818) may be revoked or amended by the Price Administrator at any time.

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

This Order No. 18 shall become effective on the 5th day of April, 1943.

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

Issued this 3d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5427; Filed, April 3, 1943;  
1:04 p. m.]

#### PART 1300—PROCEDURE

[Procedural Reg. 9, 1st Amendment 6]

##### UNIFORM APPEAL PROCEDURE UNDER RATION ORDERS

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

Procedural Regulation No. 9 is amended in the following respects:

Section 1300.611 (f) is amended to read as follows:

(f) *Region VI.* Illinois: Chicago, Moline, Peoria, Rockford, Springfield; Iowa: Des Moines, Sioux City; Minnesota: Duluth, St. Paul; Nebraska: Lincoln, North Platte, Omaha; North Dakota: Bismarck, Fargo; South Dakota: Pierre, Sioux Falls; Wisconsin: Green Bay, La Crosse, Milwaukee.

This amendment shall become effective April 3, 1943.

(Pub. Law 507, 77th Cong., WPB Dir. 1, 7 F.R. 562, E.O. 9125, 7 F.R. 2719)

Issued this 3d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5251; Filed, April 3, 1943;  
5:05 p. m.]

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

[RO 11, 2nd Amendment 58]

##### 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.\*

Section 1394.5456 is amended to read as follows:

§ 1394.5456 *Lost, stolen, destroyed, mutilated or wrongfully withheld coupon sheets and delivery receipts.* (a) If a consumer's coupon sheet is lost, stolen, destroyed, mutilated or wrongfully withheld, the person in whose name it was issued may apply for replacement thereof in the manner provided by Procedural Regulation No. 12.

\* 7 F.R. 8796; 8 F.R. 856, 1838, 2030, 2594, 2941.

\* 7 F.R. 8480, 8708, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9784, 10181, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 1466, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 698, 977, 1203, 1235, 1282, 1681, 1636, 1859, 2194, 2432, 2598, 2781, 2720, 2887, 2942, 2993, 2887, 3106, 3521, 3628, 3733.

(b) In the event of the loss, destruction or mutilation of any delivery receipt, the person to whom such delivery receipt was issued may apply to the issuing board for replacement thereof. Such application shall be made in writing, under oath or affirmation, and shall set forth:

(1) The name and address of the applicant;

(2) The date and place of issuance, and, if possible, the expiration date and the serial number of such receipt;

(3) A description of the premises, vehicle, boat, equipment or process for which the receipt was issued;

(4) A statement of the amount of fuel oil acquired in exchange for receipts (if any) which were issued together with the receipts so lost, destroyed or mutilated;

(5) A description of the manner and circumstances of the loss, destruction, or mutilation.

(c) If the board is satisfied that such delivery receipt has been lost or destroyed, or so damaged or mutilated as to be rendered unfit for use, it may, in its discretion issue a delivery receipt limited to the same gallonage value as the unused receipt sought to be replaced; it shall enter on any delivery receipt issued, the expiration date that appeared on the delivery receipt replaced. No person receiving a delivery receipt under this paragraph shall use, attempt to use or permit the use of the original receipt. A damaged or mutilated receipt shall be surrendered to the board.

(d) All applications for the replacement of lost, destroyed or mutilated coupon sheets made on or before March 28, 1943 shall be governed by the former provisions of this section which are continued in effect for this purpose.

This amendment shall become effective as of March 29, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive 1-O, as amended; 7 F.R. 8416; E.O. 9125, 7 F.R. 2719).

Issued this 3d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5253; Filed, April 3, 1943;  
5:05 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16, 1st Amendment 4]

##### MEAT, FATS, FISH AND CHEESES

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

Ration Order 16 is amended in the following respects:

1. Section 1.1 (a) (1) and the definition of "meat" in section 24.1 (a) are amended by inserting, at the end of each, the following sentences:

\* 8 F.R. 3591, 3715.



Meat does not include gelatin or glue. Neither does it include casings or visceral parts to be used in making casings. (Casings are visceral parts specially prepared for use in holding sausage or other foods.)

This amendment shall become effective April 9, 1943.

(Pub. Laws 89, 421, 507, and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827, Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 3d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

F. R. Doc. 43-5252; Filed, April 3, 1943;  
5:05 p. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS

[MPR 183, Amendment 21]

##### PUERTO RICO

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 183 is amended in the following respects:

1. Section 1418.1 (a) (6), (7), (8), (9), (10), (11), (12), (13) and (14) are amended to read as follows:

(6) On and after April 5, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy certain fish in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (f), Table VI; and no person shall offer, solicit, or attempt to do any of the foregoing.

(7) On and after April 5, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy, dried beans and dried peas in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (g), Table VII; and no person shall offer, solicit or attempt to do any of the foregoing.

(8) On and after April 5, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy onions in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (h), Table VIII; and no person shall offer, solicit, or attempt to do any of the foregoing.

(9) On and after April 5, 1943, regardless of any contract, agreement, lease, or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy

butter in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (i), Table IX; and no person shall offer, solicit, or attempt to do any of the foregoing.

(10) On and after April 5, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy evaporated milk in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (j), Table X; and no person shall offer, solicit, or attempt to do any of the foregoing.

(11) On and after April 5, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy cornmeal, certain cereals, certain packing house products, garlic or cheese in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (k), Table XI; (l), Table XII; (m), Table XIII; (n), Table XIV; (o), Table XV; and no person shall offer, solicit, or attempt to do any of the foregoing.

(12) On and after April 5, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy wheat flour, laundry soap or canned Vienna sausage in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (q), Table XVI; (r), Table XVII; (s), Table XVIII; and no person shall offer, solicit, or attempt to do any of the foregoing.

(13) On and after April 5, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver oleomargarine or certain processed vegetables and fruits in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (u), Table XIX; (v), Table XX; and no person shall offer, solicit or attempt to do any of the foregoing.

(14) On and after April 5, 1943, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver frozen pork loins or turkeys in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (x), Table XXI; and (y), Table XXII; and no person shall offer, solicit, or attempt to do any of the foregoing.

2. Section 1418.5 (e) is added to read as follows:

(e) *Notification to retailers.* On and after the date any commodity becomes subject to this Maximum Price Regulation No. 183, or the maximum price of any commodity subject to this Maximum Price Regulation No. 183 is changed, every person selling any such commodity to a retailer shall before or at the time of his first delivery to each retailer supply the retailer with a statement of the maximum retail prices for the commodity or commodities delivered.

3. Section 1418.14 (d) (2), (f) (2), (j) (2), (p), (t), (w), (z) and (bb) are hereby revoked.

4. Section 1418.14 (f) Table VI is amended to read as follows:

(f) *Table VI: Maximum prices for certain fish.* (1) The maximum prices for codfish, bloaters, herring, cusk, link, mackerel, pollock, haddock, hake and white fish sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
If hard dried, semi-dried or smoked.....	\$0.145	\$0.155	\$0.18
If pickled.....	.14	.15	.18

For sales of different quantities the maximum price shall be computed proportionately.

5. Section 1418.14 (g) Table VII is amended to read as follows:

(g) *Table VII: Maximum prices for dried beans and dried peas.* (1) The maximum prices for dried beans and dried peas sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
All grades of imported dried beans and imported dried peas, except garbanzos.....	\$0.0655	\$0.07	\$0.08

For sales of different quantities the maximum price shall be computed proportionately.

6. Section 1418.14 (h) Table VIII is amended to read as follows:

(h) *Table VIII: Maximum prices for onions.* (1) The maximum prices for onions sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers (price per 50 lbs.)	Sales at wholesale (price per 50 lbs.)	Sales at retail (price per pound)
Onions.....	\$3.00	\$3.68	\$0.10

For sales of different quantities the maximum price shall be computed proportionately.

7. Section 1418.14 (i) Table IX is amended to read as follows:

(i) *Table IX: Maximum prices for butter.* (1) The maximum price for butter sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
Butter in boxes and tubs, grade A.....	\$0.52	\$0.58	\$0.70
Butter in prints, not in cartons, grade A.....	.54	.60	.71
Butter in prints, in cartons, grade A.....	.55	.61	.72

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

18 F.R. 4122.



For sales of different quantities the maximum price shall be computed proportionately. This regulation does not apply to unopened tins of butter packed outside the Territory of Puerto Rico.

8. Section 1418.14 (j) Table X is amended to read as follows:

(j) Table X: Maximum prices for evaporated milk. (1) The maximum prices for evaporated milk sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers (case of 48/14 1/2 oz. cans)	Sales at wholesale (case of 48/14 1/2 oz. cans)	Sales at retail (per 14 1/2 oz. can)
Evaporated milk....	\$4.39	\$4.62	\$0.11

The maximum prices for cans of different sizes shall be adjusted proportionately.

9. Section 1418.14 (1) Table XII is amended to read as follows:

(1) Table XII: Maximum prices for certain cereals. (1) The maximum prices for certain cereals sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
Rolled oats.....	Price per 56/20 oz. cardboard packages \$3.00	Price per 56/20 oz. cardboard packages \$3.35	Price per 20 oz. cardboard package \$0.12
	Price per 24/20 oz. cardboard packages \$2.00	Price per 24/20 oz. cardboard packages \$2.25	Price per 20 oz. cardboard package \$0.12
	Price per 36/20 oz. tin containers \$0.00	Price per 36/20 oz. tin containers \$0.35	Price per 20 oz. tin container \$0.21
Wheat flakes.....	Price per case 24/8 oz. \$2.10	Price per case 24/8 oz. \$2.35	Price per 8 oz. package \$0.12
	Price per case 12/8 oz. \$1.63	Price per case 12/8 oz. \$1.85	Price per 28 oz. package \$0.18
	Price per case 36/8 oz. \$2.70	Price per case 36/8 oz. \$3.05	Price per 6 oz. package \$0.11
Farina.....	Kellogg..... 2.24	Ralston..... 2.55	Conquest..... 0.09
Corn flakes:			

For sales of different quantities the maximum prices shall be proportionately computed.

(2) The maximum price for all other varieties of corn flakes shall be a price authorized by the Director of the Office of Price Administration for the Territory of Puerto Rico. A seller who seeks a maximum price for a variety not enumerated in Table XII above shall file with the Puerto Rico Office of the Office of Price Administration an application setting forth: (i) a description of the variety of corn flakes for which the maximum price is sought; (ii) a complete statement of all costs in connection with such variety of corn flakes; (iii) the quantity of such variety of corn flakes for which an order has been placed, or which has been imported and is awaiting distribution, or which is on hand;

and (iv) any other facts which the seller wishes to submit in support of his application. The seller shall also submit such additional pertinent information as the Puerto Rico Office of the Office of Price Administration may require. Such authorized price will be given in the form of an amendment or of an order by the Director of the Office of Price Administration for the Territory of Puerto Rico, prescribing the maximum price for the applicant or for sellers of corn flakes generally including purchasers for resale, or for a class of such sellers.

(3) The maximum prices established on sales to wholesalers, at wholesale and at retail, shall be fair and equitable prices and either in line with the usual or normal differentials for grades above or below the prices for enumerated brands or with mark-ups established in this section on enumerated brands.

(4) The direct cost to the importer may not exceed the cost of a reasonably expeditious shipment via the most efficient, readily and regularly available route and means.

10. Section 1418.14 (m) Table XIII is amended to read as follows:

(m) Table XIII: Maximum prices for certain packing house products. (1) The maximum prices for certain packing house products sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
Lard pork fat rendered. Pure refined lard in tierces.....	\$0.17	\$0.18	\$0.21
Pure refined lard in cases 50#.....	.17	.18	.21
Pure refined lard in 34# to 37# tins.....	.17	.1825	.21
Lard refined, hydrogenated prints.....	.1750	.1875	.22
Pork pickled heads and tails.....	.155	.17	.21
Pork spare ribs, cured.....	.2125	.2325	.28
Pork snouts, cured.....	.12	.13	.17
Smoked picnic hams.....	.31	.34	.41
Beef pickled or jerked.....	.2335	.2455	.29

1 On sales of less than a full container the maximum wholesale price may be increased by one quarter of a cent (\$0.0025) per pound.

For sales of different quantities the maximum prices shall be computed proportionately.

11. Section 1418.14 (n) Table XIV is amended to read as follows:

(n) Table XIV: Maximum prices for garlic. (1) The maximum prices for garlic sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers (price per 50 lbs.)	Sales at wholesale (price per 50 lbs.)	Sales at retail (price per pound)
Garlic.....	\$4.25	\$4.75	\$0.12

For sales of different quantities the maximum price shall be computed proportionately.

12. Section 1418.14 (o) Table XV is amended to read as follows:

(o) Table XV: Maximum prices for cheese. (1) The maximum prices for cheese sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
Natural American cheddar.....	Price per pound \$0.29	Price per pound \$0.3125	Price per pound \$0.38
Daisy, U. S. #1.....	Price per case, 6/5 lbs. \$9.30	Price per case, 6/5 lbs. \$9.98	Price per pound \$0.38
Processed cheddar.....			.40

For sales of different quantities the maximum price shall be computed proportionately.

13. Section 1418.14 (c) Table XVI is amended to read as follows:

(q) Table XVI: Maximum prices for wheat flour. (1) The maximum prices for wheat flour sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
Hard, plain clear 14 1/2-17 1/2% protein, 58% ash.....	Price per 98# \$3.80	Price per 98# \$4.06	Price per pound \$0.06
Hard, plain straight 12-14% protein, 60% ash.....	3.85	4.12	.06
Hard, enriched straight 14% minimum protein, 58% ash.....	3.95	4.23	.06
Hard, plain straight 14.1-16% minimum protein, 58% ash.....	4.00	4.28	.06
Hard, enriched clear 14.1-17.5% protein, 80% ash.....	Price per 200# bag \$7.90	Price per 200# bag \$8.45	.06
Hard, enriched patent 12-14% protein, 57% ash.....	8.35	8.93	.06
Hard, enriched patent 14.1-16% protein, 58% ash.....	8.65	9.26	.06
Soft, enriched straight 10.1-11.5% protein, 50% ash.....	9.55	10.21	.07
Soft, enriched straight, special protein, 60% ash.....	8.75	9.36	.07
Soft, plain straight 10.1-11.5% protein, 53% ash.....	Price per 140# \$6.70	Price per 140# \$7.17	.07
Soft, plain special mill, special protein, 72% ash.....	5.85	6.26	.07
Hard, plain patent 14 1/2-16% protein, 58% ash.....	Price per 196# \$8.30	Price per 196# \$8.88	.06

14. Section 1418.14 (r) Table XVII is amended to read as follows:

(r) Table XVII: Maximum prices for laundry soap. (1) The maximum prices for laundry soap sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers	Sales at wholesale	Sales at retail
Blue splash.....	Case of 20/5 lb. bars \$7.75	Case of 20/5 lb. bars \$8.40	Price per pound \$0.10
Blue mottle.....	7.75	8.40	.10
Blue splash.....	Case of 10/5 lb. bars \$3.88	Case of 10/5 lb. bars \$4.20	.10
Blue mottle.....	3.88	4.20	.10
Blue streak.....	Case of 60/1 lb. bars \$4.65	Case of 60/1 lb. bars \$5.04	.10



For sales of different quantities the maximum price shall be computed proportionately.

15. Section 1418.14 (s) Table XVIII is amended to read as follows:

(s) *Table XVIII: Maximum prices for canned Vienna sausage.* (1) The maximum prices for canned Vienna sausage sold or delivered in the Territory of Puerto Rico shall be:

	Sales to Wholesalers	Sales at wholesale	Sales at retail
Canned vienna sausage ends.....	Case of 48 4-oz. cans \$3.37	Case of 48 4-oz. cans \$3.72	Price per 4 oz. can \$0.10
	Case of 24 20-oz. cans \$5.30	Case of 24 20-oz. cans \$5.85	Price per 20 oz. can \$0.32
Canned vienna sausage whole.....	Case of 48 24-oz. cans \$15.70	Case of 48 24-oz. cans \$17.30	Price per 24 oz. can \$0.45

For sales of different quantities the maximum price shall be proportionately computed.

16. Section 1418.14 (u) Table XIX is amended to read as follows:

(u) *Table XIX: Maximum prices for oleomargarine.* (1) The maximum prices for oleomargarine sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
Oleomargarine.....	\$0.19	\$0.206	\$0.25

For sales of different quantities the maximum price shall be computed proportionately.

17. Section 1418.14 (v) Table XX is amended to read as follows:

(v) *Table XX: Maximum prices for certain processed vegetables and fruits.* (1) The maximum prices for certain processed vegetables and fruits sold or delivered in the Territory of Puerto Rico shall be:

	Sales to whole- salers	Sales at whole- sale	Sales at retail
Peas:	Case 24 No. 2 cans	Case 24 No. 2 cans	Price per No. 2 can
B.....	\$3.30	\$3.70	\$0.19
C.....	3.15	3.60	0.19
Corn:			
Cream style, golden.	2.85	3.25	0.17
Whole kernel, ex- tra, standard.....	3.15	3.55	0.18
Whole kernel, fancy.....	3.30	3.70	0.19
Carrots, grade C.....	2.45	2.85	0.15
Tomatoes.....	2.65	3.00	0.16
Tomatoes, grade C.....	Case 24 No. 2 1/2 cans	Case 24 No. 2 1/2 cans	Price per No. 2 1/2 cans
	\$3.40	\$3.85	\$0.20
Tomato sauce.....	Case 72 8 oz. cans	Case 72 8 oz. cans	Price per 8 oz. cans
	\$3.55	\$3.95	\$0.07
Vegetable soup.....	Case 48 10 1/2 oz. can	Case 48 10 1/2 oz. can	Price per 10 1/2 oz. can
	\$2.80	\$3.25	\$0.09
Tomato soup.....	2.80	3.25	0.09

For sales of different quantities the maximum price shall be computed pro-

portionately. The references to soup do not include "new-formula condensed soups" which are covered by Maximum Price Regulation No. 181.<sup>1</sup>

18. Section 1418.14 (x) Table XXI is amended to read as follows:

(x) *Table XXI: Maximum prices for frozen pork loins.* (1) The maximum price for frozen pork loins sold or delivered in the Territory of Puerto Rico shall be:

	Sales to wholesalers (price per pound)	Sales at wholesale (price per pound)	Sales at retail (price per pound)
Frozen pork loins, 8 to 12 lb. unit.....	\$0.30	\$0.345	\$0.44

For sales of different quantities the maximum price shall be computed proportionately.

This amendment shall become effective April 7, 1943.

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

Issued this 3d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5259; Filed, April 3, 1943;  
5:08 p. m.]

#### PART 1499—COMMODITIES AND SERVICES [Rev. SR 4<sup>2</sup> to GMPR,<sup>1</sup> Amendment 25]

##### EXCEPTIONS; SALES TO UNITED STATES AGENCIES

A statement of the considerations involved in the issuance of Amendment No. 25 to Revised Supplementary Regulation No. 4 has been issued and filed with the Division of the Federal Register.\*

Section 1499.29 (a) is amended by adding the following new subparagraph.

(32) Sales or deliveries of canned fish flakes to the United States or any agency thereof, or to the Government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States", or any agency of any such Government. Duly authenticated copies of all contracts entered into on or after April 3, 1943, the effective date of this subparagraph, involving the sale, purchase or exchange of canned fish flakes, shall be filed by the seller with the OPA within fifteen days after the signing of such contracts: *Provided*, That in lieu of the filing of duly authenticated copies of such contracts duly authenticated summaries of such contracts may be filed by the seller with the OPA within fifteen days after the signing of such contracts. Such duly authenticated summaries shall include the following information:

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

<sup>1</sup> 7 F.R. 5560, 5775, 8948, 10470; 8 F.R. 2998.  
<sup>2</sup> 7 F.R. 5056, 5089, 5566, 6082, 6084, 6426, 6793, 6744, 7175, 7538, 8021, 9827, 10022, 10531;  
8 F.R. 130, 137, 372, 1615 1881, 1893, 3631, 4129, 4138.

<sup>3</sup> 8 F.R. 3096, 3849.

seller, date of contract, term of contract, species and manner of preparation, price, quantity, buyer, point of delivery corresponding to sales price, and method of delivery.

NOTE: The record keeping and reporting requirements in this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective April 3, 1943.

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

Issued this 3d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5249; Filed, April 3, 1943;  
5:04 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR,<sup>1</sup> Amendment 157]

##### CANNED FISH FLAKES

A statement of the considerations involved in the issuance of Amendment No. 157 to Supplementary Regulation No. 14 has been issued and filed with the Division of the Federal Register.\*

Section 1499.73 (a) is amended by adding the following new subparagraph.

(93) *Maximum price for canned fish flakes.* Any seller may sell and deliver and any person may buy and receive 7 1/2 oz. tin containers of fish flakes canned prior to January 1, 1943 at a maximum cash price f. o. b. seller's shipping point of \$1.90 per dozen or the price established under the General Maximum Price Regulation prior to January 1, 1943, whichever is greater.

This amendment shall become effective April 3, 1943.

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

Issued this 3d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5250; Filed, April 3, 1943;  
5:04 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Amendment 2 to Order 13 Under § 1499.3 (b) of GMPR]

##### NUTONE INCORPORATED

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,\* *It is ordered*:

Paragraph (a) (2) of § 1499.50 is amended as set forth below:

§ 1499.50 *Maximum prices for sales of a mail box manufactured by Nutone Incorporated.* (a) This Order No. 13 sets maximum prices per unit for sales of a wood mail box, 6 1/2" wide by 9" high by 18" long, manufactured by Nutone Incorporated, Third and Eggleston Avenue, Cincinnati, Ohio.

<sup>1</sup> 8 F.R. 3096, 3849



(2) For sales at wholesale in quantities of six or more, the maximum prices are:

In the eastern zone.....\$1.67  
In the western zone.....1.85

Five percent may be added for a sale of less than six boxes. The wholesale prices are delivered prices. However, if the shipment to the retailer weighs less than 100 pounds, because of the size of the retailer's order, the retailer may be required to pay the transportation charges in addition to the maximum price.

Generally, the location of the seller's place of business shall determine which zone price is applicable. However, on shipments weighing 100 pounds or more from a wholesaler in the eastern zone to a retailer in the western zone, the western zone maximum price may be charged.

This amendment 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. 43-5254; Filed, April 3, 1943;  
5:05 p. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### Bituminous Coal Division.

[Docket No. B-260]

#### A & B COAL CO.

#### ORDER EXTENDING EFFECTIVE DATE OF REVOCATION OF CODE MEMBERSHIP

In the matter of J. A. Allred and W. B. Brown, individually and as copartners, doing business under the name and style of A & B Coal Company, code members.

On March 17, 1943, an order was entered in this proceeding revoking and cancelling the code membership of J. A. Allred and W. B. Brown, individually and as copartners, doing business under the name and style of A & B Coal Company, in District 8, Overton County, Tennessee, effective fifteen (15) days from the date thereof.

Thereafter, on March 29, 1943, the Bituminous Coal Producers Board for District No. 8 ("District Board 8") filed with the Division its Petition for Modification of Findings, Conclusion and Order, requesting a reconsideration and modification by the Director of the above mentioned revocation order. On March 30, 1943, District Board 8 filed a further Motion for Interim Modification of Order, requesting that the effective date of the Order Revoking Code Membership, dated March 17, 1943, be extended to allow additional time, pending reconsideration of the revocation order.

The Director finds that there is a reasonable showing of necessity for reconsideration and extension of time, as requested;

Accordingly, the second paragraph of the Order Revoking Code Membership dated March 17, 1943 should be amended to read as follows:

*It is ordered*, That effective April 30, 1943, the code membership of J. A. Allred and W. B. Brown, individually and as copartners, doing business under the name and style of A & B Coal Company, in District No. 8, be and it hereby is cancelled and revoked; and

Moreover, in order to aid the Director in reconsidering the Order Revoking Code Membership, District Board 8 or any other party to this proceeding should file with the Division affidavits in support of the Petition for Modification, setting forth specifically and in detail any extenuating circumstances which may warrant modification of the order, supported by a statement of the financial condition of J. A. Allred and W. B. Brown, individually and as copartners doing business under the name and style of A & B Coal Company, or such other facts as may be deemed pertinent.

In these respects, the motions of District Board 8 should be granted.

Accordingly, *It is so ordered*.

Dated: April 1, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-5227; Filed, April 3, 1943;  
10:23 a. m.]

### MERCHANTS FUEL CO., AND WELLS CO., INC.

#### ORDER REVOKING CERTAIN REGISTRATIONS

The registered distributors, whose names are set forth in Exhibit A, attached hereto and made a part hereof, having requested revocation of registration, having discontinued or disposed of their distribution business, having been reorganized under a new name, having been otherwise succeeded in their business or for other reasons being no longer engaged in business, the registrations previously granted to them should be revoked and their names withdrawn from the List of Registered Distributors.

Accordingly, *It is so ordered*.

Dated: April 3, 1943.

[SEAL] DAN H. WHEELER,  
Director.

#### EXHIBIT A

Registration Number	Name and address
6365	Merchants Fuel Co., Room 301, 11 S. La Salle St., Chicago, Ill.
9573	Wells Co., Inc., 350 Frances Bldg., Sioux City, Iowa.

[F. R. Doc. 43-5269; Filed, April 5, 1943;  
10:36 a. m.]

### RIPLINGER BROS.

#### APPLICATION FOR REGISTRATION

An application for registration as a distributor has been filed by the following and is under consideration by the Director:

Name and address	Date application filed
Ripplinger Bros, 2600 Carrollton St., Saginaw, Mich.	Mar. 19, 1943

Any district board, code member, distributor, the Consumers' Counsel, or any other interested person, who has pertinent information concerning the eligibility of the above-named applicant for registration as a distributor under the provisions of the Bituminous Coal Act and the rules and regulations for the registration of distributors, is invited to furnish such information to the Division on or before May 3, 1943. This information should be mailed or presented to the Bituminous Coal Division, Department of the Interior, Washington, D. C.

Dated: April 3, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-5268; Filed, April 5, 1943;  
10:36 a. m.]

[Docket No. B-188]

J. W. BENNETT

#### ORDER REVOKING CODE MEMBERSHIP

Upon the basis of the findings of fact and conclusions of law set forth in the opinion of the Director, filed simultaneously herewith, wherein it appears that code member wilfully violated the order of the Director in General Docket No. 19, dated October 9, 1940, and pursuant to sections 4 II (j) and 5 (b) and other provisions of the Bituminous Coal Act of 1937;

*It is ordered*, That J. W. Bennett, code member, operating the Cardiff Mine, Mine Index No. 283, located in Jefferson County, Alabama, in District 13, cease and desist from further violating the order of the Director in General Docket No. 19, dated October 9, 1940, and from otherwise violating the Act or rules and regulations thereunder.

Notice is hereby given that upon failure or refusal to comply with the provisions of this order, the Division may appeal to a Circuit Court of Appeals from the enforcement thereof, or may take other appropriate action as authorized by the Act.

Dated: April 3, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-5267; Filed, April 5, 1943;  
10:36 a. m.]

### Bureau of Reclamation.

#### HASSAYAMPA PROJECT, ARIZONA

#### FIRST FORM RECLAMATION WITHDRAWAL

FEBRUARY 20, 1943.

The SECRETARY OF THE INTERIOR.

Sir: In accordance with the authority vested in you by the Act of June 26, 1936 (49 Stat. 1976), it is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388).



## HASSAYAMPA PROJECT, ARIZONA

## BOX CANYON RESERVOIR SITE

## Gila and Salt River Meridian

## Township 8 North, Range 4 West:

Sec. 1—Lots 1, 2, 3, 4, 5, S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 2—Lots 1, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ , SW $\frac{1}{4}$ -SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 3—Lot 2, S $\frac{1}{2}$ N $\frac{1}{2}$ , S $\frac{1}{2}$ ;

Sec. 4—All;

Sec. 6—All;

Sec. 7—Lots 5 to 16, inclusive;

Sec. 8—N $\frac{1}{2}$ , SW $\frac{1}{4}$ ;

Sec. 9—SE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ S $\frac{1}{2}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 10—All;

Sec. 11—Lot 1, NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ -NW $\frac{1}{4}$ , S $\frac{1}{2}$ ;

Sec. 12—All;

Sec. 13—All;

Sec. 14—All;

Sec. 15—All;

Sec. 17—Lots 1, 2, 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ ;

Sec. 18—All;

## Township 9 North, Range 4 West:

Sec. 33—S $\frac{1}{2}$ ;

Sec. 34—All;

Sec. 35—N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ ;

Sec. 36—N $\frac{1}{2}$ ;

## Township 8 North, Range 5 West:

Sec. 1—All;

Sec. 9—All;

Sec. 10—All;

Sec. 11—All;

Sec. 12—All;

Sec. 13—Lots 1, 2, 3, 4, W $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ ;

Sec. 14—N $\frac{1}{2}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ ;

Sec. 15—All.

Respectfully,

JOHN C. PAGE,  
Commissioner.

I concur: March 19, 1943.

FRED W. JOHNSON,  
Commissioner of the  
General Land Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

OSCAR L. CHAPMAN,  
Assistant Secretary.

MARCH 27, 1943.

[F. R. Doc. 43-5192; Filed, April 3, 1943;  
9:49 a. m.]

## WINSLOW PROJECT, ARIZONA

## FIRST FORM RECLAMATION WITHDRAWAL

FEBRUARY 20, 1943.

## THE SECRETARY OF THE INTERIOR.

Sir: It is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal as provided in Section 3 of the Act of June 17, 1902 (32 Stat. 388).

## WINSLOW PROJECT, ARIZONA

## WILD CAT RESERVOIR SITE

## Gila and Salt River Meridian

## Township 14 North, Range 14 East:

Sec. 1—All;

Sec. 12—All;

Sec. 25—All;

No. 67—11

## Township 14 North, Range 15 East:

Sec. 2—All;

Sec. 3—All;

Sec. 4—All;

Sec. 5—All;

Sec. 6—Lots 1, 4, 5, 6, 7, 8, 9, SW $\frac{1}{4}$ NE $\frac{1}{4}$ -NW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ -SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;

Sec. 7—All;

Sec. 8—All;

Sec. 9—All;

Sec. 11—All;

Sec. 12—All;

Sec. 13—All;

Sec. 14—All;

Sec. 17—All;

Sec. 18—All;

Sec. 19—All;

Sec. 23—All;

Sec. 24—All;

Sec. 25—All;

Sec. 26—All;

Sec. 30—All.

Respectfully,

JOHN C. PAGE,  
Commissioner.

I concur: March 19, 1943.

FRED W. JOHNSON,  
Commissioner of the General Land  
Office.

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

OSCAR L. CHAPMAN,  
Assistant Secretary.

MARCH 27, 1943.

[F. R. Doc. 43-5193; Filed, April 3, 1943;  
9:49 a. m.]

## General Land Office.

[Public Land Order 101]

## NEVADA

## WITHDRAWAL OF PUBLIC LAND FOR USE IN CONNECTION WITH THE PROSECUTION OF THE WAR

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and section 1 of the act of June 28, 1934, as amended, c. 865, 48 Stat., 1269 (U.S.C., title 43, sec. 315), *It is ordered*, As follows:

Subject to valid existing rights, the following-described public land is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral leasing laws, and reserved under the jurisdiction of the Secretary of the Interior for use in connection with the prosecution of the war.

## MOUNT DIABLO MERIDIAN

T. 21 S., R. 62 E.,

sec. 25, SW $\frac{1}{4}$ SW $\frac{1}{4}$ .

The area described contains 40 acres.

The order of the Secretary of the Interior of November 11, 1936, establishing Nevada Grazing District No. 5 is hereby modified to the extent necessary to per-

mit the use of the land as herein provided.

ABE FORTAS,  
Acting Secretary of the Interior.

MARCH 27, 1943.

[F. R. Doc. 43-5189; Filed, April 3, 1943;  
9:49 a. m.]

[Public Land Order 104]

## UTAH

## AMENDMENT OF ORDER WITHDRAWING LAND FOR USE OF WAR DEPARTMENT

Amending Public Land Order No. 66 of November 30, 1942, as to the use of the lands thereby reserved.

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, 48 Stat. 1269 (U.S.C., title 43, sec. 315), *It is ordered*, As follows:

Public Land Order No. 66 of November 30, 1942, withdrawing certain lands for the use of the War Department as an Ordnance Storage Depot is hereby amended so as to reserve the lands described in that order for the use of the War Department as a Chemical Warfare Service Depot.

The order of the Secretary of the Interior of April 8, 1935, establishing Utah Grazing District No. 2, is hereby modified to the extent necessary to permit the use of the lands as herein provided.

ABE FORTAS,  
Acting Secretary of the Interior.

MARCH 29, 1943.

[F. R. Doc. 43-5190; Filed, April 3, 1943;  
9:49 a. m.]

[Public Land Order 105]

## NEW MEXICO

## WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS BOMBING TARGET SITES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, 48 Stat. 1269 (U.S.C., title 43, sec. 315), *It is ordered*, As follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department as bombing target sites:

## NEW MEXICO PRINCIPAL MERIDIAN

T. 19 S., R. 3 W., sec. 31, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ .

T. 20 S., R. 3 W.,

sec. 5, lots 3 and 4;

sec. 6, lots 1 and 2.

T. 21 S., R. 3 W.,

sec. 13, S $\frac{1}{2}$ ;

sec. 24, N $\frac{1}{2}$ ;

T. 22 S., R. 3 W.,

sec. 24, S $\frac{1}{2}$ ;

sec. 25.



T. 23 S., R. 3 W.,  
sec. 26, S $\frac{1}{2}$ ;  
sec. 35.  
T. 25 S., R. 3 W.,  
sec. 1, S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
sec. 12, N $\frac{1}{2}$  and N $\frac{1}{2}$ S $\frac{1}{2}$ .  
T. 26 S., R. 3 W.,  
sec. 24;  
sec. 25, N $\frac{1}{2}$ .  
T. 21 S., R. 4 W., sec. 5.  
T. 22 S., R. 4 W.,  
sec. 11, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
sec. 14, N $\frac{1}{2}$ N $\frac{1}{2}$ .  
T. 24 S., R. 4 W., sec. 4.  
T. 25 S., R. 4 W.,  
sec. 11, SW $\frac{1}{4}$ ;  
sec. 14, W $\frac{1}{2}$ ;  
sec. 15, E $\frac{1}{2}$ .  
T. 26 S., R. 4 W.,  
sec. 21, E $\frac{1}{2}$ ;  
sec. 22, W $\frac{1}{2}$ .  
T. 19 S., R. 5 W.,  
sec. 26, S $\frac{1}{2}$ ;  
sec. 35.  
T. 25 S., R. 5 W.,  
sec. 7, S $\frac{1}{2}$ ;  
sec. 18.  
T. 26 S., R. 5 W.,  
sec. 29;  
sec. 30, E $\frac{1}{2}$ .  
T. 15 S., R. 6 W.,  
sec. 34, E $\frac{1}{2}$ ;  
sec. 35.  
T. 18 S., R. 6 W.,  
sec. 18;  
sec. 19, N $\frac{1}{2}$ .  
T. 21 S., R. 6 W., sec. 1, W $\frac{1}{2}$ .  
T. 25 S., R. 7 W.,  
sec. 14, S $\frac{1}{2}$ ;  
sec. 23.  
T. 26 S., R. 7 W.,  
sec. 34;  
sec. 35, W $\frac{1}{2}$ .  
T. 25 S., R. 8 W., sec. 9, S $\frac{1}{2}$ .  
The areas described aggregate 15,504.90 acres.

This order shall take precedence over, but shall not rescind or revoke, the order of July 11, 1935, of the Secretary of the Interior, establishing New Mexico Grazing District No. 3, so far as such order affects any of the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

ABE FORTAS,  
Acting Secretary of the Interior.

MARCH 29, 1943.

[F. R. Doc. 43-5191; Filed, April 3, 1943;  
9:49 a. m.]

#### National Park Service.

#### PLATT NATIONAL PARK, OKLAHOMA

#### ASSUMPTION OF JURISDICTION BY UNITED STATES

MARCH 4, 1943.

MY DEAR GOVERNOR KERR: The United States has acquired under the authority of the Act of Congress, approved June 18, 1940 (54 Stat. 406, 447), certain lands in Murray County, State of Oklahoma, as an addition to the Platt National Park.

Notice is hereby given, in accordance with the provisions of the Act of Congress, approved October 9, 1940 (54 Stat. 1083, 40 U.S.C. sec. 255), that the United States assumes exclusive jurisdiction over said lands, effective as of the fifteenth day of April 1943, at 12:00

A. M. Such jurisdiction was provided for by the Act of Congress, approved June 16, 1906, sec. 7 (34 Stat. 267, 272; 16 U.S.C. sec. 153).

The lands covered by this notice are those acquired by the United States by condemnation proceedings entitled United States of America vs. 63.75 acres of land in Murray County, Oklahoma, and Rilla Giles, et al., No. 427 Civil, in the District Court of the United States for the Eastern District of Oklahoma, and are described in the final judgment of that Court, entered January 26, 1942, a certified copy of which was recorded on February 18, 1942, at 10:00 A. M. in Book 78, Page 580, in the Office of the County Clerk of the County of Murray, State of Oklahoma.

In accordance with the procedure recommended by the Attorney General of the United States, it is requested that you endorse the duplicate of this notice of acceptance, indicating the date of its receipt, and return the duplicate to me.

Sincerely yours,

[SEAL] ABE FORTAS,  
Acting Secretary of the Interior.

Received this 20th day of March 1943,  
at 8 a. m.

ROBT. S. KERR,  
Governor of Oklahoma.

[F. R. Doc. 43-5194; Filed, April 3, 1943;  
9:49 a. m.]

#### DEPARTMENT OF LABOR.

#### Wage and Hour Division.

#### LEARNER EMPLOYMENT CERTIFICATES

#### ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the determination and order or regulation for the industry designated above and indicated opposite the employer's name. These certificates become effective April 5, 1943. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EXPIRATION DATE

#### Apparel Industry

Hampstead Clothing Company, Hampstead, Maryland; Men's clothing; 5 percent (T); April 5, 1944.

The Moses-Rosenthal Company, 302-316 North Second Street, Booneville, Indiana; Men's and boys' woven underwear, U. S. Navy underwear; 35 learners (T); November 30, 1943.

Resisto-Tru-Fast Tie Company, Inc., 42 S. Paca Street, Baltimore, Maryland; Men's neckwear; 5 learners (T); April 5, 1944.

Robinson Manufacturing Company, Dayton, Tennessee; Men's & boys' woven cotton underwear; 15 learners (T); September 28, 1943.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry.

Ar-Cel Garment Company, Wilkes & Fay Streets, Columbia, Missouri; Wash dresses, sportswear, ladies' underwear; 10 percent (T); April 5, 1944.

M. M. Bernstein and Sons, 213 North Broad Street, Phillipsburg, New Jersey; Ladies' underwear; 10 percent (T); March 29, 1944. (This certificate corrects and replaces the certificate issued effective March 23, 1943 and expiring March 23, 1944.)

The Brunner Company, 3911 Cleveland Avenue, Ashtabula, Ohio; Dresses, slacks and housecoats; 15 learners (T); October 26, 1943.

Charming Lady Cottons, Inc., 1727 Broad Street, South Greensburg, Pennsylvania; Women's cotton dresses; 10 percent (T); October 5, 1943.

Cornbleet Brothers, Harrisburg, Illinois; Rayon content dresses and cotton dresses; 90 learners (E); October 5, 1943. Ely & Walker Dry Goods Company, Delmar & East "B" Streets, Belleville,



Illinois; Leather jackets, wool jackets and mackinaws; 18 learners (T); October 5, 1943.

Stanley M. Feil Company, 2073 East 4th Street, Cleveland, Ohio; Cotton housedresses; 7 learners (T); April 5, 1944.

Gopher Manufacturing Co., 310 Broadway Street, St. Paul, Minnesota; Overalls and jackets; 10 learners (T); April 5, 1944.

Hazleton Sportswear Co., Inc., 313-319 W. 20th Street, Hazleton, Pennsylvania; Sportswear; 50 learners (E); October 5, 1943.

The Hercules Trouser Company, Wellston, Ohio; Single pants; 25 learners (T); October 26, 1943.

Kinston Shirt Company, King Street, Kinston, North Carolina; Shirts; 40 learners (T); December 7, 1943.

La Crosse Garment Manufacturing Company, 117 North Second Street, La Crosse, Wisconsin; Nurses uniforms, bush shirts and dress goods; 10 percent (T); April 5, 1944.

Little and Martin, Ltd., 1108 South Los Angeles Street, Los Angeles, California; Children's dresses and play-clothes; 10 learners (T); April 5, 1944.

E. S. Lurie Manufacturing Company, 407 East Commercial Street, Springfield, Missouri; Trousers; 10 percent (T); April 5, 1944.

A. E. Oppenheimer & Brother, 1304 Arch Street, Philadelphia, Pennsylvania; Women's work garments, sportswear; 10 learners (T); April 5, 1944.

Phillips-Jones Corporation, Sunbury Street, Minersville, Pennsylvania; Army shirts; 10 percent (T); April 5, 1944.

Phillips-Jones Corporation, Barnesboro, Pennsylvania; Army shirts; 10 percent (T); April 5, 1944.

Phillips-Jones Corporation, Sixth and Ruddle Streets, Coaldale, Pennsylvania; Army shirts; 10 percent (T); April 5, 1944.

Sharp Brothers, 121 North 7 Street, Philadelphia, Pennsylvania; Boys' suits, boys' single pants, lumberjackets and mackinaws; 15 learners (T); October 5, 1943. (This certificate will replace the certificate which expires May 18, 1943.)

Simon and Mogilner, 4th and Rosabel Streets, St. Paul, Minnesota; Children's play togs, sleeping garments, snowsuits, Government contract insect field bars; 10 percent (T); April 5, 1944.

Stylecraft Frocks, Inc., 1427 Vine Street, Philadelphia, Pennsylvania; Ladies' dresses; 10 learners (T); April 5, 1944.

Undergarment Manufacturing Company, 121 East Main Street, Fort Wayne, Indiana; Ladies' and misses' slips and sleeping wear; 8 learners (T); April 5, 1944.

Unity Shirt Company, 300 Seymour Avenue, Derby, Connecticut; Men's shirts; 10 percent (T); October 5, 1943.

#### Gloves Industry

H & P Glove Company, 5-11 Fourth Avenue, Johnstown, New York; Leather dress gloves; 5 learners (T); April 5, 1944.

Stott & Son Corporation, 220 East Third Street, Winona, Minnesota; Work gloves; 12 learners (T); July 5, 1943.

#### Hosiery Industry

Barber Hosiery Mills, Inc., Mount Airy, North Carolina; Seamless hosiery; 5 percent (T); November 19, 1943.

Belmont Hosiery Mills, Inc., 117 Chronicle Street, Belmont, North Carolina; Seamless hosiery; 23 learners (T); October 5, 1943.

Ellis Hosiery Mills, Hickory, North Carolina; Seamless hosiery; 33 learners (T); October 5, 1943.

Graysville Hosiery Mills, 125 East Main Street, Dayton, Tennessee; Seamless hosiery; 20 learners (T); October 5, 1944.

Harriman Hosiery Mills, Harriman, Tennessee; Seamless hosiery; 100 learners (T); October 5, 1943.

John-Massey Hosiery Company, Valdeese, North Carolina; Seamless hosiery; 12 learners (T); April 5, 1944.

Lawler Hosiery Mills, Inc., 53 Bradley Street, Carrollton, Georgia; Seamless hosiery; 31 learners (T); November 23, 1943.

Martinat Hosiery Mills, Valdeese, North Carolina; Seamless hosiery; 5 percent (T); October 5, 1943.

Murray Hosiery Mills, Inc., Murray, Kentucky; Seamless hosiery; 32 learners (T); October 5, 1943.

Renfro Hosiery Mills, Mount Airy, North Carolina; Seamless hosiery; 50 learners (T); October 1, 1943.

#### Knitted Wear Industry

Vogue Knitting Company, Inc., Second and Jefferson Streets, Womelsdorf, Pennsylvania; Knitted underwear; 4 learners (T); April 4, 1944.

#### Textile Industry

Blue Ridge Cord Company, Locust Street, Hendersonville, North Carolina; Yarn; 35 learners (T); October 5, 1943.

The Dellinger Spread Company, 1943 N. Broad Street, Rome, Georgia; Chenille bedspreads; 48 learners (T); April 5, 1944.

The Duplan Corporation, Mulberry Street, Berwick, Pennsylvania; Cotton, silk, rayon, nylon and synthetic thread; 7 percent (T); November 19, 1943.

The Duplan Corporation, Washington Street, Nanticoke, Pennsylvania; Yarn; 7 percent (T); November 19, 1943.

The Duplan Corporation, Eley Street, Kingston, Pennsylvania; Yarn; 7 percent (T); November 19, 1943.

The Duplan Corporation, Diamond Avenue, Hazelton, Pennsylvania; Yarn; 3 percent (T); November 19, 1943.

Signed at New York, N. Y., this 3d day of April 1943.

PAULINE C. GILBERT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 43-5265; Filed, April 5, 1943; 9:53 a. m.]

#### LEARNER EMPLOYMENT CERTIFICATES ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of

learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective April 5, 1943.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of these certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Bonnie Tie and Embroidery Shop, 1924 North 17th Street, Kansas City, Kansas; Embroidery; 1 learner (T); Embroidery Machine Operator for a learning period of 4 weeks (160 hours) at 32½ cents per hour until June 14, 1943.

Christian Steinmetz and Sons Company, 25th & Wood Streets, Wheeling, W. Va.; Set-Up paper boxes, Converted paper products; 3 learners (T); Staying machine operator and Wrapping machine operator for a learning period of 3 weeks (240) hours at 35 cents per hour until October 5, 1943.

Empire Carton Company, 119 East Washington Street, McAdoo, Pennsylvania; Converted Paper, Set-Up paper box branch; 3 learners (T); Turner in for a learning period of 4 weeks (160 hours), Staying Machine Operator, Stripper, Wrapper for a learning period of 6 weeks (240) hours at 35¢ per hour until October 5, 1943.

Royal Manufacturing Company, Alburtis, Pennsylvania; Men's and boys' athletic and broadcloth shirts; 10 learners (T); Knitters and machine operators for a learning period of 320 hours, at 35 cents per hour until December 14, 1943.

Signed at New York, N. Y., this 3d day of April 1943.

PAULINE C. GILBERT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 43-5264; Filed, April 5, 1943; 9:53 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Amendment of Vesting Order 273<sup>1</sup>]

PATENT AND PATENT APPLICATIONS OF CHEMICAL MARKETING COMPANY, INC.

Whereas, Pursuant to Vesting Order Number 273 of October 29, 1942, the undersigned intended to vest, among other things, the patent applications identified as follows:

<sup>1</sup> 7 F.R. 10164.



Serial Nos.	Filing dates	Inventors	Titles
293,515	9-5-39	E. Ryschkewitsch	Process for the production of highly-sintered ceramic pieces.
306,199	11-25-39	H. Beier	Process for the disposal of waste cyanide solutions.
364,335	11-4-40	K. Frohlich	Friction stressed solid and hollow tips.

Whereas, In describing such patent applications in Exhibit B attached to and made a part of such Vesting Order Number 273, the serial numbers thereof were, through clerical error, inadvertently designated as "293,315", "306,913", and "364,355", respectively, and the filing date on the second patent application hereinbefore described was, through clerical error, inadvertently designated as "11/10/39".

Now, Therefore, Vesting Order Number 273 of October 29, 1942 is hereby amended by substituting, in Exhibit B attached to such order and made a part thereof, (a) the serial number "293,515" for the serial number "293,315", (b) the serial number "306,199" for the serial number "306,913", (c) the serial number "364,335" for the serial number "364,355" and (d) the filing date "11-25-39" appearing immediately after the changed serial number "306,199" for the filing date "11/10/39" appearing immediately after the incorrect serial number "306,913".

All other provisions of said Vesting Order Number 273 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 8, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-5198; Filed, April 3, 1943;  
9:58 a. m.]

[Amendment of Vesting Order 287]

ICHIRO AOKI

Vesting Order Number 287 of November 2, 1942, is hereby amended as follows and not otherwise:

By striking from paragraph (b) thereof appearing after the phrase "That the property described as follows", the words:

All right, title, interest and claim of any name or nature whatsoever of Ichiro Aoki in and to all indebtedness, whether or not matured, owing to him by the Security First National Bank of Los Angeles, Visalia Branch, Visalia, California, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness, and including particularly all his right, title, interest and claim in and to two checking accounts at the aforesaid Security First National Bank of Los Angeles, Visalia Branch, Visalia, California, which are carried in the respective names of Ichiro Aoki and R. F. Cross, Trustee Account,

and by substituting therefor the following:

(1) All right, title, interest and claim, of any name or nature whatsoever of said Ichiro Aoki, in and to all obligations, contingent or

otherwise and whether or not matured, owing to him, by the Security First National Bank of Los Angeles, Visalia Branch, Visalia, California, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly the account in the Security First National Bank of Los Angeles, Visalia Branch, Visalia, California, in the name of I. Aoki, which bank account is due and owing to, and held for, Ichiro Aoki.

(2) All right, title, interest and claim, of any name or nature whatsoever of said Ichiro Aoki, in and to all obligations, contingent or otherwise and whether or not matured, owing to him, by the Bank of America N. T. & S. A., Visalia Branch, Visalia, California, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to sue for and collect such obligations, and including particularly the account in the Bank of America N. T. & S. A., Visalia Branch, Visalia, California, in the name of R. F. Cross, Trustee for I. Aoki, which bank account is due and owing to, and held for, R. F. Cross, Trustee for I. Aoki.

All other provisions of such Vesting Order Number 287 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 31, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-5225; Filed, April 3, 1943;  
10:03 a. m.]

[Vesting Order 1148]

INTEREST OF CARLOS F. SAAVEDRA

Re: Interest of Carlos F. Saavedra in certain trust property.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Carlos F. Saavedra is a resident of Italy whose last known address is Florence, Italy, and is a national of a designated enemy country (Italy);

2. Finding that the property described as follows:

All right, title, interest and estate, both legal and equitable, of said Carlos F. Saavedra in and to that certain property held in trust by the Girard Trust Company, Philadelphia, Pennsylvania, as Trustee, under an indenture dated August 26, 1937, for the benefit of Carlos F. Saavedra,

is property within the United States owned or controlled by a national of a designated enemy country (Italy);

3. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Italy);

4. Having made all determinations and taken all action, after appropriate consul-

tation and certification, required by said Executive Order or Act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on March 29, 1943.

[SEAL]

LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 43-5199; Filed, April 3, 1943;  
10:03 a. m.]

[Vesting Order 1149]

GUSTAV ALBRECHT

In re: Trusteeship under Declaration of Trust dated November 22, 1929 with Gustav Albrecht; File D-23-2247; E.T. sec. 3154.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Berks County Trust Company, 35 North 6th Street, Reading, Pennsylvania, Succeeding Trustee, acting under the judicial supervision of the Orphans' Court of Berks County, State of Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Last known address

Nationals:

Three children (names unknown) of Herman Albrecht, deceased brother of Gustav Albrecht. Germany.

The legal heirs (names unknown) of the three children of Herman Albrecht, deceased. Germany.



And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of the three children of Herman Albrecht, deceased, names unknown, their legal heirs, names unknown, and each of them, in and to the trust estate created by Declaration of Trust dated November 22, 1929 with Gustav Albrecht,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5200; Filed, April 3, 1943;  
9:58 a. m.]

[Vesting Order 1150]

#### ESTATE OF JOSEPHINE ALFS

In re: Estate of Josephine Alfs, deceased; File D-28-3398; E. T. sec. 1002.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Anglo California National Bank of San Francisco, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

(2) Such property and interests are payable or deliverable to, or claimed by, na-

tionals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Willy Ulbricht (Ulbricht)-----	Germany.
Anna Schade-----	Germany.
Johanne Mittag-----	Germany.
Hans Ulbricht (Ulbricht)-----	Germany.
Grete Schindler-----	Germany.
Rudolf Richter-----	Germany.
Franz Richter-----	Germany.
Fritz Richter-----	Germany.
Carl Richter-----	Germany.
Lottie Erythropel-----	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Willy Ulbricht (Ulbricht), Anna Schade, Johanne Mittag, Hans Ulbricht (Ulbricht), Grete Schindler, Rudolf Richter, Franz Richter, Fritz Richter, Carl Richter and Lottie Erythropel, and each of them, in and to the Estate of Josephine Alfs, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian, to return such property and interests or proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5201; Filed, April 3, 1943;  
9:58 a. m.]

[Vesting Order 1151]

#### ESTATE OF ADELHIDE ANDERSON

In re: Estate of Adelhide Anderson, deceased; File D-28-1771; E. T. sec. 953.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The United States National Bank of Galveston, 2201 Market Street, Galveston, Texas, Administrator, acting under the judicial supervision of the County Court of Galveston County, State of Texas;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Max Robert Bromundt-----	Germany.
Herman Gustav Bromundt-----	Germany.
Adelhide Hedwig Auguste Bromundt-----	Germany.
Friedrich Wilhelm Bromundt-----	Danzig.
Other children or issue of deceased children (names unknown) of Mrs. Adelhide Bromundt, nee Roeske, deceased.	Germany.

And determining that—

(3) Friedrich Wilhelm Bromundt, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied area, Danzig, is a national of a designated enemy country, Germany;

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Max Robert Bromundt, Herman Gustav Bromundt, Adelhide Hedwig Auguste Bromundt, Friedrich Wilhelm Bromundt, and other children or issue of deceased children (names unknown) of Mrs. Adelhide Bromundt, nee Roeske, deceased, and each of them, in and to the estate of Adelhide Anderson, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time



as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5202; Filed, April 3, 1943;  
9:58 a. m.]

[Vesting Order 1152]

TRUST UNDER THE WILL OF ALFRED NATHAN  
BAER

In re: Trust under the Will of Alfred Nathan Baer, deceased; File D-28-1766; E. T. sec. 928.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Walter Reitman, Trustee, acting under the judicial supervision of the County Court of Milwaukee County, Wisconsin;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	<i>Last known address</i>
Rosl Charlotte Rudolf.....	Germany.
Franz Werner Rudolf.....	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany, and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Rosl Charlotte Rudolf and Franz Werner Rudolf, and each of them, in and to the trust estate created under the Last Will and Testament of Alfred Nathan Baer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any

claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5203; Filed, April 3, 1943;  
9:58 a. m.]

[Vesting Order 1153]

ESTATE OF MARY MILLER BAUCH

In re: Estate of Mary Miller Bauch; File F-9-100-28-6114; E. T. sec. 1396.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by Sterling St. John, Executor, of the estate of Mary Miller Bauch, deceased, acting under the judicial supervision of the Surrogate's Court, New York County, New York.

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National:	<i>Last known address</i>
August Bauch.....	Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of August Bauch in and to the Estate of Mary Miller Bauch, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefits of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5204; Filed, April 3, 1943;  
9:59 a. m.]

[Vesting Order 1154]

TRUST UNDER THE WILL OF HANNAH  
SINGER BERKOWITZ

In re: Trust under the will of Hannah Singer Berkowitz, deceased; File D-6-150; E. T. sec. 2595.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Pennsylvania Company for Insurance on Lives and Granting Annuities, Whitney Ashbridge and Oscar I. Stern, Trustees, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, (Austria) Germany, namely,

National:	<i>Last known address</i>
Poldi Stern.....	(Austria) Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Austria) Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Poldi Stern in and to the Trust created under the will of Hannah Singer Berkowitz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to



indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5205; Filed, April 3, 1943;  
9:59 a. m.]

[Vesting Order 1155]

#### ESTATE OF LOUIS BITTJEMANN

In re: Estate of Louis Bittjemann, deceased; File D-28-2113; E.T. sec. 2577.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by W. J. Hildebrandt, 306 West Adams Street, Jacksonville, Florida, Executor, acting under the judicial supervision of the County Court of Duval County, State of Florida;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Sophie Betjemann	Germany.
Martin Ehricks (Martin Ehricks)	Germany.
Anna Brodmann (Anna Brodtmann)	Germany.
Sophie Bottjer	Germany.
Frederick Heins (Friedrich Heins)	Germany.
Karl Heins (Carl Heins)	Germany.
Hinrich Heins	Germany.
Katherine Heins	Germany.
Anna Renken	Germany.
Adele Kuck	Germany.
Adeline Kuck (Adeline Kuck)	Germany.
Sophie Mehrrens	Germany.
Hedwig Renken	Germany.
Mathilde Tietjen	Germany.
Henrich Haase, Jr. (Hinrich Haase, Jr.)	Germany.
The child or children (names unknown) of each of the above persons.	Germany.
Hinrich Grabau	Germany.
Anna Grabau	Holland.
Kathe Pfueger	Germany.
Adele Martens	Germany.
Katharine Meyer	Germany.

And determining that—

(3) Anna Grabau, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied country, Holland, is a national of a designated enemy country, Germany;

(4) If such nationals are persons not within a designated enemy country, the national

interests of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of (a) Sophie Betjemann, Martin Ehricks (Martin Ehricks), Anna Brodmann (Anna Brodtmann), Sophie Bottjer, Frederick Heins (Friedrich Heins), Karl Heins (Carl Heins), Hinrich Heins, Katharine Heins, Anna Renken, Adele Kuck, Adeline Kuck (Adeline Kuck), Sophie Mehrrens, Hedwig Renken, Mathilde Tietjen, Henrich Haase, Jr. (Hinrich Haase, Jr.); (b) the child or children (names unknown) of each of the persons named in (a); and (c) Hinrich Grabau, Anna Grabau, Kathe Pfueger, Adele Martens and Katharine Meyer; and each of them, in and to the estate of Louis Bittjemann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5206; Filed, April 3, 1943;  
9:59 a. m.]

[Vesting Order 1156]

#### ESTATE OF MARIA DELFRINO

In re: Estate of Maria Delfrino, deceased; File D-38-1114; E. T. sec. 2511.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Tony Perry, New Castle, Colorado, Executor, acting under the judicial

supervision of the County Court of Garfield County, State of Colorado;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely, Nunzio Delfrino, whose last known address is Italy; and

Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Nunzio Delfrino in and to the estate of Maria Delfrino, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claims arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5207; Filed, April 3, 1943;  
9:59 a. m.]

[Vesting Order 1157]

#### ESTATE OF DOMENICO GUERRA

In re: Estate of Domenico Guerra, deceased; File D-38-1069; E. T. sec. 3116.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Maurice G. Salmina, Executor, acting under the judicial supervision of the Superior Court of San Luis Obispo County, State of California;



(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	Last known address
Giacomo Guerra	Italy.
Ricardo Guerra	Italy.
Antonia Guerra	Italy.
Celesta Guerra	Italy.
Desolina Guerra	Italy.
Carolina Guerra Maggini	Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Giacomo Guerra, Ricardo Guerra, Antonia Guerra, Celesta Guerra, Desolina Guerra and Carolina Guerra Maggini, and each of them, in and to the Estate of Domenico Guerra, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5208; Filed, April 3, 1943;  
10:03 a. m.]

[Vesting Order 1158]

#### ESTATE OF KATHARINE HAUG

In re: Estate of Katharine Haug, deceased; File F-28-17502; E. T. sec. 1959. Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by the German Society of the City of New York, Ancillary Administrator of the estate of Katharine Haug, deceased, acting under the judicial supervision of Surrogate's Court, Columbia County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Executors, administrators or personal representatives, names unknown, entitled to receive the estate of Katharine Haug, who died a resident of Germany	Germany.
Frida Burkhardt	Germany.
Anna Gruenewald	Germany.
Mathilde Mohr	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Executors, administrators or personal representatives, names unknown, entitled to receive the estate of Katharine Haug, who died a resident of Germany, Frida Burkhardt, Anna Gruenewald and Mathilde Mohr, and each of them, in and to the Estate of Katharine Haug, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5209; Filed, April 3, 1943;  
9:59 a. m.]

[Vesting Order 1159]

#### ESTATE OF HERMINE Z. HANSEN

In re: Estate of Hermine Z. Hansen, deceased; File D-28-1801; E.T. sec. 1051.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Clarence H. Cranz, Executor, acting under the judicial supervision of the Probate Court of the State of Ohio, in and for the County of Summit; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National:	Last known address
The Museum of Heidenheim	Wuerttemberg, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of The Museum of Heidenheim, in and to the estate of Hermine Z. Hansen, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5210; Filed, April 3, 1943;  
9:59 a. m.]



[Vesting Order 1160]

## ESTATE OF HENRY N. HESS

In re: Estate of Henry N. Hess, deceased; File D-66-452; E. T. sec. 3049.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

## Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Wheeling Dollar Savings & Trust Co. and Andrew C. M. Hess, Executors of the estate of Henry N. Hess, deceased, acting under the judicial supervision of the County Court of Ohio County, West Virginia;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

## National:

Henry Ward Zimmer-----

Last known  
address  
Germany.

## And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Henry Ward Zimmer in and to the Estate of Henry N. Hess, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5211; Filed, April 3, 1943;  
10:00 a. m.]

No. 67—12

[Vesting Order 1161]

## ESTATE OF META KLENK

In re: Estate of Meta Klenk, deceased; File D-28-2246; E. T. sec. 3153.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

## Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by Register of Wills and Clerk of the Probate Court, District Court House, Washington, D. C., Depository, acting under the judicial supervision of the District Court of the United States for the District of Columbia;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

## Nationals:

Johanna Schwenker-----  
Gesine Gerken-----

Last known  
address  
Germany.  
Germany.

## And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash distributable and payable to Johanna Schwenker in the sum of \$100.00 and to Gesine Gerken in the sum of \$4,406.07, which amounts were deposited in the Registry of the Probate Court, Washington, D. C., on April 28, 1942, pursuant to order of the court of April 14, 1942, to the credit of the aforesaid nationals,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5212; Filed, April 3, 1943;  
10:00 a. m.]

[Vesting Order 1162]

## J. HENRY KRAUSE AND J. JACOB KRAUSE

In re: J. Henry Krause and J. Jacob Krause, as Trustees under the Will of Alarich Krause, deceased, vs. Walter Krause, Jacob Krause, Martha Krause Kehe, Margareth Krause Kehe, Lottie Hansohm, Peter Hansohm; and Unknown Owners; File D-28-1943; E. T. sec. 1822

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

## Find that—

(1) The property and interests hereinafter described are property which is in the process of administration by Henry Sonnenschein, Clerk, Superior Court of Cook County, Illinois, acting under the judicial supervision of the Superior Court of the State of Illinois, in and for the County of Cook; and

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

## Nationals:

Lottie Hansohm-----  
Peter Hansohm-----

Last known  
address  
Kiel, Germany.  
Kiel, Germany.

## And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, The Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Lottie Hansohm and Peter Hansohm, and each of them, in and to the Trust Estate created under the Will of Alarich Krause, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any



claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5213; Filed, April 3, 1943;  
10:00 a. m.]

[Vesting Order 1163]

#### ESTATE OF AUGUST KRIENKE

In re: Estate of August Krienke, deceased; File No. D-28-1659; E. T. sec. 504.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

#### Finding that—

(1) The property and interests described below in subparagraph (a) are property which is in the process of administration by Marie LaFlamme and Vincent Garvey, as Executors, acting under the judicial supervision of the Probate Court of LaSalle County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
William Krienke.....	Germany.
Otto Maass.....	Germany.
Waldermar Maass.....	Germany.
Mrs. Waldermar Maass.....	Germany.
Frederick Krienke and his issue.....	Germany.
Alvina Krienke and her issue.....	Germany.
Paulina Maass and her issue.....	Germany.

(3) The property and interests described in subparagraph (b) are property within the United States owned or controlled by nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Frederick Krienke and his issue.....	Germany.
Alvina Krienke and her issue.....	Germany.
Paulina Maass and her issue.....	Germany.

#### And determining that—

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

(5) The rents, refunds, benefits or other payments referred to in subparagraph (b) are necessary for the maintenance or safeguarding of other property (namely, real property described in subparagraph (b)) belonging to Frederick Krienke, Alvina Krienke and Paulina Maass, and their issue, and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order.

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interest and claim of any kind or character whatsoever of William Krienke, Otto Maass, Waldermar Maass, Frederick Krienke, Alvina Krienke, Paulina Maass, and the wife of the aforesaid Waldermar Maass, name unknown, who is a daughter of a brother of the mother of August Krienke, the issue of the said Frederick Krienke, Alvina Krienke, Paulina Maass, and each of them, in and to the estate of August Krienke, deceased;

(b) All right, title, interest and estate, both legal and equitable, of Frederick Krienke, Alvina Krienke, and Paulina Maass, and their issue, and each of them, in and to real property situated in LaSalle County, Illinois, and Kossuth County, Iowa, with all improvements and appurtenances thereto, hereinafter described, and any and all claims of Frederick Krienke, Alvina Krienke, and Paulina Maass, and their issue, and each of them, for rents, refunds, benefits or other payments arising from the ownership of such real property and the right to sue for and collect the same;

*Parcel I:* The Southeast quarter (¼) of Section twenty-nine (29) in Township thirty-four (34), North, Range one (1) East of the Third (3rd) Principal Meridian, in the Town of Dimmick, LaSalle County, Illinois, excepting fifty (50) acres off of the West side thereof.

*Parcel II:* The East one-half (½) of the South one-half (½) of the Northeast quarter (¼) of Section twenty (20) in Township thirty-three (33), North, Range one (1) East of the Third Principal Meridian, in the Town of Peru, LaSalle County, Illinois.

*Parcel III:* The Northwest quarter (¼) of Section twenty-three (23), in Township ninety-five (95), North, Range twenty-eight (28), West of the Fifth (5th) Principal Meridian, Kossuth County, Iowa.

*Parcel IV:* The South sixty-seven feet (67) of lots one (1) and two (2) and the South sixty-seven (67) feet of the East one-half (½) of lot three (3); the East one-half (½) of lot eight (8), lots nine (9) and ten (10), all in block one hundred ninety (190) in Brewster's Addition to Ninewa, the same being an Addition in and a part of the City of Peru, LaSalle County, Illinois, excepting however from the aforesaid premises the East fifty (50) feet of the South eighty-nine feet (89) of said lot ten (10).

*Parcel V:* The South fifty-seven (57) feet of lot five (5) and the South fifty-seven (57) feet of the West fifteen (15) feet of lot four (4) all in block one hundred seventy-one (171) in Brewster's Addition to Ninewa, the same being an Addition in and a part of the City of Peru, LaSalle County, Illinois, excepting and reserving any and all coal and mining rights theretofore conveyed.

*Parcel VI:* Lots eight (8) and sixteen (16) in Bull's Subdivision of the North fifty acres (50) of the West one-half (½) of the North West one-quarter (¼) of Section No. ten (10) in Township No. thirty-three (33), North Range one (1) East of the Third (3d) Principal Meridian, LaSalle County, Illinois, excepting the underlying coal and mining rights which have heretofore been conveyed.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to

indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5214; Filed, April 3, 1943;  
10:00 a. m.]

[Vesting Order 1164]

#### TRUST UNDER WILL OF CARL MECHEL

In re: Trust under the Will of Carl Mechel, deceased; File D-28-5292; E. T. sec. 1275.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

#### Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by First Wisconsin Trust Company, of 735 North Water Street, Milwaukee, Wisconsin, Trustee, acting under the judicial supervision of Milwaukee County Court of the State of Wisconsin, in and for the County of Milwaukee; and

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely, Marianne Maetz, whose last known address is Class Zelle 28, Berlin, Zehlendorf, Germany;

#### And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marianne Maetz in and to the Trust Estate created under the Last Will and Testament of Carl Mechel, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to



limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5215; Filed, April 3, 1943;  
10 a. m.]

[Vesting Order 1165]

ESTATE OF FRANCIS J. PACKWOOD

In re: Estate of Francis J. Packwood, deceased; File D-66-209; E. T. sec. 1245.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests described below in subparagraphs (a) and (b) are property which is in the process of administration by Florida National Bank of Jacksonville, Administrator, acting under the judicial supervision of the County Judge's Court of the State of Florida in and for the County of Duval;

(2) Such property and interests are payable or deliverable to, or claimed by, national of a designated enemy country, Italy, namely,

National:	Last known address
Millicent Drake.....	Italy.

(3) The property and interests described in subparagraph (b) are property within the United States owned or controlled by the aforesaid national of a designated enemy country, Italy; and

Determining that—

(4) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interest and claim of any kind or character whatsoever of Millicent Drake in and to the estate of Francis J. Packwood, deceased; and

(b) All right, title, interest and estate, both legal and equitable of Millicent Drake in and to the real property situated in the State of Florida, and described as follows:

S $\frac{1}{2}$  of N 52 46 $\frac{1}{2}$  chains of Jane Murray Grant 104 acres, Section 49, Township 18 South, Range 34 East, Volusia County, Florida, and S $\frac{1}{2}$  of N 52 46 $\frac{1}{2}$  chains of E 8 chains of Jane Murray Grant (21 acres) Section 48, Township 18 South, Range 34 East, Volusia County, Florida, including riparian rights,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5216; Filed, April 3, 1943;  
10:01 a. m.]

[Vesting Order 1166]

ESTATE OF SUSIE PIROLA, ETC.

In re: Estate of Susie Pirola, also known as Assunta Pirola, or Miss A. Pirola, deceased, File D-38-1024; E. T. sec. 2328.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John F. Hennessey, Administrator, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Cook; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals:	Last known address
Suor. Epifania Pirola....	Ospedale Civile (Torino) Foglizzo, Italy
Sig. Guiseppina Pirola..	16 Via Trieste Casano Magnago, Italy

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as na-

tionals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Suor. Epifania Pirola and Sig. Guiseppina Pirola, and each of them, in and to the estate of Susie Pirola, also known as Assunta Pirola, or Miss A. Pirola, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5217; Filed, April 3, 1943;  
10:01 a. m.]

[Vesting Order 1167]

TRUSTS UNDER WILL OF ALICE POTTER

In re: Trusts under the will of Alice Potter, deceased; File D-28-2459; E. T. sec. 3511

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Pennsylvania Company for Insurance on Lives and Granting Annuities, Trustee, acting under the judicial supervision of the Orphans Court of Philadelphia County, Pennsylvania.

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,



National:  
Crescenzia (Crescenzia) Scheller,  
also known as Cenzie Scheller. Germany.

Last known  
address

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Crescenzia (Crescenzia) Scheller, also known as Cenzie Scheller, in and to the Trust Estates created under the will of Alice Potter, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5218; Filed, April 3, 1943;  
10:01 a. m.]

[Vesting Order 1168]

#### ESTATE OF BARBARA RICHMOND

In re: Estate of Barbara Richmond, deceased; File D-28-2350; E. T. sec. 3543.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Bank of America National Trust & Savings Association, Executor and Trustee of the estate of Barbara Richmond, deceased, acting under the judicial supervision of the Superior Court of Alameda County, California;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Last known  
address

Nationals:  
Lulise Ruckstuhl----- Germany.  
Mina Ruckstuhl----- Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of \$1,000.00, of which Lulise Ruckstuhl and Mina Ruckstuhl are entitled to \$500.00 each under the will of Barbara Richmond, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5219; Filed, April 3, 1943;  
10:01 a. m.]

[Vesting Order 1169]

#### ESTATE OF FRED SCHÖY

In re: Estate of Fred Schöy, deceased; File D-28-2504; E. T. sec. 4919.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Karl Bauer, Executor, 7321 Lawndale Avenue, Philadelphia, Pennsylvania, acting under the judi-

cial supervision of the Orphans' Court of Philadelphia County, State of Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Last known  
address

Nationals:  
Marie Schöy----- Germany.  
Mathilda Schöy----- Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claims of any kind or character whatsoever of Marie Schöy and Mathilda Schöy, and each of them, in and to the estate of Fred Schöy, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interest or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5220; Filed, April 3, 1943;  
10:01 a. m.]

[Vesting Order 1170]

#### ESTATE OF VITO ANTHONY SICA

In re: Estate of Vito Anthony Sica, deceased; File No. D-38-317; E. T. sec. 308.

Under the authority of the Trading with the Enemy Act as amended and Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the



process of administration by Theresa Perry, as administratrix of the goods and chattels of Vita Anthony Sica, deceased, acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Kings County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely Benedetto Sica whose last known address is Italy;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Benedetto Sica in and to the Estate of Vito Anthony Sica, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property, and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5221; Filed, April 3, 1943;  
10:02 a. m.]

[Vesting Order 1171]

#### ESTATE OF MARGHERITA STAGNARO

In re: Estate of Margherita Stagnaro, deceased; File D-38-1222; E. T. sec. 4108.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the proc-

ess of administration by Albert B. Ferrara, Administrator, acting under the judicial supervision of the Circuit Court of Multnomah County, Portland, Oregon;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

*Last known address*

Nationals:

Person or persons, names unknown, Italy, entitled to receive the estate or any portion thereof of Margherita Stagnaro, deceased.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of a person or persons, names unknown, entitled to receive the estate or any portion thereof of Margherita Stagnaro, deceased, and each of them, in and to the Estate of Margherita Stagnaro, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5222; Filed, April 3, 1943;  
10:02 a. m.]

[Vesting Order 1172]

#### TRUST UNDER WILL OF WILLIAM WELKER

In re: Trust u/w William Welker, deceased; File D-28-1543; E. T. sec. 286.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and

pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Elisabeth Welker, Trustee of the trust under the will of William Welker, deceased, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pa.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Last known address*

Nationals:

Jacob Welker.....	Germany.
Palentin Welker.....	Germany.
Adam Welker.....	Germany.
Linir Welker.....	Germany.
Peter Welker.....	Germany.
Coa Welker.....	Germany.
James Welker.....	Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Jacob Welker, Palentin Welker, Adam Welker, Linir Welker, Peter Welker, Coa Welker, James Welker and each of them, in and to a trust created under the will of William Welker, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5223; Filed, April 3, 1943;  
10:02 a. m.]



[Vesting Order 1173]

## ESTATE OF JOHN ZANIER

In re: Estate of John Zanier, deceased;  
File D-66-511; E. T. sec. 4354.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

## Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Register of Wills and Clerk of the Probate Court, Depositary, acting under the judicial supervision of the District Court of the United States for the District of Columbia;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National: Last known address  
Dirce Zanier----- Italy.

## And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash distributable and payable to Dirce Zanier in the sum of \$254.41, which amount was deposited in the Registry of the Probate Court, Washington, D. C., on July 17, 1942, pursuant to order of the court of July 1, 1942, to the credit of the aforesaid national,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1 within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: March 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 43-5224; Filed, April 3, 1943;  
10:02 a. m.]

## OFFICE OF PRICE ADMINISTRATION.

[Order 26 Under SR 1 to GMPR]

THEODORE D. HELPRIN

## APPROVAL OF REGISTRATION

An opinion in support of this order has been rendered simultaneously herewith and filed with the Division of the Federal Register.

The following company has registered with and been approved by the Office of Price Administration as engaged principally and primarily in the business of reconditioning and selling damaged commodities received in connection with the adjustment of losses from insurance companies, transportation companies, and agents of the United States Government, and whose other activities do not include the buying or selling for its own account of new, used, or otherwise sound merchandise: Theodore D. Helprin, 116 John Street, New York, N. Y.

Pursuant to the authority vested in the Administrator by the Emergency Price Control Act of 1942, and in accordance with § 1499.26 (b) (1), as amended, of Supplementary Regulation No. 1, under the General Maximum Price Regulation, *It is hereby ordered:*

(a) That sales or deliveries by Theodore D. Helprin, New York City, N. Y., be, and they hereby are, excepted from the General Maximum Price Regulation in accordance with § 1499.26 (b) (1) of Supplementary Regulation No. 1.

(b) This Order No. 26 shall become effective April 3, 1943.

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5158; Filed, April 2, 1943;  
4:26 p. m.]

[Order 238 Under MPR 188]

ALLIED CABINET CORPORATION

## APPROVAL OF MAXIMUM PRICES

Order No. 238 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to 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) Allied Cabinet Corporation, 1052 West Monroe Street, Chicago, Illinois, is authorized to sell and deliver its new toys, designated in its application of February 4, 1943, at prices, f. o. b. Chicago, Illinois, no higher than those set forth below:

	Jobber	Retailer
#300-----	\$5.94	\$6.75
#400-----	5.88	6.45
#500-----	6.63	7.53
#600-----	7.58	8.61

(b) This Order No. 238 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 238 shall become effective on the 3d day of April 1943.  
Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5179; Filed, April 2, 1943;  
5:19 p. m.]

[Order 239 Under MPR 188]

DRITZ-TRAUM COMPANY

## APPROVAL OF MAXIMUM PRICES

Order No. 239 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to 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) Dritz-Traum Company, 11 East 26th Street, New York, New York, is authorized to sell and deliver its new play sewing sets, designated in the application of February 15, 1943, as "Peggy", at prices to retailers, f. o. b. New York, New York, no higher than those set forth below:

	Per unit
#6601-----	\$1.125
#6602-----	1.75
#6603-----	2.75
#6605-----	.75
#6606-----	1.00

(b) This Order No. 239 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 239 shall become effective on the 3d day of April 1943.

Issued this 2d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5180; Filed, April 2, 1943;  
5:19 p. m.]

[Order 4 Under Supp. Order 9]

ARMOUR &amp; COMPANY

## ORDER GRANTING ADJUSTMENT OF MAXIMUM PRICES

Order No. 4, under § 1305.12 of Supplementary Order No. 9—Commodities or Services under Government Contracts—Application for Adjustment of Maximum Prices.

Granting adjustment of maximum prices for sales of surgical ligatures by Armour Laboratories Division of Armour & Company to the U. S. Army Medical Depot.

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) Armour Laboratories Division of Armour and Company, Chicago, Illinois,



is authorized to sell and deliver the biological surgical ligatures listed herein at prices no higher than those set forth below:

Type	Size	Maximum price per tube
Plain.....	0	\$0.13
Plain.....	1	.139
Plain.....	2	.16
Chromic.....	0	.135
Chromic.....	1	.135
Chromic.....	2	.1625

(b) Any payment made to Armour Laboratories Division of Armour and Company in excess of the prices set forth in paragraph (a) hereof shall be refunded to the purchaser, and within 30 days after the effective date of this Order No. 4, the applicant shall file a statement with the secretary, Office of Price Administration in Washington, D. C., to the effect that all its contracts have been revised in accordance with the terms of this Order No. 4 and wherever required, refunds have been made.

(c) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 4 shall become effective on the 5th day of April, 1943.

Issued this 3d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5236; Filed, April 3, 1943;  
1:06 p. m.]

[Order 3 Under MPR 65]

BUHL SONS COMPANY

APPROVAL OF MAXIMUM PRICES

Order No. 3 Under § 1352.51 (b) (2) of Maximum Price Regulation No. 65—Resale of Floor Coverings.

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

(a) The Buhl Sons Company of Detroit, Michigan, may sell and deliver the fabrics listed herewith at prices no higher than those set forth below:

Per lineal yard  
f. o. b. Detroit

16393-T, 36" Tap.....	\$1.29½
16393-V, 45" Tap.....	1.62
16395-J, 36" Velvet.....	1.67
16395-S, 45" Velvet.....	2.10
16395-L, 45" Velvet.....	2.22
16392-T, 45" Velvet.....	2.30

These prices shall be subject to Buhl Sons Company's customary discounts, allowances and rebates in effect on October 13, 1941.

(b) Prior to the first invoice to each purchaser for resale of one of the floor coverings set forth in paragraph (a) hereof, Buhl Sons Company shall notify the purchaser of the maximum prices, and the conditions set forth for resale by the purchaser in Order No. 18 under § 1499.3 (c) of the General Maximum

Price Regulation. This notice may be given in any convenient form.

(c) This Order No. 3 may be revoked or amended by the Administrator at any time.

(d) This Order No. 3 shall become effective on the 5th day of April 1943.

Issued this 3d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5242; Filed, April 3, 1943;  
1:04 p. m.]

[Order 17 Under MPR 136, as Amended]

SYLVANIA ELECTRIC PRODUCTS, INC.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 17 under Maximum Price Regulation No. 136, as amended—Machines and Parts, and Machinery Services.

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 Procedural Regulation No. 6, *It is hereby ordered:*

(a) Notwithstanding any contrary provision of Maximum Price Regulation No. 136, as amended, from and after November 14, 1942, the maximum list price at which Sylvania Electric Products, Incorporated, Emporium, Pennsylvania, is authorized to sell and deliver any of the radio tubes listed below, upon government contract or subcontract, shall be the prices set forth opposite each of said types of tubes, viz.:

Type of tube:	Maximum list price
VR91.....	\$1.018 each
6L6G.....	0.495 each
5U4G.....	0.328 each

(b) Sylvania Electric Products, Incorporated, shall, six months from the date of this order and every six months thereafter, file with the Office of Price Administration, Washington, D. C., a report showing the gross dollar volume of its sales of each of the types of tubes listed above for the six months' period preceding such report.

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

(d) This order shall become effective April 5, 1943.

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

Issued this 3d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5238; Filed, April 3, 1943;  
1:05 p. m.]

[Order 13 Under MPR 185]

TURLOCK CO-OPERATIVE GROWERS

APPROVAL OF MAXIMUM PRICES

Order No. 13 under Maximum Price Regulation No. 185—Canned Fruits and Canned Berries.

Approval of maximum price for Turlock Co-operative Growers, Modesto, California.

The applicant, Turlock Co-operative Growers, has filed an application for specific authorization of a maximum price for No. 6/10 hand packed pie clingstone peach halves, pursuant to § 1341.102 (e) of Maximum Price Regulation No. 185.

Due consideration has been given to information submitted by the applicant with respect to the packing of clingstone peaches in the size, grade and style in question.

For the reasons set forth in the opinion which accompanies this order 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, That:*

(a) The applicant, Turlock Co-operative Growers, may sell, offer to sell or deliver and any person may buy, offer to buy or receive from applicant No. 6/10 hand packed pie clingstone peach halves at a price no higher than \$6.39 per dozen cans, f. o. b. factory.

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

(c) The applicant shall not change its customary allowances, discounts or price differentials, including price differentials between different classes of purchasers, unless such change results in a lower price.

(d) Unless the content otherwise requires, the definitions set forth in § 1341.110 of Maximum Price Regulation No. 185 and section 302 of the Emergency Price Control Act of 1942 shall be applicable to the terms used herein.

(e) This order shall become effective April 5, 1943.

Issued this 3d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5240; Filed, April 3, 1943;  
1:04 p. m.]

[Order 240 Under MPR 188]

O. J. McCURE TALKING PICTURES

ORDER DENYING APPLICATION FOR ADJUSTMENT

Order No. 240 under § 1499.161 (a) (1) of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel; Docket No. GF3-44.

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, and Executive Order No. 9250, *It is ordered:*

(a) The application of O. J. McCure Talking Pictures, 1115 West Washington Boulevard, Chicago, Illinois, filed May 14, 1942, and assigned Docket No. GF3-44, requesting an adjustment of its maximum prices for sales of certain sound



projection equipment manufactured by it, is denied.

This order shall become effective April 5, 1943.

Issued April 3d, 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5237; Filed, April 3, 1943;  
1:08 p. m.]

[Order 1 Under MPR 300]

BELL AND BALDWIN, INC.

#### APPROVAL OF MAXIMUM PRICES

Order No. 1 under Maximum Price Regulation No. 300—Maximum Manufacturers' Prices for Rubber Drug Sundries.

On March 13, 1943, Bell and Baldwin, Inc. of Akron, Ohio, made application under the provision of § 1315.1755 of Maximum Price Regulation No. 300 for approval of a maximum price of dropper bulbs manufactured by them. Due consideration has been given to the application and an opinion in support of this order has been issued simultaneously herewith and has been filed with the Division of the Federal Register. For the reasons set forth in the opinion and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250. It is hereby ordered:

(a) The maximum price for sales by Bell and Baldwin, Inc. of the first 50,000 dropper bulbs made of Tygon is \$50.38 per 1,000.

(b) The maximum price for all sales by Bell and Baldwin, Inc. of any additional dropper bulbs made from Tygon shall be \$21.38 per 1,000.

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

This order shall become effective April 5, 1943.

Issued this 3d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5239; Filed, April 3, 1943;  
1:04 p. m.]

[Order 11 Under MPR 244]

THE CLEVELAND CO-OPERATIVE STOVE COMPANY

#### ADJUSTMENT OF MAXIMUM PRICES

Order No. 11 under § 1421.157 (a) of Maximum Price Regulation 244—Gray Iron Castings; Docket No. 3244-5.

For the reasons set forth in the opinion, issued simultaneously herewith, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration, it is hereby ordered:

Adjustment of maximum prices for gray iron castings sold by The Cleveland Co-operative Stove Company, (a) The Cleveland Co-operative Stove Company,

2323 East 67th Street, Cleveland, Ohio, is hereby authorized to sell, offer to sell and deliver, and any person is authorized to buy, offer to buy and receive from said Company (1) "heavy gray iron castings" at prices not in excess of the following maximum prices, f. o. b. Cleveland, Ohio:

Weight:	Maximum prices (Cents per pound)
1 to 25 lbs. each.....	9 1/4
26 to 100 lbs. each.....	8 3/4
101 to 500 lbs. each.....	8 1/2
501 to 1,000 lbs. each.....	8

and (2) "light gray iron castings" at prices not in excess of said Company's applicable maximum prices under Maximum Price Regulation 244, plus 15% of said maximum prices before the addition of charges, if any, for transportation.

(b) The permission herein granted to the Cleveland Co-operative Stove Company is subject to the following condition: Said Company shall file with the Iron and Steel Branch of the Office of Price Administration, Washington, D. C., the following documents all prepared in accordance with recognized accounting principles and submitted under oath or affirmation: (1) Monthly profit and loss statements covering its gray iron castings operations, said statements to be filed within thirty days following the close of each month beginning with the month of March 1943; (2) monthly profit and loss statements covering its over-all operations, said statements to be filed within thirty days following the close of each month beginning with the month of March 1943; (3) quarterly balance sheets, said balance sheets to be filed within thirty days following the close of each quarter-year beginning with the first calendar quarter of 1943; (4) statements of its average per pound price for gray iron castings sold each month and its average per pound costs for the gray iron castings sold, said statements to be filed within thirty days after the close of each month beginning with the month of March 1943; (5) the profit and loss statements filed pursuant to (1) and (2) of this paragraph must show (i) net sales, (ii) cost of commodities and services sold, stating separately total labor costs, total material costs, and total other manufacturing costs, (iii) general and administrative expenses, segregating compensation to officers and directors, and (iv) net profits before income and excess profit taxes: *Provided*, That said Company need not file any of the foregoing financial data if it has filed such data or in the future does file such data on or before the time limits specified in this paragraph (b), on Form A—Annual Financial Report or Form B—Interim Financial Report, issued by the Office of Price Administration.

(c) The maximum prices specified in paragraph (a) for "heavy gray iron castings" shall be applicable to all shipments of such castings made by The Cleveland Co-operative Stove Company on and after October 26, 1942.

(d) When used in this order the term:

(1) "Heavy gray iron castings" means all gray iron castings produced by the Cleveland Co-operative Stove Company weighing more than 25 pounds each, and

also those gray iron castings weighing up to and including 25 pounds each produced on the bench and made from loose, ungated wood patterns;

(2) "Light gray iron castings" are all gray iron castings produced by the Cleveland Co-operative Stove Company which are not included within the definition of "heavy gray iron castings," herein.

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

(f) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

This Order No. 11 shall become effective April 5, 1943.

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

Issued this 3d day of April, 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5241; Filed, April 3, 1943;  
1:04 p. m.]

[Rev. Gen. Order 33]

GLEN E. EDGERTON

#### DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

Pursuant to the authority conferred upon the Administrator by Executive Order No. 9125 (7 F.R. 2719) and by War Production Board Directive No. 1-L the following order is prescribed:

(a) Glen E. Edgerton, Rationing Administrator for the Panama Canal Zone, is authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Administrator for the purpose of permitting the efficient rationing of petroleum products and rubber tires in the Panama Canal Zone;

*Provided, however*, That any program initiated pursuant to this authorization shall be subject to the approval of the Administrator for the Ninth Region of the Office of Price Administration.

(b) Any order issued by said Glen E. Edgerton pursuant to this delegation of authority shall have the same force and effect as if issued by the Administrator.

Issued and effective this 3d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5258; Filed, April 3, 1943;  
5:04 p. m.]

[Rev. Order 20 Under MPR 152]

C. S. KALE CANNING CO.

#### MODIFICATION OF ORDER DENYING PETITION

Revised Order No. 20 under Maximum Price Regulation No. 152—Canned Vegetables; Docket No. 3152-24.

Modification of order denying petition for adjustment of maximum prices filed by C. S. Kale Canning Company, Everson, Washington.

Order No. 20 under Maximum Price Regulation No. 152 is amended to read as follows:

On October 20, 1942, the Applicant, C. S. Kale Canning Company filed a petition pursuant to Procedural Regulation No. 1 and Procedural Regulation



No. 6 issued by the Office of Price Administration for specific authorization to adjust maximum prices established under Maximum Price Regulation No. 152. This petition was denied by Order No. 20 (8 F.F. 2618) under Maximum Price Regulation No. 152 issued and effective February 27, 1943. On March 15, 1942, Applicant filed a request for review of Order No. 20 insofar as such order denied adjustment under Procedural Regulation No. 6 of its maximum prices requested for sales of green beans to the Quartermaster Depots of the United States Army.

Due consideration has been given to the information submitted by Applicant in its original petition and in its request for review of Order No. 20 with respect to the packing for its general commercial trade of green beans in No. 2 and No. 10 size cans and with respect to the packing for the Quartermaster Depots of the United States Army of extra standard (choice) 4 sieve cut green beans and extra standard (choice) 5 sieve cut green beans in No. 10 size cans, which formed the basis of its contracts with the Quartermaster Depots.

For the reasons set forth in the opinion which accompanies this Revised Order No. 20 and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and pursuant to Revised Procedural Regulation No. 1 and Procedural Regulation No. 6 it is hereby ordered that:

(a) The C. S. Kale Canning Company may sell, offer to sell or deliver to the Quartermaster Depots of the United States Army and the Quartermaster Depots of the United States Army may buy, offer to buy or receive No. 10 size cans of extra standard (choice) 4 sieve cut green beans at a price no higher than the maximum price of \$6.125 per dozen f. o. b. factory and No. 10 size cans of extra standard (choice) 5 sieve cut green beans at a maximum price no higher than the maximum price of \$5.875 per dozen f. o. b. factory.

(b) Applicant's petition filed under Procedural Regulation No. 1 for adjustment of its maximum prices for sales to its general commercial trade of green beans packed in No. 2 and No. 10 size cans is hereby denied.

(c) This Revised Order No. 20 may be revoked or amended by the Price Administrator at any time.

(e) The Applicant, C. S. Kale Canning Company shall not change its customary allowances, discounts or price differentials unless such change results in a lower price.

(f) Unless the context otherwise requires the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(g) This Revised Order No. 20 shall become effective on April 6, 1943.

Issued this 3d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5255; Filed, April 3, 1943;  
5:04 p. m.]

No. 67—13

[Order 233 Under MPR 188]

#### GARDEL INDUSTRIES

#### APPROVAL OF MAXIMUM PRICES

Order No. 233 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 Gardel Industries, of five new toy soldier sets.

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) Gardel Industries, 106 East 19th Street, New York, New York, is authorized to sell and deliver five new toy soldier sets, described in its application of January 16, 1943, at prices f. o. b. New York, New York, no higher than those set forth below:

	To retailers	To jobbers
#50.....	\$0.33	\$0.28
#100.....	.67	.50
#200.....	1.33	1.00
#125P.....	.75	.60
#10P.....	.06	.05

[Per sq. ft.]

Thickness	Distributors		Railroads		Jobbers		National industries		All others	
	C/L	LCL	C/L	LCL	C/L	LCL	C/L	LCL	C/L	LCL
1".....	.12	.126	.135	.135	.138	.15	.144	.15	.153	.165
1 1/8".....	.136	.142	.153	.153	.156	.17	.163	.17	.173	.187
1 1/4".....	.152	.159	.171	.171	.174	.19	.182	.19	.193	.209
1 1/2".....	.168	.176	.189	.189	.193	.21	.201	.21	.214	.231
1 3/4".....	.18	.189	.202	.202	.207	.225	.216	.225	.229	.247
1 7/8".....	.196	.205	.220	.220	.225	.245	.235	.245	.249	.269
2".....	.212	.222	.238	.238	.243	.265	.254	.265	.27	.291
2 1/8".....	.228	.239	.256	.256	.262	.285	.273	.285	.29	.313
2 1/4".....	.24	.252	.270	.270	.276	.30	.288	.30	.306	.33
2 1/2".....	.256	.268	.288	.288	.294	.32	.307	.32	.326	.352
2 3/4".....	.272	.285	.306	.306	.312	.34	.326	.34	.346	.374
2 7/8".....	.288	.302	.324	.324	.331	.36	.345	.36	.367	.396
3".....	.30	.315	.337	.337	.345	.375	.36	.375	.382	.412
3 1/8".....	.316	.331	.355	.355	.363	.395	.379	.395	.402	.434
3 1/4".....	.332	.348	.373	.373	.381	.415	.398	.415	.423	.456
3 1/2".....	.348	.365	.391	.391	.40	.435	.417	.435	.443	.478
3 3/4".....	.36	.378	.405	.405	.414	.45	.432	.45	.459	.495

(b) The prices authorized in paragraph (a) above are conditioned upon the submission, not later than July 15, 1943, by the United States Gypsum Company to the Office of Price Administration of a report giving a detailed statement of total manufacturing cost per unit during a recent stated period of production of the product, including the quantity produced.

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

This order shall become effective April 3, 1943.

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

Issued this 3d day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5256; Filed, April 3, 1943;  
5:04 p. m.]

(b) This Order No. 233 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 233 shall become effective on the 2d day of April 1943.

Issued this 1st day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-5257; Filed, April 3, 1943;  
5:05 p. m.]

[Order 247 Under MPR 188]

#### UNITED STATES GYPSUM COMPANY

#### APPROVAL OF MAXIMUM PRICES

Order No. 247 under § 1499.158 of Maximum Price Regulation No. 188—Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel.

For the reasons set forth in an Opinion issued simultaneously herewith and pursuant to § 1499.158 of Maximum Price Regulation No. 188, It is hereby ordered:

(a) The United States Gypsum Company may sell, deliver or offer for sale, and any purchaser may receive or buy in the course of trade, K-Fac block insulation manufactured by the United States Gypsum Company, at the following prices, f. o. b. mill, with freight equalization with any producing point of 85% magnesia pipe and block insulation on sales to railroads and with full freight allowed on sales to other purchasers:

#### SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-634, 70-635]

THE MAUCH CHUNK HEAT, POWER AND ELECTRIC LIGHT CO., AND NATIONAL POWER AND LIGHT CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 31st day of March, A. D. 1943.

National Power & Light Company, a registered holding company, and The Mauch Chunk Heat, Power & Electric Light Company, a subsidiary of Republic Service Corporation, a registered holding company, having filed an application and declarations pursuant to sections 9, 10, 12 (c) and 12 (d) of the Public Utility



Holding Company Act of 1935 and Rules U-42, U-43 and U-44 promulgated thereunder, relating to (1) the sale by National Power & Light Company of its entire interest in The Mauch Chunk Heat, Power & Electric Light Company to the latter, consisting of 61 shares of \$25 par value 6% cumulative preferred stock and 597 shares of \$25 par value common stock, for \$30,000 cash; and (2) the acquisition by The Mauch Chunk Heat, Power & Electric Light Company of such securities from National Power & Light Company for the consideration above specified, and to retain the same as treasury stock; and

National Power & Light Company having requested that the Commission waive the requirement of Account 100 of the Uniform System of Accounts for Public Utility Holding Companies with respect to the segregation of the group investment which includes the securities of The Mauch Chunk Heat, Power & Electric Light Company, presently held by National Power & Light Company; and

The Commission having heretofore on August 23, 1941, entered its order pursuant to section 11 (b) (2) of the Act directing the dissolution of National Power & Light Company; and

A joint public hearing on said application and declarations having been held after appropriate notice; and the Commission having examined the record and having made and filed its findings herein, including the finding that the proposed sale by National of the securities hereinabove mentioned is a step in compliance with said order of the Commission dated August 23, 1941, and is not in contravention of the provisions of the Act, or any rules or regulations promulgated thereunder;

*It is ordered*, That the said application be, and hereby is, granted and that the said declarations be, and hereby are, permitted to become effective forthwith subject, however, to the terms and conditions prescribed in Rule U-24 of the general rules and regulations promulgated under said Act.

*It is further ordered*, That the requirement of Account 100 of the Uniform System of Accounts for Public Utility Holding Companies be, and hereby is, waived, for the purposes of this transaction only, insofar as it imposes a duty to segregate the remainder of the group investment in the accounts of National Power & Light Company.

*It is further ordered*, That the sale and transfer by National Power & Light Company to The Mauch Chunk Heat, Power & Electric Light Company of the latter's securities, consisting of 61 shares of 6% cumulative preferred stock and 597 shares of common stock, is necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-5195; Filed, April 3, 1943; 9:50 a. m.]

[File No. 1-2859]

FULLER MANUFACTURING CO.

ORDER POSTPONING HEARING

In the matter of Fuller Manufacturing Company, Common Stock, \$1 Par Value.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of March, A. D. 1943.

The Commission having on March 18, 1943, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, ordered a hearing to be held on April 28, 1943 in the above-entitled matter; and

Counsel for the applicant having requested that said hearing be postponed until May 17, 1943; and

It appearing to the Commission that the granting of said request will be in the public interest;

*It is ordered*, That the hearing in this matter previously scheduled for April 28, 1943, be, and hereby is, postponed to May 17, 1943, at the hour and place heretofore designated.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-5196; Filed, April 3, 1943; 9:50 a. m.]

[File No. 1-2836]

LINCOLN SERVICE CORP.

ORDER POSTPONING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of March, A. D. 1943.

In the matter of Lincoln Service Corporation, 7% Cumulative Prior Preferred Stock, \$50 Par Value, Common Stock, \$1 Par Value.

The Commission having on March 19, 1943, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, ordered a hearing to be held on April 23, 1943 in the above-entitled matter; and

A postponement having been requested; and

It appearing to the Commission that the granting of said request will be in the public interest;

*It is ordered*, That the hearing in this matter now set for April 23, 1943, be and the same is postponed until April 28, 1943 at the hour and place heretofore designated.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-5197; Filed, April 3, 1943; 9:50 a. m.]

[File Nos. 59-34, 59-56]

NEW ENGLAND GAS AND ELECTRIC  
ASSOCIATION ET AL.

ORDER POSTPONING HEARING AND TO SHOW  
CAUSE

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 2d day of April, A. D. 1943.

In the matter of New England Gas and Electric Association, Paul Smith, Alexander Speer, and Frederick W. Bartow, as Trustees of Gas and Electric Associates, Francis G. Goodale, as Trustee of Utility Investing Trust, Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, Stanley Clarke, as Trustee of Associated Gas and Electric Company, File No. 59-34. In the matter of New England Gas and Electric Association, File No. 59-56.

The Commission, by order dated September 30, 1941, having instituted proceedings under section 11 (b) (2) of the Public Utility Holding Company Act of 1935 with respect to New England Gas and Electric Association, a registered holding company; and hearings having been held, briefs having been filed, and the Commission having heard oral argument and taken said matter under advisement; and by order dated September 26, 1942, having instituted proceedings under section 11 (b) (1) of said Act with respect to New England Gas and Electric Association; and by order dated February 17, 1943, having instituted further proceedings with respect to New England Gas and Electric Association under sections 11 (a), 11 (b) (2), 12 (f), 12 (g), 15 (f), and 20 (a) of the said Act, and having consolidated such proceedings for hearing with the proceedings under section 11 (b) (1) of the said Act, and having named certain persons as additional parties to said proceedings; a hearing having been held on the consolidated matter on March 4, 1943, and said hearing having been continued until April 5, 1943; and

The Trustee of Associated Gas and Electric Company and the Trustees of Associated Gas and Electric Corporation having filed a motion requesting that the issues set forth in the Commission's order of February 17, 1943, with respect to the extent and validity of certain claims of the said Trustees against New England Gas and Electric Association be broadened to include any and all claims which the said Trustees or their subsidiaries may have against New England Gas and Electric Association and having requested that the continued hearing in this matter, scheduled for April 5, 1943, at the offices of the Securities and Exchange Commission, Philadelphia, Pennsylvania, be postponed until after the decision of the Commission with respect to the pending motion; and

It appearing to the Commission that the hearing in this matter should be postponed to April 6, 1943, and that at the outset of said hearing, cause should be shown why such motion should be granted;

*It is ordered*, that the continued hearing in this matter scheduled to be held April 5, 1943, at the offices of the Securities and Exchange Commission, Philadelphia, Pennsylvania, at 10 a. m., e. w. t., be postponed to April 6, 1943, at the same time and place and before the same trial examiner heretofore design-



nated, and that at the outset of said hearing cause shall be shown why the motion filed by the Trustee of Associated Gas and Electric Company and the Trustees of Associated Gas and Electric Corporation should be granted.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-5234; Filed, April 3, 1943;  
11:35 a. m.]

[File No. 70-657]

**PUGET SOUND POWER & LIGHT COMPANY  
SUPPLEMENTAL ORDER**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of April 1943.

The Commission having heretofore on March 16, 1943 issued its interim order herein, making effective for the purpose of submitting bonds to competitive bidding the declaration of Puget Sound Power & Light Company pursuant to section 7 of the Public Utility Holding Company Act of 1935 regarding the issue and sale of \$52,000,000 aggregate principal amount of its First Mortgage Bonds, due December 1, 1972, at competitive bidding pursuant to Rule U-50, and the issue and sale of \$6,500,000 aggregate principal amount of 3½% promissory note maturing serially 1943 to 1948, by private sale at par to certain banks pursuant to the exemption provided in paragraph (a) (2) of said Rule U-50; and

Said declaration having provided that said Puget Sound Power & Light Company proposed to invite proposals at competitive bidding with respect to said bonds as provided in Rule U-50 of the general rules and regulations under the Public Utility Holding Company Act of 1935, and the Commission in said order having provided that the effectiveness of said declaration was subject to the Commission's approval by further order after the terms of the bond financing and the savings, if any, to be derived therefrom had been determined by competitive bidding; and

Puget Sound Power & Light Company, having filed an amendment to its declaration herein, which amendment specifies that said applicant has accepted the proposal of Stone & Webster and Blodgett, Incorporated, Lehman Brothers and Halsey, Stuart & Co., Inc., as representatives and on behalf of an underwriting group, to purchase said First Mortgage Bonds at 102.05 plus accrued interest, said bonds to be offered initially to the public by said underwriters at 104.25 and to bear a coupon rate of 4¼%; and

The Commission having examined said amendment and having considered the record herein, and having found that the price and spread as aforesaid is not unreasonable and having found that substantial savings may result from the refinancing proposed:

It is ordered, That the jurisdiction heretofore reserved with respect to a reconsideration of the proposed financing after the results of competitive bidding had been reported, be and the same hereby is released, and that the declaration be and the same hereby is declared effective forthwith for the purpose of permitting the sale of said bonds and notes as aforesaid.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-5235; Filed, April 3, 1943;  
11:35 a. m.]

Urgency rating No.	Builders serial No.	Name of builder and address	Location of project
13	2965	Continental Oil Co., Ponca City, Okla.	Lake Charles, La.
14	20410	Continental Oil Co., Ponca City, Okla.	Wichita Falls, Tex.
17a	11454	Shell Oil Co., New York, N. Y.	Norco, Calif.
17c	17583	Standard Oil Co. (La.), Baton Rouge, La.	Baton Rouge, La.
17f	26760	Richfield Oil Co., Los Angeles, Calif.	Watson, Calif.
17h	24107	Skelly Oil Co., Tulsa, Okla.	Eldorado, Kans.
17j	32636	Tide Water Assoc. Oil Co., San Francisco, Calif.	Avon, Calif.
17k	15613	Standard Oil Co. (N. J.), New York, N. Y.	Bayway, N. J.
17l	18140	Standard Oil Co. (N. J.), New York, N. Y.	Linden, N. J.
17o	25448	Colonial Beacon Oil Co., Everett, Mass.	Everett, Mass.
17p	30966	Standard Oil Co. (Ohio), Cleveland, Ohio.	Toledo, Ohio.
17q	29910	Pure Oil Co., Chicago, Ill.	Cabin Creek, W. Va.
17r	31822	Daneiger Oil & Refg. Co., Pampa, Tex.	Pampa, Tex.
17t	34340	Aurora Gasoline Co., Detroit, Mich.	Detroit, Mich.
17u	34927	Northwest Refining Co., Cut Bank, Mont.	Cut Bank, Mont.
17bb	39898	Independent Ref. Co., Arp, Tex.	Arp, Tex.
17cc	40321	Pan American Oil Co., New York, N. Y.	Texas City, Tex.
17ee	40940	Continental Oil Co., Ponca City, Okla.	Ponca City, Okla.
26	2240	Shell Oil Co., New York, N. Y.	Wilmington, Del.

Issued this 2d day of April 1943.

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

[F. R. Doc. 43-5153; Filed, April 2, 1943;  
3:47 p. m.]

**NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS**

The War Production Board has issued certain revocation orders listed in Schedule A

**SCHEDULE A**

Preference rating order	Serial No.	Name and address of builder	Project affected	Date of issuance of revocation order
P-19-e.....	635-e.....	Georgia State Highway Bd., Atlanta, Georgia.	Everett City, FA 355-C (1).....	3/18/43

[F. R. Doc. 43-5155; Filed, April 2, 1943; 3:47 p. m.]

[Preference Rating Order P-19-e, Serial No. 120-e]

**MONTANA STATE HIGHWAY PROJECT**

**AMENDMENT TO REVOCATION ORDER**

Builder: Montana State Highway Commission, Helena, Montana. Project: FAP 119 B (1).

Notwithstanding the revocation issued December 24, 1942 of the above serially numbered preference rating order, the builder is hereby permitted to complete

**WAR PRODUCTION BOARD.**

**NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING SPECIAL DIRECTIONS DATED DECEMBER 8, 1942**

The War Production Board has issued certain revocation orders revoking special directions dated December 8, 1942, issued in connection with certain synthetic rubber and high octane gasoline facilities construction projects to which urgency numbers listed below were assigned. For the effect of such revocation order the builder and suppliers affected shall refer to the specific order issued to the builder:

ule A below, partially revoking preference rating orders issued in connection with, and partially stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued April 2, 1943.

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

the grading and base surfacing only on State Project FAP 119 B (1); the ratings assigned by said preference rating order are hereby restored to the extent required to acquire materials necessary for such further construction.

Issued April 2, 1943.

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

[F. R. Doc. 43-5154; Filed, April 2, 1943;  
3:47 p. m.]



## PROJECT AT BLACKFEET, MONT.

## AMENDMENT TO STOP CONSTRUCTION ORDER

Builder: U. S. Dept. of Interior, Indian Affairs, Washington, D. C. Project: Blackfeet, Montana.

Paragraphs 1 and 2 of stop construction order addressed to the United States Department of the Interior, Indian Affairs, issued on December 16, 1942, are hereby amended to read as follows:

1. *Prohibition of construction.* The builder shall neither perform nor permit the performance of any further construction or installation on the project, except that construction may be continued solely for purposes of safety or health or to avoid undue damage to or deterioration of materials, and further construction being a canal and headgate to replace the former canal system near Cut Bank, Montana and rehabilitation of seven miles of canal.

2. *Prohibition of deliveries of material.* Neither the builder nor any supplier shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project, except such materials as may be required and permitted further construction as designated in paragraph (1) hereof. This paragraph shall not, however, prohibit the delivery to their immediate destination of any materials which are now in transit, or the acceptance of any such delivery.

Issued April 2, 1943.

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

[F. R. Doc. 43-5156; Filed, April 2, 1943;  
3:47 p. m.]

## GILA PROJECT, ARIZ.

## AMENDMENT TO STOP CONSTRUCTION ORDER

Builder: U. S. Dept. of Interior, Bureau of Reclamation, Denver, Colorado. Proj-

ect identified as the Gila Project, Arizona.

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals, lumber and other materials used in construction, for defense, for private account and for export, and of construction machinery and other facilities used in construction; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

*It is therefore ordered:*

1. *Prohibition of construction.* The builder shall neither perform nor permit the performance of any further construction or installation on the project described above except for permitted further construction being construction necessary for the development of guayule and the levelling, irrigation and cultivation of approximately 3,000 acres adjacent to the Army Air Forces Advanced Flying School, for purposes of dust control and solely for purposes of safety or health or to avoid undue damage to or deterioration of materials already incorporated.

2. *Prohibition of deliveries of materials.* Neither the builder nor any supplier, shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project. This paragraph shall not, however, prohibit the delivery to their immediate destination of any materials which are now in transit, or the acceptance of any such delivery nor shall it prohibit the delivery or acceptance of delivery for materials to be used for permitted further construction as defined in paragraph (1) hereof.

3. *Reports.* The builder shall file with the War Production Board, Materials Redistribution Branch, such reports as may be required by the Director General for Operations.

4. *Notice to suppliers.* The builder shall promptly advise its suppliers of the terms of this order, and each supplier shall in turn notify his suppliers.

5. *Application for exception.* The builder or any supplier who considers that compliance with this order would work an exceptional and unreasonable hardship upon him may apply to the War Production Board for an exception, setting forth the pertinent facts and the reasons why he considers he is entitled to the relief requested. The War Production Board may thereupon take such action as it deems appropriate, including restoration or temporary restoration of any rating herein revoked. Applications for exception under this paragraph shall be addressed to the War Production Board, Ref.: P-19, Washington, D. C.

6. *Effect on prior orders.* This order supersedes all previous orders and directives of the War Production Board relative to the project.

7. *Communications.* Communications concerning this revocation shall be addressed to the War Production Board, Ref.: P-19, Washington, D. C.  
Issued April 2, 1943.

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

[F. R. Doc. 43-5157; Filed, April 2, 1943;  
3:47 p. m.]

[Revocation of Preference Rating Order P-88]

## MATERIAL ENTERING INTO RAILROAD MAINTENANCE, REPAIR AND OPERATING SUPPLIES

Preference Rating Order No. P-88, issued March 16, 1942, as amended, and all serial numbered copies thereof, are hereby revoked effective April 5, 1943, and shall be superseded in all respects by Preference Rating Order P-142 as of that date.

Issued this 5th day of April 1943.

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

[F. R. Doc. 43-5285; Filed, April 5, 1943;  
11:21 a. m.]