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Washington, Tuesday, June 8, 1943

The President

EXECUTIVE ORDER 9349

POSSESSION RELINQUISHED OF PLANTS OF MILFORD ORDNANCE COMPANY, INC., AND SUSSEX ORDNANCE COMPANY

WHEREAS by Executive Order No. 9254, dated the 12th day of October, 1942, the Secretary of the Navy was authorized to take possession of and operate the plants of Milford Ordnance Company, Inc., and of Sussex Ordnance Company, all located at Milford, Delaware, insofar as might be necessary or desirable to produce safely and effectively the kind, quantity, and quality of war materials as might be required for the war effort; and

WHEREAS on the 13th day of October, 1942, the Secretary of the Navy, acting pursuant to such authority, took possession of said plants and has retained such possession since that date; and

WHEREAS the said Executive Order provides that possession and operation of any plant thereunder shall be terminated by the President as soon as he determines that such plant will be operated privately in a manner consistent with the war effort; and

WHEREAS I have now determined that said plants of Milford Ordnance Company, Inc., and of Sussex Ordnance Company will be privately operated in a manner consistent with the war effort:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, as President of the United States, and as Commander in Chief of the Army and Navy of the United States, hereby direct the Secretary of the Navy to relinquish possession of the plants of Milford Ordnance Company, Inc., located at Milford, Delaware, to Milford Ordnance Company, Inc., and the plants of Sussex Ordnance Company, located at Milford, Delaware, to Sussex Ordnance Company, as of midnight on June 5, 1943,

17 F.R. 8333.

and to issue the necessary orders for carrying out this direction.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

June 4, 1943.

[F. R. Doc. 43-9125; Filed, June 5, 1943; 10:11 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter X—War Food Administration

[FPO 12, Revised]

PART 1206—FERTILIZER

ORGANIC NITROGENOUS MATERIAL

Effective June 1, 1943, § 1206.601 is hereby revised and amended in its entirety to read as follows:

§ 1206.601 *Organic nitrogenous material*—(a) *Definitions.* For the purposes of this order:

(1) "Organic nitrogenous material" means nitrogenous material derived from any plant or animal organism containing nitrogen, including, but not limited to, animal, fish, processed garbage and other tankages, bone meal, blood, castor pomace, tobacco stems, oilseed meals (including cottonseed, peanut, soy bean, rape, linseed, and other oilseed meals), sewage sludge, cocoa shell meal, bat, peruvian and whale guanoses, but excluding animal and poultry manures, peat, and humus.

(2) "Acquire" means to purchase, obtain by barter, exchange or otherwise, accept delivery of, or contract to do any of the foregoing, and to obtain by intra-company delivery.

(3) "Intra-company delivery" means delivery from a processing plant to a fertilizer mixing plant of the same company or other business enterprise under common ownership or control.

(4) "Processing plant" means a plant for processing or producing organic nitrogenous materials.

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turer is hereby authorized to acquire organic nitrogenous material for use at each fertilizer mixing plant operated by such manufacturer in the manufacture of mixed fertilizers for sale, but the quantity of such material acquired for such purpose shall not exceed, on a nitrogen unit basis, 70 percent of the total quantity used at such plant for such purpose during the period July 1, 1941, to June 30, 1942, taking into account, however, the quantity of such material in mixed fertilizers on hand on June 1, 1943, and the quantity of such unmixed material on hand on such date which may be used in the manufacture of mixed fertilizers for sale.

(2) During the period June 1, 1943, to June 30, 1944, each fertilizer manufacturer is hereby authorized to acquire organic nitrogenous material for sale at each fertilizer mixing plant operated by such manufacturer to consumers for use in home mixing, but the quantity of such material acquired for such purpose shall not exceed, on a nitrogen unit basis, 70 percent of the quantity sold from such plant to consumers for use in home mixing during the period July 1, 1941, to June 30, 1942, taking into account, however, the quantity of such material on hand on June 1, 1943, which may be sold for use in home mixing.

(3) No fertilizer manufacturer shall use or deliver any organic nitrogenous material acquired pursuant to paragraphs (c) (1) and (c) (2) hereof for any purpose other than the purposes specified in paragraphs (c) (1) and (c) (2).

(4) No processor shall deliver any organic nitrogenous material to any fertilizer manufacturer for the purposes specified in paragraphs (c) (1) and (c) (2) hereof without having obtained from such manufacturer a certificate in substantially the following form:

The undersigned fertilizer manufacturer hereby certifies to the War Food Administration and to the processor that the quantity of organic nitrogenous materials ordered from such processor for _____¹ is within the quantity which such manufacturer is authorized by Food Production Order No. 12, Revised, to acquire for such purpose during the period June 1, 1943, to June 30, 1944, and that such materials will be used only for the above-named purpose.

Fertilizer manufacturer
By -----
Duly authorized official

Title

Date

Such certificate may be endorsed on or accompany the order for organic nitrogenous material. It shall be signed by the fertilizer manufacturer. In the event such manufacturer is a corporation, it shall be signed by a duly authorized officer of such corporation. The receipt of such certificate shall not authorize the delivery of organic nitrogenous material by any processor where he knows or has reason to believe the same to be false, but in the absence of such knowledge or

¹ Insert "use in mixed fertilizers for sale" or "sale for home mixing".

reason to believe he may rely on the certificate.

(d) *Specialty fertilizers.* With the prior approval of the Deputy Administrator, any processor may deliver organic nitrogenous materials for sale and use as specialty fertilizer.

(e) *Organic nitrogenous material for the armed forces.* With the prior approval of the Deputy Administrator, the United States Army, Navy, Marine Corps and Coast Guard may acquire organic nitrogenous material for use as fertilizer.

(f) *Organic nitrogenous material for experimental purposes.* Nothing in this order shall be deemed to prohibit the delivery of organic nitrogenous materials by processors to educational institutions and publicly owned agricultural institutions for experimental purposes.

(g) *Discrimination.* In filling orders for organic nitrogenous material pursuant to this order, no processor shall show any discrimination in favor of any person as against other persons from whom orders have been accepted.

(h) *Reports.* (1) Each fertilizer manufacturer shall, on or before June 30, 1943, file a report with the Deputy Administrator, on a form to be prescribed by the Deputy Administrator and approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942, containing the following information:

(i) The quantity of organic nitrogenous material, by material and nitrogen units, used at each fertilizer mixing plant operated by such manufacturer in the manufacture of mixed fertilizers for sale during the period July 1, 1941, to June 30, 1942.

(ii) The quantity of organic nitrogenous material, by material and nitrogen units, on hand at each fertilizer mixing plant operated by such manufacturer on June 1, 1943, including the quantity already contained in mixed fertilizers for sale on such date.

(iii) The quantity of organic nitrogenous material, by material and nitrogen units, sold at each fertilizer mixing plant operated by such manufacturer as straight material for home mixing during the period July 1, 1941, to June 30, 1942.

(2) Each processor shall make monthly reports to the Deputy Administrator, on a form to be prescribed by the Deputy Administrator and approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942, showing the quantity of each organic nitrogenous material, in tons and in nitrogen units, produced by him, the quantities of such materials delivered, and the names of the persons and fertilizer mixing plants to whom such deliveries were made. This report shall be filed on or before the tenth day of the month following the month in which the production and delivery occurred.

(3) Each fertilizer manufacturer and each processor shall make such other reports as the Deputy Administrator may from time to time request or direct, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(5) "Mixed fertilizer" means a mixture or combination of materials used as plant foods containing two or more of the following: nitrogen, phosphorus or potassium.

(6) "Specialty fertilizer" means fertilizer which is prepared for sale primarily for use in non-farm areas on non-field crops, lawns, shrubbery, flowers, gardens, and greenhouses, and is retailed at a price considerably higher than farm fertilizers.

(7) "Processor" means a processor or producer of organic nitrogenous materials.

(8) "Fertilizer manufacturer" means any person who manufactures or mixes fertilizer for sale.

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

(10) "Deputy Administrator" means the Deputy Administrator in charge of the Office of Materials and Facilities of the War Food Administration.

(b) *Restriction on deliveries by processors.* Whenever a processor delivers any organic nitrogenous material for fertilizer purposes, such delivery shall be made only to a person authorized to acquire such material and for a purpose specified in paragraphs (c) (1), (c) (2), (d), (e) and (f) hereof.

(c) *Manufacturers' authorization to acquire organic nitrogenous material.*

(1) During the period June 1, 1943, to June 30, 1944, each fertilizer manufac-

(i) *Records.* For not less than two years, each processor shall retain the certificates required by paragraph (c) (4) hereof on file and shall also maintain accurate records of sales and deliveries of organic nitrogenous materials, including the quantities of such materials delivered to each person and the purposes for which the deliveries were made. Each fertilizer manufacturer shall maintain for not less than two years accurate records of the quantities of organic nitrogenous materials acquired and the quantities of such materials used in the manufacture of mixed fertilizers for sale. (The record keeping requirements of this paragraph have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(j) *Audits and inspections.* Each processor and each fertilizer manufacturer shall, upon request, permit duly authorized representatives of the Deputy Administrator to inspect, at reasonable hours, his stocks of organic nitrogenous materials and mixed fertilizers containing such materials, and the premises used for processing, manufacturing or storing such materials and such fertilizers. Each processor and each fertilizer manufacturer shall, upon request, submit his books, records and accounts for audit and inspection by duly authorized representatives of the Deputy Administrator.

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

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

(m) *Communications.* All reports required to be filed hereunder and all communications concerning this order

shall, unless instructions to the contrary are issued, be addressed to the War Food Administration, United States Department of Agriculture, Washington, D. C., Ref. FPA 12.

(n) *Delegation of authority.* The administration of this Food Production Order No. 12, Revised, and the powers conferred by Executive Order No. 9280 and Executive Order No. 9322, as amended by Executive Order No. 9334, insofar as such powers relate to the administration of this order, are hereby delegated to the Deputy Administrator. The Deputy Administrator shall be assisted in the administration of this order by such employees of the Department of Agriculture as he may designate, and such employees are hereby authorized to administer the provisions of this order.

(o) *Territorial application of order.* This order shall have application in the Continental United States, including only the 48 States and the District of Columbia of the United States.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 4th day of June 1943.

CHESTER C. DAVIS,
War Food Administrator.

[F. R. Doc. 43-9137; Filed, June 5, 1943;
11:42 a. m.]

Chapter XI—War Food Administration

[FDO 49-3]

PART 1405—FRUITS AND VEGETABLES

RESTRICTIONS RELATIVE TO IRISH POTATOES

Pursuant to the authority vested in me by Food Distribution Order 49, dated April 13, 1943, as amended, effective pursuant to Executive Order 9280, dated December 5, 1942, and Executive Order 9322, dated March 26, 1943, as amended by Executive Order 9334, dated April 19, 1943, and in order to effectuate the purposes of such orders, *It is hereby ordered,* As follows:

§ 1405.9 *Reduction of territorial scope.* (a) The territorial scope of Food Distribution Order 49, as amended, is hereby reduced by excluding from the scope of said order, as amended, the counties of Baldwin, Mobile, and Escambia in the State of Alabama, and the counties of Escambia and Santa Rosa in the State of Florida.

(b) The provisions and requirements of Food Distribution Order 49, as amended, which are now applicable to certain areas designated in Food Distribution Order 49, as amended, Director Food Distribution Order 49-1, and Director Food Distribution Order 49-2 shall not, from the effective date of this order, be applicable to the areas described in (a) hereof.

(c) With respect to violations of Food Distribution Order 49, as amended, rights accrued or liabilities incurred in the area named in (a) hereof, prior to the effective date of this order, said Food Distribution Order 49, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with re-

spect to any such violation, right, or liability.

(d) This order shall become effective at 12:01 a. m., E. W. T., June 7, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; F.D.O. No. 49, 8 F.R. 4859, 5700)

Issued this 7th day of June 1943.

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

[F. R. Doc. 43-9198; Filed, June 7, 1943;
12:06 p. m.]

PART 1410—LIVESTOCK AND MEATS

[FDO 48, Amdt. 1]

RESTRICTIONS ON INVENTORIES

Food Distribution Order No. 48 (8 F.R. 4499), issued by the War Food Administrator on April 6, 1943, is amended to read as follows:

§ 1410.8 *Restrictions on inventories—(a) Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

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

(2) The term "Director" means the Director of Food Distribution, War Food Administration, or any employee of the War Food Administration designated by such Director.

(3) The term "governmental agency" means (i) the Army, Navy, Marine Corps, or Coast Guard of the United States (hereinafter called "the armed forces"), excepting post exchanges, service men's clubs, ship service stores, sales commissaries, and similar organizations, and including any person who, pursuant to a written contract with an agency of the United States, is feeding personnel of the armed forces under the command of a commissioned or non-commissioned officer or other authorized representative of the armed forces and who is specifically authorized by such representative to purchase meat, to the extent necessary to feed such personnel; (ii) the Food Distribution Administration (including but not restricted to the Federal Surplus Commodities Corporation); (iii) the War Shipping Administration; (iv) the Veterans Administration; and (v) any other instrumentality or agency designated by the War Food Administrator.

(4) The term "meat" means the carcasses of cattle, calves, sheep, lambs, or swine, and any processed or unprocessed edible product or byproduct, cut or trimming, or any edible product produced in whole or in part from such animals regardless of how prepared or packaged, excluding, however, oils, lard, rendering fats, raw leaf, byproducts not ordinarily used for human consumption, and skins when prepared for use in leather, glue or gelatin.

(5) The terms "cured" and "in process of cure" shall not include meat which is smoked or which is in the process of smoking, or is being washed, soaked or hung in preparation for smoking.

(6) The term "restricted beef" or "restricted pork" means beef meat or pork meat that is frozen, cured, or in process of cure, including livers, hearts, and kidneys; excluding, however,

(i) Other edible offal, head meats, tongues, pigs feet, neck bones, ham and shoulder bones, soup bones, back bones, beef ham sets, canned meats, sausage, scrapple, and souse;

(ii) Cutter and canner grades of beef, except that permitted under Meat Restriction Order No. 1, as amended,¹ to be delivered to persons other than exempt purchasers;

(iii) Meat located in a retail store.

(7) The term "in inventory" means stocks of restricted beef or pork processed or owned by any person and located in such person's plant, branch house, warehouse, or premises, and stocks of restricted beef or pork owned by any person, in whole or in part, regardless of where, how, or by whom held; excluding, however, restricted beef or pork which has been sold to governmental agencies, or which is to be used in the manufacture of meat products under contract of sale to any governmental agency.

(8) The term "branch house" means an establishment where meat is processed, stored, or held for sale or delivery, owned or controlled, in whole or in part, by a person engaged in the business of slaughtering livestock, and located apart from the premises where such slaughtering is done.

(9) The term "retail store" means an establishment in which 75% of the meat handled is sold directly to ultimate consumers.

(10) The term "delivery" means the transfer of meat to any other person. The transfer of meat, by any person subject to this order, to a retail store owned or controlled by such person shall be deemed a delivery.

(11) The term "quota slaughterer" means a person or persons registered and classified under Meat Restriction Order No. 1, as amended,¹ as a "slaughterer."

(12) The term "average weekly beef quota" or "average weekly pork quota" means the number of pounds of beef or pork, respectively, in a slaughterer's beef or pork quota for a particular quota period, as determined under Meat Restriction Order No. 1, as amended,¹ divided by the number of weeks in such quota period.

(b) *Restrictions.* (1) No quota slaughterer shall have in inventory on June 12, 1943, or at the end of any week thereafter:

(i) A quantity of restricted beef in excess of 40,000 lbs., or one-third of his average weekly beef quota for the current quota period, whichever quantity is greater;

(ii) A quantity of restricted pork in excess of four times his average weekly pork quota for the current quota period.

(2) No person, other than a quota slaughterer, who has delivered during any week since the week ending April 3, 1943, a quantity of meat having a total net weight in excess of 40,000 pounds

shall have in inventory on June 12, 1943, or at the end of any week thereafter;

(i) A quantity of restricted beef in excess of 40,000 lbs., or one-third of his average weekly delivery of beef, other than to governmental agencies, in the immediately preceding monthly accounting period, whichever quantity is greater;

(ii) A quantity of restricted pork in excess of four times his average weekly delivery of pork, other than to governmental agencies, in the immediately preceding monthly accounting period.

(3) Any person who sells or distributes meat through a branch house or branch houses may have in inventory on June 12, 1943, or at the end of any week thereafter:

(i) A quantity of restricted beef, in addition to the quantity allowed under paragraphs (b) (1) or (b) (2) above, equivalent to one-third of such person's average weekly deliveries of beef through such branch house or houses to other than governmental agencies in the immediately preceding monthly accounting period; and

(ii) A quantity of restricted pork in addition to the quantity allowed under paragraphs (b) (1) or (b) (2) above, equivalent to such person's average weekly deliveries of pork through such branch house or houses to other than governmental agencies in the immediately preceding monthly accounting period.

(4) No person not subject to the provisions of (b) (1) or (b) (2) hereof shall have in inventory, on June 12, 1943, or at the end of any week thereafter, an aggregate quantity of restricted beef and pork in excess of 50,000 lbs.

(5) Any person subject to the provisions of (b) (2) hereof shall remain subject thereto until his weekly deliveries of meat for each week of a 6-month period remains below 40,000 lbs., at which time he shall no longer be subject to (b) (2), but shall become subject to (b) (4) hereof. Whenever such person's weekly deliveries of meat again reach 40,000 lbs., or over, he shall again become subject to (b) (2) hereof.

(c) *Existing contracts.* The provisions of this order, or of any order or instruction issued by the Director pursuant thereto, shall be observed without regard to the rights of creditors, existing contracts, or payments thereunder.

(d) *Reports on inventories.* (1) Every person subject to the provisions of (b) (1) or (b) (2) hereof shall forward to the Director, on Form FDO 48-1, a report of his inventories of restricted beef and restricted pork for each monthly accounting period beginning with the month of June 1943. Such report shall be forwarded within 10 days of the end of such monthly accounting period, and shall contain the information with respect to restricted beef and restricted pork required by, and shall be in accordance with Form FDO 48-1.

(e) *Records and reports.* Every person subject to this order shall maintain, for a period of two years, all the data necessary to support the reports submitted hereunder. The Director shall be entitled to obtain such information from, and require such reports and the keeping

of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

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

(g) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records, and other writings, premises, or stocks of beef and pork of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(h) *Territorial scope.* The provisions of this order shall apply only to operations conducted within any of the 48 States or the District of Columbia.

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

(j) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using meat or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Food Distribution Administration, Livestock and Meats Branch, Meat Purchase Division, 5 South Wabash Avenue, Chicago, Illinois, Ref.: FD-48.

(l) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director.

(m) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 8, 1943.

With respect to violations, rights accrued, or liabilities incurred prior to the effective date of this amendment, Food Distribution Order No. 48 shall be

¹ 7 F.R. 7839; 8 F.R. 3201, 3328, 3372, 3416, 4151, 7006.

deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 4th day of June 1943.

CHESTER C. DAVIS,
War Food Administrator.

[F. R. Doc. 43-9138; Filed, June 5, 1943;
11:43 a. m.]

[FDO 52, Amdt. 1]

PART 1468—GRAIN

LIMITS ON CORN PURCHASES AND DELIVERIES

Food Distribution Order No. 52 (8 F.R. 5825), issued by the War Food Administrator on May 4, 1943, is hereby amended to read as follows:

§ 1468.1 *Limits on corn purchases and deliveries—(a) Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "corn" means yellow, white, or other classes of shelled corn, whole corn, cracked corn, ear corn, or snap corn, of the dent or flint varieties, but excluding white corn used for processing into human food, seed corn, popcorn, grain sorghums, sweet corn, broom corn, ground corn, and corn used for canning purposes.

(2) The term "futures contract" means a contract of sale for future delivery of corn traded in on any contract market designated under the Commodity Exchange Act.

(3) The term "purchase" means to purchase, contract to purchase, or to acquire corn by contract, barter, exchange, or otherwise, including purchases of futures contracts.

(4) The terms "sell" and "sale" mean to sell, to contract to sell, or to transfer title to corn by contract, barter, exchange, or otherwise, including sales of futures contracts.

(5) The term "inventory" means:

(i) In the case of a manufacturer or a feed mixer, the quantity of corn owned (whether or not mortgaged or pledged as security for a loan or on hand against unfilled contracts of sale) by such manufacturer or feed mixer as of any given date, plus the quantity of corn which he is entitled to receive delivery of under existing contracts, including corn which he is entitled to receive under futures contracts;

(ii) In the case of a feeder, the quantity of corn owned (whether or not mortgaged or pledged as security for a loan) by such feeder as of any given date, plus the quantity of corn which he is entitled to receive delivery of under existing contracts, including corn which he is entitled to receive under futures contracts.

(6) The term "requirements" means:

(i) In the case of a manufacturer or a feed mixer, the quantity of corn which such manufacturer or feed mixer used to fill his manufacturing or sales (not including futures contracts) require-

ments during a period of 45 days next preceding any given date;

(ii) In the case of a feeder, the quantity of corn which was used to fill his feeding requirements during a period of 90 days next preceding any given date, or 5 bushels of corn for each animal unit on hand on such given date, whichever quantity is the greater.

(7) The term "animal unit" means:

(i) 1 mature horse, mature mule, or head of mature cattle; or
(ii) 2 hogs, calves, or colts; or
(iii) 7 sheep; or
(iv) 25 chickens or fowl.

(8) The term "country elevator operator" means any person who operates a grain elevator, located at a place other than a terminal market, or a type commonly known as country elevators, and who buys corn from producers for resale in connection with the operation of such elevator.

(9) The term "manufacturer" means a person, who processes corn into cornstarch, corn meal, alcohol, or other products made in whole or in part from corn.

(10) The term "dealer" means a person engaged in the business of buying corn for resale to manufacturers, feed mixers, or feeders.

(11) The term "feed mixer" means a person who engages in the business of buying corn and mixing it with other feed ingredients for purposes of resale as feed.

(12) The term "feeder" means a person who buys corn for feeding livestock or poultry.

(13) The term "person" means any individual, partnership, corporation, association, or other business entity, excluding any department, agency or corporation of the United States.

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

(b) *Inventory limitation.* (1) No manufacturer, feed mixer, or feeder shall, directly or indirectly, purchase or accept delivery of corn for his own account, including corn delivered under futures contracts, if such purchase or delivery would result in his inventory being in excess of his requirements.

(2) No dealer or person other than a manufacturer, feed mixer, or feeder shall, directly or indirectly, accept delivery of corn for his own account, including corn delivered under futures contracts, in an amount which, together with the stocks of corn then owned by him (whether or not mortgaged or pledged as security for a loan or on hand against unfilled contracts of sale) would exceed the amount of corn required to fill existing contracts of sale requiring delivery within 30 days to:

(i) Manufacturers, feed mixers, or feeders;

(ii) Any department or agency of the United States;

(iii) Any dealer who has existing orders for corn from manufacturers, feed mixers, or feeders, or contracts with any department or agency of the United States, requiring delivery within 30 days.

(3) No dealer shall, directly or indirectly, purchase corn except for delivery within 30 days from the date of purchase: *Provided*, That this provision shall not apply to transactions initiating or liquidating a hedge position in futures contracts by means of the sale or purchase under a futures contract.

(c) *Restrictions on sales.* No person shall sell or deliver, including delivery under futures contracts, corn to any person if he knows or has reason to believe that the purchase or acceptance of delivery thereof would be in violation of this order. The seller may establish his good faith with respect to the requirements of this paragraph by obtaining a certification from the purchaser in substantially the following form:

The undersigned certifies to _____ (Name of vendor) and to the United States

Department of Agriculture that he is familiar with the provisions of Food Distribution Order No. 52, issued on May 4, 1943, and all amendments thereto, and that the purchase or the acceptance of delivery of the quantity of corn herein specified is not or will not be in violation of the provisions of Food Distribution Order No. 52, as amended, and that the use or disposition of such corn by the purchaser will not be in violation of such order.

Quantity	Name
Date	Address

(d) *Purchase and acceptance of delivery in carlots.* No provision of this order shall be construed to prevent any manufacturer, food mixer, or feeder whose requirements are less than a carlot and who normally purchases corn in carlots, from purchasing or accepting delivery of a quantity of corn equivalent to a carlot: *Provided*, That the inventory of corn of such person, excluding the carlot quantity being received, at the time of the purchase or acceptance of delivery, does not exceed his requirements.

(e) *Existing contracts.* The restrictions imposed by this order shall be effective notwithstanding any contract or commitment to the contrary.

(f) *Country elevator purchases and sales.* The provisions of this order shall not apply to sales or deliveries of corn by producers to country elevator operators or to purchases or acceptance of deliveries of corn by country elevator operators from producers: *Provided*, That the purchase or acceptance of delivery of corn by a country elevator operator is conditioned upon such operator reselling such corn within 30 days from the date of the purchase or acceptance of delivery to persons or agencies specified in paragraph (b) (2) hereof.

(g) *Records and reports.* Every person subject to this order shall keep on file all certificates furnished under paragraph (c) hereof and shall keep records showing the quantity of corn on hand, the quantities purchased and sold, the quantities delivered and received, and the Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or

appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

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

(i) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of corn of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(j) *Territorial scope.* The provisions of this order shall apply only to operations conducted within any of the 48 States or the District of Columbia.

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

(l) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using corn, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(m) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the War Food Administration, be addressed to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref. FD-52.

(n) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator insofar as such powers relate to the administration of this order, are hereby delegated to the Director.

(o) *Effective date.* This order shall become effective 12:01 a. m., e. w. t., June 5, 1943, and shall continue in effect until 12:01 a. m., e. w. t., July 1, 1943.

With respect to violations, rights accrued, or liabilities incurred prior to the effective date of this amendment, Food Distribution Order No. 52 shall be deemed

to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 4th day of June 1943.

CHESTER C. DAVIS,
War Food Administrator.

[F. R. Doc. 43-9139; Filed, June 5, 1943; 11:43 a. m.]

PART 1598—GENERAL REGULATIONS

[Food Distribution Regulation 2]

CONTRACT SCHOOL AND SHIP OPERATORS PERMITTED TO BUY SET ASIDE AND RESTRICTED FOOD

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, as amended by Executive Order No. 9334, dated April 19, 1943, and in order to permit contract schools and ship operators to obtain set aside and restricted foods, *It is hereby ordered*, as follows:

§ 1598.1 *Purchasing of set aside and restricted food by contract schools and ship operators*—(a) *Definitions.* When used in this regulation, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "contract school" means and includes any person who is feeding, pursuant to a written contract with an agency of the United States, personnel of the Armed Services of the United States fed under the command of a commissioned or non-commissioned officer or other authorized representative of the Armed Services of the United States, and who is specifically authorized by the Armed Service concerned to purchase set aside and restricted food pursuant to this regulation.

(2) The term "Armed Services of the United States" means the Army, Navy, Marine Corps, and Coast Guard of the United States.

(3) The term "ship operator" means any person conducting the business of vessels for the account of the United States under a general agency form of service agreement approved by the Administrator of the War Shipping Administration, or operating as the owner, or owner's agent, a vessel time chartered to the United States, represented by the Administrator of the War Shipping Administration.

(4) The term "set aside food" means that portion of any food being held by any person pursuant to any food order of the Secretary of Agriculture, the Administrator of Food Production and Distribution, or the War Food Administrator, now or hereafter issued, requiring food to be set aside and held for sale or delivery to the Armed Services of the United States or to the War Shipping Administration.

(5) The term "restricted food" means any food which is the subject of a food order issued by the Secretary of Agriculture, the Administrator of Food Produc-

tion and Distribution, or the War Food Administrator, restricting deliveries of such food to civilians or establishing quotas for use of raw materials or finished products and excepting from such quotas food delivered to the Armed Services of the United States or the War Shipping Administration.

(6) The term "person" means any individual, partnership, corporation, association, or other business entity, and includes the States and any subdivisions thereof.

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

(b) *Purchases of set aside food by contract schools.* Notwithstanding the provisions of any food order or regulation now or hereafter issued, unless specifically prohibited therein, any contract school may purchase any set aside food from any person and any person may sell or deliver set aside food to any contract school; *Provided*, That all such purchases by such contract school shall be made by written order or contract containing the following certificates signed by an authorized representative of the contract school and by an officer of the Armed Services of the United States:

The undersigned certifies and represents to the War Food Administration that he is the _____ of _____ (Position held) (Name of university, school, etc.) which is feeding _____ (Army, Navy, Marine Corps or Coast Guard) personnel pursuant to contract No. _____ with _____ (Contracting Government Agency) all of the items and quantities of food listed hereon are required for and will be used in feeding such personnel.

I certify that _____ (Name of university, school, etc.) is feeding _____ (Army, Navy, Marine Corps or Coast Guard) personnel pursuant to contract No. _____ with _____ (Contracting Government Agency) the above individual has represented to me that all of the food items and quantities listed hereon are required for and will be used in feeding such personnel.

(Officer's title)

All set aside food purchased by contract schools shall be used by such schools only for feeding personnel of the Armed Services of the United States.

(c) *Purchase of restricted food by contract schools.* Notwithstanding the provisions of any food order or regulation now or hereafter issued, unless specifically prohibited therein, any contract school may purchase restricted food from any person and any person may sell or deliver restricted food to contract schools and such sales or deliveries may be considered by the sellers in the same manner as sales to the Armed Services of the United States; *Provided*, That such sales shall be made by written order or contract containing duly signed certificates in the form provided in paragraph (b) hereof. All restricted food

purchased by contract schools pursuant to this regulation shall be used only for feeding personnel of the Armed Services of the United States.

(d) *Purchase of set aside food by ship operators.* Notwithstanding the provisions of any food order or regulation now or hereafter issued, unless specifically prohibited therein, any ship operator may purchase set aside food from any person and any person may sell or deliver set aside food to any ship operator: *Provided*, That all such purchases by such ship operators shall be made by written order or contract containing the following certificates signed by an authorized representative of the ship operator and by the Administrator of the War Shipping Administration or his duly authorized representative:

The undersigned certifies and represents to the War Food Administration that he is _____ of _____ (Position held) (Name of ship operator) which is operating vessels under contract No. _____ of the War Shipping Administration, and that all of the items and quantities of food listed hereon are required for and will be used for feeding aboard such vessels.

I certify that _____ (Title) is operating vessels under contract No. _____ (Name of ship operator) with the War Shipping Administration, and that the above individual has represented to me that all the food items and quantities listed hereon are required for and will be used for feeding aboard such vessels.

All set aside food purchased by ship operators shall be used by such operators only for feeding aboard vessels operated under contract with the War Shipping Administration.

(e) *Purchase of restricted food by ship operators.* Notwithstanding the provisions of any food order or regulation now or hereafter issued, unless specifically prohibited therein, any ship operator may purchase restricted food from any person and any person may sell or deliver restricted food to ship operators and such sales or deliveries may be considered by the sellers in the same manner as sales to the War Shipping Administration: *Provided*, That such sales shall be made by written order or contract containing duly signed certificates in the form provided in paragraph (d) hereof. All restricted food purchased by ship operators pursuant to this regulation shall be used only for feeding aboard vessels operated under contract with the War Shipping Administration.

(f) *Purchases from intermediate distributors.* A contract school or a ship operator may purchase set aside food and restricted food directly from the person required to set aside food or restricted by any food order, or may purchase such foods indirectly through jobbers, wholesalers, or other intermediate distributors. Where such purchases are made indirectly, the intermediate distributor shall make copies of the certificates provided in paragraphs (b) or (d) hereof, certified by him to be correct. Any person may sell to any intermediate distributor the quantities of set aside food or re-

stricted food covered by such certified copy furnished to him, and may treat such sales in the same manner as sales made directly to contract schools or ship operators, as the case may be.

(g) *Records and reports.* Every person receiving contracts or purchase orders containing certificates as provided in this regulation, or copies of such certificates, shall keep such certificates or copies for at least two years after the receipt thereof, and every person subject to this regulation shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct and within such times as he may prescribe.

(h) *Audits and inspections.* Every person subject to these regulations shall, upon request, permit inspection at all reasonable times of the premises used in his business, and shall, upon request, permit audit and inspection of his books, records, and accounts by the Director.

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

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

(k) *Communications to the War Food Administration.* All reports required to be filed hereunder and all communications concerning this regulation shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref.: FDR-2.

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

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

Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(n) *Effective date.* This regulation shall be effective on June 15, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 4th day of June 1943

CHESTER C. DAVIS,
War Food Administrator.

[F. R. Doc. 43-9140; Filed, June 5, 1943; 11:43 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—War Food Administration

PART 203—AUTHORIZATION FOR INSPECTION OF LIVESTOCK

TEXAS AND SOUTHWESTERN CATTLE RAISERS ASSOCIATION, INC.

By virtue of the authority vested in the War Food Administrator by the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 1940 ed. 181 et seq.), and Executive Order No. 9322, 8 F.R. 3807, as amended by Executive Order No. 9334, 8 F.R. 5423, *It is ordered*, That § 203.10, Chapter II, Title 9, Code of Federal Regulations, be amended to read as follows:

§ 203.10 *Texas and Southwestern Cattle Raisers Association, Inc.* Upon a written request filed pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended, the Texas and Southwestern Cattle Raisers Association, Inc., duly organized under the laws of the State of Texas, is hereby authorized, with respect to livestock originating in or shipped to market from the State of Texas, to charge and collect reasonable and nondiscriminatory fees, approved by the War Food Administrator, to be paid by the owners of the livestock inspected, for the inspection of brands, marks, and other identifying characteristics of livestock sold or offered for sale at those markets at which the said Texas and Southwestern Cattle Raisers Association, Inc. may register as a market agency, such inspection to be made to determine the ownership of the livestock. Such charges as are authorized to be made shall be collected by the market agency or other person receiving and disbursing the funds received from the sale of livestock with respect to the inspection of which such charge is made, and paid by it to the said Association. Such inspection, charges, and collection of fees shall be subject to the provisions of the Packers and Stockyards Act and such regulations as may be promulgated thereunder.

(7 U.S.C. 1940 ed. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 4th day of June 1943.

CHESTER C. DAVIS,
War Food Administrator.

[F. R. Doc. 43-9141; Filed, June 5, 1943; 11:42 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 70—ARMY NURSES, DIETITIANS AND PHYSICAL THERAPY AIDES

DIETITIANS AND PHYSICAL THERAPY AIDES

Sections 70.21 to 70.29 are added as follows:

DIETITIANS AND PHYSICAL THERAPY AIDES

- Sec. 70.21 Definitions.
- 70.22 Relative rank.
- 70.23 Appointment and promotions.
- 70.24 Place of first assignment.
- 70.25 Duties.
- 70.26 Quarters, allowances, and furniture.
- 70.27 Subsistence at Army hospital.
- 70.28 Transportation and travel allowance.
- 70.29 Medical care and treatment.

These regulations are contained in A. R. 40-25, April 9, 1943, the particular paragraphs being shown in brackets at end of sections.

AUTHORITY: Act of December 22, 1942, Pub. Law 828, 77th Congress.

DIETITIANS AND PHYSICAL THERAPY AIDES

§ 70.21 *Definitions.* For purposes of military usage, the various designations of dietitians and physical therapy aides are defined as follows:

(a) *Director of dietitians or director of physical therapy aides.* The administrative head of Medical Department dietitians or Medical Department physical therapy aides.

(b) *Chief dietitians or chief physical therapy aides.* Assistants to the director to perform administrative functions; or the administrative heads of the dietitians or physical therapy aides in a hospital designated by The Surgeon General.

(c) *Head dietitians or head physical therapy aides.* Assistant to the director to perform administrative functions; or the administrative head of dietitians or physical therapy aides in a hospital when no chief dietitian or chief physical therapy aide is assigned; or an assistant to the chief dietitian or chief physical therapy aide in a training course for student dietitians or student physical therapy aides. When there are two or more head dietitians or two or more head physical therapy aides serving at the same station, the one in charge is designated as principal head dietitian or principal head physical therapy aide. Ordinarily head dietitians or head physical therapy aides will perform both administrative and professional duties.

(d) *Dietitians and physical therapy aides.* The term "dietitian" or "physical therapy aide" in its broadest sense means any member of the group of Medical Department dietitians or Medical Department physical therapy aides. The term "dietitian" or "physical therapy aide" also indicates the grade of initial appointment for Medical Department dietitians or Medical Department physical therapy aides. [Par. 2]

§ 70.22 *Relative rank.*—(a) *Director of dietitians or director of physical therapy aides.* Major.

(b) *Chief dietitian or chief physical therapy aide.* Captain.

(c) *Head dietitian or head physical therapy aide.* First Lieutenant.

(d) *Dietitian or physical therapy aide.* Second lieutenant. [Par. 3]

§ 70.23 *Appointment and promotion.*—(a) *General.* Original appointments will be in the grade of dietitian or physical therapy aide except that persons appointed under the provisions of paragraph (c) (6) of this section may be appointed in such grades as The Surgeon General may deem appropriate. Appointments will be made by The Surgeon General with the approval of the Secretary of War. The commanding generals of departments, defense commands, or theaters of operations outside the continental limits of the United States are authorized to procure and to announce the appointment "for The Surgeon General with the approval of the Secretary of War" of dietitians and physical therapy aides who meet the requirements prescribed in these regulations and to assign them to stations under their jurisdictions. Appointments so accomplished will be reported to The Surgeon General. Promotions of dietitians and physical therapy aides will be made on the recommendation of their immediate commanding officers by The Surgeon General with the approval of the Secretary of War. Promotions of dietitians and physical therapy aides may be accomplished "for The Surgeon General with the approval of the Secretary of War" by designated commanders in accordance with specific instructions of the War Department.

(b) *Director.* The director of dietitians and the director of physical therapy aides will be designated as such by the Secretary of War for a period of 4 years, unless sooner terminated. Subsequent to the last day of the third month following approval of Public Law 828, 77th Congress, December 22, 1942, such designations will be from among persons in the grades of chief dietitian and chief physical therapy aide, respectively. Persons designated as director of dietitians or director of physical therapy aides may be redesignated as such by the Secretary of War in his discretion. If not redesignated, the directors of hospital dietitians and physical therapy aides may on recommendation of The Surgeon General with the approval of the Secretary of War continue on active duty as chiefs of hospital dietitians and physical therapy aides respectively, unless their appointments are sooner terminated.

(c) *Original appointment.*—(1) *Application for appointment.* Application for appointment should be made to The Surgeon General who will furnish the necessary blank forms.

(2) *Marital status.* Same as Reserve nurses. (See § 70.3)

(3) *Age requirements.* Appointments will not be made after the applicant has reached her forty-fifth birthday.

(4) *Physical standards.* Same as for Army Nurse Corps. (See AR 40-100¹ and 40-105.)

¹ Administrative regulations of the War Department pertaining to physical examination.

(5) *Educational requirements.* Unless a professional examination is deemed necessary by The Surgeon General the applicant's qualifications will be evaluated on her records of education and experience.

(i) An applicant to be eligible for appointment to the position of dietitian must have a bachelor's degree from an approved college with either a major in foods and nutrition or in institutional management. In addition she must have completed a training course for dietitians approved by The Surgeon General. Two years of experience in a hospital approved by The Surgeon General may be substituted for the training course providing the experience includes diet therapy, planning adequate menus, supervising employees in food preparation and service, controlling food costs, and ordering food supplies and equipment. One year of this experience must have been within the past 10 years.

(ii) The minimum requirement for appointment to the position of physical therapy aide will be completion of 2 years in an approved college with major emphasis on physical education or biological science, or graduation from an accredited course in nursing; and, in addition to one of the above, completion of a training course in physical therapy approved by The Surgeon General.

(6) *Immediate appointment of civilian employees.* (i) The commanding generals of departments, defense commands, or theaters of operations outside the continental limits of the United States are authorized, without prior reference to the Office of The Surgeon General, to announce "for The Surgeon General with the approval of the Secretary of War" appointments as dietitians or physical therapy aides in the Medical Department of the Army of female persons employed by the Medical Department in a civilian status as dietitians or physical therapy aides, respectively, in oversea hospitals prior to March 31, 1943, provided they meet the physical requirements for appointment. Appointments so accomplished will be reported to The Surgeon General.

(ii) Female dietitians and physical therapy aides employed by the Medical Department of the Army in the continental United States prior to March 31, 1943, may be appointed in the Medical Department of the Army, provided they meet the physical requirements, are recommended by the commanding officer of the hospital as being suited to the military service and have had training and experience acceptable to The Surgeon General.

(7) *Procedure for appointment.* An applicant otherwise qualified will be authorized to appear at her own expense at the nearest Army station having adequate facilities for completing a final type physical examination. [Par. 5]

§ 70.24 *Place of first assignment.* The first assignment of a dietitian or physical therapy aide will ordinarily be made to a station in the United States to afford an opportunity to become familiar with military and Medical Department procedures. [Par. 9]

§ 70.25 *Duties*—(a) *General*. Duties of dietitians and physical therapy aides will be prescribed by The Surgeon General.

(b) *Director of dietitians and director of physical therapy aides*. There will be established in the Office of The Surgeon General a director of dietitians and a director of physical therapy aides whose duties will be to advise The Surgeon General in regard to matters pertaining to the administration of the dietetic and physical therapy services of the Medical Department. They will have such assistants as may be required. [Par. 12]

§ 70.26 *Quarters, allowances, and furniture*. (a) When available, quarters in kind for dietitians and physical therapy aides will be furnished with due consideration for their relative rank.

(b) *Furniture*. Standard items of bedroom furniture for dietitians and physical therapy aides will be provided by the Medical Department. [Par. 13]

§ 70.27 *Subsistence at Army hospitals*. Dietitians and physical therapy aides will be subsisted under the provisions of existing regulations for the operation of messes for duty and patient personnel in an officer status. (See §§ 77.15 to 77.20 and § 52.18). [Par. 14]

§ 70.28 *Transportation and travel allowances*. Dietitians and physical therapy aides traveling under competent orders are entitled to transportation at public expense. (See AR 35-4820²) [Par. 15]

§ 70.29 *Medical care and treatment*. See § 77.15 to § 77.20 and §§ 77.24 to 77.27. [Par. 16]

[SEAL]

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

[F. R. Doc. 43-9172; Filed June 7, 1943;
10:04 a. m.]

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

MISCELLANEOUS AMENDMENTS

The following amendments and additions to the regulations contained in Part 81 are hereby prescribed. These regulations are also contained in War Department procurement regulations dated September 5, 1942 (7 F.R. 8082), as amended by Change No. 17, May 6, 1943.¹ In section numbers the figures to the right of the decimal point correspond with the respective paragraph numbers in the procurement regulations.

¹For previous changes see 7 F.R. 8163, 9268, 9660, 10184, 10247, 10640, 10906; 8 F.R. 401, 411, 2531, 3339, 3486, 3752, 5133, 5210 and 6576.

²Administrative regulations of the War Department pertaining to travel allowances.

General Instructions

Section 81.108 (g) is added as follows:

§ 81.108 *Applicability as to various activities*.

(g) *Procurement within the United States for armed forces abroad*. It is to be noted that the provisions of Circular No. 21, War Department, 1943, referred to in paragraph (f) have no application to procurement within the United States for armed forces abroad.

Contracts

Section 81.303 is amended as follows:

§ 81.303 *Contracts, formal and informal*—(a) *General*. Contracts may be either formal or informal.

(b) *Formal contract*. A formal contract is one which is contained in one instrument executed by both parties. An illustration is War Department Contract Form No. 1 (see § 81.1301). Formal contracts may be used for any purchase transaction, regardless of amount and will be used for all purchase transactions, the contract price of which exceeds \$500,000.

(c) *Informal contract*. For any purchase transaction the contract price of which does not exceed \$500,000, an informal contract consisting of two separate instruments, one signed by the contractor and the other signed by the contracting officer on behalf of the United States, may be used.

(d) *Further specifications*. (1) When a purchase order is preceded by a written quotation or is followed by a written evidence of acceptance executed by the contractor, it is to be regarded as an informal contract consisting of two instruments; and accordingly, may be used, in accordance with paragraph (c) of this section, for any purchase transaction the contract price of which does not exceed \$500,000. If the contractor's assent is not evidenced either by a written quotation or by acceptance of the purchase order in writing, the purchase order may nevertheless be used for any purchase transaction the contract price of which does not exceed \$500,000 provided that the purchase order is preceded by an oral quotation or is based upon a price list.

(2) When the contractor furnishes no evidence of his assent either (i) by a written or oral quotation, (ii) by a written acceptance or (iii) by the publication of a price list, the purchase order may not be used for any transaction the contract price of which exceeds \$5,000; but may be used for any transaction the contract price of which does not exceed \$5,000.

(e) *Numbering and distribution of contracts*. The numbering of contracts is discussed in §§ 81.309—81.309 (c) and 81.318b (e) and the distribution of contracts is discussed in §§ 81.315 to 81.318 of this Procurement Regulation No. 3. If an informal contract includes a written quotation by the contractor, or other written instrument evidencing the contractor's assent, such written quotation

or instrument should be forwarded to the General Accounting Office. If the informal contract does not include a written quotation or other written evidence of the contractor's assent, but consists solely of a purchase order accepting an oral quotation or of a purchase order based on a price list, the purchase order, as forwarded to the General Accounting Office, should contain a reference to the oral quotation or price list. This may consist of a simple statement such as "Pursuant to oral quotation of even date" or "Pursuant to oral quotation of -----, 194--" or "Pursuant to -----, 194--" or "Pursuant to -----, 194--" (Name of contractor or other identification) price list, dated -----, 194--".

(f) *Partial payments*. It is to be noted that any type of contract, including the purchase order, may provide for partial payments upon completion of the delivery of one or more complete units called for under the contract, or upon the completion of one or more distinct items of service called for thereunder. Any existing contracts which provide for a single payment may be amended to provide for such partial payments. Likewise, prior to delivery, payments may be made on work in progress for the Government, provided that the contract contains a clause similar to one of the contract clauses set forth in §§ 81.330 and 81.331. Contracts (including purchase orders) providing for partial payments must, of course, be numbered as required by § 81.309 (a) (2) and distributed in accordance with § 81.316.

In § 81.318b paragraphs (b), (c), (d), (e) and (f) are amended as follows:

§ 81.318b *Contract procedure*. * * *

(b) *Contracting at posts, camps and stations*. As indicated in § 81.318a (b), as a result of the service command reorganization much of the contracting done at posts, camps and stations located within service commands is done under the complete jurisdiction of the commanding generals of the service commands. The chiefs of the supply services have no function to perform in connection with this contracting except as staff officers of the Commanding General, Army Service Forces. Some of the contracting done at posts, camps and stations is still, however, under the jurisdiction of the chiefs of the supply services. In order clearly to differentiate contracts which are executed under the jurisdiction of the commanding generals of the service commands from those executed under the jurisdiction of the chiefs of the supply services, it is important that contracts of the former type be numbered and distributed in a manner different from supply service contracts. Accordingly, in the succeeding paragraphs a separate system of numbering and distribution is provided for contracts of the former type which, for convenience, will be referred to as service command contracts.

(c) *Service command contracts*. (1) It is difficult to lay down any general

rule as a guide to determining when a contract is to be numbered and distributed as a service command contract. The following general guides may be used for making the determination:

(i) All contracts which are executed within a service command and which are to be paid for with funds made available to the commanding generals of the service commands by the Commanding General, Army Service Forces, are to be regarded as service command contracts and not contracts of any supply service.

(ii) Contracts which are executed under the supervision of the commanding generals of the service commands and which are to be financed under a general procurement authority (see Circular No. 206, W.D., 1942), are to be regarded as service command contracts.

(iii) Training contracts are to be regarded as service command contracts.

(iv) Contracts for the disposition of property, by sale or otherwise, are to be designated as service command contracts unless, as in the case of contracts for the disposition of real estate, the contract is of a type over which the chief of one of the supply services exercises direct supervision. Contracts for the disposition or sale of scrap and waste materials are to be regarded as service command contracts, although the Quartermaster General plays an important staff function in connection with this type of contract (see Circular No. 75, W.D., 1943). In connection with contracts for the disposition of property, see § 81.706a.

(v) In addition to contracts coming within the categories enumerated in subdivisions (i) to (iv) above, all other contracts which, pursuant to the provisions of the Army Service Forces Organization Manual or the provisions of any other regulations, are executed under the complete jurisdiction of the commanding generals of the service commands are to be regarded as service command contracts.

(vi) Any type of contract which is to be financed with supply service funds is to be regarded as a supply service contract. Subdivisions (vii) and (viii) below are two specific illustrations of the general rule contained in this subdivision (vi).

(vii) When a contracting officer within a service command is requested to execute a contract on behalf of a supply service, and it is understood that such contract is to be paid for out of supply service funds, such contract is to be regarded as a supply service contract.

(viii) When a given item is not available at a supply service depot, a representative of a service command may be given sufficient funds by a supply service to enable the service command to purchase the item in question. A contract executed in making such a purchase is to be regarded as a supply service contract.

(2) In case of doubt as to whether a particular contract should be numbered and distributed as a Service Command contract an inquiry should be addressed to the Commanding General, Army Service Forces, Attention: Legal Branch,

Purchases Division. If time does not permit making such inquiry, the contract should be numbered as in the past, and an inquiry should be addressed to the Commanding General, Army Service Forces, Attention: Legal Branch, Purchases Division, for advice as to how that type of contract should be numbered in the future.

(3) As indicated in § 81.318b (a) the authority of a contracting officer of a service command includes authority to execute supply service contracts of the type referred to in subdivisions (vii) to (viii) above.

(d) *Distribution of service command contracts.* The provisions of §§ 81.315 to 81.318 of this Procurement Regulation No. 3 are applicable to service command contracts. In connection with service command contracts the term "chief of the supply service" is to be read as "commanding general of the service command." Service command contracts (as that term is defined in paragraph (c) of this section) should not be forwarded to the headquarters of the various supply services for legal review. If the chief of a supply service requests that copies of a particular type of service command contract be forwarded to his office in order to complete his technical records, such copies may be forwarded pursuant to subparagraph (5) of § 81.316 (a).

(e) *Numbering of service command contracts.* (1) Contract numbers will be placed in the upper right-hand corner of service command contracts and will consist of the following in the order named:

(i) The capital letter "W", representing the War Department.

(ii) The station number, that is, the station or office as published in Finance Circulars. There may be added to the station number a capital letter to indicate the branch at which the contract was executed. The symbols Q, S, T, O, E, M, and C will be used to designate the Quartermaster, Signal, Transportation, Ordnance, Engineer, Medical and Chemical Warfare Branches respectively and an appropriate letter will be used to designate any other branches at the post, camp or station. The Contract Service Section, Audit Division, General Accounting Office, Washington, D. C. should be advised of the symbols which are to be used at each station; and if additional symbols are adopted from time to time, should be advised of such additional symbols.

(iii) A symbol in parenthesis to indicate the service command. This symbol will consist of the capital letters (S. C.) followed by a hyphen and a Roman numeral indicating in which service command the contract was executed. It is important that capital letters followed by periods and by the Roman numeral be used in order that no confusion will arise with Signal Corps contracts which bear the symbol "sc".

(iv) A serial number separated from the above by a hyphen, commencing with the number "1" and continuing in succession indefinitely without regard to the fiscal year.

(2) It is to be emphasized that the numbering procedure set forth in this

paragraph is applicable only to service command contracts (as the term is defined in paragraph (c) of this section). When supply service contracts are executed within a service command (see paragraph (c) of this section, particularly subdivisions (vii) to (viii)), such contracts should be numbered as supply service contracts in accordance with the provisions of paragraph (b) of § 81.309.

(3) *Serial numbers.* It is desirable that separate series be commenced for service command contracts (as defined in paragraph (c) of this section). This should be done as promptly as possible. By adding the branch symbols authorized by subdivision (ii) of subparagraph (1) above, separate series may be maintained for each branch of a post, camp or station.

(f) *Example.* Based upon paragraph (e) of this section, the following is the number of the first numbered contract executed at the Quartermaster Branch at Fort Bragg, North Carolina: W-159Q (S. C.-IV)-1. The foregoing is on the assumption that the contract is to be paid with funds allotted to the Fourth Service Command by the Commanding General Army Service Forces.

Section 81.346a is rescinded as follows:

§ 81.346a *Overtime rates and shifts.* [Rescinded.]

Section 81.352 is amended as follows:

§ 81.352 *Delays-damage clause.* (a) Every lump-sum supply contract, regardless of subject matter except contracts for an amount of less than \$5,000, will contain a clause substantially as follows:

(b) If desired the portion of paragraph (b) of the clause set forth in paragraph (a) of this section, commencing with the word "and" in the fifth line and ending with the word "Contractor" in the fifteenth line of that paragraph, may be eliminated. In such event the "(i)" in the third line of that paragraph will be eliminated, the comma after the word "defined" in the fifth line will be changed to a period, and the word "the" in the fifteenth line will be changed to "The".

(c) For the purposes of the contract clause set forth in paragraph (a) of this section, the chief of the supply service or such person as he may designate shall be deemed to be the "duly authorized representative of the Secretary of War". If desired, the term "chief of supply service or his duly authorized representative" may be substituted for the term "Secretary of War or his duly authorized representative".

Section 81.353 is amended as follows:

§ 81.353 *Walsh-Healey Act; representations and stipulations.* All supply contracts subject to the Walsh-Healey Act (Act of June 30, 1936; Public Law No. 846, 74th Congress; 49 Stat. 2036; 41 U.S.C. 35-45) (See § 81.916, et seq. below), except as provided in paragraph (d) of this section, will contain the following clause without deviation:

(c) *Minimum wage determinations under the Walsh-Healey Act.* It is not

necessary that contracts subject to the Walsh-Healey Act contain a statement as to the minimum wage determination which is applicable.

Minimum wages payable by the Contractor pursuant to the foregoing stipulations are those determined by the Secretary of Labor to be the prevailing minimum wages in the _____ Industry, namely, _____ cents per hour and _____ dollars per week of 40 hours. In the event that no such determination has been made, it is suggested that a statement to that effect should be inserted in the contract.

(d) *Incorporation by reference of Walsh-Healey Act stipulations.* By Circular Letter No. 12-42, dated January 4, 1943, the Administrator of the Wage and Hour and Public Contracts Divisions of the Department of Labor permitted the incorporation of the Walsh-Healey Act representations and stipulations by reference. Accordingly, notwithstanding the provisions of § 81.353, such representations and stipulations may be incorporated by reference. The following language is suggested.

The representations and stipulations required by section 1 of the Act of June 30, 1936 (Walsh-Healey Act, Pub. Law 846, 74th Cong.) to be included in all contracts therein specified are hereby incorporated and made a part of this contract with the same force and effect as if fully set forth in the contract.

If desired, the following sentence may be added:

Such representations and stipulations shall be subject to all applicable regulations, determinations, and exemptions of the Secretary of Labor now or hereafter in effect. (Compare § 81.353 (a)).

Section 81.354 is amended as follows:

§ 81.354 *Notice to the Government of labor disputes.* The following clause will be contained without deviation in all contracts except (1) those to which it is clearly inapplicable (2) those which are written on a standard form of contract, such as War Department Contract Form No. 17 (§ 81.1317), which does not contain the clause:

Notice to the Government of labor disputes. Whenever an actual or potential labor dispute is delaying or threatens to delay the timely performance of this contract, the Contractor will immediately give notice thereof to the _____ Such notice shall include all relevant information with respect to such dispute.

Section 81.357 (b) is amended as follows:

§ 81.357 *Tax articles in fixed price (lump sum) contracts.* * * *

(b) *Short form tax article.* (1) The short form tax article set forth below may be used, in lieu of the form set forth

* Such officers as may be designated by the chief of the supply service concerned.

in paragraph (a) of this section, (i) where the estimated time for performance does not exceed sixty days, (ii) where the contract is executed on a standard form of contract (as that term is defined in § 81.304 (a)) which contains the short form tax article, and (iii) where the contract instrument is a purchase order. The long form tax article (paragraph (a) of this section) may be inserted in lieu of the short form tax article in any standard form of contract which contains the short form tax article.

ARTICLE . . . *Taxes.* Unless otherwise indicated in this contract (A) the prices herein do not include any of the following taxes in effect at the date of this contract:

(1) Any Federal tax which is directly applicable to the completed supplies covered hereby (including component parts, articles, or units of which the Contractor is the manufacturer, importer or producer) and as to which exemption from tax is available, or

(2) Any state or local sales, use or other tax from which the Contractor or this transaction of the procurement of these supplies is exempt,

and (B) the prices herein include all other Federal, state and local taxes (including without limitation of the foregoing all transportation taxes). Upon request of the Contractor the Government will issue tax exemption certificates or furnish other similar proof of exemption with respect to all taxes excluded from the price.

(2) Attention is again directed to the necessity of including in each contract (see § 81.358) suitable provisions to specify any taxes to be excluded from, or included in, the contract price other than as provided in such tax article.

(3) *Omission of tax article.* Authority was heretofore given to omit any tax article where the estimated time of performance did not exceed sixty days. Even though the estimated time for performance does not exceed 60 days, it is believed desirable that some tax article be included. Accordingly, the authority to omit a tax article is rescinded.

Section 81.364 is amended as follows:

§ 81.364 *Marking of shipping containers.* Every supply contract relating to supplies destined for overseas shipment will contain a clause substantially as follows (see §§ 81.1101 (a) to 81.1101 (e)):

Marking of shipping containers. The Contractor will follow any directions set forth in the contract specifications concerning the marking of containers in which the supplies are to be shipped. If the contract specifications contain no such directions, the Contractor will follow such instructions on the matter as he may from time to time receive from the Contracting Officer.

Section 81.366 is added as follows:

§ 81.366 *Invitation for bids.* All invitations for bids, formal or informal, will contain a clause substantially as follows:

Offers of prompt payment or cash discounts will not be considered in the

award of contracts or purchase orders, but if such an offer is made, the Government reserves the right to take advantage of the same according to its terms in making payment.

Procurement of Supplies

Section 81.603 (b) is amended and paragraph (g) is added as follows:

§ 81.603 *Authority of Procurement Assignment Board.* * * *

(b) *Purchase.* (1) Purchase of an item shall be made by the service assigned responsibility for purchase of such item except under the circumstances indicated in subparagraphs (2), (3) and (4) below.

(2) When an item is required within a brief period of time and, in the judgment of the service requiring the item, cannot be provided in such time by the service having responsibility for purchasing such item, the item may be purchased by the requiring service.

(3) Purchase may be made by a service other than the service to which responsibility for purchase of an item has been assigned, if the latter service has granted authority. This may be done by the issuance of general instructions or by consent granted with respect to a specific transaction.

(4) When items are purchased on behalf of a lump sum contractor on the understanding that an appropriate reduction will be made in the contract price, or when an item is purchased for a cost-plus-a-fixed-fee contractor which would normally be obtained by the cost-plus-a-fixed-fee contractor itself, purchase may be effected by a service other than the service having responsibility for purchasing the item.

(5) In the event that any purchase made pursuant to subparagraph (2) above involves an expenditure in excess of \$5,000, a prompt report of the transaction will be made to the chief of the supply service having responsibility for the purchase of the item and a copy of such report will be sent to the Procurement Assignment Board, Headquarters, Army Service Forces.

(g) *Procurement within the United States for armed forces abroad.* It is to be noted that the action of the Procurement Assignment Board governs procurement within the United States for armed services abroad (see § 81.108 (g)). When an item is to be purchased for the armed forces abroad it should be purchased by the supply service to which responsibility for purchasing the item has been assigned by the Procurement Assignment Board.

Section 81.605 (a) (7), (9) and (14) are amended as follows:

§ 81.605 *Assignments—(a) Federal Standard Stock Catalog Classes.* * * *

(7) *Assignment of fuel; charcoal, coal, coke, dust fuels, gas, gasoline, oil (fuel), wood, etc. (FSSC Class 7).*

(14) Assignment of oils (illuminating and lubricating) greases and all lubricants (FSSC Class 14).

Items	Specs. ¹	Req.	Funds	Pur.	Insp.
All oils, greases, lubricants, cleaning solvents, rust preventive compounds, corrosion preventives, and hydraulic fluids for Army Aircraft.	AAF	AAF	AAF	AAF	AAF
Agricultural sprays	QMC	QMC	QMC	QMC	QMC
Cattle spray	QMC	QMC	QMC	QMC	QMC
Compound, rust preventives	QMC	QMC	QMC	QMC	QMC
Corrosion preventives	QMC	QMC	QMC	QMC	QMC
Cutting oils	QMC	QMC	QMC	QMC	QMC
Kerosene (illuminating and cleaning)	QMC	QMC	QMC	QMC	QMC
Lubricants and greases for all motor, armored and track laying vehicles.	QMC	QMC	QMC	QMC	QMC
Lubricants and greases for locomotives, other rolling stock, and marine use	QMC	QMC	QMC	QMC	QMC
Lubricants and greases for Weapons, including Railroad Artillery Equipment	QMC	QMC	QMC	QMC	QMC
Recoil and hydraulic fluids	QMC	QMC	QMC	QMC	QMC
Oil, transformer and insulating	QMC	QMC	QMC	QMC	QMC
Oil, floor	QMC	QMC	QMC	QMC	QMC
Oil, Road	QMC	QMC	QMC	QMC	QMC
Paraffine Wax—Amorphous, refined and crude, and manufactured articles	QMC	QMC	QMC	QMC	QMC
Petrolatum (medicinal)	QMC	QMC	QMC	QMC	QMC
Paraffine, refined for histological and pharmaceutical use	QMC	QMC	QMC	QMC	QMC
Solvents, cleaning	QMC	QMC	QMC	QMC	QMC
Lubricants and greases—all other uses.	QMC	QMC	QMC	QMC	QMC

¹The service or services (other than the Army Air Forces) assigned the function of Specification for the petroleum products listed below shall coordinate and clear this function with the War Department Committee for Fuels and Lubricants, Resources and Production Division, Headquarters, Army Service Forces.

Section 81.606 (c) is amended as follows:

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

(c) Emergency purchases. In any case where, pursuant to the provisions of paragraph (b) of this section, purchase of an item listed in the General Schedule of Supplies is not made under a General Schedule of Supplies contract because the item could not be furnished under such a contract within the time that the item was required, the voucher submitted to the disbursing officer for payment shall contain a finding that:

- (1) The purchase was justified because the item could not be furnished under the General Schedule of Supplies Contract within the time in which the item was required; and
- (2) The purchase outside the General Schedule of Supplies Contract was necessary to facilitate the prosecution of the war and was authorized under the First War Powers Act and Executive Order No. 9001.

Such finding shall be final and conclusive. The authority to make such a finding is vested in the chiefs of the supply services and may be delegated to any

officer or civilian official under their jurisdiction, including the contracting officer. It is to be emphasized that this authority is only to be used when necessary, and that it should not be construed to authorize disregard of the requirements of the General Schedule of Supplies. In all cases, the finding should consist of more than a mere conclusion. It should set forth the specific reasons why the time element made the purchase necessary.

Section 81.606a is added as follows:

§ 81.606a Blind-made products—(a) Basic law. * * * All brooms and mops and other suitable commodities hereafter procured in accordance with applicable Federal specifications by or for any Federal department or agency shall be procured from such non-profit making agencies for the blind in all cases where such articles are available within the period specified at the price determined by the committee to be the fair market price for the article or articles so procured; * * * Act of June 25, 1938 (52 Stat. 1196; 41 U.S.C. 46; M.L., 1939, sec. 1951).

(b) Schedule of blind-made products. Schedule of blind-made products, effective January 1, 1943, or later date, pre-

Items	Specs. ¹	Req.	Funds	Pur.	Insp.
All fuels for Army Aircraft.	AAF	AAF	AAF	AAF	AAF
Autogas	QMC	QMC	QMC	QMC	QMC
Gasoline	QMC	QMC	QMC	QMC	QMC
Fuel oil Diesel	QMC	QMC	QMC	QMC	QMC
Fuel oil	QMC	QMC	QMC	QMC	QMC
Coal, coke, wood, etc.	QMC	QMC	QMC	QMC	QMC
Marine:	QMC	QMC	QMC	QMC	QMC
Fuel oil Diesel	QMC	QMC	QMC	QMC	QMC
Fuel oil	QMC	QMC	QMC	QMC	QMC
Coal, coke, wood, etc.	QMC	QMC	QMC	QMC	QMC
Fog oil	QMC	QMC	QMC	QMC	QMC
Incendiary oil, for incendiary bombs, flame throwers and smoke	QMC	QMC	QMC	QMC	QMC
Utilities fuel—for space heating, power, incineration, refrigeration, utility plants, maintenance equip., pumping, fire apparatus, utility shops, cooking, baking, smithing, water heating, process steam, and incidental industrial uses, at posts, camps, and stations, and in field installations for light, heat, and power:	QMC	QMC	QMC	QMC	QMC
Gasoline	QMC	QMC	QMC	QMC	QMC
No. 1 fuel oil (kerosene)	QMC	QMC	QMC	QMC	QMC
Coal, coke, charcoal, dust fuels, wood, etc.	QMC	QMC	QMC	QMC	QMC
Gas, natural or mixed	QMC	QMC	QMC	QMC	QMC
Fuels for manufacturing arsenals, depots, and proving grounds, including all operational equipment:	QMC	QMC	QMC	QMC	QMC
Coal	QMC	QMC	QMC	QMC	QMC
Coal coke, charcoal, dust fuels, wood, etc.	QMC	QMC	QMC	QMC	QMC
Gas, natural or mixed	QMC	QMC	QMC	QMC	QMC
All other uses:	QMC	QMC	QMC	QMC	QMC
Gasoline (all types)	QMC	QMC	QMC	QMC	QMC
Fuel oil Diesel	QMC	QMC	QMC	QMC	QMC

¹The service or services (other than the Army Air Forces) assigned the function of "Specification" for the petroleum products listed above shall coordinate and clear this function with the War Department Committee for Fuels and Lubricants, Resources and Production Division, Headquarters, Army Service Forces.

(9) Assignment of boats, vessels and floating equipment (FSSC Class 9).

Items	Specs. ¹	Req.	Funds	Pur.	Insp.
All boats, vessels and floating equipment except those listed below	TC	TC	TC	TC	TC
Boats, vessels and floating equipment required for river, harbor and fortification works	ENG	ENG	ENG	ENG	ENG
Barge balloon equipment	ENG	ENG	ENG	ENG	ENG
Boats, power driven BB	ENG	ENG	ENG	ENG	ENG
Boats, catamaran BB	ENG	ENG	ENG	ENG	ENG
Boats, double end BB	ENG	ENG	ENG	ENG	ENG
Barges, power driven BB	ENG	ENG	ENG	ENG	ENG
Corps of Engineers tactical equipment:	ENG	ENG	ENG	ENG	ENG
Boats, assault	ENG	ENG	ENG	ENG	ENG
Boats, reconnaissance	ENG	ENG	ENG	ENG	ENG
Boats, storm	ENG	ENG	ENG	ENG	ENG
Boats, pneumatic	ENG	ENG	ENG	ENG	ENG
Boats, power utility whaler	ENG	ENG	ENG	ENG	ENG
Floats, pneumatic	ENG	ENG	ENG	ENG	ENG
Pontoon, equiptage	ENG	ENG	ENG	ENG	ENG
Pontoon gear, navy type: ¹	ENG	ENG	ENG	ENG	ENG
Barges and pontoons for bridge and wharf construction and Corps of Engineers lighterage	ENG	ENG	ENG	ENG	ENG
Barges and pontoons, all other	TC	TC	TC	TC	TC
Boats, landing, 36 ft. (LCP, LCPR, LCV, LCPV)	TC	TC	TC	TC	TC
Craft, landing, mechanized, 50 ft. LCM MARK III	TC	TC	TC	TC	TC
Rafts, life for aircraft	AAF	AAF	AAF	AAF	AAF

¹ All boats, barges, vessels and floating equipment, excluding pneumatic boats, purchased by the Army from the Navy, shall be purchased from the Navy by the Transportation Corps.

² Purchase of subject craft is assigned to U. S. Navy by directive approved by the joint U. S. Chiefs of Staff on September 10, 1942.

Vessels over 1,000 tons D. W. are procured by Maritime Commission, with Transportation Corps responsible for determination of requirements.

pared under the direction of Committee on Purchases of Blind-Made Products, and issued by the Procurement Division, Treasury Department. This schedule is obtained in the same manner as other schedules of the General Schedule of Supplies (see § 81.606 (d)). The basic law does not apply in cases where brooms and mops are procured for use outside continental United States.

(c) *General clearance.* The following general clearance dated June 3, 1942, which covers purchases until further notice is quoted for information and guidance.

Effective as of this date and continuing until rescinded, blanket clearance is hereby granted to purchase from commercial sources any item listed in the schedule of blind-made products where military necessity may require the delivery of the articles needed within a period of two weeks.

Very truly yours,

ROET. LEFEVRE,
Secretary,
Committee on Purchases of
Blind-made Products.

(d) *Attaching clearance to voucher.* It is to be noted that it is not necessary to attach a copy of this general clearance to the contract or voucher. It is sufficient in pertinent cases to make reference on either the contract or the voucher to General Clearance dated June 3, 1942.

Federal, State and Local Taxes

Paragraph (b) of § 81.805 is rescinded as follows:

§ 81.805 *Cost-plus-a-fixed-fee contracts.* * * *
(b) [Rescinded]

In § 81.810 the list of applicable tax directives pertaining to the State of Indiana is amended as follows:

§ 81.810 *Applicable tax directives.*
* * *

Indiana: April 28, 1943 (All transactions).
February 6, 1942 (transactions prior
revisions pending) to January 1, 1942)

Section 81.812 (c) is amended as follows:

§ 81.812 *Preparation and execution; identification cards.* * * *

(c) *Blanket tax exemption certificates, contracts under General Schedule of Supplies.* (1) Nothing contained in these regulations will be construed as authorizing the issuance of blanket tax exemption certificates by chiefs of supply services or contracting officers covering purchases under contracts of the General Schedule of Supplies. Upon application of the Contractor, the Procurement and Accounting Division, Office of the Secretary of War, will issue blanket tax exemption certificates as may be necessary to cover all purchases made by War Department agencies in Washington, D. C., and in the field under term contracts of the General Schedule of Supplies, Procurement Division, Treasury Department.

(2) Contractors are required to indicate the number of the applicable blanket tax exemption certificate on their invoices.

(3) The purchase order need not contain the number of the applicable tax exemption certificate. It is sufficient that it contain a reference to the General Schedule of Supplies contract number.

Labor

Section 81.908 (c) is amended as follows:

§ 81.908 *Procedure.* * * *

(c) *Submission of weekly affidavits and subcontractors summaries.* (1) Each weekly affidavit shall be delivered by the contractor or subcontractor within seven days after the regular payment date of the payroll period to the contracting officer or such other officer as may be designated for such purpose by the chief of the supply service.

(2) After such examination and check as may be made, one affidavit and one copy of the payroll of each contractor and subcontractor engaged on Federal construction (except shipbuilding), covering the weekly payroll periods ending nearest January 15, April 15, July 15, and October 15 shall be submitted quarterly by the contracting officer or other designated officer to the U. S. Department of Labor within 14 days after the close of the specified payroll period.

(3) Affidavits and payrolls for all contracts (except shipbuilding) located in the States listed below should be mailed to the addresses indicated:

State:	Location of Regional Office
North Carolina.	Harris P. Dawson, Jr., Bureau of Labor Statistics,
South Carolina.	4th Floor, Carl Witt Building, Atlanta, Ga.
Georgia.	
Florida.	
Tennessee.	
Alabama.	
Mississippi.	
Maine.	Frances M. Jones, Bureau of Labor Statistics, 294 Washington Street, Boston, Mass.
New Hampshire.	
Vermont.	
Massachusetts.	
Rhode Island.	
Connecticut.	
Illinois.	Harry D. Wilson, Bureau of Labor Statistics, 1212 Merchandise Mart, 222 West North Bank Drive, Chicago, Ill.
Indiana.	
Wisconsin.	
Minnesota.	
North Dakota.	
South Dakota.	
Ohio.	Victor S. Baril, Bureau of Labor Statistics, 1236 Engineers' Building, 1365 Ontario Avenue, Cleveland, Ohio.
Kentucky.	
West Virginia.	
Texas.	C. Wilson Randle, Bureau of Labor Statistics, B-10 Rio Grande National Building, Dallas, Tex.
Oklahoma.	
Louisiana.	
Montana.	Paul E. Warwick, Bureau of Labor Statistics, 422 Chamber of Commerce Building, Denver, Colo.
Idaho.	
Wyoming.	
Utah.	
Colorado.	
New Mexico.	
Michigan.	Randle E. Dahl, Bureau of Labor Statistics, Room 926, David Stott Building, 1150 Griswold Street, Detroit, Mich.
Missouri.	Odis C. Clark, Bureau of Labor Statistics, Fidelity Building, c/o National War Labor Board, Kansas City, Mo.
Arkansas.	
Nebraska.	
Kansas.	
Iowa.	

State—Con.	Location of Regional Office
New York.....	Harold R. Hosea, Bureau of Labor Statistics, 713 Parcel Post Building, 341 Ninth Avenue, New York, N. Y.
New Jersey.	
Pennsylvania...	Harry Ober, Bureau of Labor Statistics, 1634 Widener Building, Chestnut and Juniper Streets, Philadelphia, Pa.
Maryland.	
Delaware.	
District of Columbia.	
Virginia.	
California.....	Louis M. Solomon, Bureau of Labor Statistics, 1355 Market Street, Rm. 153-B, San Francisco, Calif.
Washington.	
Oregon.	
Nevada.	
Arizona.	

(4) In the case of shipbuilding and railroad contracts, affidavits and payrolls will be submitted for payroll periods ending nearest May 15 and November 15 to the Bureau of Labor Statistics, Washington, D. C.

Section 81.985 (b) and (c) is amended as follows:

§ 81.985 *Forty-eight hour work-week.* * * *

(b) By authority vested in the Chairman of the War Manpower Commission by Executive Order No. 9301, establishing a Minimum Wartime Workweek of 48 hours and in accordance with the provisions of § 903.2 of the Regulations prescribed by the Chairman of the War Manpower Commission, said Chairman may designate the areas subject to the provisions of Executive Order No. 9301. A current list of the areas so designated may be secured from any office of the United States Employment Service or of the War Manpower Commission.

(c) (1) The following is the text of General Order No. 6, issued by the War Manpower Commission, designating certain activities as subject to the provisions of Executive Order No. 9301.

By virtue of the authority vested in me as Chairman of the War Manpower Commission, by Executive Order No. 9301, establishing a Minimum Wartime Workweek of 48 hours, and in accordance with the provisions of § 903.2 of the Regulations prescribed by me on February 22, 1943, I hereby designate the following activities as subject to the provisions of Executive Order No. 9301:

1. The mining (including the development of ore properties) dressing, and beneficiating (milling) of the following nonferrous metals and their ores:

Aluminum	Silver
Antimony	Tantalum
Arsenic	Tin
Beryllium	Titanium
Chrome	Tungsten
Cobalt	Uranium
Columbium	Vanadium
Copper	Zinc
Lead	Zirconium
Magnesium	All other nonferrous metals and their ores
Manganese	
Mercury	
Molybdenum	

2. (a) All logging operations.
(b) All operations of all

Sawmills	Cooperage establishments
Planing mills	Shingle mills
Veneer mills	Wooden box factories
Plywood mills	
Cooperage-stock mills	
wood pulp mills	

(2) A current list of the activities subject to the provisions of Executive Order No. 9301 can be obtained from any office of the United States Employment Service or of the War Manpower Commission.

Miscellaneous Purchase Instructions

Section 81.1101 (a) is amended as follows:

§ 81.1101 *Marking of containers desisting under Revised Supplemental Regulations on marking of containers.* The following regulations for the marking of all boxes, crates, and other containers to be used in making deliveries to War Department agencies destined for overseas shipment are prescribed: * * *

In § 81.1132 paragraph (a) is amended to include regulations formerly in paragraph (b), a new paragraph (b) is added and paragraphs (d), (e), and (f) are amended as follows:

§ 81.1132 *Exemptions*—(a) *Exemptions under Revised Supplemental Regulation No. 1, of the General Maximum Price Regulation.* (1) Revised Supplementary Regulation No. 1, effective April 22, 1943, regroups in a single regulation commodity transactions formerly exempted from the General Maximum Price Regulation by supplementary Regulation No. 1 and Revised Supplementary Regulation No. 4, which regulations are now revoked. Reference in any Price Regulation or other document issued by the O. P. A. to any provision in Supplementary Regulations Nos. 1 and 4 shall be deemed to refer to its counterpart in the new Revised Supplementary Regulation No. 1.

(2) The new regulation is confined to exceptions from the General Maximum Price Regulation. Commodities and transactions listed as excepted from the General Maximum Price Regulation may be subject to other applicable regulations unless specifically excepted in others.

(3) Revised Supplementary Regulation No. 1 provides that the General Maximum Price Regulation shall not apply to sales or deliveries of the following commodities or in the following transactions:

(i) Aviation gasoline and components, synthetic rubber and components, toluene manufactured from petroleum, and agricultural components used in the manufacture of furfural, under the conditions and to the extent stated in the Regulation.

(ii) Sales and deliveries, when made 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, of the following commodities, and also in certain cases of related transactions when made to others as specifically provided in the regulation:

(a) Aircraft, ammunition, armored trains, artillery, balloon barrage equipment, bombs, bomb sights, caissons, fire control, equipment, gas masks, grenades, gun sights, military bridges, mines, mor-

tars, projectiles, pyrotechnics, small arms, ship and boats and torpedoes.

(b) Amphibians, armored vehicles, automobiles, tanks, trailers and trucks, when sold for military purposes.

(c) Component parts and subassemblies of any product excepted under Subdivisions (a) and (b) above, regardless of the person to whom sold or delivered, including all metallic and non-metallic component parts, adjuncts and accessories which have been machined or fabricated but not including raw or unfinished materials or any other materials which are in such form as to permit their use in the manufacture of products other than those excepted under subdivisions (a) and (b) above.

(d) Military propellants and explosives.

(e) The following Army field and emergency rations and commodities: Completed rations: C; D; K; Five-in-One; Mountain; Bail out; Combat; Jungle; Life Raft; Corned Beef Hash (5½ lb. can); Meat and Vegetable Hash (6 lb. 12 oz. can); Chili Con Carne (6 lb. 8 oz. can).

(iii) Dried apples, dried apricots, raisins, dried peaches, dried pears, or dehydrated vegetables sold to the Armed Forces of the United States.

(iv) Developmental contracts or subcontracts, and emergency purchases (see paragraph (f)).

(v) Sales and deliveries of waste materials, including but not limited to metal, paper, cloth and rubber scrap, sold to a purchaser other than an industrial consumer, but not including scrap burlap or scrap bagging or bale coverings composed of jute, hemp, istle, sisal or similar fibers, nor cotton mill waste, nor fat bearing and oil bearing animal waste materials. This exception frees the War Department from price restrictions in the sale of most miscellaneous materials. However, the more important scrap materials, such as ferrous and non-ferrous metals, paper, rubber and rags, are covered by specific price schedules or maximum price regulations.

(4) The foregoing is not an exact or complete quotation. In specific cases reference should be made to the text of Revised Supplementary Regulation No. 1 which also contains other exceptions.

(b) *Exemption of sales pursuant to secret contracts or subcontracts.* (1) By Supplementary Order 42, effective April 22, 1943, sales and deliveries of any commodity or service made under a contract or subcontract certified as secret to the Office of Price Administration (see § 81.1133 (b)) are exempted from price regulation.

(2) The exemption applies only for such period as is necessary for the preservation of secrecy. The purchasing agency certifying the contract as secret must notify the Office of Price Administration in the manner provided in § 81.1133 (b) whenever such contract or subcontract ceases to be secret, and thereafter the exception will no longer apply.

(d) *Exemptions contained in specific price regulation.* Certain of the specific maximum price regulations contain ex-

emptions of the commodities covered by them of interest to Procurement Officers. These exemptions may be in whole or in part, and are effected by various methods, among which may be enumerated:

(1) By the incorporation by general reference of all supplementary regulations to the General Maximum Price Regulation, including Revised Supplementary Regulation No. 1;

(2) By exempting sales to the United States and all agencies thereof;

(3) By incorporating by reference certain of the clauses of Revised Supplementary Regulation No. 1;

(4) By clauses specifically excluding developmental contracts or emergency purchases or both from the coverage of the specific price regulation. (See paragraph (f) of this section).

(e) *Exemptions of services.* (1) By Supplementary Regulation No. 11 effective August 19, 1942, a large number of special services were exempted from the provisions of the General Maximum Price Regulations. By an amendment effective December 3, 1942, the provisions of MPR 165 were specifically made non-applicable to the services exempted by Supplementary Regulation No. 11, as well as to those services exempted by Supplementary Regulation No. 1 (see paragraph (a) of this section).

(2) Of special interest are the following exempted services:

(i) Any service rendered in connection with the lubrication, painting, rental, storage, washing, operation, repair, conversion, modification, maintenance or other servicing of airplanes or of engines, parts, accessories, instruments and other equipment used in connection with airplanes.

(ii) Any manufacturing service performed by a person (other than the manufacturer) in the production of any war material and component parts and subassemblies thereof, exempted from price regulation by Revised Supplementary Regulation No. 1 (see paragraph (a) of this section).

(iii) Any service supplied pursuant to a developmental contract or subcontract.

(iv) Any machinery service, as defined in Maximum Price Regulation No. 136.

(3) The above is not an exact or complete quotation. In specific cases reference should be made to the text of Revised Supplementary Regulation No. 11 which also contains other exceptions.

(f) *Exemption of developmental and secret contracts and emergency purchases.* (1) By Revised Supplementary Regulation No. 1, developmental contracts and subcontracts entered into, and emergency purchases made by, the United States or any of its agencies are exempt from the GMPR. In addition, certain of the specific Maximum Price Regulations exempt such contracts and purchases, either specifically or by incorporating by general or specific reference the exemptions of such contracts and purchases contained in Supplementary Regulation No. 1. Reference must be made in each case to the applicable MPR to ascertain whether or not these

contracts and purchases are excluded therefrom. In the case of both developmental contracts, the exemption applies only during such period as is necessary for development. A contract or subcontract is deemed to be "developmental" if the manufacturer or supplier requires a period of time for the accumulation of sufficient production experience to permit him to make a fair estimate of his manufacturing costs, or if the purchaser under such contract or subcontract requires a period of time to select a product, or both. To satisfy the definition of "emergency" for purposes of the exemption.

(i) The subject matter of the purchase must be needed at once, and

(ii) At least a portion of the purchase must be capable of immediate delivery either from stock or after a short period of production. In any case, the emergency exemption is applicable only to the quantity immediately deliverable. The exemption will not apply to contracts or agreements for future delivery.

2. By the terms of the Service Regulation (MPR 165) sales of services pursuant to developmental contracts and subcontracts entered into, and emergency purchases made by, any war procurement agency were exempted from the application of this Regulation and also the General Maximum Price Regulations. In general, the same qualifications apply to developmental contracts and to emergency purchases as described above in this paragraph in connection with Revised Supplementary Regulation No. 1; except that for services the developmental period is limited to ninety days.

Section 81.1133 (d) is amended as follows:

§ 81.1133 *Procedure for obtaining exemption under developmental and secret contracts and emergency purchases or for relief from a price regulation.* * * *

(d) *Procedure for obtaining relief.* (1) OPA Procedural Regulation No. 6, effective July 3, 1942, sets forth the procedure to be followed in all cases except when otherwise specifically provided to obtain prompt adjustments of maximum prices for commodities or services under Government contract or subcontract. The regulation provides that any person who has entered into or proposes to enter into a Government contract, or subcontract under a Government contract, and who believes that an established maximum price impedes or threatens to impede production of a commodity or supply of a service which is essential to the war program, may apply for adjustment of that maximum price. Any Government agency may appear as an interested party under any such application. Upon the filing of an application and pending the issuance of an order by the OPA granting or denying the application, contracts or subcontracts may be entered into, and deliveries made at the price requested in the application, subject to later refunds and price reduction if the application is denied. Applications involving contracts exceeding \$5,000,000 in value must be filed with the

OPA in Washington, D. C. Other applications (with a few exceptions) may be filed either with the appropriate regional office of the OPA or with the OPA in Washington, D. C.

(2) By an amendment effective April 12, 1943, special adjustment procedure is provided in MPR 136 (Machines and Parts and Machinery Services), to which reference is made for complete details. This procedure is available to any person who has entered into a "war contract", defined as a contract for the sale of a machine or part purchased for the ultimate use of the armed forces of the United States or for lend-lease purposes, or for use in the production or manufacture of any such commodity. A new ground for adjustment, provided by the amendment, is an agreement by the manufacturer to make a reduction in the selling price of other products or services which will equal or exceed the total dollar amount of the upward adjustment granted. Manufacturers whose total dollar sales for the calendar or fiscal year ending in 1942 exceeded \$500,000 must file application with the Office of Price Administration at Washington, D. C. Other applications may be filed with the nearest regional office of the Office of Price Administration.

Section 81.1180 is amended as follows:

§ 81.1180 *Discounts in purchasing.* (a) All purchases made directly by the War Department, regardless of the method used (after advertising or by negotiation), will be made without regard to seller's offer of prompt payment or cash discount provisions.

(b) For clause relative to discounts to be inserted in invitations for bids see § 81.366.

In § 81.1301 paragraph (a) is amended as follows:

§ 81.1301 *W.D. Contract Form No. 1.* * * *

(a) *Additional articles.* (1) The following additional articles may be inserted in supply contracts in appropriate cases:

ART. — *Final inspection with performance tests.* * * *

(2) *Tests after delivery; payments.* Where final acceptance cannot be made without some test after delivery, such as a proof test or a performance test, use, the following in place of Article 8.

In cases where it clearly appears from previous favorable experience with the particular contractor that the withholding until final test of a percentage of the unit price of each article delivered is unnecessary for the protection of the Government, the following clause may be used in lieu of that set forth in subparagraph (2), under such limitations or restrictions as may be prescribed by the chief of the supply service concerned:

ART. — *Payment.* The Contractor shall be paid as follows:

(a) Upon the submission of properly certified invoices or vouchers, the unit prices stipulated herein, less deductions, if any, as herein provided, for articles delivered which comply with specifications in all respects other than such as are determinable only by final test.

(b) The last ----- percent (-----%) of the total contract price for the articles contracted for hereunder shall be withheld by the Government until final test and final acceptance of all such articles; but, in any event, payment of the amount withheld by the Government will be made within six (6) months after delivery of all such articles, if not rejected within such time and if all the articles delivered comply with specifications in all respects other than such as are determinable only by final tests.

(c) Any unliquidated advance or partial payments made under this contract (if this contract provides for such payments) shall be liquidated by proportionate deductions from payments otherwise due hereunder. Any payments (whether by way of direct payment or by liquidation of advance or partial payments) made against the delivery of articles which are rejected upon final test shall be credited or refunded to the Government as directed by the Contracting Officer.

(d) At any time before the completion of this contract the Contracting Officer, by written change order, may (but shall in no event be obliged to) reduce the percentage specified in paragraph (b) above.

3. Other articles.

ART. — *Material to be furnished by the Government.*

ART. — *Neutrality Act.*

In § 81.1302, Article 11 of the contract form prescribed therein is amended to include provisions formerly contained in § 81.346a as follows:

§ 81.1302 *W.D. Contract Form No. 2.* * * *

ART. 11. *Labor*—(a) (Insert [§ 346] (§ 81.346)).

(b) *Overtime rates and shifts.*—Where a single shift is worked, eight hours of continuous employment, except for lunch periods, shall constitute a day's work beginning on Monday and through Friday of each week. When work is required in excess of eight hours in any one day or during the interval from 5:00 p. m. Friday to 7:00 a. m. Monday, such work shall be paid for at 1½ times the basic rate wages. No premium wage or extra compensation shall be paid for work on customary holidays except that time and one-half wage compensation shall be paid for work performed on any of the following days only: New Year's Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, and either Memorial Day or one other such holiday of greater local importance. Where two or more shifts are worked, five consecutive days of 7½ consecutive hour shifts, from Sunday midnight to Friday midnight shall constitute a regular week's work. The pay for a full shift period shall be a sum equivalent to eight times the basic hourly rate, and for a period less than the full shift shall be the corresponding proportional amount which the time worked bears to the time allocated to the full shift period. Any time worked from Friday midnight to Sunday midnight or in excess of regular shift hours shall be paid for at 1½ times the basic rate of wages. Whenever found to be practicable, shifts should be rotated.³

(c) (Insert [§ 345]).

In § 81.1303 paragraph 4 of Article X of the contract form is rescinded and paragraphs 5 and 6 are renumbered 4 and 5, as follows:

§ 81.1303 *W.D. Contract Form No. 3.* * * *

³ Clause (b) will be omitted in all contracts for the construction, alteration, or repair of vessels and floating equipment.

4. Insert [1 325] (§ 81.325)

5. Insert [1 344] (§ 81.344)

In § 81.1317, paragraphs (1) and (2) of explanatory notes are amended as follows:

§ 81.1317 *W.D. Contract Form No. 17 (W.D. Forms Nos. 47 and 47-a).*

Explanatory notes. (1) *W.D. Contract Form No. 17*, comprising new War Department Forms Nos. 47 and 47-a, is available for use by supply services and service commands in contracting for supplies and services not exceeding \$500,000 in amount, regardless of the number of payments or the time of performance involved. After July 1, 1943, the form will be mandatory in contracting for regular commercial items in amounts of not less than \$100,000 and not more than \$500,000, and in contracting for regular commercial items in amounts of less than \$100,000 where signatures by both the Government and the contractor are required or desired. It will be optional for all other contracts for supplies or services in amounts not exceeding \$500,000.

(2) The form has been devised to meet the need for a standard instrument to be used principally in making purchases of regular commercial items. Chiefs of supply services and Commanding Generals of service commands have been urged to impress the officers within their commands with the necessity for giving the form a fair trial promptly, and using it wherever possible. They have also been requested to obtain comments on the form from the officers within their commands, to consolidate such comments, and to forward the same to the Director, Purchases Division, Headquarters, Army Service Forces, not later than June 1, 1943. The form may hereafter be revised in the light of comments received.

(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)

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

[F. R. Doc. 43-9173; Filed, June 7, 1943; 10:04 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 250—GENERAL RULES AND REGULATIONS PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

EXEMPTIONS

Acting pursuant to the Public Utility Holding Company Act of 1935, particularly sections 17 (c) and 20 (a) thereof, and finding that such action is necessary and appropriate in the public interest and for the protection of investors and consumers and necessary to carry out the provisions of the Act, the Securities and Exchange Commission hereby amends § 250.70 [Rule U-70] as follows:

1. To paragraph (a) is added subparagraph (8) as follows:

§ 250.70 *Exemptions from section 17 (c) of the Act.* * * *

(8) *In connection with indenture trustee for obligations in default.* A person

whose only financial connection (not otherwise exempted under this Rule) is with an indenture trustee holding in trust under a corporate indenture or similar instrument a majority of the voting stock of such company as security for an obligation or obligations which are in default; *Provided*, That such person is designated in writing to the Commission by such indenture trustee:

2. Paragraph (b) (1) is amended to read as follows:

§ 250.70 *Exemptions from section 17 (c) of the Act.* * * *

(1) *Number of exempted directors.* No registered holding company or subsidiary shall have as many as one-half of its directors persons with financial connections within the scope of section 17 (c), except that this limitation shall not apply to persons who are exempted pursuant to the provisions of paragraph (a) (8) of this section.

Effective June 4, 1943.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-9135; Filed, June 5, 1943; 11:03 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Cumulative Supplement 2 to Revision V]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Board of Economic Warfare, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 2 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision V of April 23, 1943 (8 F.R. 5435), is hereby promulgated.¹

By direction of the President.

CORDELL HULL,
Secretary of State.

RANDOLPH PAUL,
Acting Secretary of the Treasury.

FRANCIS BIDDLE,
Attorney General.

JESSE H. JONES,
Secretary of Commerce.

MILO PERKINS,
Executive Director,
Board of Economic Warfare.

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

JUNE 4, 1943.

[F. R. Doc. 43-9149; Filed, June 5, 1943; 12:16 p. m.]

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

TITLE 30—MINERAL RESOURCES
Chapter III—Bituminous Coal Division

[Docket No. A-1961]

PART 321—MINIMUM PRICE SCHEDULE, DISTRICT NO. 1

ORDER GRANTING RELIEF

Order amending order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 1 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 1 and for changes in shipping points for certain other mines in District No. 1.

An original petition pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 was filed with this Division by the above-named party requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 1; and on April 26, 1943, 8 F.R. 5975, an Order Granting Temporary Relief and Conditionally Providing For Final Relief was issued. This order, among other matters, established a minimum price classification of "E" for the coals of Longwill & McCoy Mine, Mine Index No. 3961, of Longwill & McCoy (Howard H. Longwill) in Size Group 3 for shipment by rail and a minimum price of \$2.45 for the said coals for truck shipments, and indicated that the said mine produces such coals from the "E" seam. The relief granted with respect to the coals of this mine was in accordance with the request therefor set forth in the original petition filed in this matter.

On May 11 and 17, 1943, District Board No. 1 filed motions stating that this mine is situated in the "D" or Lower Freeport seam and requesting, therefore, that the seam designation for this mine set forth in the aforesaid Order be changed to "D," that the price classification of "E" for the coals of this mine in Size Group 3 for shipment by rail be changed to "F," and that the minimum price of \$2.45 for these coals for shipment by truck be changed to \$2.40.

Good cause having been shown for the granting of the said motions and no opposition having been expressed thereto; *Now, therefore, it is ordered*, That Supplement T, § 321.24 (*General prices*), annexed to and made a part of an Order Granting Temporary Relief and Conditionally Providing for Final Relief issued on April 26, 1943, in the above-entitled matter be, and the same hereby is, amended with respect to the Longwill & McCoy Mine, Mine Index No. 3961, of Longwill & McCoy (Howard H. Longwill), in Subdistrict No. 15, Indiana County, Pennsylvania, in the following particulars: The seam designation is amended to read "D" and the minimum price established for the coals of said mine in Size Group 3 is amended to read "\$2.40."

It is further ordered, That Supplement R, § 321.7 (*Alphabetical list of code members*), annexed to and made a part of the aforesaid Order be, and the same hereby is, amended with respect to the coals of the aforesaid mine in the following par-

ticulars: The seam designation is amended to read "D" and the price classification for the said coals in Size Group 3 is amended to read "F."

It is further ordered, That the aforesaid order issued April 26, 1943 be and it hereby is further amended to provide that applications to stay, terminate or modify the temporary relief granted by this order 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 aforesaid order issued April 26, 1943 be and it hereby is further amended to provide that the relief granted by this order shall become final sixty (60) days from the date of this order unless it shall otherwise be ordered.

It is further ordered, That the aforesaid order issued April 26, 1943 shall in all other respects remain in full force and effect.

Dated: June 5, 1943.

[SEAL] DAN H. WHEELER, Director.

[F. R. Doc. 43-9181; Filed, June 7, 1943; 10.56 a. m.]

[Docket No. A-1988]

PART 324—MINIMUM PRICE SCHEDULE, DISTRICT NO. 4

ORDER GRANTING RELIEF

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 4 for the establishment of price classifications and minimum prices

for rail and truck shipments and changes in the freight origin group numbers and shipping points for the coals of certain mines.

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. 4; 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 § 324.7 (Alphabetical list of code members) is amended by adding thereto Supplement R, and § 324.24 (General prices in cents per net ton for shipment into all market areas) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That 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 proceed-

ings instituted pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

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

The petition proposes Berlin Centre, Ohio (Salem Rates), on the Pennsylvania Railroad as a shipping point for the coals of the Star Coal & Clay Co. (W. R. Taylor), Mine Index No. 1590. From the records of the Division it appears that there are no published freight rates to any destination from Berlin Centre, Ohio, but that coals shipped from this point are billed from Salem, Ohio. Therefore, Salem, Ohio, is established herein as a shipping point for the coals of this mine.

The petition also requests that the minimum prices heretofore established for the coals of Mine Index No. 928 of Sherrick Coal Company (Emerson Sherrick) be revised for the reason that the minimum prices for the coals of this mine were established on the basis of among other matters, their shipment on the freight rates applicable to coals originating in the Crooksville District, whereas it now appears that these coals are shipped on the freight rates established for the Middle District.

The minimum prices heretofore established for these coals are revised herein accordingly.

No relief is granted herein as to the coals of Congress Coal Co. (R. B. Hurst), Mine Index No. 424, for truck shipments, for the reason that the minimum prices for truck shipments requested in the original petition herein were established by order dated April 6, 1943, 8 F.R. 4911, issued in Docket No. A-1900.

Dated: May 26, 1943.

[SEAL] DAN H. WHEELER, Director.

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

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

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 324.7 Alphabetical list of code members—Supplement R

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

Mine index No.	Code member	Mine name	Seam	Type	Sub-district No.	Shipping points in Ohio	Freight origin group No.	Railroad	Price group No.	Railroad fuel price group No.	
										On line	Off line
		B & T	6	Deep	4	{Guernsey W. Lafayette ¹	103	{PRR PRR	62	112	201-203
2325	B & T Coal Co. (A. C. Triplet)					Holloway	12	B&O	3	102	202-204
3161	Crescent Valley Mining Corp.	June No. 1	8	Strip	1	Shawnee	27	NYC	21	110	201-203
2599	Harkless, Clarence (Big Maple Coal Co.)	Big Maple	6	Deep	2	Cambridge	16	PRR	17-18	112	201-203
3158	Lewis, William	Lewis	7	Deep	5	Glouster	92	NYC	24	110	201-203
751	McClelland, Wm.	McClelland	7	Deep	5	Jackson	42	DT&I	55	105	201-203
1033	McKitterick, Jas. J. (McKitterick Coal Co.)	Hammertown	1	Deep	7	Shawnee	27	NYC	24	110	201-203
218	Nutter & Sons (James Nutter)	Nutter	6	Deep	6	Nelsonville	22	C&O	24	103	201-203
3152	O'Neil, James (James O'Neil Coal Co.)	O'Neil	7	Deep	5	Shawnee	21	B&O	24	101	201-203
104	Paskell, A. W. (Twin Coal Company)	Paskell	6	Deep	6	Crooksville	32	NYC	42	110	201-203
2112	Penrod Brothers (Ralph Penrod)	Penrod	6	Deep	6	Moxahala	33	NYC	42	110	201-203
2095	Price, Fred	Price #2	6	Deep	6	Conesville	55	W&LE	61	118	201-203
928	Sherrick Brothers Coal Company (Emerson Sherrick)	Sherrick	5	Deep	6	Salem	72	PRR	72	113	202-204
1590	Star Coal & Clay Co. (W. R. Taylor)	Star Coal & Clay		Strip	4	Wellston	41	B&O	54	102	202-204
2449	Stroth Brothers Coal Company	Stroth #7	7	Strip	7	Nelsonville	22	C&O	21	103	201-203
410	Vaughn Bros. Coal Co. (Charles Vaughn)	Vaughn Bros. #2	6	Deep	5	Roseville	34	PRR	42	112	201-203
938	Wallace, R. E.	Wallace Coal Co.	6	Deep	6	Hope	41	B&O	56	101	201-203
1225	Wrightsell, S. W.	Orchard Hill	4	Deep	7	Moxahala	33	NYC	42	110	201-203
1031	Zartman Coal Co., The	Zartman	6	Deep	5	Carrington	27	NYC	21	110	201-203
3154	Zartman-Kretz Mine (Harold Zartman)	Zartman-Kretz	6	Deep	3	Dillonvale	14	NYC	3	111	202-204
3159	Zimnox Coal Company (John Zimnox)	Zimnox	8	Strip	1						

NOTE: For letter classification see § 324.9 in minimum price schedule for District No. 4.
¹ Subject to Price Exception No. 4, in § 324.1 (b) in Minimum Price Schedule for District No. 4.

² Prices established in previous docket shall not longer be applicable.
³ Additional shipping point. Guernsey established in Docket A-1648.
⁴ Shipping point established in previous dockets shall not longer be applicable Mine Index Nos. 104, 410, 938, 1225 and 2095.

FOR TRUCK SHIPMENTS

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

Code member	Mine	Mine index No.	Type	Scales	Base sizes							
					1	2	3	4	5	6	7	8
SUB-DISTRICT No. 1— EASTERN OHIO												
BELMONT COUNTY												
Crescent Valley Mining Corp.	June No. 1.....	3161	Strip....	8	295	285	270	245	240	230	210	200
JEFFERSON COUNTY												
Zimnox Coal Company (John Zimnox).	Zimnox.....	3159	Strip....	8	295	285	270	245	240	230	210	200
SUB-DISTRICT No. 2— CAMBRIDGE												
GUERNSEY COUNTY												
Lewis, William.....	Lewis.....	3158	Deep....	7	290	280	265	240	240	240	220	210
SUB-DISTRICT No. 4— MIDDLE												
COLUMBIANA COUNTY												
W. B. Coal Co. (F. G. Baker).	Baker.....	3157	Strip....	6	320	310	295	270	265	245	225	215
COSHOCTON COUNTY												
Hunt, Leora.....	.....	3156	Deep....	6	300	290	280	255	250	215	185	175
Wright, Eugene.....	Wright.....	3147	Deep....	6	300	290	280	255	250	215	185	175
TUSCARAWAS COUNTY												
Fanti, Joe.....	Fanti #2.....	3155	Deep....	6	295	285	270	255	255	240	210	200
Schoenbrunn Coal Company (A. R. Schaar).	Schoenbrunn #2.....	3163	Deep....	6	295	285	270	255	255	240	210	200
Springdale Coal Co. (Chas. B. Bevan).	Specht.....	3148	Deep....	6	295	285	270	255	255	240	210	200
Windy Hollow Coal Co. (B. V. Riggs).	Windy Hollow #2.....	3153	Deep....	6	295	285	270	255	255	240	210	200
SUB-DISTRICT No. 5— HOCKING												
ATHENS COUNTY												
O'Nail, James (James O' Nail Coal Co.).	O'Nail.....	3152	Deep....	7	300	290	280	255	250	215	185	175
FERRY COUNTY												
Zartman-Kreitz Mine (Harold Zartman).	Zartman-Kreitz....	3154	Deep....	6	315	305	295	270	265	215	185	175

[F. R. Doc. 43-9049; Filed, June 4, 1943; 10:39 a. m.]

[Docket No. A-1620]

PART 330—MINIMUM PRICE SCHEDULE,
DISTRICT No. 10

ORDER GRANTING RELIEF

Memorandum opinion and order of the Director in the matter of the petition of the New Superior Coal Co., for the establishment of price classifications and minimum prices in District No. 10. This proceeding was instituted upon a petition duly filed with the Bituminous Coal Division on August 31, 1942, by New Superior Coal Co. by C. C. Stump,¹ pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting a change in the rail shipping point from

¹ The Schedules of Effective Minimum Prices for District No. 10 list C. C. Stump as the code member and the New Superior Coal Co. as the name of the mine.

Marion, Illinois,² to Harrisburg, Illinois, and the applicable price classifications and minimum prices for the coals produced by the New Superior Coal Co. Mine (Mine Index No. 1202), located in Williamson County, Illinois, in District 10.

On September 10, 1942, 7 F.R. 7382, an order was issued granting temporary and conditionally final relief as requested in the petition.³ On September 23, 1942, District Board 10 filed a petition for termination of the temporary and conditionally final relief heretofore

² By order dated February 17, 1942, 7 F.R. 1538, in Docket No. A-1079 price classifications for certain mines in Price Group 5, including petitioner's mine, were established f. o. b. transportation facilities at the McLaren Fuel Co.'s Preparation Plant at Marion, Illinois.

³ This order also revoked the relief heretofore granted in Docket No. A-1079.

granted herein, alleging that the establishment of separate prices for rail shipment for petitioner's mine would be prejudicial to other mines in Price Group 5. On September 25, 1942, McLaren Fuel Company filed a petition of intervention in opposition to the relief heretofore granted herein, requesting suspension thereof pending a hearing. On October 10, 1942, petitioner filed an amended petition requesting price classifications and minimum prices in Price Group 2 rather than Price Group 5 for rail shipment from Harrisburg, Illinois, on the New York Central Railroad, as requested in the petition herein. On October 9 and 28, 1942, respectively, District Board 10 and McLaren Fuel Company filed petitions of intervention and motions in support of the amended petition. By order of the Director, dated November 19, 1942, 7 F.R. 9746, temporary relief was granted as requested in the amended petition.

Pursuant to the aforesaid order, dated November 19, 1942, and after due notice to interested persons, a hearing in this matter was held on January 7, 1943, before D. C. McCurtain, a duly designated Examiner of the Division at a hearing room thereof in Washington, D. C. Interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses and otherwise be heard. Petitioner and District Board 10 appeared at the hearing.⁴ All parties waived the preparation and filing of the report by the Examiner and the record was thereupon submitted to me for consideration.

C. C. Stump, a code member in District 10, operates the New Superior Coal Co. Mine (Mine Index No. 1202), a comparatively small truck mine with preparation facilities for screening different sizes of coal, located in Williamson County, Illinois, about 10 miles distant from the Towns of Marion and Harrisburg. According to the petition, 37 producers in Price Group 5, including petitioner were granted rail prices f. o. b. the loading facilities of the McLaren Fuel Company Preparation Plant at Marion, Illinois, via the Illinois Central and Missouri Pacific Railroads. It appears further that petitioner has acquired by lease the loading ramp at the Peabody Coal Co. Mine No. 43, and that it would be impractical and an unnecessary expense for him to utilize the Marion shipping point. The record discloses that petitioner proposes to produce various sizes of coal and that he has accumulated a considerable tonnage of 3/8" x 0 coal, for all of which the McLaren facilities are of no use because the Marion shipping point serves a market area in which there is no demand for petitioner's coal. Petitioner requests solely a change in his shipping point to Harrisburg, Illinois, via the New York Central Railroad and the prices applicable to mines in Price Group 2.

The witness Henderson testified that the theory of the amended petition, with

⁴ Petitioner appeared by J. R. Henderson, Chairman of District Board 10, who also appeared on behalf of the district board.

which the district board is in accord, is based on the recognized principle that coals must be related in price upon their relative value in the market area to which analogous and comparable coals move. This policy was followed in coordinating prices in District 10. He explained that the prices established for Price Group 5 Mines⁵ for rail shipment from Marion via the Illinois Central and Missouri Pacific Railroads would not be applicable to the coals produced by petitioner's mine for rail shipment from Harrisburg via the New York Central Railroad. He made clear that coals of petitioner's mine would come into competition with coals of certain Saline County mines which also have shipping points at Harrisburg on the New York Central Railroad.⁶ Moreover, these mines and petitioner's mine operate in Seam No. 5, produce coals of similar quality and characteristics, ship over the same railroad, serve the same market area, and should, according to the witness, take Price Group 2 prices. Finally, it was asserted that the relief requested herein would have no adverse effect upon the producers operating through the McLaren facilities.

The record adequately establishes that the change in shipping point for petitioner's mine from Marion to Harrisburg, Illinois, is justified. It is clear also that such revised shipping point for petitioner's mine requires the assignment of Price Group 2 prices. Moreover, no objection to such revision in shipping point and prices was expressed at the hearing nor has any been made by code members in District 10.

Accordingly, I find that the coals of petitioner's mine should be related in price to the comparable and competitive coals produced by the mines in Price Group 2 in order to reflect their market value as nearly as possible and to preserve fair competitive opportunities as nearly as may be existing, among the producers in Price Group 2. I find further that such revision in shipping point and applicable minimum price complies with the standards set forth in sections 4 II (a) and 4 II (b) of the Act and is necessary to effectuate the purposes thereof.

It is, therefore, ordered, That effective as of the date hereof § 330.4 (Price groups) and § 330.10 (Special prices—(a))

⁵ The Wallace Mine (Mine Index No. 182) of the Wallace Coal Company and the Crab Orchard Coal Co. Mine (Mine Index No. 1191) of the Crab Orchard Coal Company have rail shipping points on the Illinois Central and the Missouri Pacific Railroads as has the McLaren Fuel Company. These mines are in Price Group 5. When price classifications were established for the thirty-seven mines on the rail shipping point of the McLaren Fuel Company, they were also given price classifications in Price Group 5 to correlate them with these mines.

⁶ These mines are the Wasson "A" Mine (Mine Index No. 183) and Wasson #1 Mine (Mine Index No. 184) of the Wasson Coal Company; the Pickford Mine (Mine Index No. 1162) of John J. Pickford, the Harco Mine #47 (Mine Index No. 62) of Peabody Coal Company, the Bankston Creek #6 Mine (Mine Index No. 4) of the Sahara Coal Company, and the Blue Bird No. 5 Mine (Mine Index No. 14) of the Blue Bird Coal Company, all in Price Group 2.

(2) Prices for railroad locomotive fuel), in the Schedule of Effective Minimum Prices for District No. 10 for All Shipments Except Truck be and the same hereby is amended to include the price classifications and minimum prices for the coals produced by the New Superior Coal Co. Mine (Mine Index No. 1202) of

C. C. Stump in all size groups for rail shipment to all market areas, as herein-after set forth in Supplement R-I and Supplement R-II, which supplements are hereby made a part hereof.

Dated: May 31, 1943.

[SEAL]

DAN H. WHEELER,
Director.

FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 10

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 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK § 330.4 Price groups—Supplement R-I

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
12	Stump, C. C.....	New Superior Coal Co.....	.....	133	Harrisburg, Ill....	NYC.

¹ Mine Index No. 1202 shall be included in Price Group 2 and shall take the same f. o. b. mine prices as other mines in Price Group 2, Schedule No. 1, District No. 10, For All Shipments Except Truck, on all size groups and for shipment to all market areas and for all uses exclusive of railroad locomotive fuel: *Provided, however,* That these f. o. b. mine prices apply on board transportation facilities at Harrisburg, Illinois.

² Shipping Point Marion, Ill., Freight Origin Group 142 is no longer applicable.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 330.10 Special prices—(a) (2) Prices for railroad locomotive fuel—Supplement R-II

Price group No.	Producer	Mine	Mine index No.	Freight origin group	Shipping point	Railroad
2	Stump, C. C.....	New Superior Coal Co.....	.....	133	Harrisburg, Ill....	NYC.

¹ Shipping Point Marion, Ill., Freight Origin Group 142 is no longer applicable.

The railroad locomotive fuel price shall be: Mine Run \$2.25, Screenings \$1.70 and railroad locomotive fuel price exceptions 2-H, 9, 61 and 64 shall apply.

[F. R. Doc. 43-9050; Filed, June 4, 1943; 10:39 a. m.]

[Docket No. A-743]

PART 331—MINIMUM PRICE SCHEDULE, DISTRICT NO. 11

MEMORANDUM OPINION AND ORDER AMENDING ORDER

Memorandum opinion and order amending order dated May 13, 1943, in the matter of the petition of District Board for District No. 11 for the revision of effective minimum prices for District No. 11 for all shipments except truck to provide for the absorption of the ES&N Railroad switching charge applicable on shipments from the Sternberg Coal Corporation's Star Hill No. 1 Mine (Mine Index No. 80, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

On May 17, 1943 the petitioner in this docket filed a motion to amend order dated April 15, 1942, 7 F.R. 2932. Said motion recited that on April 6, 1943 the Interstate Commerce Commission suspended certain Ex Parte 148 increases. Included among them was an increase which affected the switching charge of the ES&N Railway so that effective May 15, 1943, said switching charge to the Star Hill No. 2 Mine, Mine Index No. 81, would return to the original figure of \$8.80 per car. The movant prayed that an order be entered forthwith amending the order of April 15, 1942, so that effective May 15, 1943, \$8.80 per car rather than \$9.33 per car would be the permitted absorption of the ES&N switching charges to the interchange

with the Southern Railway Company by the Boonville Coal Sales Corporation on shipments from its Star Hill No. 2 Mine, Mine Index No. 81 to destinations located on, or reached via, the Southern Railway Company excepts those located on, or reached via the Chicago and Eastern Illinois Railway Company, the Chicago, Indianapolis and Louisville Railway Company, the New York Central Railroad Company, the Illinois Central Railroad Company and the Pennsylvania Railroad Company; and on all shipments of locomotive fuel for use by the Southern Railway Company.

On May 13, 1943, 8 F.R. 6329, an order was issued in said docket which amended the order of April 15, 1942, as requested by the motion which was filed May 17, 1943. This order, however, does not become effective until 30 days from the date thereof.

Accordingly, it appears 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 the order dated May 13, 1943, 8 F.R. 6329, § 331.1 (Price in-

structions and exceptions—(b) Price exceptions), is hereby amended to become (45) days from the date of this order.

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: June 4, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-9183; Filed, June 7, 1943;
10:56 a. m.]

[Docket No. A-1840]

PART 334—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 14

ORDER GRANTING RELIEF

Order granting permanent relief in the matter of the petition of the A & M Coal Co., Inc., c/o Jay D. Hill, for revision of price classifications and minimum prices for the coals of the A & M coal Company mine, Mine Index No. 40, District No. 14, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Upon the findings of fact and conclusions of law set forth in the opinion of the Director filed simultaneously herewith, wherein it appears that the classifications and minimum prices of the coals of A & M Coal Co., Inc., at its mine (Mine Index No. 40), operating in the Paris field, located in Paris, Logan County, Arkansas, in District 14, in Size Groups 4, 6, 7, 8, 9, 10, 11, and 18, for rail and truck shipments, should be revised, and pursuant to sections 4 II (a) and (b) of the Act.

It is hereby ordered, That effective (15) days from the date hereof, § 334.5 (Alphabetical list of code members) in District No. 14 for All Shipments Except Truck and § 334.24 (General prices for shipment into all market areas) for truck shipment shall be amended by revising the classifications and minimum prices for the coals of A & M Coal Co., Inc., operating its mine (Mine Index No. 40), in the Paris field, located in Paris, Logan County, Arkansas, in District 14, in Size Groups 4, 6, 7, 8, 9, 10, 11, and 18, for rail and truck shipments, in accordance with the classifications and minimum prices contained in Supplement R and Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

Dated: May 18, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-9184; Filed, June 7, 1943;
10:56 a. m.]

¹Not filed as part of the original document.

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B—Export Control

[Amendment 3]

PART 802—GENERAL LICENSES

COUNTRY GROUPS, URUGUAY

In paragraph (a) of § 802.3 *General license country groups* the effective date of Amendment No. 67, published June 1, 1943, 8 F.R. No. 107, page 7232, is hereby changed from June 1, 1943, to July 1, 1943, in so far as said amendment applies to the country of Uruguay.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 34, 7 F.R. 9807)

Dated: June 4, 1943.

HECTOR LAZO,
Assistant Director,
In Charge of the Office of Exports.

[F. R. Doc. 43-9127; Filed, June 5, 1943;
10:54 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-247, Amdt. 1]

FEDERAL OIL CO.

Paragraph (d) of § 1010.247, issued February 25, 1943, is hereby amended to read as follows:

(d) This order shall take effect on February 27, 1943, and shall expire on July 12, 1943.

Issued this 4th day of June 1943.

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

[F. R. Doc. 43-9123; Filed, June 4, 1943;
5:06 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-329]

EL MONTE SALVAGE CO.

Alfred M. Krupnick and Barnett Krupnick, doing business under the trade name of El Monte Salvage Company, 101 South Hoyt Street, El Monte, California, deal in new and used plumbing, electrical and hardware supplies. Between April 8, 1942 and November 30, 1942, El Monte Salvage Company applied the A-10 preference rating, specified in

Preference Rating Orders P-84 and P-100, to 53 purchase orders for various plumbing, electrical and hardware supplies having a total value of approximately \$1,800.00. These preference ratings had not been applied or extended to El Monte Salvage Company and the materials purchased were not for plumbing and heating emergency repairs under P-84 and were not for maintenance, repairs or operating supplies under P-100. The certifications by El Monte Salvage Company that the materials were for such purposes were misrepresentations to both its suppliers and to the War Production Board and constituted violations of § 944.18 of Priorities Regulation No. 1, and the misuse of the preference ratings constituted violations of Preference Rating Orders P-84 and P-100. El Monte Salvage Company, furthermore, failed to keep complete records of its inventories and transactions in materials subject to War Production Board control in violation of § 944.15 of Priorities Regulation No. 1.

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

§ 1010.329—Suspension Order S-329.

(a) Deliveries of material to Alfred M. Krupnick or Barnett Krupnick, doing business as El Monte Salvage Company or otherwise, their successors or 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 order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation shall be made to Alfred M. Krupnick or Barnett Krupnick, doing business as El Monte Salvage Company or otherwise, their successors or assigns, of any material the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Alfred M. Krupnick or Barnett Krupnick, doing business as El Monte Salvage Company or otherwise, their successors or 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.

(d) This order shall take effect on June 7, 1943, and shall expire on October 7, 1943, at which time the restrictions contained in this order shall be of no further effect.

Issued this 4th day of June 1943.

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

[F. R. Doc. 43-9124; Filed, June 4, 1943;
5:06 p. m.]

PART 1192—DOMESTIC SEWING MACHINES
[Limitation Order L-98 as Amended June 2,
1943]

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

§ 1192.1 *General Limitation Order L-98—(a) Definitions.* For the purposes of this order:

(1) "Domestic sewing machine" means any sewing machine designed for household use.

(2) "Attachment" means any special purpose detachable device which is designed for use with a domestic sewing machine but which is not essential to the most simplified operation of such machine.

(3) "Sewing machine part" means any part (including, but not limited to, a needle, an electric motor, a cabinet, a portable base, a cover, a table or a stand) of a domestic sewing machine, but does not include an attachment.

(4) "Attachment part" means any part of an attachment.

(5) "Repair part" means any sewing machine part used for the purpose of repairing or replacing a similar part which through wear, tear or damage has caused a domestic sewing machine to become unfit to perform its function of sewing in the most simplified manner. Repair part shall not include any attachment part.

(6) "To produce a new domestic sewing machine" means to complete the manufacturing operations on a new domestic sewing machine other than the final assembly of the machine head into a cabinet, portable base and cover, or table and stand.

(7) "Manufacturer" means any person who produces any new domestic sewing machine or who manufactures or assembles any sewing machine part, attachment or attachment part.

(8) "Restricted period" means the period from April 25, 1942 to June 15, 1942, inclusive.

(9) "Average daily production" or "average daily manufacture" means the total production or manufacture within a specified period divided by the number of days (including Sundays and holidays) contained in such period.

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

(b) *General restrictions.* (1) During the restricted period no manufacturer shall:

(i) Produce more new domestic sewing machines than 75% of his average daily production of such new machines in the year 1940 multiplied by the number of days (including Sundays and holidays) in the restricted period; or

(ii) Manufacture more new attachments of any type than 75% of his average daily manufacture of new attachments of such type in the year

1940 multiplied by the number of days (including Sundays and holidays) in the restricted period.

(2) No manufacturer shall manufacture any new sewing machine parts except that during the year 1943 a manufacturer may produce sewing machine parts for use as repair parts under the following conditions:

(i) He may put into process in the manufacture of needles not more iron and steel than 75% of the iron and steel, by weight, contained in the needles manufactured by him during the two-year period ending December 31, 1941;

(ii) He may put into process in the manufacture of sewing machine parts (other than needles) not more iron and steel than 62½% of the iron and steel, by weight, contained in the sewing machine parts (other than needles) manufactured by him for use as repair parts during the two-year period ending December 31, 1941; and

(iii) He may not put into process any non-ferrous metal except that copper and copper base alloy may be used for the purpose of conducting electricity, provided that he does not put into process more copper and copper base alloy than 50% of the amount of copper and copper base alloy, by weight, used for the purpose of conducting electricity in the sewing machine parts produced by him for use as repair parts during the two-year period ending December 31, 1941.

(3) No manufacturer shall on and after May 25, 1942, and no person other than a manufacturer shall on and after July 15, 1942, install any new sewing machine part, other than a repair part, in a new or used domestic sewing machine, except to complete the new domestic sewing machines, the production of which is permitted under the terms of paragraph (b) (1).

(4) On and after June 16, 1942, no manufacturer shall:

(i) Produce any new domestic sewing machines or (except as provided in paragraph (b) (5) of this order) assemble any new sewing machine parts for the production of such machines; or

(ii) Manufacture or assemble any new attachments or new attachment parts.

(5) Nothing in the foregoing provisions shall limit the final assembly by a manufacturer or any other person of a new domestic sewing machine head into a cabinet, portable base and cover, or table and stand: *Provided*, That such head, cabinet, base and cover, or table and stand were not produced or manufactured in violation of the terms of this or of any other order heretofore or hereafter issued by the Office of Production Management or the War Production Board.

(6) Manufacturers shall sell materials in their inventory only in accordance with the provisions of Priorities Regulation No. 13 (Part 944) and all other applicable orders and regulations.

(c) *Restrictions on transfer of domestic sewing machines.* On and after June 5, 1943, no manufacturer of domestic sewing machines shall transfer the physical possession of or title to:

(1) Any domestic sewing machines except in accordance with a letter of authorization from the War Production Board to be issued prior to June 14, 1943, which letter will permit the transfer without restriction of all domestic sewing machines other than those specified in paragraph (c) (2) below.

(2) Any domestic sewing machines which are required by the Army or Navy of the United States, the War Shipping Administration, the United States Maritime Commission or for lend-lease and export purposes. The domestic sewing machines not released by the letter of authorization referred to in paragraph (c) (1) above are to be held for transfer to the persons or for the purposes specified in this paragraph (2). In order to obtain a release for any of such domestic sewing machines, a specific authorization of the War Production Board is required on Form WPB-1319 (formerly Form PD-556) pursuant to an application filed on said Form. In completing Form PD-556 manufacturers are to supply all information requested in section I. Under section II fill in (a) and (e). Do not fill in (b), (c), (d) and (f). Under Section III fill in only (1) (B) and (5). Disregard (1) (A), (2), (3), (4), (6), (7) and (8).

NOTE: Paragraph (c) added, former paragraphs (c) to (k) redesignated, June 5, 1943.

(d) *Inventory restrictions.* No manufacturer shall accumulate for use in the manufacture of domestic sewing machines, attachments, or parts thereof inventories of raw materials, semi-processed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production of domestic sewing machines, attachments, or parts thereof at the rates permitted by this order.

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

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

(g) *Reports.* Each manufacturer to whom this order applies shall file with the War Production Board such reports and questionnaires as such board shall from time to time prescribe.

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

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

(j) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Office of Production Management or the War Production Board limits the use of any material in the production of domestic sewing machines, attachments, sewing machine parts or attachment parts to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

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

(l) *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, Consumer Durable Goods Division, Washington, D. C., Ref.: L-98.

Issued this 5th day of June 1943.

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

[F. R. Doc. 43-9142; Filed, June 5, 1943;
11:43 a. m.]

PART 3036—COMMERCIAL COOKING AND FOOD AND PLATE WARMING EQUIPMENT

[Limitation Order L-182, as Amended
June 5, 1943]

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 production of commercial cooking and food and plate warming 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:

§ 3036.1 *General Limitation Order L-182—(a) Definitions.* For the purposes of this order:

(1) "Commercial cooking and food and plate warming equipment" means equipment (except equipment specially designed to use electricity as the heating agent) designed for the heating of kitchen utensils or plates, or for the cooking or baking of food for consumption or sale on the premises in which the equipment is located. It includes, but is not limited to, such items as bakers, broilers, fryers, griddles, grills, hot plates, ovens (except built-in types), ranges, roasters, steamers, toasters, urns and warmers, but does not include cooking appliances for household use.

(2) "Ultimate consumer" means any person who uses commercial cooking and

food and plate warming equipment for the heating of kitchen utensils or plates, or for the cooking or baking of food for consumption or sale.

(3) "New commercial cooking and food and plate warming equipment" means any commercial cooking and food and plate warming equipment that has never been used by an ultimate consumer.

(4) "Used commercial cooking and food and plate warming equipment" means any commercial cooking and food and plate warming equipment that has been used by an ultimate consumer.

(b) *Restrictions on manufacture.* (1) From and after October 1, 1942, no manufacturer of commercial cooking and food and plate warming equipment shall put into process in the manufacture of such equipment, including finished units and parts thereof, during any calendar quarter, any iron and steel in excess of 6¼% of the iron and steel put into process in the manufacture of finished units of such equipment by him during the calendar year, 1941, except that in addition to the quotas set forth in this paragraph, any manufacturer may put any iron or steel into the process of manufacture of any such equipment for delivery to or for the account of the Army, Navy, the Maritime Commission, the War Shipping Administration of the United States or the Defense Plant Corporation.

(2) No iron or steel may be used in the manufacture of any equipment listed on Schedule I, except in the manufacture of repair and replacement parts thereof as limited in paragraph (b) (1).

(c) *Restrictions on delivery.* Regardless of the terms of any contract, sale, other commitment or any preference rating, no person shall make or accept physical delivery of any new or used commercial cooking and food and plate warming equipment, except that:

(1) Any person may make or accept physical delivery of any such equipment on a specific contract or subcontract for delivery to or for the account of the Army, the Navy, the Maritime Commission, the War Shipping Administration of the United States, or the Defense Plant Corporation.

(2) Any person may make or accept physical delivery of any such equipment pursuant to specific authorization of the War Production Board on Form PD-638A. Applications under this order and Order L-248 may be made on a single Form PD-638A.

(3) Any manufacturer may make physical delivery of any such equipment to any dealer or distributor of such equipment, or to any ultimate consumer, from whom he has received a written order or contract which bears a certification substantially as follows, signed by an authorized official, either manually or as provided in Priorities Regulation No. 7; and any such dealer, distributor or ultimate consumer may accept such delivery:

I certify that I have received specific authority from the War Production Board to accept delivery of the equipment listed hereon; that I have knowledge of and am in compliance with Limitation Orders L-182 and/or L-248; and, further, that authoriza-

tion was received by me on the following Form(s) PD-638-A:

(List number or numbers)

Firm name

Signature and title of officer

Such certification shall constitute a representation to the War Production Board, as well as to the manufacturer, of the facts certified therein.

No manufacturer shall make delivery under this order who has reason to believe that the purchaser has furnished a false certification; and no person shall falsely furnish the certification specified above.

Any manufacturer may rely upon the facts furnished in the above mentioned certification and shall not be responsible for any action taken by him under this order in reliance upon inaccurate or untrue statements therein, unless he has reason to believe that such statements are inaccurate or untrue.

(4) Any ultimate consumer may make physical delivery of any such equipment to any manufacturer, dealer or distributor of such equipment, and such manufacturer, dealer, or distributor may accept such delivery; and

(5) Any such equipment actually in transit on September 30, 1942, may be delivered to its immediate destination.

(d) *Delivery of repair and replacement parts.* Nothing in this order shall prevent the delivery of repair or replacement parts for commercial cooking and food and plate warming equipment.

(e) *Reports.* Every manufacturer, dealer and distributor of any commercial cooking and food and plate warming equipment shall execute and file with the War Production Board on or before the tenth day of each calendar quarter a report on Form PD-638 (Revised), which may be obtained from the nearest field office of the War Production Board. Reports under this order and Order L-248 may be made on a single Form PD-638.

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

(g) *Applicability of other orders.* Insofar as any other order issued, or to be issued after September 30, 1942, limits the production or delivery of commercial cooking and food and plate warming equipment to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein. After September 30, 1942, General Limitation Orders No. L-79 and No. L-83 shall not apply to commercial cooking and food and plate warming equipment.

(h) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, may appeal by letter 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.

(i) *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 the War Production Board, Plumbing and Heating Division, Washington, D. C., Ref: L-182.

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

Issued this 5th day of June 1943.

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

SCHEDULE 1

Barbecue machines.
Chicken singers.
Chop suey ranges (ranges with built-in
kettles—water and sewer connections).
Cruller fryers.
Cup warmers.
Dish warmers.
Egg boilers.
Nut blancher ovens.
Nut fryers.
Nut roasters.
Oyster stoves.
Peanut roasters.
Plate warmers.
Potato chip fryers.
Roll warmers.
Rotisseries (revolving spit barbecue ma-
chine).
Sausage warmers.
Waffle irons.
Warming ovens.

INTERPRETATION 1

Paragraph (c) (1) of General Limitation Order L-182 (Commercial Cooking and Food and Plate Warming Equipment) reads as follows:

(1) Any person may make or accept physical delivery of any such equipment on a specific contract or subcontract for delivery to or for the account of the Army, the Navy, the Maritime Commission, the War Shipping Administration of the United States, or the Defense Plant Corporation;

Question has been raised as to whether purchase by the Army Pre-Flight Training Schools is within the exception stated in this subparagraph or whether such schools desiring to purchase this equipment must apply on Form PD-638A for authorization.

The exception referred to applies only to specific contracts or subcontracts for deliveries to or for the account of the agencies named. It does not include equipment which will be owned by the training schools and not by the Army, even though it is intended that the equipment will for the present be used solely for the benefit of the personnel assigned to the school. Such a delivery is not made on a specific contract or subcontract for delivery to or for the account of the Army within the meaning of the provision quoted above. Accordingly, any training school desiring to purchase this equipment under these circumstances must apply on Form PD-638A for authorization. (Issued May 8, 1943.)

[F. R. Doc. 43-9143; Filed, June 5, 1943; 11:43 a. m.]

PART 3037—ELECTRONIC EQUIPMENT

[General Limitation Order L-265 as Amended June 5, 1943]

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

§ 3037.8 *General Limitation Order L-265—(a) Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of individuals whether incorporated or not.
(2) "Manufacture" means produce, fabricate or assemble electronic equipment, or perform any act or operation upon electronic equipment so as to modify or convert it from one to another type, use or mode of operation, but shall not include acts incidental to the maintenance or repair of electronic equipment.

(3) "Electronic equipment" means any electrical apparatus or device involving the use of vacuum or gaseous tubes and any associated or supplementary device, apparatus or component part therefor, and shall include any acoustic phonograph and component parts therefor. The term shall not include:

- (i) Hearing aid devices;
- (ii) Wire telephone and telegraph equipment;
- (iii) Electric batteries;
- (iv) Power and light equipment;
- (v) Medical, therapeutic, x-ray and fluoroscopic equipment other than replacement electron tubes therefor;
- (vi) Phonograph records and needles;
- (vii) Automotive maintenance equipment as defined in Limitation Order L-270;
- (viii) Incandescent, fluorescent and other electric discharge lamps, as defined in Limitation Order L-28; and rectifier tubes, as defined in Limitation Order L-264.

(4) "Preferred order" means any 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 Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company, any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or any order bearing a preference rating of AA-4 or higher.

(5) "Transfer" means sell, lease, trade, give, deliver, or physically transfer in any way so as thereby to make available for the use of a person other than the transferor, but shall not include the

transfer of electronic equipment by one person to another person for repair or storage thereof nor the return of such equipment to the owner thereof (or his agent).

(6) "Producer" means any person to the extent engaged in the manufacture of electronic equipment for transfer or for commercial use.

(7) "Supplier" means any person to the extent that his business consists in whole or in part of the sale, distribution or transfer from stock or inventory of electronic equipment, and includes wholesalers, distributors, jobbers, dealers, retailers, servicemen, branch warehouses or other distribution outlets controlled by producers and other persons performing a similar function.

(8) "Consumer" means any person who owns, operates or purchases electronic equipment for his own use.

(b) *Restrictions.* (1) No producer shall manufacture any electronic equipment except:

- (i) To fill preferred orders, or
- (ii) To fulfill, under the Controlled Materials Plan, an authorized production schedule or authorized program, as defined in CMP Regulation 1.

(2) No producer or supplier (other than Defense Supplies Corporation) shall transfer any electronic equipment to any consumer, nor shall any consumer accept the transfer of any electronic equipment from any producer or supplier (other than Defense Supplies Corporation) except:

- (i) To fill preferred orders, or
- (ii) To fill orders bearing a preference rating of A-1-a or higher, or
- (iii) To fill an order for any component part of electronic equipment provided the consumer delivers to the producer or supplier concurrently with the transfer a used, defective or exhausted part of similar kind and size which cannot be repaired or reconditioned; or, when circumstances render the delivery of a part for a part impractical, provided the consumer's purchase order (or written confirmation thereof) is accompanied by a certificate in substantially the following form signed by the consumer:

CONSUMER'S CERTIFICATE

I hereby certify that the part(s) specified on this order are essential for presently needed repair of electronic equipment which I own or operate.

Signature and Date

(3) No producer or supplier shall transfer any electronic equipment to any supplier, nor shall any supplier accept the transfer of any electronic equipment from any producer or supplier, except:

- (i) To fill preferred orders, or
- (ii) To fill orders bearing a preference rating of A-1-a or higher, or
- (iii) To fill an order for component parts of electronic equipment required by the receiving supplier for the repair of electronic equipment then in his possession, or to replace in the inventory of the receiving supplier parts similar in kind and equal in number which have been delivered on or after the 24th day of April 1943 by the receiving supplier to consumers against defective or ex-

hausted parts or consumer's certificates, or to other suppliers against supplier's certificates, as specified in this order; provided the purchase order is accompanied by a certificate in substantially the following form signed by the receiving supplier:

SUPPLIER'S CERTIFICATE

I hereby certify that I am entitled to purchase the items specified on the accompanying purchase order under the provisions of Limitation Order L-265, with the terms of which I am familiar.

Signature and Date

The producer or supplier to whom the above certificate is furnished shall be entitled to rely thereon as evidence that the purchase order is within the provisions of this paragraph (b) (3) (iii), unless he has knowledge or reason to believe that it is false.

(4) No producer or supplier shall retain in his inventory possession or control for more than sixty (60) days any used, defective, exhausted or condemned parts which cannot be reconditioned but must dispose of the same through salvage disposal or scrap channels.

(5) After June 30, 1943, no person shall mark radio receiving type tubes with the symbol "MR" except when authorized or directed to do so by the War Production Board. No person shall use radio receiving type tubes which are marked "MR" in the manufacture of electronic equipment to fill any preferred order. No person shall transfer or accept the transfer of such tubes on any preferred order or any other order bearing a preference rating, except rated purchase orders for export. No producer shall transfer for export in any calendar quarter a quantity in excess of fifteen (15%) percent of his production of such tubes during that calendar quarter. Producers of such tubes may transfer them to each other without restriction.

(c) *Exceptions.* (1) The provisions of this order shall not apply:

(i) To the transfer of any finished product of the following kinds which was produced and designed for home use and the manufacture of which was completed on or before the 24th day of April 1943, to wit: radio receiving sets; phonographs and record players; sound motion picture projectors.

(ii) To transfers of electronic equipment which transfers are made on or before the 23d day of June 1943 pursuant to purchase orders placed prior to the 24th day of April 1943.

(iii) To the lease of electronic equipment to any person by any person: *Provided*, That the lessor was actually engaged in the leasing of such equipment as a normal incident and part of his established business prior to the 24th day of April 1943.

(iv) To the transfer to any consumer of any finished product of the following kinds, the manufacture of which was completed on or before the 24th day of April 1943: automobile radio receiving

sets designed for the reception of standard broadcasts; automatic phonographs as defined in Limitation Order L-21.

(v) To transfers of radio antennae; antenna couplers; power supplies and battery cables for battery type home radio receivers; automobile radio control assemblies, loudspeakers and cables; electric fence exciters; or musical instruments (other than phonographs and radios) which involve the use of vacuum or gaseous tubes and the manufacture of which was completed on or before the 24th day of April 1943.

(2) The War Production Board may from time to time specifically authorize in writing exceptions to the provisions and restrictions of paragraphs (b) (2) and (b) (3) hereof.

(d) *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.

(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) *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 priorities control and may be deprived of priorities assistance.

(g) *Communications.* All reports to be filed, appeals and other communications, concerning this order, should be addressed to War Production Board, Radio and Radar Division, Washington, D. C., Ref: L-265.

Issued this 5th day of June 1943.

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

[F. R. Doc. 43-9144; Filed, June 5, 1943; 11:44 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN
[Direction 4 to CMP Reg. 5]

STITCHING WIRE FOR THE PRINTING AND PUBLISHING INDUSTRY

The following direction is hereby issued pursuant to CMP Regulation No. 5:

Steel stitching wire used by persons in the printing and publishing business for purposes defined in Order L-291 shall be treated as an operating supply under CMP Regulation No. 5 regardless of whether, under the particular manufacturer's accounting practice, such wire is charged to operating expenses. Accordingly, wire to be used by such persons for such purposes should be obtained in the manner provided in CMP Regulation

No. 5, and applications for allotments should not be filed.

Issued this 5th day of June 1943.

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

[F. R. Doc. 43-9145; Filed, June 5, 1943; 11:44 a. m.]

PART 3250—FOOD PROCESSING MACHINERY
[General Limitation Order L-292]

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of materials used in the production of food processing machinery, 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.

§ 3250.1 *General Limitation Order L-292—(a) Definitions.* For the purpose of this order:

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

(2) "Processor" means any person to the extent that he is engaged in the business of preparing, processing, canning, packing or packaging human or animal foods or tobacco for distribution (except food for consumption on the premises). A person shall not be deemed to be a processor to the extent that he is engaged in the production of a food or tobacco, but an operator of a processing plant located on a farm and engaged in the business of preparing, processing, canning, packing or packaging human and animal food for distribution shall be deemed a processor.

(3) "Food processing machinery" means new, used, reconditioned and rebuilt machinery and equipment, of the kinds specified in Schedule A hereto, with a sales value of \$50 or more for any single new machine or piece of equipment or \$300 for any single used, rebuilt or reconditioned machine or piece of equipment; excluding (i) refrigerating machinery and equipment as defined in Limitation Order L-38, (ii) machinery and equipment used on a farm or a fishing vessel for production and handling of food or tobacco prior to delivery to a processor, (iii) scales and balances as defined in Limitation Order L-190, or (iv) conveying machinery as defined in Limitation Order L-193.

(4) "Manufacturer" means any person engaged in the fabrication, assembly, reconditioning or rebuilding of food processing machinery; and includes subsidiaries and affiliates of any such person.

(5) "Dealer" means any person engaged in the business of acquiring food processing machinery for resale; but the term shall not include any manufacturer.

(6) "Approved order" means any order of the following kinds:

(i) An order for any food processing machinery bearing a preference rating of

AA-3 or higher assigned on Form WPB-617 formerly PD-200.

(ii) An order for canning machinery or equipment as described in Schedule A to be delivered to a processor located within the territorial limits of the United States and Canada, bearing a preference rating of AA-3 or higher assigned on Form WPB-576 formerly PD-285.

(iii) An order for dairy, egg, or poultry processing machinery or equipment as described in Schedule A to be delivered to a processor located within the territorial limits of the United States and Canada, bearing a preference rating of AA-3 or higher assigned on Form WPB-748 formerly PD-414.

(iv) An order for food processing machinery approved by the War Production Board pursuant to subparagraph (b) (2) hereof; or

(v) Any other order for food processing machinery bearing a rating of AA-3 or higher assigned on Form PD-1A.

(7) "Order" means any commitment or other arrangement for the delivery of food processing machinery, whether by sale, lease, consignment, or otherwise.

(b) *Restrictions on orders and deliveries.* (1) On and after June 15, 1943, no manufacturer, dealer, or processor shall accept any order for food processing machinery unless the order is an approved order. On and after June 30, 1943, no manufacturer, dealer, or processor shall deliver any food processing machinery and no person shall accept delivery of food processing machinery from any manufacturer, dealer, or processor, except pursuant to an approved order.

(2) A manufacturer or dealer may apply for approval of orders received by him prior to the date of this order, to be delivered on or after June 30, 1943, by filing in triplicate a list of such orders together with the following information with respect to each:¹

Name and address of customer and date of order.
Description of food processing machinery ordered.
Expected delivery date.
Rating and source thereof (i. e., Form PD-1A, PD-285, etc.) if known.
Percentage of completion of order and amount of additional material necessary.
Use to be made of machine.

(c) *Restrictions on manufacture.* On and after June 30, 1943, no manufacturer shall fabricate or assemble any new machinery or equipment of the kinds listed on Schedule B hereto, or any parts therefor. The limitations and restrictions of this paragraph shall not apply to (1) the completion of any food processing machine or piece of equipment for which parts weighing, in the aggregate, not less than 75% of the weight of the finished machine or piece of equipment were fabricated prior to June 5, 1943 to the extent that they could not be used either as maintenance or repair parts for other kinds of food processing machinery or in the assembly of food proc-

essing machinery not subject to the restrictions of this paragraph; or (2) the fabrication or assembly of maintenance and repair parts or parts used in the reconditioning or rebuilding of used food processing machinery. As used in this paragraph "maintenance" shall mean the upkeep of food processing machinery in sound working condition; and "repair" shall mean the restoration, without change of design, of any portion of food processing machinery to sound working condition, when such portion has been rendered inoperative or unsafe or unfit for service by wear and tear, damage, destruction or failure of parts, or other similar causes.

(d) *Simplification and standardization.* (1) On and after June 30, 1943, no manufacturer of dairy, egg, or poultry processing machinery or equipment shall fabricate or assemble any machinery or equipment of the kinds listed in Schedule C except in the size, style, or model therein prescribed.

(2) On and after June 30, 1943, no manufacturer of canning machinery or equipment shall fabricate or assemble any type or kind of machinery or equipment in more than one model for any one operation on any food or food product; except that a second model may be fabricated and assembled if it will provide at least 50% greater food processing capacity than that of the smaller model produced by the same manufacturer and performing the same operation on the same food or food product. In any event no manufacturer shall fabricate or assemble more than two models of any type or kind of machine. The provisions of this subparagraph shall not be construed to limit or restrict the number of sizes in any model which may be produced.

(3) Prior to June 30, 1943, each manufacturer of canning machinery and equipment shall file with the War Production Board on Form WPB-1902, formerly PD-754, a list of the models, and of the sizes thereof, which he proposes to manufacture in accordance with the restrictions of subparagraph (d) (2); and thereafter, unless otherwise directed by the War Production Board such manufacturer shall be permitted to produce only the models so reported.

(4) Notwithstanding any other provision of this paragraph (d) no manufacturer shall be prohibited from completing any machine or piece of equipment for which parts weighing in the aggregate not less than 75% of the weight of the finished machine were fabricated prior to June 5, 1943, to the extent that they could not be used either as maintenance or repair parts for other kinds of food processing machinery or in the assembly of food processing machinery in compliance with the restrictions of this paragraph (d).

(e) *Conservation of critical materials.* On and after June 30, 1943, no manufacturer shall fabricate or assemble any food processing machinery or equipment of the kinds listed in Schedule D hereto otherwise than in accordance with the restrictions on the use of materials contained in such schedule: *Provided, however, That the provisions of this para-*

graph shall not prohibit the assembly of any such machinery or equipment from parts fabricated prior to June 5, 1943.

(f) *Exemptions.* (1) The limitations and restrictions of subparagraph (b) (1) shall not apply to:

(i) Orders from or deliveries to a manufacturer or dealer to enable him to fill approved orders which he has actually received, or to replace machinery delivered by him to fill approved orders;

(ii) The seizure or transfer of food processing machinery upon distraint or levy, or upon default in the terms of a conditional sales agreement, chattel mortgage, pledge, or other security agreement;

(iii) The transfer of food processing machinery at judicial or sheriff's auction or sale, tax sale, or other similar transaction conducted by a judicial or other legal officer;

(iv) The transfer of food processing machinery by will or intestacy, or by operation of law to a trustee, receiver, or assignee for the benefit of creditors, in bankruptcy, insolvency, or receivership, proceedings or pursuant to any assignment for the benefit of creditors;

(v) The transfer of food processing machinery as part of a merger, consolidation, sale and purchase of assets, sale and purchase of stock, or lease of plant, involving all or substantially all the assets of a business, where no liquidation or dismemberment of assets is involved or contemplated;

(vi) The transfer of food processing machinery within a plant or from one plant or branch to another under common control, but not the transfer from a plant manufacturing the machinery to a plant which will use it;

(vii) The transfer of food processing machinery as a trade-in for other food processing machinery where the latter is delivered pursuant to an approved order;

(viii) The transfer of food processing machinery to be scrapped for its material content;

(ix) The transfer of any interest in a written instrument evidencing a lien upon or claim against food processing machinery: *Provided however, That nothing in this subdivision (ix) shall be construed to permit the physical delivery of the food processing machinery involved;*

(x) The return of any leased food processing machinery by the lessee to the lessor upon the expiration, termination or cancellation of the lease; or to

(xi) An order for or delivery of food processing machinery to be used directly by the Army, or Navy, Maritime Commission, or War Shipping Administration.

(2) The limitations and restrictions of paragraphs (c) and (d) shall not apply prior to September 3, 1943, to any order for or delivery of food processing machinery to be used directly by the Army, Navy, Maritime Commission or War Shipping Administration.

(g) *Production quotas.* (1) The War Production Board may at any time, by amendment to this order, adopt schedules prescribing the number of units of food processing machinery of any kind which may be fabricated and assembled

¹ This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

by any manufacturer. On and after the date of issuance of any such schedules (or such other date as shall be specified in the schedule), no manufacturer shall fabricate or assemble more units of any kind of food processing machinery than the number thereof specified in such schedule.

(2) Unless and until the War Production Board shall otherwise provide by schedules adopted in accordance with the provisions of paragraph (g) (1) above:

(i) During the period from January 1, 1943 to September 30, 1943, no manufacturer shall fabricate or assemble any kind of food processing machinery in excess of the number of units of such kind fabricated and assembled by him during the similar period in 1942; except that in any case where the restrictions of this subparagraph prevent a manufacturer from filling an order which he has heretofore received rated AA-3 or higher he may fabricate and assemble the necessary number of additional units to enable him to fill such order.

(ii) During the fiscal year beginning October 1, 1943 and ending September 30, 1944, no manufacturer shall fabricate or assemble any kind of food processing machinery in excess of 50% of the annual average number of units of such kind of machinery which he fabricated and assembled during the calendar years 1939, 1940, and 1941.

(3) The War Production Board may at any time prescribe a production schedule for any manufacturer in respect to any kinds or styles of food processing machinery, regulating the time in which such items shall be produced and the number of units of a model to be produced in any one size. From and after the receipt of any such schedule, the manufacturer may carry on production only in accordance with the schedule. The provisions of this subparagraph shall not be construed to affect the other provisions of this order regulating the aggregate number and kinds of machines or pieces of equipment which may be produced by any manufacturer.

(h) *Miscellaneous provisions*—(1) *Reports*. On or before the 20th day of June and of each succeeding calendar month, each manufacturer shall file a report on Form WPB-2721.

(2) *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.

(3) *Violations*. Any person who willfully violates any provision of this order, or who willfully furnishes false informa-

tion 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.

(4) *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.

(5) *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-292.

Issued this 5th day of June, 1943

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

SCHEDULE A

Machinery and equipment included in definition of "Food Processing Machinery," under paragraph (a) (3).

1. Baking machinery and equipment.
2. Brewing machinery and equipment including bottling machinery and equipment but excluding refrigeration machinery.
3. Canning machinery and equipment. This term includes all preparation machinery and equipment, filling, labeling and casing machinery used in the canning, dehydrating, freezing and fresh packing of fruits, vegetables, fishery products (including fishery by-products) and all other human or animal foods, but excluding (1) preparation equipment for meat and meat products (2) home canning and home dehydrating equipment (3) container sealing and closing and jar capping machines (4) refrigeration equipment.
4. Coconut shredding and processing equipment.
5. Coffee, tea, cocoa, and spice grinding and processing equipment, 1 H. P. and larger.
6. Confectionery machinery and equipment.
7. Dairy, egg and poultry processing machinery and equipment used in the commercial processing of milk and milk products, egg and poultry except (1) machinery or equipment used on a farm for the production and handling of milk, eggs or poultry prior to delivery to a processor and (2) machinery or equipment covered by the provisions of Limitation Order L-170.
8. Flour, grain, feed milling and processing machinery and equipment.
9. Food slicing and meat grinding machinery and equipment, 1 H. P. and larger, excluding food slicing and grinding equipment designed as canning machinery.
10. Macaroni processing machinery and equipment.
11. Meat, canning and packing house machinery and equipment used in the preparation and processing of edible meat products including machinery and equipment used on the cutting floor, packing floor, trimming floor, in sausage manufacturing and smoked meat handling but excluding machinery and equipment used in fertilizer, glue hair and oleo processing, on the killing floor and in the press room or tank room.
12. Non-alcoholic beverage manufacturing machinery and equipment including bottling

machinery and equipment but excluding refrigeration machinery.

13. Sugar processing machinery and equipment.

14. Tobacco processing machinery and equipment.

15. Seed cleaning equipment.

SCHEDULE B

Food Processing Machinery and Equipment which cannot be manufactured unless specifically provided for under the terms of paragraph (g) (1).

1. The following items of baking machinery and equipment:
 - a. Angel food pan washing machine.
 - b. Cake slicing machine.
 - c. Dough brakes.
 - d. Dough hopper (ind. unit).
 - e. Doughnut machines.
 - f. Vibrating screens.
 - g. Filling machines.
 - h. Fruit cleaning machines.
 - i. Icing machines.
 - j. Oven and conveyor dump units excluding dump racks.
 - k. Pan greasers.
 - l. Pan washing machines.
 - m. Pie pan washing machines.
 - n. Retarding dough box.
 - o. Sack cleaners.
 - p. Sweet and plain roll tables.
 - q. Sweet roll cutting machines.
 - r. Trolleys.
 - s. Trough dividing boards.
 - t. Chocolate melting kettles.
 - u. Dough sheeting and stamping machines.
 - v. Enrobers.
 - w. Icing trolleys.
 - x. Marshmallow depositors.
 - y. Oil spraying machines.
 - z. Sandwich machines.
 - aa. Spreading machines.
 - bb. Sugar topping machines.
 - cc. Sugar wafer machines.
2. All brewing machinery and equipment including bottling machinery and equipment but excluding refrigeration machinery and equipment.
3. All coconut shredding and processing equipment.
4. Coffee, tea, cocoa and spice grinding and processing equipment except equipment by and for the direct use of the Army, Navy, Maritime Commission and War Shipping Administration, and except equipment used in the manufacture of soluble and dehydrated coffee.
5. All confectionery machinery.
6. The following items of dairy machinery and equipment:
 - a. Automatic pasteurizing and holding controls for vat pasteurizers.
 - b. Batch measures.
 - c. Batch weighers.
 - d. Butter wrappers.
 - e. Butter cutters—power driven.
 - f. Fruit feeders.
 - g. Flavor tanks for ice cream mix.
 - h. Ice cream freezers, except on order by and for the direct use of the Army, Navy, Maritime Commission and War Shipping Administration.
 - i. Ice cup—package fillers.
 - Coating and dipping machines, all types.
 - Bar and popsicle machinery
 - j. Ice cream cutting and wrapping machines.
 - k. Homogenizers for whole fluid milk.
 - l. Milk bottle hooding machines.
 - m. Milk irradiator.
 - n. Milk bottle case washers.
 - o. Paper bottle filling machines.
 - p. Soft curd machinery.
 - q. Vacuum milk samplers.
 - r. Clarifiers for fluid milk.
 - s. Foam destroyers.
 - t. Multiple effect vacuum pan.

SCHEDULE C

SIMPLIFICATION SCHEDULE FOR DAIRY MACHINERY AND EQUIPMENT
(Permitted styles, sizes & capacities per manufacturer. Nearest standard style and size or capacity formerly manufactured.)

u. Automatic pocket type holding systems.
v. Milk can washers for handling chained type covers.

w. All sanitary fittings for dairy machinery and equipment except the following, as set forth in the International Association of Milk Dealers Code:

- #2C—ell.
- #2F—ell, one end threaded.
- #6—tee, one end recessed.
- #7—tee.
- #9—cross.
- #10C—valve.
- #11C—valve, 3 way.
- #13H—union nut.
- #14—union ferrule.
- #14A—union ferrule.
- #14R—union ferrule, recessless
- #15—union ferrule, threaded.
- #15R—union ferrule, threaded, recessless.
- #16A—cap.
- #17—coupling.
- #20—pipe clamp, tapped 3/4" I. P. T.
- #21—nipple adapter.
- #22—coupling adapter.
- #23A—thermometer ferrule, fine thread.
- #23B—thermometer ferrule.
- #24—pipe hanger clamp 3/8" I. P. T.
- #25H—malleable wrench.
- #26D—ell 45°.
- #31R—reducing ferrule, concentric.
- #32—eccentric reducing ferrule.
- #32-15—reducing ferrule, eccentric, small end.
- #32-R—eccentric reducing ferrule, flat face.
- #33B—can filler.
- #38—vat outlet.
- #43—tank outlet.
- #45H—check valve, hexagon nut.
- #45V—check valve.
- #30W—angle valve, inlet recessed.
- #30WC—angle valve 90°.
- #60T—compression valve, tee.
- #60C—compression valve, cross.
- #60Y—compression valve, straightway.
- #60R—compression valve, recessless.

- 7. The following items of egg machinery and equipment:
 - a. Egg graders, hand.
 - b. Egg graders, power.
- 8. The following items of flour and grain milling machinery:
 - a. Mixers (molasses, etc.).
 - b. Pellet machines.
- 9. Food slicing and meat grinding machinery and equipment except:
 - 1. Preparation machinery for canning and dehydrating;
 - 2. Freezing equipment;
 - 3. Machinery and equipment used in commercial meat packing houses;
 - 4. On order by and for the direct use of the Army, Navy, Maritime Commission, and War Shipping Administration.
- 10. All macaroni processing machinery and equipment except drier.
- 11. Non-alcoholic beverage manufacturing machinery including bottling machinery and equipment but excluding refrigeration equipment and excluding fresh fruit and vegetable juice machinery.

- 12. The following items of Poultry Machinery and Equipment:
 - a. Blood cups.
 - b. Poultry killing machines.
 - c. Waxers, poultry.
 - d. Wax extractors, poultry.
- 13. All sugar milling machinery and equipment.
- 14. All tobacco processing machinery and equipment.

Type of machine	Style	Size or capacity
Cheese vat agitators.....	1	16' to 20'.
Babcock testers.....	1 (motor driven) 1 (hand operated) 1 (manual)	2 (24 & 36, short & long bottles). 2 (4 and 12 bottles). 2 (30 and 90 lbs.).
Butter cutters, hand.....	1	1.
Bottle cappers, hand.....	1	2 (8" and 12").
Cheese curd mills.....	1 (portable)	5 (Cheddar, Longhorn, Daizies, Twin, Loaf).
Cheese hoops.....	1 style each size	1 (2-row convertible to 4, 20 ft.). 3 (300, 800 and 1200 gallons). 3 (1000, 1500 & 2000 lbs.). 2 (under 1000 lbs.). 2 (6000 & 12,000 lbs. per hour milk basis).
Cheese presses.....	1 (manual)	
Cheese vats.....	1 (wood body)	
Churns, butter wood barrel small.....	1 (roll-less)	
Clarifiers.....	1 (Airtight, for eggs only)	
Coolers, plate type.....	See plate pasteurizers.....	As approved for projects.
Dehydrators or Driers for milk and eggs.....	2 (roll and spray)	
Fillers for dairy products:		
(a) Hand.....	1 (single capper)	2 (2 and 4 valve).
(b) Power.....	1	4 (Frame and Bowl sizes).
Fillers for evaporated milk.....	1	1.
Filters.....	2 (cloth & screen)	Existing.
Forewarmers.....	1	2 (300 and 600 gallons).
Hot Wells.....	1 (single well)	2 (500 & 1000 gallons).
Homogenizers for evaporated & dehydrated milk & ice cream.....	1 (up to 5000 lbs. pressure)	4 (Frame and Head sizes).
High Pressure Sanitary Pumps.....	1 (up to 7000 lbs. pressure)	2 (Frame and Head sizes).
Pasteurizers:		
(a) Cheese.....	1 (Regenerative surface)	Upon application.
(b) Coil.....	1	4 (300, 600, 800 & 1,000 gallons).
(c) Plate.....	2 (screw type)	2 size plates.
(d) Vat and Starter Can.....	2	4 (100, 200, 300 & 500 gallons). 1 (2 Cheddar).
Paraffining Equipment.....	1	
Pumps, Sanitary:		
(a) Centrifugal.....	1	3 (1", 1 1/2" and 2").
(b) Positive.....	1 (rotary only)	2 (1 1/2" & 2"). No variable speed driven.
Separators, open & closed types.....	1 (open) 1 (closed)	2 (3,500 & 7,000 lbs.). 2 (7,000 & 11,000 lbs.).
Tanks, Storage:		
(a) Open Top.....	1	3 (300, 500 & 1,000 gallons).
(b) Cylindrical.....	2 (Horizontal & vertical—non-refrigerated).	2 (84" & 96" diam.) minimum 2,000 gallons.
Tanks, Receiving.....	1	4 (100, 300, 500 & 1,000 gallons).
Vacuum Pans.....	1	2 (60" & 72").
Washers:		
Hand Milk Bottle.....	1	2 (1 and 3 brush).
Sterilizer, Can.....	1	1.
Milk Bottle, Soaker Type.....	3	4 (20, 48, 72 & 120 B. P. M.).
Milk Can, rotary.....	1 (Cold air drying only)	2 (3 & 6 C. P. M.).
Milk Can, Straightway.....	1 (Cold air drying only)	2 (8-10 & 12-14 C. P. M.). Single or double tank.
Weigh Cans.....	3 (1 compartment) 2 (2 compartment) (round)	2. 2. 2.

SIMPLIFICATION SCHEDULE FOR EGG PROCESSING EQUIPMENT

Type of machine	Style	Size or capacity
EGG BREAKING EQUIPMENT		
Egg breaking cups.....	1	1 not over 3 eggs per cup.
Egg breaking knife.....	1	1 10 1/4".
Egg breaking separator.....	1	1 1 1/8".
Egg breaking tray.....	1	1 medium 11 1/4 x 10 x 1 1/4".
Egg breaking tray grid.....	1	1 medium 11 1/4 x 9 x 3/4".
Egg candlers, hand.....	1	1 1 1 hole.
Egg candlers, flash.....	1	1 1 three dozen.
Egg churns.....	2	2 500 lbs. and 800 lbs. eggs.
Egg crushers (frozen) Sanitary.....	1	1.
Egg hashers.....	1	1.
Egg leaker trays & grid.....	1	1 13 x 13 x 3 1/4".
Egg suckers.....	1	1.
Egg treating machines.....	1	1 16-20 cases per hour.
Egg washers.....	2	2 six and ten cases per hour.
Sterilizer.....	1	1 40 x 44 x 30" (16 ga. Galv.).

1 Tray type.

SIMPLIFICATION SCHEDULE FOR POULTRY PROCESSING EQUIPMENT

Type of machine	Style	Size or capacity
Cooling racks for dressed poultry.....	1	1 180 birds.
Eviscerating equipment.....	1	1 3.50 ft. 20-26 birds per minute.
Feather driers.....	1	1 32 ft. 10-15 birds per minute.
Feather wringers.....	1	1 Cafeteria tray top, hand.
Giblet cleaning equipment.....	1	1 2 5000 & 8000 birds per day.
Live poultry holding trucks.....	2	2 2 8 and 16 compartment.
Packing bench & tables.....	1	1 1 36x46.
Picking machines:		
(a) Automatic.....	1	1 1.
(b) Hand fed.....	1	1 3 (1, 2 or 3 operators each)
Rubber fingers.....	1	1 1.
Pinning conveyors.....	1	1 2.
Scalding machines.....	1	1 2 Poultry size and Turkey size.
Shackles.....	2	2 2 Poultry size & Turkey size.
Tanks & wash sinks.....	1	1 2 Poultry size & Turkey size.

- 1 Loose pans.
- 2 Metal or wood.
- 3 Motor driven drum.
- 4 Plain and locking.

SCHEDULE D

CONSERVATION PROVISIONS

[#1—DAIRY EQUIPMENT]

1. As used herein "contact parts" means those parts of a dairy equipment which come in direct contact with dairy or egg products, and the fittings to hold such parts in place.

2. No aluminum, cadmium, bismuth, tin, magnesium, copper, zinc, nickel, chromium or alloys containing these metals other than as impurities shall be used for parts, finishings or plating except as otherwise specifically permitted in this schedule "D"—1.

3. Copper and copper base alloys are permitted only in electrical conductors, bearings, valves, instruments, motors, worm driven gears, and cappers for dairy products, and in contact parts for the following equipment:

- Cheese pasteurizers
- Clarifiers
- Coolers—Sanitary, all types for milk & egg processing plants
- Dehydrators for milk and eggs
- Fillers for milk and eggs
- Filters for milk and eggs
- Forewarmers
- Heaters for milk and eggs
- Hot wells
- Homogenizers and high pressure sanitary pumps
- Pasteurizers, coil and vat
- Preheaters for dairy and egg products
- Separators
- Tanks and vats, sanitary for milk and egg products
- Vacuum pans
- Washers
- (a) Bottle
- (b) Milk bottle soaker type

4. Chromium or nickel or stainless steel alloys containing these metals may be used only in parts that come in contact with milk or egg products in clarifiers, coolers, dehydrators or driers for milk and eggs, fillers, filters, forewarmers, hot wells, homogenizers, high pressure sanitary pumps, pasteurizers, separators, storage tanks, vats including receiving tanks, vacuum pans and weigh cans.

5. Secondary copper—nickel alloys (white metal) made only from scrap or remelt may be used for sanitary fittings and for capping equipment.

6. Tin may be used for solder and for plating or coating parts which come in contact with milk or egg products.

7. Rubber can only be used for gaskets, filling valves and couplings.

8. Zinc for protective coating is permitted.

[#2—EGG EQUIPMENT]

No aluminum, cadmium, bismuth, tin, magnesium, copper, zinc, nickel, chromium, iron and steel or alloys containing these metals other than as impurities shall be used for parts, finishings, or plating except in bearings, valves, instruments, motors, or solder, or to the extent permitted below:

Equipment	Permitted metals
Egg breaking cups.....	} Chrome or nickel stainless steel only where in contact with egg or egg product.
Egg breaking knife.....	
Egg breaking tray.....	
Egg breaking tray grid.....	
Egg breaking separator.....	

Equipment
Egg candlers, flash..... Permitted metals
Iron or steel except in benches.

Egg churns..... }
Egg hashers..... } Chrome or nickel stainless steel, secondary copper nickel alloy (white metal) made only from scrap or remelt and tin coated iron or steel, and only where in contact with egg or egg product. Balance of equipment iron or steel.
Egg crushers (sanitary) for frozen eggs..... }

Egg suckers..... }
Egg leaker trays and grids..... } Iron, zinc for galvanizing.
Egg treating machines..... }
Egg tables..... }
Egg washers..... } Iron and steel.

[#3—POULTRY EQUIPMENT]

No more than 12% crude rubber may be used in rubber fingers. No aluminum, cadmium, bismuth, tin, magnesium, copper, zinc, nickel, chromium, iron and steel or alloys containing these metals other than as impurities shall be used for parts, finishes, or plating except in bearings, instruments, valves, motors, solder, or to the extent permitted below.

Equipment Permitted metals
Cooling racks for dressed poultry. Iron or steel in axles, casters and hangers only.

Eviscerating equipment. Iron and steel, zinc for galvanizing top only.
Feather driers..... Iron or steel—12 gauge or lighter except in base.

Feather wringer..... Iron and steel, zinc for galvanizing.

Giblet cleaning equipment. Iron and steel, zinc for galvanizing.

Live poultry holding trucks. Iron and steel, zinc for galvanizing.

Packing bench and tables. Galvanized iron for top only.

Picking machines..... Iron and steel, zinc for galvanizing on drum only.

Pinning conveyors.... Iron and steel.

Scalding machines.... Iron and steel.

Shackles..... Iron and steel, zinc for galvanizing.

Sterilizers..... Iron and steel, zinc for galvanizing.

Tanks and wash sinks..... Iron and steel.

[#4—CANNING MACHINERY AND EQUIPMENT]

(A) As used herein "contact parts" mean those parts of a food processing or packing machine or item of equipment which come in direct contact with the edible portion of the food product being processed at any stage of the processing operation.

(B) No stainless steel shall be used except in:

1. Contact parts for machinery processing fishery products, citrus products, pineapple, tomato and tomato products, vinegar and vinegar contact products, sauerkraut,

chicken, mayonnaise, apples and apple products, rice potatoes for dehydration, and cranberries and cranberry products.

2. Cutting knives as used in food processing equipment for peeling, coring, extruding, slicing or dicing.

(C) No copper other than for electrical conductors shall be used except for contact parts for acidulous fruits and vegetable products, or in steam-jacketed kettles and in tubing for cooking coils.

(D) No bronze or other copper base alloys shall be used except in—

1. Bearings, gears and fittings;
2. Parts which are in contact with corrosive glues in labeling and sealing machines or with brine and salt water;

3. Contact parts of equipment handling acidulous fruit, vegetable or fishery products;

4. Bearings and packing glands in fresh fruit, vegetable and fishery products, grading, packing and treating equipment.

(E) No copper-nickel alloy shall be used except secondary metal made from reprocessed scrap is permitted in

1. Filling chambers, plunger valves for fillers and contact parts in pumps for baby foods, citrus, and pineapple products;

2. Pump parts that come in contact with hydrochloric solution or brine in fresh fruit, vegetable and fish washing and treating equipment.

(F) No nickel shall be used except in pineapple screens.

(G) No monel metal shall be used except for bolts, nuts, nails and rods in fresh fruit and vegetable washing and treating equipment.

(H) No aluminum shall be used except in citrus fruit extractor heads.

(I) No structural steel framework shall be used in the building of viners or viner feeders, cleaners or recleaners, or shaker shoes.

(J) No tin shall be used except in the plating (including hot dipping and hot wiping) of contact parts and in solder.

(K) No rubber shall be used in any canning machinery or equipment, except the following items in which only reclaimed rubber shall be permitted:

1. Apron flaps and viner screens (which shall be impregnated fabric with coating not to exceed 1/16" thickness on each side);

2. Inspection tables, conveyors and sorting belts for fruits and vegetables (which shall be only impregnated fabric with coating on one side not to exceed 1/16" and coating on other side not to exceed 1/32");

3. Belts or rolls for can and bottle unscramblers and fruit and vegetable dicers, slicers, slitters and cutters (which shall be only impregnated fabric with coating on one side not to exceed 1/4" in thickness);

4. Baffle strips and separators in continuous peelers;

5. Green corn husking rolls; grading ropes for vegetable graders.

6. Valve seals, rings, washers, hoses and displacement members in filling machines; spacing rolls and seaming pads in labeling machines; type and typeholders in can and package marking devices; food rolls for green corn-cutting machines; gaskets for vacuum pans, centrifuges, heaters and batch peelers; pump parts; and hose, tubing and baffles in fresh fruit and vegetable grading, packing and treating equipment.

(L) No temperature and pressure automatic recording control instruments (indus-

trial type) shall be furnished except on continuous cookers, continuous blanchers, continuous preheaters, continuous scalders and continuous juice tanks.

(M) No metallic paints or filling coats shall be used.

(N) No ball bearing metal rollers shall be used on washing, sorting, packing, scalding, peeling or blanching tables or on fruit and vegetable conveyors. Metal ferrules only will be permitted with wood rollers in tables and conveyors.

(O) Retort cages, crates or covers shall be of the perforated type made of sheet steel, 14 gauge in thickness or less.

[F. R. Doc. 43-9146; Filed, June 5, 1943; 11:44 a. m.]

PART 970—CHLORINATED HYDROCARBON REFRIGERANTS

[Amendment 2 to General Preference Order M-28]

CONSERVATION AND DIRECTION OF DISTRIBUTION

Section 970.1 *General Preference Order No. M-28, as amended,*¹ is hereby amended as follows:

1. Paragraph (d) is hereby amended to read as follows:

(d) *Restriction on deliveries.* Notwithstanding the provisions of paragraphs (b) and (c) above, and notwithstanding the provisions of any other order, rule or regulation of the War Production Board, no person shall sell or otherwise transfer or deliver any chlorinated hydrocarbon refrigerants except in accordance with the following directions:

(1) (i) On and after June 5, 1943 no producer, dealer or any other person shall sell or otherwise transfer or deliver any chlorinated hydrocarbon refrigerants to any other person for installation or use in any air-conditioning system which is a "comfort cooling system", as defined under paragraph (d) (1) (ii) of this order; and no person shall purchase or receive delivery or transfer of any chlorinated hydrocarbon refrigerants for installation or use in any "comfort cooling system".

(ii) For the purposes of this paragraph (d) "comfort cooling system" means any system, of any size, operated or installed for the purpose of lowering the temperature and/or humidity of air in any building, room or other enclosure used as, or located in any of the following:

Amusement parks.
Animal hospitals.
Auditoriums.
Ballrooms, dancing studios and dance halls.
Bank and loan associations.
Bars, cocktail lounges, and beer parlors.
Bowling alleys.
Concert halls.
Funeral parlors.
Golf clubs, country clubs, and athletic clubs.
Hotels and apartment houses.
Moving picture houses.
Night clubs.
Office buildings and offices, public or private.
Railway, streetcar and bus stations and terminals.
Residential buildings and dwellings of all kinds.

¹ 6 F.R. 4369; 7 F.R. 71.

Restaurants, cafeterias, and other places selling meats, food or beverages.

Schools.

Service establishments, such as laundries, cleaners and dyers, tailor shops, barber shops, "beauty" parlors, automobile sales and service shops, and repair shops of all kinds.

Skating rinks.

Stores, selling any kind of products, material or merchandise, at retail or wholesale (excluding manufacturing establishments).

The term "comfort cooling system" shall not include (a) any such system used to air condition a building, room or other enclosure used chiefly for purposes not listed above, or (b) any system designed, necessary and used, in substantial part for the refrigeration and storage or processing of food, ice, or other materials or products requiring refrigeration, temperature control, or freedom from dust or other impurities, or (c) such part of a system as may be necessary and used for raising the temperature of air during cold weather to a degree which is comfortable or tolerable for persons (comfort heating).

(2) No distributor of such refrigerants, and no dealer or other person who furnishes such refrigerants to any person acquiring the same for use as refrigerants, shall sell or otherwise transfer or deliver any such refrigerants otherwise than in accordance with the following directions: Orders for such refrigerants shall be divided, commencing June 5, 1943, into the following three classifications:

(i) *Classification I.* Maintenance of refrigeration equipment already installed. Maintenance of air conditioning equipment already installed in hospitals, clinics, and sanatoria.

(ii) *Classification II.* Maintenance of industrial air conditioning already installed.

(iii) *Classification III.* Manufacture of new refrigeration equipment. Manufacture of new air conditioning equipment for industrial air conditioning.

Supplies of such refrigerants for uses enumerated in Classification I shall be given primary preference. If it appears, in any month, that the available supply for that month will exceed the amount estimated to be required for the uses enumerated under Classification I, supplies for uses enumerated under Classification II shall be given secondary preference. If it appears, in any month, that the available supply for that month will exceed the amount estimated to be required for the uses enumerated under Classifications I and II, the residual supply shall be divided among users enumerated under Classification III. If it appears, in any month, that the available supply for any classification is less than the existing demand in that classification, the distributor or dealer shall allocate the available supply ratably among the users in accordance with the average monthly consumption by such users during the period from July 1, 1940, to June 30, 1941.

(3) Producers of such refrigerants shall make deliveries thereof for use in

refrigeration or air conditioning equipment in accordance with the foregoing directions, as set forth (d) (2) above for distributors, dealers and other persons delivering such refrigerants to persons acquiring the same for use, unless and until otherwise authorized or directed by the War Production Board.

Issued this 5th day of June, 1943.

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

[F. R. Doc. 43-9163; Filed, June 5, 1943; 4:56 p. m.]

PART 1010—SUSPENSION ORDERS

[Amdt. 1 to Suspension Order S-185]

RICHARD J. AND HENRY NASSER

The respondents, Richard J. Nasser and Henry Nasser, appealed to the Chief Compliance Commissioner from the provisions of Suspension Order S-185. As a result of a showing by the respondents that additional theatre facilities are required in Richmond, California, the Chief Compliance Commissioner has directed that paragraph (b) of the suspension order be revoked and the respondents be permitted to make application for authorization to complete the theatre building located at 412 MacDonal Avenue, Richmond, California.

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

§ 1010.185 *Amendment No. 1 to S-185.* (a) Paragraph (b) of Suspension Order S-185 is hereby revoked and rendered of no further force or effect.

Issued this 5th day of June 1943.

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

[F. R. Doc. 43-9165; Filed, June 5, 1943; 4:56 p. m.]

PART 1010—SUSPENSION ORDERS

[Amdt. 1 to Suspension Order S-308]

OIL WELL AND ALL'S WELL CORP.

Oil Well and All's Well Corporation, 253 Sunrise Highway, Rockville Centre, New York, has appealed from the provisions of Suspension Order S-308, issued April 30, 1943. After a review of the case it has been determined that Suspension Order S-308 be modified so as to allow Oil Well and All's Well Corporation to deliver to and accept delivery of an increased amount of motor fuel at the twenty-two service stations set forth in Suspension Order S-308, and to remove the restrictions upon the amount of motor fuel Oil Well and All's Well Corporation could accept from its suppliers.

In view of the foregoing, paragraph (b) is deleted and paragraph (a) of § 1010.308, Suspension Order S-308, issued April 30, 1943, is hereby amended to read as follows:

(a) During each of the months of June, July and August 1943, Oil Well and All's Well Corporation, its successors or as-

signs, shall not deliver to, accept delivery at, or receive at the following service stations in excess of a total aggregate amount of 38,000 gallons of motor fuel, as defined in Limitation Order L-70:

Prospect & South Franklin Streets, Hempstead, New York; Broadway & East John Street, Hickville, New York; Smith Court & Bedford Avenue, Bellmore, New York; Sunrise Highway & South Ocean Avenue, Freeport, New York; Nassau Road & Pennywood Avenue, Roosevelt, New York; Jericho Turnpike & Horton Highway, Mineola, New York; Lake View Avenue & Woodfield Road, Lakeview, New York; Glen Cove Avenue & Continental Place, Glen Cove, New York; 307 West Main Street, Bay Shore, New York; Sunrise Highway & Second Street, Valley Stream, New York; New York & Hillside Avenue, Huntington, New York; Hempstead Turnpike & Evans Avenue, Elmont, New York; Millard Avenue & Little Eastneck Road, Babylon, New York; Long Beach Road & Merle Avenue, Oceanside, New York; Nassau Road & Centennial Avenue, Roosevelt, New York; Vernon & Fulton Streets, Farmingdale, New York; New York & Stewart Avenues, Huntington, New York; Green Avenue & Montauk Highway, Sayville, New York; Jericho Turnpike, Smithtown Branch, New York; Prospect & Union Avenues, Westbury, New York; Warren & Nassau Boulevards, Munson Park, New York; Sagamore & Long Beach Roads, Island Park, New York.

Issued this 5th day of June 1943.

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

[P. R. Doc. 43-9164; Filed, June 5, 1943;
4:56 p. m.]

PART 937—ZINC

[General Preference Order M-11 as Amended
June 7, 1943]

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

§ 937.1 *General Preference Order M-11*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

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

(1) "Zinc" means all grades of metallic zinc (spelter) produced directly from ores, concentrates or other primary material; or redistilled from zinc scrap, including ashes, dross, skimmings, clippings, castings, engravers' plates, die castings, die cast scrap, or any secondary zinc-bearing material.

(2) "Zinc scrap" means all materials or products the principal content of which, by weight, is zinc, which materials or products are the waste or by-products of fabrication or have been discarded on account of obsolescence, failure or other reason.

(3) "Remelt zinc" means any zinc material sweated or remelted from zinc scrap including ashes, dross, skimmings, clippings, castings, engravers' plates, die

castings, die cast scrap, or any secondary zinc-bearing material.

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

(5) "Producer" means any person producing zinc or remelt zinc and any person who has zinc or remelt zinc produced for him under toll agreement.

(6) "Dealer" means any person who receives physical delivery of zinc or remelt zinc and sells or holds the same for resale without changing the form. A person who produces any zinc or remelt zinc or who has the same produced for him under toll agreement, is a producer as to such zinc or remelt zinc, not a dealer.

(7) "Scrap dealer" means any person regularly engaged in the business of buying and selling zinc scrap.

(8) "Toll agreement" means any agreement by which title to material remains vested in a person other than the one processing the material.

(c) *Restrictions*—(1) *Deliveries by a producer.* No producer shall ship or deliver zinc or remelt zinc to any person except on presentation by that person of an allocation certificate issued by the War Production Board. Upon accepting an allocation certificate, the producer shall endorse thereon the amounts of zinc by grades and of remelt zinc, which he agrees to ship under such certificate in the calendar month covered by the certificate. No producer shall endorse an allocation certificate for zinc or remelt zinc, or make any shipment thereunder, if, by so doing, the total endorsements or shipments of zinc, by grades, and of remelt zinc under the certificate will exceed the amounts, by grades, authorized by such certificate.

(2) *Deliveries by dealers.* No dealer shall ship or deliver any zinc or remelt zinc, except with the specific authorization of the War Production Board, to fill a purchase order bearing a preference rating lower than AA-5; nor shall any dealer ship or deliver any zinc or remelt zinc in any month to any person who has:

(i) Received or purchased for delivery in that month as much as 20 short tons, in the aggregate, of zinc and remelt zinc from all sources; or

(ii) Requested or received an allocation certificate for zinc or remelt zinc from the War Production Board for that month.

A person who is a dealer but who also produces zinc or remelt zinc or has the same produced for him under toll agreement, shall not ship or deliver any zinc or remelt zinc so produced except as permitted by paragraph (c) (1) of this order.

(3) *Acceptance of deliveries.* No person shall accept any delivery of zinc or remelt zinc from a producer or dealer otherwise than in accordance with the provisions of this order.

(4) *Toll agreements.* No person shall produce any zinc or remelt zinc under any existing or future toll agreement until and unless he has made a report to the Office of Production Management or

the War Production Board, Ref.: M-11, setting forth the names of the parties to such agreement, the material involved as to kind and grade, the form of the same, the estimated tonnage involved, the estimated rate of deliveries, the length of time the agreement or other similar agreement has been in force, the duration of the agreement, the purpose for which the zinc is to be used, and any other pertinent data.

(d) *Allocation certificates.* The War Production Board will issue allocation certificates for zinc and remelt zinc on or about the first of each month. An allocation certificate will authorize shipment during the calendar month by a producer to the holder of the certificate of specified amounts of zinc, designated by grades or groups of grades, and of remelt zinc. This certificate must be presented to the producer for endorsement as provided in paragraph (c) (1) of this order. A producer need not accept a new order although supported by an allocation certificate if his entire production for the month is committed under contract and he has reason to believe that other allocation certificates will be presented during the month by the person or persons to whom his production is committed in amounts at least equal to his production.

(e) *Applications for allocation certificates.* Any person wishing to apply for an allocation of zinc or remelt zinc from a producer for any month shall file an application with the War Production Board, Zinc Division, Washington, D. C., Ref.: M-11, not later than the fifteenth day of the month preceding the month in which the allocation of zinc or remelt zinc is desired: *Provided*, That any person seeking an allocation for remelt zinc to be delivered during the period from February 9, 1943 until February 28, 1943, inclusive, should apply as soon as possible. Dealers shall make such application on Form PD-450. Persons other than dealers shall make applications on Form PD-94a or such other form as the War Production Board may designate from time to time.

(f) *Restrictions on deliveries of zinc scrap.* No person shall ship or deliver any zinc scrap except to a scrap dealer or to a producer or manufacturer for use in the manufacture of redistilled zinc, remelt zinc, brass, zinc dust, zinc oxide, chemicals or salts, unless he obtains the specific authorization of the War Production Board to do otherwise. A person delivering zinc scrap is not entitled to rely on the fact that the person receiving delivery will use zinc scrap in the manufacture of redistilled zinc, remelt zinc, brass, zinc dust, zinc oxide, chemicals or salts, unless he receives a certificate from the person accepting delivery stating substantially as follows:

Pursuant to Order M-11, the undersigned certifies that he will use any zinc scrap obtained pursuant to the annexed purchase order in the manufacture of redistilled zinc, remelt zinc, brass, zinc dust, zinc oxide, chemicals or salts.

(Name of company)

By _____
(Authorized official)

Each certificate must be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7. A person delivering zinc scrap is not entitled to rely on such a certificate if he knows or has reason to believe that the certificate is false, but, in the absence of such knowledge or reason to believe, he may rely on the certificate.

(g) *Requests for authorizations of the War Production Board.* Any person who seeks the specific authorization of the War Production Board to do anything under this order for which no form of application is prescribed, may request such authorization by letter in duplicate, addressed to: War Production Board, Zinc Division, Washington, D. C., Ref: M-11.

All other applications, statements or other communications concerning the subject matter of this order should be addressed in the same manner.

(h) *Exceptions.* Exceptions from the provisions of paragraphs (c), (d) and (f) shall be as follows:

(1) *Anticipatory shipments.* If any producer has reason to believe that any person will receive an allocation certificate in a given month, he may ship to that person an amount of zinc or remelt zinc not to exceed twenty-five (25%) percent of the amount of the same grade of zinc or of remelt zinc which the producer shipped to the same customer in the preceding month. Any person receiving such an anticipatory shipment shall immediately upon receipt of his allocation certificate submit it to the shipping producer for endorsement. If a producer makes an anticipatory shipment and does not receive an allocation certificate later in the same month covering the shipment, he must notify the War Production Board, Zinc Division, Washington, D. C., Ref: M-11, immediately, and make no further shipments to the same customer except pursuant to an allocation certificate.

(2) *Deliveries to Metals Reserve Company.* Any person may ship, sell and deliver zinc, remelt zinc or zinc scrap to the Metals Reserve Company, without an allocation certificate, preference rating or any specific authority from the War Production Board: *Provided, however,* That such material is purchased for the sole purpose of stockpiling or redistribution.

(3) *Substitute grades of zinc or remelt zinc.* Any producer may, with the consent of the purchaser, substitute for any amount of any grade of zinc specified in an allocation certificate an equal amount of any lower grade of zinc or an equal amount of remelt zinc.

(4) *Special directions.* The War Production Board may, from time to time, issue special directions to any person as to the source, destination, special kinds and amounts of zinc, remelt zinc or zinc scrap to be delivered or acquired by any person, and the Board may also specifically direct the manner and quantities in which such zinc, remelt zinc and zinc scrap may be processed.

(5) *Foreign zinc.* Zinc imported under bond or drawback agreement may

be re-exported by any person pursuant to an export license duly issued by the Office of Export Control of the Board of Economic Warfare.

(i) *Interdepartmental shipments.* The restrictions, limitations, and prohibitions in paragraph (c), (d) and (f) of this order shall apply not only to all shipments and deliveries of zinc, remelt zinc and zinc scrap from one business enterprise to another business enterprise, but also to all shipments and deliveries of zinc, remelt zinc and zinc scrap from any branch, division or department of any business enterprise to another branch, division or department in the same business enterprise.

(j) *Reports.* Producers of zinc and remelt zinc must report on Form PD-452 for each month by the fifteenth day of the following month. All producers and generators of, dealers in, and users of zinc, remelt zinc or zinc scrap shall file reports with the War Production Board at such times and in such manner and form as it may prescribe, showing such information as the War Production Board may from time to time require.

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

Issued this 7th day of June 1943.

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

[F. R. Doc. 43-9199; Filed, June 7, 1943;
11:57 a. m.]

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

[Priorities Reg. 9, as Amended June 7, 1943]

PRIORITIES ASSISTANCE FOR THE PETROLEUM
INDUSTRY UNDER FORM WPB-743 (FOR-
MERLY PD-311 REVISED) OR OTHER PRE-
SCRIBED FORM

Section 944.30 *Priorities Regulation 9*
is hereby amended to read as follows:

§ 944.30 *Priorities Regulation 9—(a) Forms for export; scope of regulation.* Priorities assistance for the delivery of material to be exported for use by an operator in the petroleum industry may be made available pursuant to application on Form WPB-743 (formerly PD-311 Revised) or other prescribed form filed by or in the name of the person desiring the export of the material involved. Such person is hereinafter referred to as the applicant, which term shall also include any agency authorized to place delivery orders for such person. This regulation shall be applicable to priorities assistance granted pursuant to application on such form or forms.

(b) *Authorization and use of priorities assistance.* (1) One copy of Form

WPB-743 (formerly PD-311 Revised) or other prescribed form will be returned to the applicant accompanied or followed by an authorization indicating the allotment number or symbol or the preference rating to be used by the applicant in securing delivery of those quantities of material approved on such form.

(2) In order to use an allotment number or symbol or a preference rating, the applicant must first have received an export license, a statement of export clearance, or a statement of authority to export (or a copy thereof if authorized by the issuing agency); and he must also endorse upon or attach to each delivery order the allotment number or symbol and the preference rating authorized pursuant to subparagraph (b) (1) as well as a certification in substantially the following form (or, if appropriate, at the applicant's option, in the form prescribed in General Exports Order M-148, as amended from time to time) signed manually or as provided in Priorities Regulation No. 7:

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

This certification may be used in lieu of any other certification required by any CMP Regulation to be endorsed on a delivery order or to be furnished therewith, and, where so used, shall be construed to be a representation of facts in the same manner and to the same extent as any specific certification required by any CMP Regulation.

(c) *Effect of revocation.* If the export license, statement of export clearance or statement of authority to export any material is revoked, any allotment, allotment number or symbol, or preference rating authorized pursuant to this regulation shall be automatically cancelled as regards delivery of such material to the applicant; and no delivery of such material shall be made to or received by the applicant.

(d) *Limitation on other forms of priorities assistance.* No person who is entitled to obtain an allotment, allotment number or symbol or a preference rating pursuant to application on Form WPB-743 (formerly PD-311 Revised) or any other form prescribed pursuant to this regulation for a construction operation or as operating supplies shall use any form of priorities assistance otherwise granted for delivery of material to be used in such operation or as operating supplies; except that this provision shall not prevent use of any assistance lawfully authorized prior to June 7, 1943 or the rerating of any delivery pursuant to Priorities Regulation No. 12.

(e) *Applicability of other regulations.* None of the provisions of CMP Regula-

tions Nos. 5, 6 or 7 (or the limitations incorporated in any CMP Regulation which otherwise would subject an applicant to the provisions of CMP Regulation Nos. 5, 6 or 7) shall apply to an applicant to the extent that he is entitled to use Form WPB-743 (formerly PD-311 Revised) or other form prescribed pursuant to this regulation and no such applicant shall obtain any material under or be limited by the provisions of such regulations or limitations.

Issued this 7th day of June 1943.
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-9200; Filed, June 7, 1943;
11:59 a. m.]

PART 977—MANILA FIBER AND MANILA CORDAGE

[General Conservation Order M-294 as Amended June 7, 1943]

WASTE MANILA ROPE

Section 977.6 *General Conservation Order M-294* is hereby amended to read as follows:

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

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

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

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

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

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

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

containing waste manila rope, manufactured prior to March 19, 1943.

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

(2) Not less than 30% of the waste Manila rope used in the manufacture of paper for flour or cereal products sacks pursuant to paragraph (d) (1) hereof shall consist of grades other than the grades known as No. 1 large old Manila rope or No. 1 small old Manila rope or uncut manila fenders.

(e) *Limitation on use of waste manila rope in the manufacture of abrasive paper*. (1) No person shall use waste Manila rope in the manufacture of abrasive paper to an extent in excess of 25% of the total fibre content of such paper, and none of the waste Manila rope so used shall be of the grades known as No. 1 large old Manila rope or No. 1 small old Manila rope or uncut manila fenders.

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

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

(g) *Exceptions*. Specific authorization may be granted by the War Production Board for use of waste manila rope in the manufacture of any product or products for delivery to the Armed Forces or for use in the manufacture of any material or equipment for delivery to the Armed Forces when such product or products, material or equipment cannot be satisfactorily produced from other available fibres. Applications for such authorization shall be made by filing a letter with the War Production Board, Pulp and Paper Division, Reference M-294, stating fully reasons for requesting such authorization.

(h) *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.

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

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

(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.

Issued this 7th day of June 1943.
WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

Grade or type of paper	Permitted use
Insulating papers....	In the manufacture of insulation for communication wiring and cables, for electrical wiring and cables, and other types of electrical insulation.
Gasket base papers....	In the manufacture of gaskets.
Artificial leather base papers.....	In the manufacture of artificial leather for delivery to shoe manufacturers.
Flour sack papers....	For use in the manufacture of flour sack papers for quantities of flour of 25 pounds or more.
Tag papers.....	In the manufacture of casualty tags, shipping tags, and identification tags for delivery to the Armed Forces.
Abrasive paper.....	In the manufacture of industrial abrasive papers and belts.

[F. R. Doc. 43-9201; Filed, June 7, 1943;
11:58 a. m.]

PART 1031—MOLASSES

[General Preference Order M-54 as Amended June 7, 1943]

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

§ 1031.1 *General Preference Order M-54* — (a) *Definitions*. For the purposes of this order:

(1) "Molasses" means any molasses, sirup, sugar solution, or any form of fermentative sugar (derived from sugar cane or sugar beets) and hydrol (corn sugar molasses). The term does not, however, include sugar as defined in Rationing Order No. 3 or sugar intended for and used for manufacture into sugar as so defined, or edible molasses as defined in Food Distribution Order No. 51. Blackstrap molasses is any final molasses produced in the manufacture of

sugar from sugar cane or from the refining of raw sugar and includes all beet molasses produced in the manufacture of sugar from sugar beets. Invert molasses is any molasses made from sugar cane without extraction of sugars. For the purpose of this order one gallon of invert molasses is to be construed as one and a half gallons of blackstrap molasses and one gallon of hydrol is to be construed as one gallon of blackstrap molasses.

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

(3) "Importer" means any person who transports molasses in any manner into the continental United States. Release from the bonded custody of the United States Bureau of Customs shall be deemed a transportation.

(4) "Primary distributor" means any person, other than an importer or a producer, who sells molasses which he has acquired (other than as broker) from an importer or a producer.

(5) "Secondary distributor" means any person, other than an importer, producer or primary distributor, who sells molasses which he has acquired (other than as broker) from some person other than an importer or producer.

(6) A person may, at the same time, be an importer, a producer, a primary distributor and a secondary distributor. His classification, in a particular case, will be determined by the source of the molasses involved; i. e., with respect to molasses imported, he will be an importer, with respect to molasses acquired from a producer, he will be a primary distributor, etc.

(7) "Broker" means any person who buys and sells molasses on a fee basis as agent either for the buyer or the seller or both.

(8) "Class 1 purchaser" means any person who requires molasses in the manufacture of any one or more of the following products:

(i) Insecticides (except as provision is made therefor in paragraphs (a) (14) and (d) (3) hereof).

(ii) Lactic acid.

(iii) Graphite paste.

(iv) Printing rollers.

(v) Dye stuffs.

(vi) Ink.

(vii) Ephedrine.

(viii) Sugar for human consumption (produced from beet molasses).

(ix) Denatured rum for flavoring.

(x) Biological and pharmaceutical products for human and veterinary uses.

and any person who requires molasses for any one or more of the following purposes:

(xi) Dust extraction.

(xii) Leather tanning.

(9) "Class 2 purchaser" means any person who requires molasses in the manufacture (including custom grinding) of mixed feeds (including molasses treated beet pulp).

(10) "Class 3 purchaser" means any person who requires molasses in the manufacture of any one or more of the following products:

(i) Yeast.

(ii) Citric acid.

(11) "Class 4 purchaser" means any person who requires molasses in the manufacture of vinegar and any person who requires molasses for foundry purposes.

(12) "Class 5 purchaser" means any person who requires molasses in the manufacture (including blending and/or packaging) of any one or more of the following products:

(i) Molasses (edible).

(ii) Sirup (edible).

(13) "Class 6 purchaser" means any person who requires molasses in the manufacture of other products for human consumption (not specified above).

(14) "Class 7 purchaser" means any person who requires molasses for sale directly (without the intervention of any other handler) to persons who require the same for ensilage direct feed or insect control.

(15) "Calendar quarter" means the several three month periods of the year commencing January 1, April 1, July 1, and October 1.

(16) "Calendar quarterly supply" means a quantity of molasses not in excess of the quantity used by a purchaser listed above during a corresponding calendar quarter in the twelve month period ended June 30, 1941. Purchasers shall determine a calendar quarterly supply with respect to each use specified in the applicable subparagraph above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(17) "30 day supply" means a quantity of molasses not in excess of one-twelfth of the quantity used by a purchaser listed above during the twelve month period ended June 30, 1941. Purchasers shall determine a 30 day supply with respect to each use specified in the applicable subparagraphs above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(18) "Fiscal year" means the twelve month period commencing October 1 and ending September 30.

(19) "Yearly supply" means a quantity of molasses not in excess of the quantity used by a purchaser listed above during the twelve month period ended June 30, 1941. Purchasers shall determine a yearly supply with respect to each use specified in the applicable subparagraph above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(b) *Applicability of Priorities Regulation 1.* This order and all transactions affected thereby are subject to the

provisions of Priorities Regulation No. 1, as amended from time to time, except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(c) *Restrictions on deliveries.* Anything in Priorities Regulation 1 to the contrary notwithstanding:

(1) No Class 1, 2, 3, 4, 5, 6 or 7 purchaser shall, during any calendar quarter (fiscal year in the case of a Class 3 or 5 purchaser), accept deliveries of molasses in excess of the quantity set forth below less any quantity in excess of a 30 day supply on hand on the first day of the calendar quarter (fiscal year in the case of a Class 3 or 5 purchaser) in which delivery is to be made:

(i) Class 1 purchaser—during any calendar quarter, 100% of a calendar quarterly supply.

(ii) Class 2 purchaser—during any calendar quarter, 50% of a calendar quarterly supply.

(iii) Class 3 purchaser—during a fiscal year, 120% of a yearly supply if molasses is required for the manufacture of yeast; 130% of a yearly supply if molasses is required for the manufacture of citric acid.

(iv) Class 4 purchaser—during any calendar quarter, 110% of a calendar quarterly supply.

(v) Class 5 purchaser—during a fiscal year, 100% of a yearly supply.

(vi) Class 6 purchaser—during any calendar quarter, 100% of a calendar quarterly supply.

(vii) Class 7 purchaser—during any calendar quarter, 100% of a calendar quarterly supply.

(2) Prior to delivery of molasses, within the limitations of paragraph (c) (1) hereof, the prospective deliverer, if he be a Class 1, 2, 4, 6 or 7 purchaser, shall submit to the deliverer a certificate in substantially the following form, properly filled out and manually signed by a duly authorized official:

The delivery, in the calendar quarter ended _____, of _____ gallons of molasses (blackstrap molasses basis), in connection with which this certificate is furnished, will not, taking into consideration molasses received and to be received during the same calendar quarter from all sources and inventory on hand on the first day of such calendar quarter, be in excess of _____ per cent of a calendar quarterly supply to which the undersigned, as a Class _____ purchaser, is entitled pursuant to General Preference Order No. M-54, amended, with the terms of which order the undersigned is familiar.

Dated: _____

By _____
(Name of purchaser)
(Duly authorized official)

Prior to delivery of molasses, within the limitations of paragraph (c) (1) hereof, the prospective deliverer, if he be a Class 3 or 5 purchaser, shall submit to the deliverer a certificate in substantially

the following form, properly filled out and manually signed by a duly authorized official:

The delivery of _____ gallons of molasses (blackstrap molasses basis), in connection with which this certificate is furnished, will not, taking into consideration molasses received and to be received during this fiscal year from all sources and inventory on hand on the first day of this fiscal year, be in excess of _____ percent of a yearly supply to which the undersigned, as a Class _____ purchaser, is entitled pursuant to General Preference Order No. M-54, amended, with the terms of which order the undersigned is familiar.

Dated: _____

By _____
(Name of purchaser)
By _____
(Duly authorized official)

(3) No person shall knowingly deliver molasses to any Class 1, 2, 3, 4, 5, 6 or 7 purchaser in violation of the terms of paragraphs (c) (1) and (2) hereof.

(4) Except as otherwise provided in paragraph (d) hereof, no deliveries of molasses shall be made by any producer, primary distributor, secondary distributor or importer unless the same shall have been specifically authorized by the War Production Board; and no person shall accept delivery of molasses if such delivery would be made in violation of the foregoing clause.

(5) [Revoked January 21, 1943.]

(d) *Permissive deliveries.* Subject to the provisions of Priorities Regulation No. 1, amended, (and more particularly the inventory provisions thereof) and paragraphs (f) and (g) hereof, the following deliveries of molasses shall not be subject to the provisions of paragraph (c) (4) hereof:

(1) Within the limitations of paragraphs (c) (1) and (2) hereof, deliveries to purchasers specified in paragraph (a) hereof.

(2) Deliveries to primary distributors and secondary distributors for purposes of resale. All quantities of molasses, delivery of which primary distributors and secondary distributors accept, shall be subject to allocation, re-distribution or re-delivery in accordance with specific directions which the War Production Board may from time to time hereafter issue.

(3) Deliveries by a Class 7 purchaser (of molasses to which he is entitled pursuant to paragraph (c) (1) (vii) hereof) to persons who require molasses for ensilage, direct feed or insect control.

(4) Deliveries of any one of the products specified in paragraph (a) (12) hereof which after manufacture (including blending and/or packaging) fall within the definition of molasses.

(5) Deliveries originating, completed and for use outside of the continental United States.

(6) Deliveries to an importer originating outside of the continental United States.

(e) *Restrictions on consumption.* Unless otherwise authorized by the War Production Board, no purchaser specified in paragraph (a) hereof shall, during any calendar quarter commencing with the month of January, 1942, use or consume more molasses:

(1) Than he would be permitted to receive during such calendar quarter, in the case of a Class 1, 2, 4, 6 or 7 purchaser (assuming that such purchaser had no molasses on hand on the first day of the calendar quarter).

(2) Than 110% of a calendar quarterly supply, in the case of a Class 3 purchaser.

(3) Than a calendar quarterly supply, in the case of a Class 5 purchaser.

(f) *Restrictions with respect to beverage spirits.* Except as may be otherwise provided by the War Production Board, after January 15, 1942, no person shall deliver, use, or accept delivery of molasses for the manufacture of beverage spirits.

(g) *Restrictions on export.* No molasses shall be exported by any person except upon express authorization of the War Production Board.

(h) *Intra-company transactions.* The prohibitions or restrictions contained in this order with respect to deliveries shall, in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of the same or any other enterprise owned or controlled by the same person.

(i) *Prior authorizations.* Specific mail or telegraphic authorizations heretofore issued by the War Production Board by way of relief from the provisions of this order as it existed prior to March 27, 1942, shall not be prejudiced or in any manner affected hereby.

(j) *Reports.* Reports shall be made at such times, on such forms and with respect to such matters as shall be prescribed by the Chemicals Division of the War Production Board. Importers shall notify the Chemicals Division of the War Production Board of the importation of molasses into the continental United States at least fifteen (15) days prior to movement of the same from the place of origin. The following persons shall fill out and file with the Chemicals Division of the War Production Board the forms set forth below at the times and in the manner prescribed in said forms:

Manufacturers (using molasses) of yeast, citric acid and edible sirup or molasses—Form PD-456,

Manufacturers (using molasses) of Alcohol—Form PD-457,
Producers, importers and primary distributors of molasses—Form PD-458.

(k) *Notification of customers.* Producers, distributors and importers shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but the failure to give such notice shall not excuse any person from the obligation of complying with the terms of this order.

(l) *Violations or false statements.* Any person who violates this order or who wilfully falsifies any records which he is required to keep by the terms of this order, or by the War Production Board, or otherwise wilfully furnishes false information to the War Production Board may be deprived of priorities assistance or may be prohibited by the War Production Board from obtaining further deliveries of materials subject to allocation. The War Production Board may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. 80).

(m) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of molasses conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board, Reference: M-54, attention Chemicals Division, setting forth the pertinent facts and the reason he considers he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(n) *Exemptions.* None of the restrictions, prohibitions or requirements contained in this order shall apply to the delivery, acceptance of delivery or use of molasses outside of the continental United States.

Issued this 7th day of June 1943.

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

[F. R. Doc. 43-9202; Filed, June 7, 1943;
11:57 a. m.]

PART 1086—O. D. WOOL CLIPS, O. D. WOOL RAGS AND O. D. WOOL WASTES

[Revocation of General Preference Order M-87]

Section 1086.1, *General Preference Order No. M-87* is hereby revoked.

This action shall not be construed to affect in any way any liability or penalty

accrued or incurred under said General Preference Order M-87.

Issued this 7th day of June 1943.

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

[F. R. Doc. 43-9203; Filed, June 7, 1943,
11:57 a. m.]

PART 1226—GENERAL INDUSTRIAL
EQUIPMENT

[General Limitation Order L-123 as amended
February 27, 1943, Amdt. 1]

Paragraph (b) of § 1226.1 *General Limitation Order L-123* is hereby amended to read as follows:

(b) *Restrictions on acceptance of orders for, and production and distribution of general industrial equipment—*
(1) *General restrictions.* (i) No person shall accept any order for general industrial equipment or commence production of any general industrial equipment in fulfillment of any order, whether accepted or not; unless such order is an approved order.

(ii) No person shall deliver, and no person shall accept delivery of, any general industrial equipment, except pursuant to an approved order.

(iii) The restrictions and limitations of this paragraph (b) (1) shall not apply to:

(a) The delivery of general industrial equipment by any manufacturer to any distributor to fill approved orders actually received by such distributor or to replace general industrial equipment delivered by such distributor to fill an approved order.

(b) The extension by any manufacturer of any preference rating certificate to secure materials for the production of general industrial equipment, or

(c) The delivery, prior to September 1, 1943, by any person of any general industrial equipment to a farmer in accordance with Priorities Regulation 19.

Section 1226.1 *General Limitation Order L-123* is further amended by deleting paragraph (a) (6) (iii).

Issued this 7th day of June 1943.

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

[F. R. Doc. 43-9206; Filed, June 7, 1943;
11:56 a. m.]

PART 1274—CHLORATE CHEMICALS

[General Preference Order M-171, as
Amended June 7, 1943]

Section 1274.1 *General Preference Order M-171* is hereby amended to read as follows:

§ 1274.1 *General Preference Order M-171—*(a) *Definitions.* (1) "Chlorate chemicals" means potassium chlorate, sodium chlorate, barium chlorate, potassium perchlorate, ammonium perchlorate, perchloric acid and any other chlorate or perchlorate chemical.

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

(3) "Distributor" means any person who has purchased or purchases chlorate chemicals for purposes of resale, except that the term shall not include any farmers' cooperative or any County or State official or agent.

(4) "Supplier" means any producer or distributor.

(b) *Restrictions on deliveries.* (1) No supplier shall deliver chlorate chemicals to any person except as specifically authorized or directed in writing by War Production Board. No person shall accept delivery of chlorate chemicals which he knows or has reason to believe are delivered in violation of this order.

(2) Authorizations or directions with respect to deliveries to be made in each calendar quarter by suppliers will so far as practical be issued by War Production Board prior to commencement of such quarter, in the normal case on Form PD-602, filed pursuant to paragraph (h) (1) hereof; but War Production Board may from time to time issue directions with respect to deliveries to be made.

(3) In the event that any supplier, after receiving notice from War Production Board with respect to a delivery of chlorate chemicals which he is authorized or directed to make during any calendar quarter, shall be unable to make such delivery, whether because of receipt of notice of cancellation from his customer or otherwise, such supplier shall forthwith give notice of such fact to the Chemicals Division of War Production Board, and shall not in the absence of a specific authorization from War Production Board resell or otherwise dispose of the chlorate chemicals which he is unable to deliver as aforesaid.

(c) *Restrictions on use.* (1) No supplier shall use chlorate chemicals except as specifically authorized or directed in writing by War Production Board.

(2) Each person who with an order for chlorate chemicals furnishes a certificate required by paragraph (e) (1) shall use the chlorate chemicals delivered on such order only as specified in such certificate, except as otherwise specifically authorized or directed in writing by War Production Board.

(3) War Production Board may from time to time issue directions with respect to the use or uses which may or may not be made of chlorate chemicals to be delivered to, or then in inventory of, the prospective user.

(d) *Exceptions to requirements for specific authorizations.* Notwithstanding the provisions of paragraph (b) (1) hereof, specific written authorization of War Production Board shall not be required for the delivery by any supplier to any other person in any calendar quarter of not more than 25 lbs. of any chlorate chemical; *Provided, however,* That no delivery shall be made pursuant to this paragraph (d) which would prevent or delay any delivery which such supplier shall have been specifically authorized or directed to make.

(e) *Certification of customer's use.* (1) No supplier shall in any calendar quarter, beginning with the third quarter of 1943, deliver to any person more than 25 lbs. of any chlorate chemical unless prior thereto, he shall have received from such person a certificate in substantially the following form:

The undersigned purchaser hereby certifies to War Production Board and to his supplier, pursuant to Order M-171, that the chlorate chemicals hereby ordered for delivery in _____, 194__ [insert "third", "fourth", quarter etc.] will be used by him in the manufacture or preparation of the following product(s), and that such product(s) on the basis of an order or orders filed with the undersigned will be put to the following end use(s):

	Pounds of chlorates	Primary product	End use
(A)	-----	-----	-----
(B)	-----	-----	-----

[NOTE: Where more than one chlorate is ordered, specify in first column "potassium chlorate", "sodium chlorate", etc. For other instructions see paragraph (e) (2).]

----- Name of Purchaser		
By -----	Duly Authorized	Title
-----	Official	-----
Date	-----	-----

Suppliers are requested to obtain certificates with respect to deliveries in any calendar quarter not later than the 10th day of the last month of the preceding quarter.

(2) In filling out the certificate called for by paragraph (e) (1), the purchaser will specify under "primary product" the product or products in the manufacture of which he will use chlorate chemicals, in terms of the following:

Ammunition and signals (military)	Organic dyes, intermediates and inorganic colors
Carbon-removing compounds	Pharmaceutical or medicinal products
Chemicals (specify)	Textiles
Commercial pyrotechnics or explosives (excepting fireworks)	Weed killer (manufacture of or use as)
Food	Others (specify)
Fumigants and disinfectants	Reagent chemicals (use as)
Fur carotting solutions	Export Resale (as chlorate chemicals)
Heat pads	Inventory (as chlorate chemicals)
Matches	
Metals (refining, alloying, etc.)	

Under "End use", purchaser will specify the ultimate or end use to which the product manufactured by him will be put. For example, where the primary product is "Inorganic colors," the end use might be "Battleship paint." Where the ultimate user is the Army, Navy, or other government agency, or the product made by the purchaser is ultimately to be delivered pursuant to the Lend-Lease Act or is for non Lend-Lease export, purchaser should set forth specification and contract numbers, and export license numbers. If purchase is for resale, purchaser will specify "Resale" under "Primary product" and under "End use" will specify primary product or products in the manufacture of which his customer will use each chlorate chemical.

(3) A supplier may deliver chlorate chemicals to any ultimate consumer for use as a weed killer without receiving the certificate called for by paragraph (e) (1): *Provided, however*, That such consumer shall be a holder of a United States explosive license issued by the Bureau of Mines of the Department of Interior, and shall have filed with such supplier with his order a copy of such license or satisfactory proof thereof.

(f) *Prohibitions against use.* No person except as specifically authorized in writing by War Production Board shall mix chlorate chemicals with inert materials, including, for example, ground glass, sand and zinc oxide, for the purpose of selling the resulting mixture for domestic use or for export, whether under the name "oxidizing mixture" or otherwise.

(g) *Production directions.* War Production Board may from time to time issue directions to any producer with respect to the specific chlorate chemical to be produced by such producer, or with respect to the division of production by such producer among two or more chlorate chemicals.

(h) *Applications.* (1) Each supplier requiring authorization to make delivery of, or to use, chlorate chemicals during any calendar quarter shall file application on or before the 15th day of the last month of the preceding quarter. The application shall be made on Form PD-602 in the manner prescribed therein, subject to the following special instructions:

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

(ii) An original and three copies shall be prepared of which the original and two copies shall be filed with War Production Board, Chemicals Division, Washington, D. C., Ref: M-171, the third copy being retained for applicant's files. The original filed with War Production Board shall be manually signed by a duly authorized official. A separate set of Form PD-602 shall be filed with respect to each chlorate chemical for which authority to deliver or use is requested.

(iii) In the heading, under "Name of material", specify "Chlorate chemicals" under "Grade", specify the particular chlorate chemical to which the Form PD-602 relates; under "WPB Order No.", specify "M-171"; in heading, "This schedule is for deliveries to be made during the month/quarter, _____, 194__", strike out word "month" and indicate the quarter to which the application relates, for example, "third", "fourth", etc.; under "Unit of measure", specify "Pounds".

(iv) In Column 1 supplier will list name of each customer who has placed with him an order for delivery in the applicable quarter of more than 250 lbs. of any chlorate chemical. If it is necessary to use more than one sheet to list such customers, supplier will number each sheet in order and show grand total for all sheets on last sheet which is the only one that need be certified.

(v) With respect to orders from any person for the applicable quarter of more than 250 lbs. of any chlorate chemical, supplier will specify in Column 1-a the product to be manufactured by his customer, and the end use to which such product is to be put, as indicated by the certificate filed with applicant by his customer pursuant to paragraph (e) (1) hereof. If the chlorate chemical ordered by the customer is for different products or different end uses, supplier will indicate separately each product and end use to which such customer's order relates, and in Column 4 will indicate with respect to each customer's order the quantity of each chlorate chemical ordered for each product and end use.

(vi) With respect to orders from any person for any quarter of more than 25 lbs. but not more than 250 lbs. of any chlorate chemical, names of customers and end use need not be listed but supplier will lump the aggregate quantity of each chlorate chemical ordered for each primary product. More specifically, supplier will specify in Columns 1 and 1-a "Total orders under 250 lbs. for use in manufacture of _____" (inserting in blank the name of the product to be manufactured by his customer, as for example, "carbon-removing compounds"), and will specify in Column 4 the total quantity of each chlorate chemical ordered for use in the manufacture of each primary product.

(vii) With respect to deliveries to any person in the applicable quarter of not more than 25 lbs. of any chlorate chemical, neither name of customer, primary product nor end use need be shown. Instead, supplier will state in Columns 1 and 1-a "Total small order deliveries (estimated)" and in Column 4 will specify the total estimated quantity to be delivered.

(viii) A producer requiring permission to use a part or all of his own production of chlorate chemicals shall list his own name as customer in Column 1 and will specify in Columns 1-a and 4, product manufactured, end use and quantity

required. Written approval of War Production Board on such Form PD-602 shall constitute authority to the producer to use chlorate chemicals in the quantity and for the purposes indicated in such approved form.

(ix) Leave Column 6 blank.

(x) Each producer will report production, deliveries and stocks as required by Table II, Columns 8 to 16, inclusive. Distributors will fill out only Columns 8, 10, 12 and 13.

(2) War Production Board may issue other and further directions with respect to preparing and filing Form PD-602.

(i) *Miscellaneous provisions.* (1) *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.

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

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington, D. C. Ref: M-171.

This amendment shall take effect July 1, 1943 except that the provisions of paragraphs (e) and (h), governing application for delivery or use of chlorates on and after that date, shall take effect at once.

Issued this 7th day of June 1943.

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

[F. R. Doc. 43-9204; Filed, June 7, 1943;
11:58 a. m.]

PART 3001—CHLORINATED PARAFFIN

[Revocation of General Preference Order M-189]

Section 3001.1 *General Preference Order M-189* is hereby revoked.

This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said Order M-189.

Issued this 7th day of June 1943.

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

[F. R. Doc. 43-9205; Filed, June 7, 1943;
11:58 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5, Amdt. 24]

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. A new Article XXIX and sections 29.1 to 29.6 inclusive are added to read as follows:

Article XXIX—Sale or Transfer of Institutional User Establishments

SEC. 29.1 *Sale or transfer of a Group I establishment.* (a) When an institutional user sells or transfers to any other person the business and inventory of his Group I establishment, for continued operation, he may transfer his stocks of rationed foods to the transferee of the establishment without the surrender of stamps, certificates or ration checks. Both the transferor and the transferee must notify the board with which the establishment is registered. The notice must be given in writing, within five (5) days after the sale or transfer, and must state:

(1) The name and address of the establishment and of the persons transferring and acquiring it;

(2) The inventory of rationed foods transferred to the transferee (in points for foods rationed under the point system and in pounds for other rationed foods), showing separately the amount which represents remaining opening inventory of the transferor (that is, the part of his opening inventory for which he has not yet accounted to the Board in accordance with section 4.2).

(b) The notice required by paragraph (a) shall constitute a cancellation of the transferor's registration for the establishment.

(c) The amount of the transferor's remaining opening inventory of a rationed food, or the amount of that food transferred to the transferee pursuant to paragraph (a), whichever is greater, shall be treated as the transferee's opening inventory of that food.

SEC. 29.2 *Sale or transfer of other institutional user establishments—(a) General.* (1) When an institutional user sells or transfers to any other person the business and inventory of his institutional user establishment (other than a Group I establishment), for continued operation, he may transfer his stocks of rationed foods to the transferee of the establishment without the surrender of stamps, certificates or ration checks. Both the transferor and the transferee must notify the Board at which the establishment is registered. The notice must be given in writing, within five (5) days after the sale or transfer, and must state:

(i) The name and business address of the establishment and of the persons transferring and acquiring it;

(ii) The inventory of rationed foods transferred (in points for foods rationed under the point system and in pounds for other rationed foods);

(iii) The balances, if any, in the establishment's ration bank accounts, and the amount of any stamps, certificates or ration checks on hand, including any in the hands of a supplier for rationed foods not yet shipped;

(iv) The number of persons served in, and the dollar revenue of, the establishment transferred for the month in which the transfer takes place and for the two preceding months; and

(v) The amount of any rationed foods, other than those already included in the inventory of an establishment, which the transferee has for use in the transferred establishment.

(2) If the transferor has a ration bank account for the establishment, he must notify the district office, in the way required by General Ration Order 3A.

(b) *Transferor must give up unused stamps, certificates and ration checks.* The seller or transferor must give up to the board all unused stamps, certificates and ration checks he has for the establishment. If the establishment has ration bank accounts, he must give up to the board certified ration checks payable to the Office of Price Administration for the balances in such accounts. The notice described in paragraph (a) of this section, and the surrender of the stamps, certificates and ration checks, will be treated as a cancellation of the transferor's registration and allotments.

(c) *Application for allotments by transferee.* The transferee may use the stocks of foods transferred only up to the amount of the allotments he gets for the establishment. The application for allotments must be made on OPA Form R-315, to the board for the place where the establishment was registered and must state facts showing whether the transferee will continue to operate the establishment in substantially the same manner as it was operated by the transferor. (Thus, if a restaurant which specialized in meat dishes will be operated by the transferee as a vegetarian restaurant, the transferee will not be operating it in substantially the same manner as before the transfer.) The board shall send the application, the notices sent to it by both parties and the transferor's registration to the district office.

(d) *Granting allotments and assigning bases.* If the district office finds that the establishment will continue to be operated in substantially the same manner as before the transfer, it shall assign to the transferee the transferor's allotments for that establishment, and, in the case of a Group III establishment, the transferor's bases. It shall also give him certificates equal in value to the stamps, certificates and ration checks that the transferor surrendered to the board, or, if the amount of a rationed food transferred to the transferee with the establishment is larger than the unused part of the allotment of that food for the current allotment period plus any unused

part of the transferor's earlier allotments, the difference shall be treated as excess inventory. The transferee may not use any part of the allotments already used by the transferor, but he may use any unused part of any prior allotment the transferor received for that establishment. (The district office shall also treat as excess inventory any amounts of rationed foods, other than those already included in the inventory of an establishment, which the transferee has for use in the transferred establishment.)

SEC. 29.3 *Transfers of chain establishments—(a) Same rules apply to sale of entire chain.* The rules set forth in sections 29.1 and 29.2 apply where a person who has more than one institutional user establishment sells or transfers all of them for continued operation, whether or not they were registered separately.

(b) *Sale of part of a chain.* (1) When the seller or transferor has more than one institutional user establishment which he registered separately, and sells or transfers one or more, but not all of them, the procedure described in section 29.1 or 29.2, whichever is applicable, must be followed separately, as to each of the establishments transferred.

(2) When the seller or transferor has more than one institutional user establishment which he registered together, and sells or transfers one or more, but not all of them, the procedure described in section 29.1, or in paragraphs (a) and (c) of section 29.2, whichever is applicable, must be followed, except that:

(i) If Group I establishments are being transferred, the remaining opening inventory may be divided between the establishments which were transferred and those which were not transferred in any way that the transferee chooses; and

(ii) If Group II or III establishments are being transferred, the transferor must also apply to the Board with which he is registered for a redetermination of his allotments and, in the case of Group III establishments, of his bases.

In the case of a transfer of Group III establishments, the transferor must also report the December 1942 use of rationed foods, the number of persons served and the December 1942 dollar revenue for the establishment or establishments transferred. The board shall send the application and notices of both parties, and the transferor's registration, to the district office. If the transferred establishments are in Group II or III and if the district office finds that they will continue to be operated in substantially the same manner as before the transfer, it shall grant allotments to the transferee and, in the case of Group III establishments, shall assign bases to him. It shall first determine the amount of the transferor's allotments and, in the case of Group III establishments, of the transferor's bases allocable to the transferred establishment or establishments. Those bases shall be assigned to the transferee. The transferee's allotments shall be the part of the transferor's allotments corresponding to the unexpired part of the allotment period. The bases and allotments assigned to the trans-

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

¹ 8 F.R. 2195, 2348, 2598, 2666, 2667, 3178, 3216, 3255, 3616, 3851, 4131, 4325, 4784, 4785, 4839, 5341, 5265, 5476, 5485, 5843, 6118, 6439, 6956, 7105.

ferree shall be deducted from the bases and current allotments of the transferor. The district office shall issue certificates to the transferee (or determine his excess inventory) on the basis of the allotments granted to him, the amount of the inventory he acquired from the transferor and the amount of rationed food not already included in the inventory of an establishment which the transferee has for use in the transferred establishment. If the amount of a rationed food which is transferred with the establishment is less than the allotment of that food assigned to the transferee, the transferor must give up to the board certificates or ration checks for the difference. If he does not give up certificates or ration checks, the difference shall be treated as excess inventory.

Sec. 29.4 *Where and how the transferee registers the establishments acquired by him.* (a) A person who buys or otherwise acquires an institutional user establishment and who already has two or more establishments in the same group as the one acquired by him, which are registered together, must register the new establishment together with his other establishments and at the same board. The remaining opening inventory (in the case of Group I establishments), allotments and the bases (in the case of Group III establishments) assigned to him shall be added to the remaining opening inventory, allotments and bases he already has for his other establishments in that group. If he already has his other establishments in the same group registered separately, the transferred establishment must be registered separately with the Board for the place where it is located. If he has only one other establishment in the same group, he may elect whether his establishments will be registered together or separately. If he registers them together, registration shall be at the board for the place where his principal office is located and remaining opening inventory, allotments or bases assigned to him shall be added to the remaining opening inventory, allotments or bases he already has for his other establishment. If he registers them separately, registration shall be at the board for the place where the establishment is located.

(b) If the transferee acquires more than one institutional user establishment and is entitled to or is required to, register them separately, the district office must compute separately the portion of the transferor's remaining opening inventory, allotments or bases allocable to each of the establishments acquired, in the way described in section 29.3.

Sec. 29.5 *Computation of subsequent and supplemental allotments.* (a) For purposes of determining allotments (other than those issued by the district office for the unexpired part of the allotment period in which the transfer is made) for the establishment transferred, the dollar revenue of, and number of persons served by, the transferor shall be used as if they were the figures of the transferee.

SEC. 29.6 *Some transferred establishments will be new institutional user establishments.* (a) If the district office determines that a transferred Group II or III establishment will not be operated by the transferee in substantially the same manner as it was operated by the transferor, it shall treat it as a new institutional user establishment.

2. A new Article XXX and sections 30.1 to 30.3 inclusive are added to read as follows:

Article XXX—Closing of Institutional User Establishments

Sec. 30.1 *What an institutional user who closes his Group I establishment must do.* (a) An institutional user who goes out of business at his Group I establishment must, within five (5) days after closing the establishment, notify the board to that effect. He may transfer any remaining stock of rationed foods in the same manner that a retailer is permitted to make transfers under the ration orders governing those foods. He must surrender to the board the stamps, certificates or ration checks so received.

Sec. 30.2 *What a person who closes his Group II or III establishment must do.* (a) An institutional user who goes out of business at his Group II or III establishment must notify the board. The notice must be given in writing, within five (5) days after he goes out of business. It must state:

(1) The name and address of the establishment;

(2) The inventory of rationed foods (in points for foods rationed under the point system and in pounds for other rationed foods) at the time he stopped doing business there; and

(3) The balances, if any, in the establishment's ration bank accounts, and the amount of any certificates or ration checks on hand, including the value of any certificate or ration check in the hand of his suppliers for rationed foods not yet shipped. If he has a ration bank account, he must also notify the district office, in the way required by General Ration Order No. 3A (the ration banking order).

(b) He must account to the Office of Price Administration for all stamps, certificates or ration checks he has for the establishment. If all his stocks of rationed foods have not been disposed of at the time of the notice, he must account for such stocks as soon as they have been liquidated. He may sell or transfer his unused stocks of rationed foods in the same way that a retailer is permitted to make sales or transfers under the ration orders governing those foods.

Sec. 30.3 *Closing of chain establishments—*(a) *Same rules apply to closing of entire chain.* The rules set forth in sections 30.1 and 30.2 apply where a person who has more than one institutional user establishment goes out of business at all of them, whether or not they were registered separately.

(b) *Closing of part of chain.* (1) A person who has several institutional user

establishments, which are registered separately, may go out of business at one or more, but may continue to operate the others. In that case, he must follow the procedure set forth in section 30.1 or 30.2, whichever is applicable, as to each of the establishments at which he goes out of business.

(2) A person who has several institutional user establishments which are registered together may go out of business at one or more, but may continue to operate the others. In that case he must notify the board within five (5) days. If the establishments were in Group I, the rules of section 30.1 apply. If the establishments were in Group II or III, the notice must state:

(i) The name and address of the establishment or establishments;

(ii) The number of persons served (and in the case of the closing of Group III establishments the amount of rationed foods used and his dollar revenue) in December 1942, at the establishment or establishments being closed; and

(iii) The number of persons served in (and in the case of Group III establishments, the dollar revenue for) the establishment or establishments for the month in which they go out of business and for the two preceding months.

In the case of a Group II or III user, the board shall send the notification and his registration to the district office.

(b) The district office shall reduce the institutional user's allotments for the allotment period in which the establishments are closed (and, in the case of Group III establishments, his bases) by the amount allocable to the closed establishments. He must give up to the Office of Price Administration certificates or ration checks equal to the amount of the reduction in his allotments. If he does not have certificates or ration checks to give up, that amount shall be treated as excess inventory.

(c) Subsequent allotments for Group III institutional users shall be computed by using the bases as recomputed in accordance with paragraph (b), and the dollar revenue of, and number of persons served in, the establishments still in operation.

This amendment shall become effective June 7, 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, 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, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9103; Filed, June 4, 1943; 4:02 p. m.]

PART 1309—COPPER

[MPR 20; Amdt. 1]

COPPER SCRAP AND COPPER ALLOY SCRAP

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. 20 is amended in the following respects:

1. Section 1309.63 is amended to read as follows:

§ 1309.63 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with ac-

a. After "Group 2, Red trolley wheels", a new grade "Tinny bronze (phosphor bronze) solids", is inserted to read as set forth below:

Group No.	Grade	Maximum price in cents per pound of material	Specifications
2	Tinny bronze (phosphor bronze) solids.	10.50 subject to the deduction provided for in footnote 2.	Shall have a copper content of not less than 88%, a tin content of not less than 3% and not more than 5.5%, a lead content of not more than 1% and a combined silicon, manganese and aluminum content of not more than 0.1%.

b. After "Group 2, Copper-Lead Borings", a new grade, "Zincy Bronze Solids", is inserted to read as set forth below:

Group No.	Grade	Maximum price in cents per pound of material	Specifications
3	Zincy bronze solids....	8.00 subject to the deduction provided for in footnote 2.	Shall have a copper content of not less than 78%, a tin content of not more than 2.75%, a lead content of not more than 0.5%, and a combined silicon, aluminum and manganese content of not more than 0.75%.

c. The group number of "Group 3, Yellow brass castings", is changed from "3" to "2".

3. Section 1309.70 (g) (5) is amended to read as follows:*

(5) *Copper bearing material.* Nothing in this regulation, or in the General Maximum Price Regulation,² shall control the price at which copper bearing material may be sold, delivered or processed on toll.

4. Section 1309.70 (g) (6) and (7) are added to read as follows:

(6) *Precious metals.* In addition to the maximum price established by this regulation for any grade of copper scrap or copper alloy scrap, refineries, who customarily recover gold or silver, or both elements, in the treatment of materials containing precious metals, may pay a premium for the gold content of copper scrap or copper alloy scrap if the gold content exceeds 0.05 Troy ounces per ton of material, and a premium for the silver content if the silver content exceeds 5.0 Troy ounces per ton of material. Noth-

ing in this regulation or in the General Maximum Price Regulation shall control the amount of this premium.

(7) *Lead-covered telephone and power cable scrap.* (i) Anything in this regulation and in Maximum Price Regulation No. 70³ to the contrary notwithstanding, as an alternative to settling for lead-covered telephone and power cable scrap in accordance with the provisions of Maximum Price Regulation No. 70 and the provisions of this Regulation other than this subparagraph, a seller and consumer may agree to settle and make settlement for lead-covered telephone and power cable scrap at a price not in excess of 6.04 cents per pound of material, f. o. b. point of shipment for the combined copper and lead content of lead-covered telephone and power cable scrap. No quantity or other premiums may be added to this price.

(ii) As used in this subparagraph the term "Lead-covered Telephone and Power Cable Scrap" shall mean lead-covered telephone and power cable, pot-heads, splices and butts with or without sleeves which have been scrapped by the "Bell System".

This amendment shall become effective June 10, 1943.

* 8 F.R. 614.

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

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9105; Filed, June 4, 1943; 4:02 p. m.]

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

[MPR 400]

MERCHANTS' PRICES FOR FINE PAPERS AND CERTAIN PAPERBOARDS

In the judgment of the Price Administrator, it is necessary and proper to establish maximum merchants' prices for fine papers and certain paperboards by a separate maximum price regulation. The Price Administrator has ascertained and given due consideration to merchants' prices for these fine papers and paperboards prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he determined and deemed to be of general applicability. So far as practical, the Price Administrator has advised and consulted with representative members of the industries which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1347.651 *Maximum prices for merchants' sales of fine papers and certain paperboards.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 400 (Merchants' Prices for Fine Papers and Certain Paperboards), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1347.651 issued under Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871.

MAXIMUM PRICE REGULATION NO. 400—MERCHANTS' PRICES FOR FINE PAPERS AND CERTAIN PAPERBOARDS

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

¹ 8 F.R. 3189.

² 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047.

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SECTION 1 Prohibition against dealing in fine papers and certain paperboards at prices above the maximum prices. On and after July 5, 1943, in the area covered by this regulation, regardless of any contract, agreement, lease or other obligation, no merchant shall sell, deliver or transfer any of the fine papers or paperboards covered by this regulation, and no person shall buy or receive any such fine papers or paperboards from any merchant at prices higher than the maximum prices set forth in this regulation; 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 such fine papers or paperboards, if prior to July 5, 1943, they had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to the buyer. If the seller and buyer are not both located in the area covered by this regulation, then the location of the buyer and not that of the seller determines whether the transaction is subject to this regulation.

Sec. 2 Maximum prices. The maximum price at which a merchant may sell any type of fine papers or paperboards subject to this regulation is the total of the base price of the manufacturer producing such paper or paperboard and the percentage mark-up set forth in the pertinent Appendix to this regulation, adjusted for any applicable differentials, discounts, and delivery charges specified in this regulation.

For sales of less than 2,000 lbs., prices may be computed to the nearest 25¢ per cwt. For sales of 2,000 lbs. and over prices may be computed to the nearest 5¢ per cwt. In each case 2½¢ may be considered as 5¢.

Sec. 3 Manufacturer's base price. The manufacturer's base price is his standard price to merchants in Zone 1, f. o. b.

mill, lowest available carload rate of freight allowed to destination, per base unit of sale for standard weights, colors and finishes. The base unit of sale for each type is set forth in the pertinent Appendix.

EXAMPLE: Rag Content Bonds and Ledgers—"Price per lb. for White Wove for a sale of 4 cartons"
Offset Book Papers—"Price per lb. for a sale of 4 cases"

Standard price means the price quoted in the manufacturer's merchant price list in effect at the date of the merchant's sale, or if the manufacturer had no price list, the price which he regularly quoted at that date in any other manner, before cash discount.

If the manufacturer's standard price is on a basis other than f. o. b. mill, lowest available carload rate of freight allowed to destination, then the merchant shall use as the manufacturer's base price the manufacturer's price f. o. b. mill, plus the lowest available carload rate of freight to destination, except, however, in sales of paperboard listed in Appendix F-1 of this Regulation, when the merchant shall use as the manufacturer's base price the actual cost per ton delivered to the merchant for a sale of 10 tons or more.

Nothing in this section, however, shall permit the use of a manufacturer's base price which exceeds the maximum price established for the sale by the manufacturer under any regulation now or hereafter issued by the Office of Price Administration.

SEC. 4. Differentials and discounts. All differentials and discounts shall be computed in the relative order in which they are set forth below.

(a) **Discount for quantity shipments.** In any shipment by the merchant to the customer or by the manufacturer to the customer for the account of the merchant, where because of the quantity of the order a deduction would be required under any price regulation from the manufacturer's base price on a similar sale to the merchant, the merchant must make a deduction in the same amount to be applied before the application of his percentage mark-up.

(b) **Colors, special finishes, watermarks and light weights.** The merchant may add to the manufacturer's base price before the application of the merchant's percentage mark-up, any charges actually paid to the manufacturer for colors, special finishes, watermarks and light weights, unless otherwise specified below.

(c) **Irregular basis weights and sizes.** The merchant may add to his selling price after the application of the merchant's percentage mark-up, the percentage differential represented by any charges made by the manufacturer to the merchant for irregular basis weights and sizes, unless otherwise specified below. (NOTE: In Appendices C and D, special provision is made for light weight differentials on bond and ledger papers.)

(d) **Packing differentials.** In any shipment by the merchant to the customer or by the manufacturer to the customer for the account of the merchant, where an additional charge would

be permitted for packing when sold to the merchant, the merchant may add the amount of this charge to his selling price after the application of his percentage mark-up. If the manufacturer's differential for packing takes the form of a deduction from his base price, a deduction in the same amount must be made by the merchant and this may be done after the application of his percentage mark-up.

(e) **Zone differentials.** The merchant may add to his selling price after the application of the merchant's percentage mark-up any zone differential which would be charged by the manufacturer for delivery in the zone in which the merchant's customer is located, plus 25% of the amount of such differential. If, however, in March, 1942 the merchant had a practice of charging a greater zone differential, he may continue to make a charge no higher than that which he made during that month.

(f) **Cash discounts.** The merchant shall give the same cash discounts for each type of paper which he customarily gave in March, 1942 to a purchaser of the same class, unless a change will result in a lower price.

(g) **Differential for transportation costs not absorbed by the manufacturer in free delivery area.** In any shipment by the manufacturer to the merchant's free delivery area where the manufacturer's allowance for freight does not cover the entire transportation cost of the shipment, the same percentage of the transportation cost may be added by the merchant which he added in March, 1942 on a sale to a purchaser of the same class after the application of his percentage mark-up.

(h) **Manufacturing variations.** Variations by the manufacturer in quantity, weight, thickness, etc. from that ordered which would be permissible under trade tolerances, will also be permitted to the merchant on the resale of such paper or paperboard, so that no differential will be permitted to, or discount required by, the merchant by reason of such variations.

SEC. 5 Charges for delivery. (a) Maximum prices established in accordance with section 2 are prices delivered to the purchaser except as provided in paragraphs (b) and (c) below. When any addition for delivery charges is permitted, such addition shall be made after the merchant's percentage mark-up is computed.

(b) **Free delivery area.** The merchant shall deliver the fine papers and paperboards subject to this regulation without charge in the same area within which he delivered or would have delivered without charge in March, 1942. If, however, his customary practice in that month was to make a charge for the delivery in that area of certain quantities, or of certain grades, he may now charge an amount computed at the lowest of the available common or contract carrier rates for the same haul.

(c) **Outside free delivery area—(1) Warehouse or indirect sales.** (NOTE: For the purpose of this paragraph, warehouse or indirect sales mean sales in

which shipment is made from the merchant's free delivery area.)

(i) If the merchant had a practice in March, 1942 of adding a fixed differential for delivery within a certain locality outside his free delivery area, he may add the same amount which he charged or would have charged for such delivery in that month. If he did not have such a practice, then he may add a delivery charge determined as follows:

(ii) On deliveries in the merchant's own truck, he may add a charge computed at the lowest of the available common or contract carrier rates in effect for the same haul.

(iii) On shipments by the merchant by common or contract carrier, his maximum prices established in accordance with section 2 are f. o. b. the carrier's loading point within the merchant's free delivery area, and he may add any subsequent transportation charges, including local cartage expense.

(2) *Direct sales.* On sales involving shipment from the manufacturer directly to the merchant's customer located outside of the merchant's free delivery area, the merchant may add to the maximum price established in accordance with section 2 the difference between the total actual delivery costs involved and the delivery costs borne by the manufacturer.

SEC. 6 Sales by agent distributors—

(a) *Sales to merchants.* The agent distributor's maximum price to a merchant is the maximum price to such merchant chargeable by the manufacturer from whom the agent distributor has purchased.

(b) *Sales to consumers.* The agent distributor's maximum price to a consumer is the maximum price which a merchant may charge for the same commodity.

(c) *Delivery charges.* The differential for transportation costs and the charges for delivery specified in sections 4 (g) and 5 respectively shall be applicable to sales by agent distributors.

SEC. 7 Sales between merchants. The maximum price at which a merchant may sell any fine papers or paperboards subject to this regulation which he purchased from another merchant is the maximum price which would be applicable if he had purchased the commodity directly from the same manufacturer as the first merchant. A merchant selling to another merchant shall supply the latter with all the information necessary to enable him to determine his maximum price upon the resale of such paper or paperboard, such as the manufacturer's base price and all applicable differentials and discounts.

SEC. 8 Assortments. The merchant's percentage mark-ups listed in the Appendices to this regulation apply to shipments by the merchant or to shipments for the merchant's account of paper or paperboard of one grade, brand or watermark. However, for the purpose of determining the permissible percentage mark-up, assortments of different colors, finishes and basis weights within a grade, brand or watermark in a single order must take a percentage mark-up not exceeding that of a similar quantity

of a single grade, brand, or watermark, unassorted, to the extent that, and in the same manner that the merchant granted this privilege to a purchaser of the same class during March, 1942.

SEC. 9 Job lots. The maximum prices established in section 2 are not applicable to sales of job lots or second qualities of paper or paperboard. The maximum prices for such job lots and second qualities are the total maximum prices for which a merchant may sell the first quality of the same commodity.

SEC. 10 Charges for conversion—(a) Charges for conversion operations performed by the merchant. A merchant performing a conversion operation such as cutting, sealing, banding, punching, round cornering, corner clipping, wrapping, slitting, packaging, rewinding or a related operation in connection with any fine papers or paperboards subject to this Regulation may add a charge therefor which shall not exceed the maximum amount charged by the merchant for such operation in March, 1942 to a purchaser of the same class.

If the merchant performs a conversion operation for which a charge was not made in March, 1942, he shall compute the charge by using such cost factors, wage rates, charges for machine hours, overhead, etc. as he would have used to compute such charge during said period, even though the cost factors may have increased since that date.

(b) *Charges for conversion operations performed by another.* If the merchant secures the performance of any conversion operation by any other person, he may add to his maximum selling price for the fine paper or paperboard the total of:

(1) The actual charge made to him by such other person for such operation;

(2) Transportation costs necessarily incurred in such operation at the lowest of the available common or contract carrier rates, if such costs are not included in (1) above; and

(3) The percentage margin for profit which he charged or would have charged in March, 1942 to a purchaser of the same class on the same conversion operation performed by another person on the same or a comparable type of paper or paperboard.

(c) *Operations not covered by this regulation.* If a conversion operation results in the creation of a converted paper product, the sale of which is subject to any specific maximum price regulation (other than the General Maximum Price Regulation), such operation is not subject to this regulation.

SEC. 11 Less than maximum prices. Lower prices than those established by this Maximum Price Regulation No. 400 may be charged, demanded, paid or offered.

SEC. 12 Imports. The provisions of this regulation do not apply to the purchases, sales or deliveries of the commodities named in this regulation if they originate outside of and are imported into the continental United States. Sales, purchases and deliveries of such imported commodities are governed by the provisions of the General Maximum

Price Regulation, and especially Revised Supplementary Regulation No. 12.¹

SEC. 13 Export sales and sales for export. The maximum prices at which a merchant may sell for export or may export fine papers or paperboards subject to this Regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation² issued by the Office of Price Administration.

SEC. 14 Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 15 Federal and State taxes. Any tax upon, or incident to, the sale, delivery, processing, or use of a commodity, or the supplying of a service, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity or service and in preparing the records of such seller with respect thereto:

If, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased: *Provided, however,* That the tax on the transportation of property imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service subject to this Regulation, 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 as a tax for which a charge may be made in addition to the maximum price.

SEC. 16 Records and reports—(a) Records. Every merchant shall keep for

¹ 7 F.R. 10532; 8 F.R. 611, 2035.

² 8 F.R. 4132.

³ All reporting and record-keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

inspection by the Office of Price Administration for as long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records, including invoices, applicable to all sales of fine papers and paperboards subject to this regulation made by the merchant in March, 1942 and subsequent to the issuance of this regulation, showing the following:

- (1) Manufacturer's base price.
 - (2) Differentials or discounts applied.
 - (3) Merchant's mark-up.
 - (4) Charges for delivery.
 - (5) Charges for conversion.
- (b) *Reports.* (1) Every person who claims to operate as a bona fide merchant, but who
- (i) Manufactures any fine papers or paperboards covered by this regulation, or
 - (ii) Is affiliated with such a manufacturer through any community of ownership,

shall file with the Office of Price Administration in Washington, D. C., Code 695, on or before July 20, 1943, a statement indicating his practice with respect to mark-ups charged, quantities sold and performance of the merchandising functions of a merchant. Within 30 days from the filing of this report, the Office of Price Administration shall determine whether the sales of fine papers and paperboards made by such person are subject to this regulation and shall mail a letter to such person advising him of such determination. Pending receipt of such ruling such person shall remain subject to the provisions of the General Maximum Price Regulation, or any other applicable maximum price regulation.

(2) Every person making a sale after July 5, 1943 of the fine papers and paperboards subject to this regulation shall submit such reports to the Office of Price Administration and shall keep such other records in addition to or in place of those specified in paragraph (a) as the Office of Price Administration may from time to time require with the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Sec. 17 Invoice and labelling requirements. (a) *Grade description.* The merchant shall set forth on his invoice the basis weight or nominal weight and the grade name or grade description of the paper or paperboard.

(b) *Conversion and delivery charges.* The merchant shall set forth separately on his invoice any charges made by him for conversion and for delivery.

(c) *Job lots and seconds.* On a sale of job lots or second qualities the merchant shall specify on his invoice and on the wrapping of the paper that it consists of such quality.

Sec. 18 Definitions. When used in this Maximum Price Regulation No. 400 the term:

"Agent distributor" means a class of merchant who purchases fine papers and paperboards from a manufacturer (other than a manufacturer affiliated with such person through any community of ownership) at a special discount under an agreement that all sales which he makes to merchants shall be at a price not exceeding the manufacturer's price.

"Carton", "bundle", "case", "ream" and "package", of fine papers and paperboards mean the quantity of fine papers and paperboards of each type contained in a carton, bundle, case, ream or package, respectively, as packed in March, 1942 by the manufacturer from whom the merchant purchased the commodity.

"Classification", "type" and "grade". (a) "Classification" means a general class or group of fine papers, such as bristols, or groundwood papers. These classifications are in turn divided into subclassifications or types.

(b) "Type" means a particular kind of paper within a classification, such as index bristol or groundwood poster.

(c) "Grade" means a quality of paper within a type.

"Fine papers" and "paperboards" mean those certain papers and paperboards listed in the Appendices to this regulation.

"Job lots" and "seconds" mean substandard qualities of fine paper or paperboard resulting from faulty manufacture customarily unacceptable to the buyer, which occur during a bona fide attempt to manufacture first quality of fine paper or paperboard.

"Manufacturer" means any person who manufactures fine papers and paperboards and includes an agent and a person affiliated with a manufacturer through any community of ownership, who distributes or sells such manufacturer's fine papers and paperboards, excluding, however, any person who comes within the definition of a merchant set forth in this section.

"Merchant" means any person who buys and resells any of the fine papers or paperboards listed in the Appendices to this regulation, except (a) retailers and (b) manufacturers buying fine papers or paperboards from another manufacturer and reselling them.

"Merchant" also includes a manufacturer selling fine papers or paperboards of his own manufacture, and a person affiliated with such manufacturer through any community of ownership if, and only if, the Office of Price Administration shall find that he operates as a bona fide merchant. Any such manufacturer or affiliate claiming to operate as a merchant shall file an application for a ruling in the manner specified in section 16 (b) of this regulation.

"Nominal weight" means the ream weight ordered by the merchant for a quantity of paper in sheets.

"Person" means an individual, corporation, partnership, association, and any other organized group of persons, or the 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, and any agency of any of the foregoing.

"Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for commodities for sales to different purchasers or kinds of purchasers (for example, retailer, jobber, converter, consumer, government agency) or for purchasers located in different areas or for different quantities or under different conditions of sale.

"Records" mean books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading and other documents, letters and correspondence.

"Retailer" means any person, the major portion of whose sales are to ultimate consumers other than industrial, commercial or institutional users of government agencies.

"Standard weights, colors and finishes" mean the weights, colors and finishes supplied by the manufacturer without any charges for differentials.

"Zone 1" means that area designated by each manufacturer as zone 1 for the purpose of his sale of the particular fine paper or paperboard.

Sec. 19 Licensing. The provisions of Supplementary Order 19, licensing distributors of paper and paper products, are applicable to every merchant and agent distributor selling fine papers and paperboards for which maximum prices are established by this regulation.

Sec. 20 Transfers of business or stock in trade. If the business, assets or stock in trade of any business are sold or otherwise transferred after July 5, 1943, and the transferee carries on the business, or continues to deal in the same type of commodities or services in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee with respect to those sales and services for which prices are based on the seller's charging practice in March, 1942 shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records in accordance with section 16 shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Maximum Price Regulation No. 400.

Sec. 21 Application for determination of maximum price. A merchant who did not deal in fine papers or paperboards in March, 1942, and who is unable to determine a maximum price for any sales or services covered by this regulation because he had no charging practice with respect thereto in that month, shall apply to the Office of Price Administration in Washington, D. C., for the determination of the maximum price which he may charge for such sales and services. Any charge made prior to his receipt of such ruling shall be subject to adjustment in accordance with the determination made.

Sec. 22 Evasion. (a) The price limitations set forth in this Maximum Price Regulation No. 400 shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to fine papers and paperboards, alone or in conjunction with any other commodity or service 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.

(b) Specifically, but not exclusively, the following practices are prohibited if used as a means of evading the price limitations imposed by this Maximum Price Regulation No. 400: Modifying, discontinuing, or altering any customary trade practice of the seller, increasing the terms imposed for any extension of credit, or splitting orders.

SEC. 23 *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 400 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 24 *Petition for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 400 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

SEC. 25 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 400 supersede the provisions of the General Maximum Price Regulation in respect to sales and deliveries of fine papers and paperboards for which maximum prices are established by this Maximum Price Regulation No. 400.

SEC. 26 *Geographical applicability.* The provisions of this Maximum Price

Regulation No. 400 shall be applicable to all of the continental United States and the District of Columbia, except, however, the following States:

- Washington Idaho
- Oregon Arizona
- California Utah
- Nevada

The regulation shall not be applicable to the territories and possessions of the United States.

Index to Classifications of Fine Papers and Paperboards Listed in Appendices A Through G

Blanks, coated	B-1
Blanks, plain	B-2
Blottings	G
Board items	F-1, F-2
Boards, coated	B-1
Boards, plain	B-2
Bogus bristles	B-5
Bond papers, (less than 75% rag content)	C-2
Bond papers, (75% rag content and greater)	D-1
Book papers, (groundwood)	A-2
Book papers, (offset)	A-2
Book papers, (plain and coated)	A-2
Boxboard, (clay coated)	B-8
Bristols	B-7
Cover papers, (plain and fancy)	A-3
Cover papers, (specialty)	A-4
Glazed papers	B-4
Groundwood papers, (poster-drawing-bulking)	B-9
Groundwood writing papers	C-1
Gummed papers	B-3
Ledger, (less than 75% rag content)	C-2

Ledger, (75% rag content and greater)	D-1
Manila	A-1
Opaque circular	C-4
Papeteries	B-6
Plated papers	B-4
Safety papers, (less than 75% rag content)	C-3
Safety papers, (75% and greater rag content)	D-2
Tag board	A-1
Text papers	A-5
Thin papers, (less than 75% rag content)	E-2
Thin papers, (75% and greater rag content)	E-1
Wedding papers	B-6

Appendix A—Percentage Mark-up Table for Group A

GROUP A
PERCENTAGE MARK-UP TABLE

Quantity bracket No.	Quantity	Percentage mark-up			
1	1 bundle, 1 carton, 1 ream, 1 package, 4 bundles	to less than 4 cartons, 1 case, 500 lbs., 16 bundles, 16 cartons, 4 cases, 2,000 lbs.	60		
	2			to less than 4 cartons, 4 cases, 2,000 lbs.	30
	3					to less than 5,000 lbs., 16 bundles, 16 cartons, 4 cases, 2,000 lbs.	25
4	5,000 lbs. to less than 10,000 lbs., 10,000 lbs. to less than 36,000 lbs., 36,000 lbs. and over	17			
5			12½		
6	17				

¹ See exceptions.

⁴ 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047.

Paper classifications	Types of paper covered	Manufacturer's base price unit and quantity of sale	Color differential ¹	Finish differential ¹	Sale of small quantities	Exceptions to quantity brackets
A1: Tag board and manila.	Bleached and Unbleached Sulphite Tag, Bleached and Unbleached Sulphate Tag, Groundwood Content Tag, Jute Tag, Manila Tag, Rope Tag, Document Manila, Envelope Kraft, and Envelope Manila.	Base Price per lb. for a sale of 500 lbs.	General Rule—Section 4 (b) applies. The merchant may add to the manufacturer's base price before the application of the merchants' percentage mark-up, any charges actually paid to the manufacturer for colors and special finishes.		For quantities less than those in Quantity Bracket No. 1, a 50% mark-up may be added to the maximum price computed for sales in Quantity Bracket No. 1.	None.
A2: Plain and coated book papers.	Coated Book Process, Machine Coated Book, Uncoated Book, such as Machine Finish, English Finish, Bible, Antique, Eggshell, and Supercalendered Book Paper.	Base Price per lb. for a sale of 4 cases.	Differential paid to the manufacturer plus 25%, rounded out to the nearest 5¢, added after the mark-up.	General Rule—Section 4 (b) applies except for— 1. Supercalendered 2. Antique 3. Eggshell For these, add actual amount paid manufacturer, after mark-up.	As above	Quantity Bracket No. 6—36,000 lbs. and over, percentage mark-up is 6¼%.
Offset book.	Plain Offset Papers, Fancy Finish Offset Papers including all Roll Embossed and Plater Finishes.	Base Price per lb. for a sale of 4 cases.	Differential paid to the manufacturer plus 25%, rounded out to the nearest 5¢, added after the mark-up.	General Rule—Section 4 (b) applies for finish differentials.	As above	Quantity Bracket No. 6—36,000 lbs. and over, percentage mark-up is 6¼%.
Groundwood book.	Groundwood Printing, Catalog and Directory Papers.	Base Price per lb. for a sale of 4 cases or 2,000 lbs.	Differential paid to the manufacturer plus 25%, rounded out to the nearest 5¢, added after the mark-up.	General Rule—Section 4 (b) applies except for Supercalendered. For this, add the actual amount paid the manufacturer, after the mark-up.	As above	Quantity Bracket No. 6—36,000 lbs. and over, percentage mark-up is 6¼%.
A3: Plain and fancy cover papers.	Cover Paper in Plain, Coated and Fancy Finishes. Single and Double Thick, Plain Edges and Deckled Edges.	Base Price per lb. for a sale of 4 cartons.	General Rule—Section 4	General Rule—Section 4 (b) applies. See A1.	As above	None.
A4: Specialty cover papers.	Cover Papers with unusual finish or color effect produced either on the paper machine or by coating or printing.	Base Price per lb. for a sale of 500 lbs. or 4 cartons.	General Rule—Section 4 (b) applies. See A1.	None. Charges for special finishes already in manufacturer's base price.	As above	None.
A5: Text papers	Antique or Fancy Finished Papers, Plain or Deckled Edge, Laid or Wove, with or without a range of colors, watermarked or unwatermarked.	Base Price per lb. for a sale of 500 lbs. or 4 cartons.	Differential paid to the manufacturer plus 25%, rounded out to the nearest 5¢, added after the mark-up.	General Rule—Section 4 (b) applies for finish differentials.	As above	None.

¹ For all other differentials and discounts, see section 4.

Appendix B—Percentage Mark-up Table
for Group B
GROUP B
PERCENTAGE MARK-UP TABLE

Quantity bracket No.	Quantity	Percentage mark-up
1	1 package to less than 1 carton	60
2	{ 1 bundle } { 1 carton } to less than	50
	{ 4 bundles } { 4 cartons } { 1 ream } { 500 lbs }	
3	{ 4 cartons } { 4 bundles } to less than	35
	{ 1 case } { 500 lbs } { 16 cartons } { 16 bundles } { 4 cases } { 2,000 lbs }	
4	{ 4 cases } { 2,000 lbs } to less than	25
	{ 5,000 lbs } { 10 cases } { 10,000 lbs }	
5	{ 10,000 lbs } { 25 cases } to less than	17
	{ 38,000 lbs } { 65 cases }	
6	38,000 lbs. and over	12½
7	65 cases and over	17

¹ See exceptions.

Paper classifications	Types of paper covered	Manufacturer's base price unit and quantity of sale	Color differential ¹	Finish differential ¹	Sale of small quantities	Exceptions to quantity brackets												
B1: Coated Blanks and Boards.	Coated Blanks, Transluents, Coated Post Card, Campaign Bristol, Election Bristol, Coated Thick China, Coated Tough Check, Coated Car Sign, Coated Show Card, Coated Railroad Board, and Coated Bristol.	Base Price per 1 M sheets for a sale of 4 cartons or 1 case.	General Rule—Section 4 (b) applies. The merchant may add to the manufacturer's base price before the application of the merchants' percentage mark-up any charges actually paid to the manufacturer for colors and special finishes.	General Rule—Section 4 (b) applies. Same as B1.	For quantities less than those in Quantity Bracket No. 1, a 50% mark-up may be added to the maximum price computed for sales in Quantity Bracket No. 1.	Quantity Bracket No. 5 is 10 cases to less than 20 cases at a 17% mark-up. Quantity Bracket No. 6 is 20 cases to less than 65 cases at a 12½% mark-up.												
B2: Plain Blanks and Boards.	Uncoated Thick China, Plain Blanks, Uncoated Tough Check, Uncoated Railroad Board.	Base Price per 1 M sheets for a sale of 4 cartons or 1 case.	General Rule—Section 4 (b) applies. Same as B1.	General Rule—Section 4 (b) applies. Same as B1.	Same as B1.	None.												
B3: Gummed Papers.	All grades	Base Price per ream or per 1 M sheets, as the manufacturer's practice may be, for a sale of 4 cartons.	General Rule—Section 4 (b) applies. Same as B1.	General Rule—Section 4 (b) applies. Same as B1.	For a sale of from one quire to less than a package, a 50% mark-up may be added to the maximum price computed for sales in Quantity Bracket No. 1. For a sale of less than one quire, a mark-up of 100% may be added to the maximum price computed for a sale of one quire.	Quantity Bracket No. 7—36,000 lbs. and over, percentage mark-up is 8%.												
B4: Glazed and Plated Papers.	All grades	Base Price per lb. or per ream, as the manufacturer's practice may be, for a sale of 4 cartons.	General Rule—Section 4 (b) applies. Same as B1.	General Rule—Section 4 (b) applies. Same as B1.	For quantities less than those in Quantity Bracket No. 1, a 50% mark-up may be added to the maximum price computed for sales in Quantity Bracket No. 1.	Quantity Bracket No. 7—36,000 lbs. and over, percentage mark-up is 9%.												
B5: Bogus Bristols.	All Bogus Bristols	Base Price per lb. for a sale of 1 bundle.	General Rule—Section 4 (b) applies. Same as B1.	General Rule—Section 4 (b) applies. Same as B1.	For sales of 1 package to less than 1 bundle, 3¢ per pound may be added to the per pound bundle price. For sales of less than 1 package, 6¢ per pound may be added to the per pound package price.	Table B applies only on sales from Quantity Bracket No. 2 to Quantity Bracket No. 7 inclusive.												
B 6: Weddings and Paperies.	Chemical Wood Pulp and Rag Content, Vellum Paper, Wedding Papers, Wedding Bristols and Paperies in both single thickness and pasted sheets.	Base Price per lb. for a sale of 4 cartons.	General Rule—Section 4 (b) applies. Same as B 1.	General Rule—Section 4 (b) applies. Same as B 1.	For quantities less than those specified in Quantity Bracket No. 2, the following differentials may be applied:	Table B applies only on sales from Quantity Bracket No. 2 to Quantity Bracket No. 7 inclusive.												
					<table border="1"> <thead> <tr> <th>Base cost</th> <th>Less than package</th> <th>1 package to less than 1 carton</th> </tr> </thead> <tbody> <tr> <td>Less than 12¢ per lb.</td> <td>Add 5¢ per lb. to the per lb. package price.</td> <td>Add 5¢ per lb. to the per lb. carton price.</td> </tr> <tr> <td>12¢ to 24¢ per lb.</td> <td>Add 5¢ per lb. to the per lb. package price.</td> <td>Add 6¢ per lb. to the per lb. carton price.</td> </tr> <tr> <td>24¢ per lb. and over.</td> <td>Add 5¢ per lb. to the per lb. package price.</td> <td>Add 7¢ per lb. to the per lb. carton price.</td> </tr> </tbody> </table>	Base cost	Less than package	1 package to less than 1 carton	Less than 12¢ per lb.	Add 5¢ per lb. to the per lb. package price.	Add 5¢ per lb. to the per lb. carton price.	12¢ to 24¢ per lb.	Add 5¢ per lb. to the per lb. package price.	Add 6¢ per lb. to the per lb. carton price.	24¢ per lb. and over.	Add 5¢ per lb. to the per lb. package price.	Add 7¢ per lb. to the per lb. carton price.	
Base cost	Less than package	1 package to less than 1 carton																
Less than 12¢ per lb.	Add 5¢ per lb. to the per lb. package price.	Add 5¢ per lb. to the per lb. carton price.																
12¢ to 24¢ per lb.	Add 5¢ per lb. to the per lb. package price.	Add 6¢ per lb. to the per lb. carton price.																
24¢ per lb. and over.	Add 5¢ per lb. to the per lb. package price.	Add 7¢ per lb. to the per lb. carton price.																
B 7: Bristols	Uncoated Bristol, Uncoated Post Card, Chemical Wood Pulp, Index Bristol, Rag Content and Index Bristol.	Base Price per lb. or per 1 M sheets, as the manufacturer's practice may be, for a sale of 4 cartons.	General Rule—Section 4 (b) applies. Same as B 1.	General Rule—Section 4 (b) applies. Same as B 1.	Same as B 6.	Table B applies only on sales from Quantity Bracket No. 2 to Quantity Bracket No. 7 inclusive.												
B 8: Clay Coated Boxboard.	All grades	Base Price per 1 M sheets for a sale of 5 cartons.	General Rule—Section 4 (b) applies. Same as B 1.	General Rule—Section 4 (b) applies. Same as B 1.	For quantities less than those in Quantity Bracket No. 1, a 50% mark-up may be added to the maximum price computed for sales in Quantity Bracket No. 1.	None.												
B 9: Groundwood papers.	Groundwood Poster, Groundwood Drawing, Groundwood Bulking Book.	Base Price per cwt. in bundles for a sale of 2 M lbs.	General Rule—Section 4 (b) applies. Same as B 1.	General Rule—Section 4 (b) applies. Same as B 1.	Same as B 1.	Quantity Bracket No. 3—500 lbs. to less than 2,000 lbs., percentage mark-up is 30%. Quantity Bracket No. 7—36,000 lbs. and over, percentage mark-up is 6½%.												

¹ For all other differentials and discounts, see section 4.

Appendix C—Percentage Mark-up Table for Group C

GROUP C

PERCENTAGE MARK-UP TABLES

Quantity bracket No.	Quantity	Percentage mark-up
1	{ 1 carton } to less than... { 4 cartons... } 42 1/2%	
	{ 1 bundle } to less than... { 4 bundles... }	
2	{ 4 cartons } to less than... { 16 cartons... } 30%	
	{ 4 bundles } to less than... { 16 bundles... }	
	{ 1 case } to less than... { 4 cases... }	
3	{ 16 cartons } to less than 5,000 lbs. 25%	
	{ 16 bundles } to less than 5,000 lbs. 25%	
	{ 4 cases } to less than 5,000 lbs. 25%	
4	{ 2,000 lbs. } to less than 10,000 lbs. 17%	
5	5,000 lbs. to less than 36,000 lbs. 12 1/2%	
6	10,000 lbs. to less than 36,000 lbs. 12 1/2%	
	36,000 lbs. and over. 7%	

Paper classifications	Types of paper covered	Manufacturer's base price unit and quantity of sale	Differentials ¹	Sale of small quantities	Exceptions to quantity brackets																				
C1: Groundwood writing papers.	Railroad Manila, Railroad Writing, Railroad Second Sheets and Groundwood Mimeograph.	Base price per cwt. in bundles for a sale of 2 M lbs.	<p><i>Colors and Special Finishes:</i> General Rule—Section 4 (b) applies. The merchant may add to the manufacturer's base price before the application of the merchants' percentage mark-up, any charges actually paid to the manufacturer for colors and special finishes.</p>	<p>For quantities less than those specified in Quantity Bracket No. 1, the following differentials may be applied:</p> <table border="1"> <thead> <tr> <th></th> <th>Less than package</th> <th>1 package to less than 1 carton</th> </tr> </thead> <tbody> <tr> <td>Less than 12¢ per lb.</td> <td>Add 5¢ per lb. to the per lb. package price.</td> <td>Add 5¢ per lb. to the per lb. carton price.</td> </tr> <tr> <td>12¢ to 24¢ per lb.</td> <td>Add 5¢ per lb. to the per lb. package price.</td> <td>Add 6¢ per lb. to the per lb. carton price.</td> </tr> <tr> <td>24¢ per lb. and over.</td> <td>Add 5¢ per lb. to the per lb. package price.</td> <td>Add 7¢ per lb. to the per lb. carton price.</td> </tr> </tbody> </table>		Less than package	1 package to less than 1 carton	Less than 12¢ per lb.	Add 5¢ per lb. to the per lb. package price.	Add 5¢ per lb. to the per lb. carton price.	12¢ to 24¢ per lb.	Add 5¢ per lb. to the per lb. package price.	Add 6¢ per lb. to the per lb. carton price.	24¢ per lb. and over.	Add 5¢ per lb. to the per lb. package price.	Add 7¢ per lb. to the per lb. carton price.	None.								
	Less than package	1 package to less than 1 carton																							
Less than 12¢ per lb.	Add 5¢ per lb. to the per lb. package price.	Add 5¢ per lb. to the per lb. carton price.																							
12¢ to 24¢ per lb.	Add 5¢ per lb. to the per lb. package price.	Add 6¢ per lb. to the per lb. carton price.																							
24¢ per lb. and over.	Add 5¢ per lb. to the per lb. package price.	Add 7¢ per lb. to the per lb. carton price.																							
C2: Chemical Wood Pulp Writing Papers and Rag Content Writing Papers of less than 75% Rag Content.	Chemical Wood Pulp and less than 75% Rag Content Bonds and Ledgers, Linens, Writing, Mimeograph and Dupli-cator Papers.	Base price per cwt. for a sale of either 1 carton or 4 cartons or 1 case, as the manufacturer's practice may be.	<p>The following differentials may be added to the price of White Wave, after the merchants' percentage mark-ups have been computed:</p> <table border="1"> <thead> <tr> <th></th> <th>Less than package to 4,999 lbs.</th> <th>5 M lbs. to 35,999 lbs.</th> <th>36 M lbs. and over</th> </tr> </thead> <tbody> <tr> <td>For Regular Colors and Deep Colors, Wave or Laid.....</td> <td>Cwt. \$1.00</td> <td>Cwt. \$1.00</td> <td>Cwt. \$1.00</td> </tr> <tr> <td>White Ripple, Linen and other Special Finishes...</td> <td>4.00</td> <td>3.75</td> <td>3.00</td> </tr> <tr> <td>Regular and Deep Colors of Ripple, Linen and other Special Finishes...</td> <td>5.00</td> <td>4.75</td> <td>4.00</td> </tr> <tr> <td>Watermark Localization.....</td> <td>1.00</td> <td>1.00</td> <td>1.00</td> </tr> </tbody> </table> <p><i>Lightweight Differential:</i> If any of these grades are sold in a basis weight lighter than 17 x 22—16 lbs. (500 sheets), the merchant may charge therefor at the basis weight of 17 x 22—16 lbs. (500 sheets).</p>		Less than package to 4,999 lbs.	5 M lbs. to 35,999 lbs.	36 M lbs. and over	For Regular Colors and Deep Colors, Wave or Laid.....	Cwt. \$1.00	Cwt. \$1.00	Cwt. \$1.00	White Ripple, Linen and other Special Finishes...	4.00	3.75	3.00	Regular and Deep Colors of Ripple, Linen and other Special Finishes...	5.00	4.75	4.00	Watermark Localization.....	1.00	1.00	1.00	Same as C1.....	None.
	Less than package to 4,999 lbs.	5 M lbs. to 35,999 lbs.	36 M lbs. and over																						
For Regular Colors and Deep Colors, Wave or Laid.....	Cwt. \$1.00	Cwt. \$1.00	Cwt. \$1.00																						
White Ripple, Linen and other Special Finishes...	4.00	3.75	3.00																						
Regular and Deep Colors of Ripple, Linen and other Special Finishes...	5.00	4.75	4.00																						
Watermark Localization.....	1.00	1.00	1.00																						
C3: Safety papers.....	Chemical Wood Pulp and less than 75% Rag Content Safety Papers.	Base Price per lb. for a sale of 4 cartons.	<p><i>Colors and Special Finishes:</i> General Rule—Section 4 (b) applies. Same as C1.</p>	Same as C1.....	None.																				
C4: Opaque circular....	Chemical Wood Pulp and Rag Content Opaque Circular in both Writing and Book Paper sizes.	Base Price per lb. for a sale of 4 cases or 16 cartons	<p><i>Colors:</i> General Rule—Section 4 (b) applies. Same as C1 for color differentials. The merchant may add after the application of the merchants' percentage mark-up any charges paid to the manufacturer for special finishes.</p>	Same as C1.....	None.																				

¹ For all other differentials and discounts, see section 4.

Appendix D—Percentage Mark-up Table for Group D

GROUP D

PERCENTAGE MARK-UP TABLE

Quantity bracket No.	Quantity	Percentage mark-up
1	1 Carton to less than 4 Cartons.....	35
2	4 Cartons to less than 16 Cartons.....	25
3	16 Cartons to less than 5,000 lbs.....	20
4	5,000 lbs. to less than 10,000 lbs.....	15
5	10,000 lbs. to less than 36,000 lbs.....	11
6	36,000 lbs. and over.....	7

Paper classifications	Types of paper covered	Manufacturer's base price unit and quantity of sale	Differentials ¹	Sale of small quantities	Exceptions to quantity brackets																																
I 1: 75% and over Rag Content Writing Papers.	Papers having 75% and greater Rag Content. Bonds and Ledgers, Writing Linens, Mimeographs, and Duplicator Papers.	Base price per lb. for White Wove for a sale of 4 cartons.	<p>The following differentials may be added to the price of White Wove, after the merchants' percentage mark-ups have been computed:</p> <table border="1"> <thead> <tr> <th></th> <th>Less than package to 4,999 lbs.</th> <th>5 M lbs. to 35,999 lbs.</th> <th>36 M lbs. and over</th> </tr> </thead> <tbody> <tr> <td>For Regular Colors and Deep Colors, Wove or Laid.....</td> <td>Cwt. \$1.00</td> <td>Cwt. \$1.00</td> <td>Cwt. \$1.00</td> </tr> <tr> <td>White Ripple, Linen and other Special Finishes.....</td> <td>4.00</td> <td>3.75</td> <td>3.00</td> </tr> <tr> <td>Regular and Deep Colors of Ripple, Linen and other Special Finishes.....</td> <td>5.00</td> <td>4.75</td> <td>4.00</td> </tr> <tr> <td>Watermark localization.....</td> <td>1.00</td> <td>1.00</td> <td>1.00</td> </tr> </tbody> </table> <p>On "Extra 100% Rag Bond" in a mill proprietary brand, no differential may be added for localizing watermark.</p> <p>Lightweight Differential. If any of these grades are sold in a basis weight lighter than 17 X 22—16 lbs. (500 sheets), the merchant may charge therefor at the basis weight of 17 x 22—16 lbs. (500 sheets).</p>		Less than package to 4,999 lbs.	5 M lbs. to 35,999 lbs.	36 M lbs. and over	For Regular Colors and Deep Colors, Wove or Laid.....	Cwt. \$1.00	Cwt. \$1.00	Cwt. \$1.00	White Ripple, Linen and other Special Finishes.....	4.00	3.75	3.00	Regular and Deep Colors of Ripple, Linen and other Special Finishes.....	5.00	4.75	4.00	Watermark localization.....	1.00	1.00	1.00	<p>For quantities less than those specified in Quantity Bracket No. 1, the following differentials may be applied:</p> <table border="1"> <thead> <tr> <th></th> <th>Less than package</th> <th>1 package to less than 1 carton</th> </tr> </thead> <tbody> <tr> <td>Less than 12¢ per lb.</td> <td>Add 5¢ per lb. to the per lb. package price.</td> <td>Add 5¢ per lb. to the per lb. carton price.</td> </tr> <tr> <td>12¢ to 24¢ per lb.</td> <td>Add 5¢ per lb. to the per lb. package price.</td> <td>Add 6¢ per lb. to the per lb. carton price.</td> </tr> <tr> <td>24¢ per lb. and over.</td> <td>Add 5¢ per lb. to the per lb. package price.</td> <td>Add 7¢ per lb. to the per lb. carton price.</td> </tr> </tbody> </table>		Less than package	1 package to less than 1 carton	Less than 12¢ per lb.	Add 5¢ per lb. to the per lb. package price.	Add 5¢ per lb. to the per lb. carton price.	12¢ to 24¢ per lb.	Add 5¢ per lb. to the per lb. package price.	Add 6¢ per lb. to the per lb. carton price.	24¢ per lb. and over.	Add 5¢ per lb. to the per lb. package price.	Add 7¢ per lb. to the per lb. carton price.	None.
	Less than package to 4,999 lbs.	5 M lbs. to 35,999 lbs.	36 M lbs. and over																																		
For Regular Colors and Deep Colors, Wove or Laid.....	Cwt. \$1.00	Cwt. \$1.00	Cwt. \$1.00																																		
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24¢ per lb. and over.	Add 5¢ per lb. to the per lb. package price.	Add 7¢ per lb. to the per lb. carton price.																																			
D2: Safety Papers.	Grades having 75% and greater Rag Content.	Base price per lb. for a sale of 4 cartons.	<p>Colors and Special Finishes. General Rule—Section 4 (b) applies. The merchant may add to the manufacturer's base price before the application of the merchants' percentage mark-up, any charges actually paid to the manufacturer for colors, designs and special finishes.</p>	Same as D1.....	None.																																

¹ For all differentials and discounts, see section 4.

Appendix E-1—Percentage Mark-up
Table for Group E-1

GROUP E-1
PERCENTAGE MARK-UP TABLE

Quantity bracket No.	Quantity	Percentage mark-up
1	1 Carton to less than 4 Cartons.....	40
2	4 Cartons to less than 16 Cartons.....	30
3	16 Cartons to less than 5,000 lbs.....	25
4	5,000 lbs. to less than 10,000 lbs.....	17
5	10,000 lbs. to less than 36,000 lbs.....	12½
6	36,000 lbs. and over.....	9

Paper classifications	Types of paper covered	Manufacturer's base price, unit and quantity of sale	Color differential ¹	Finish differential ¹	Sale of small quantities	Exceptions to quantity brackets	
E-1: Thin papers.	Onionskin, Manifold Papers, French Writings having 75% and greater Rag Content.	Base Price per ream or per cwt. for a sale of either 1 carton or 4 cartons or 1 case, as the manufacturer's practice may be.	After the application of the merchants' percentage mark-up, the merchant may add to the price per ream the following allowances for color:			General Rule—Section 4 (b) applies for finish differentials.	For quantities less than those specified in Quantity Bracket No. 1, the merchant may add to the maximum price computed for sales in Quantity Bracket No. 1, the dollars and cents differential which he added in March 1942 on sales of these types of paper to purchasers of the same class.
			Size	1 package and over	Less than 1 package		
			16 x 21.....	\$0.15	\$0.25	None.	
			16 x 26.....	.15	.25		
			17 x 22.....	.15	.25		
			17 x 26.....	.20	.25		
			17 x 28.....	.20	.25		
			19 x 24.....	.20	.25		
			21 x 32.....	.30	.50		
			22 x 34.....	.30	.50		
			28 x 34.....	.40	.50		
			24 x 38.....	.40	.50		

¹ For all other differentials and discounts, see section 4.

Appendix E-2—Percentage Mark-up
Table for Group E-2

GROUP E-2
PERCENTAGE MARK-UP TABLE

Quantity bracket No.	Quantity	Percentage mark-up
1	1 Carton to less than 4 Cartons.....	45
2	4 Cartons to less than 16 Cartons.....	35
3	16 Cartons to less than 5,000 lbs.....	30
4	5,000 lbs. to less than 10,000 lbs.....	17
5	10,000 lbs. to less than 36,000 lbs.....	12½
6	36,000 lbs. and over (Rag Content Papers—Less than 75% Rag Content).	9
6a	36,000 lbs. and over (Chemical Wood Pulp Grades).	6

Paper classifications	Types of paper covered	Manufacturer's base price unit and quantity of sale	Color differential ¹	Finish differential ¹	Sale of small quantities	Exceptions to quantity brackets
E 2: Thin papers...	Chemical Wood Pulp of less than 75% Rag Content. Onionskin, Manifold Papers, French Writings, Machine Glazed, French Folio.	Base Price per ream or per cwt. for a sale of either 1 carton or 4 cartons or 1 case, as the manufacturer's practice may be.	Same as E1 for color differentials.	General Rule—Section 4 (b) applies for finish differentials.	Same as E1.....	None.

¹ For all other differentials and discounts, see section 4.

Appendix F-1—Percentage Mark-up
Table for Group F-1

GROUP F-1
PERCENTAGE MARK-UP TABLE

Quantity bracket No.	Quantity	Addition to Base Price	Percentage mark-up
1	Less than 1 Bundle	Plus \$5.00 per ton	140
2	1 Bundle to less than 10 Bundles	Plus \$5.00 per ton	60
3	10 Bundles to less than 40 Bundles	Plus \$5.00 per ton	30
4	40 Bundles to less than 6,000 lbs.	Plus \$5.00 per ton	25
5	6,000 lbs. to less than 10 M lbs.	Plus \$2.50 per ton	17
6	10 M lbs. to less than 20 M lbs.	Plus \$2.50 per ton	12½
7	20 M lbs. to less than 36 M lbs.	None	12½
8	36 M lbs. and over	None	7

Paper classifications	Types of paper covered	Manufacturer's base price, unit and quantity of sale	Color differential ¹	Finish differential ¹	Exceptions to quantity brackets
F1: Board Items.....	Plain Chip, News Vat Lined Chip, Filled News, Solid News, White Vat Lined Chips, Mounting Board, White Patent Coated News.	Base price per ton for sale of 10 tons or more.	General Rule—Section 4 (b) applies. The merchant may add to the manufacturer's base price before the application of the merchants' percentage mark-up, any charges actually paid to the manufacturer for colors and special finishes.		None.

¹ For all other differentials and discounts, see section 4.

Appendix F-2—Percentage Mark-up
Table for Group F-2

GROUP F-2
PERCENTAGE MARK-UP TABLE

Quantity bracket No.	Quantity	Base price quantity	Percentage mark-up
1	Less than 1 Bundle	Ton	140
2	1 Bundle to less than 10 Bundles or 1 Case	1	60
3	10 Bundles or 1 Case to less than 40 Bundles or 4 Cases	1	30
4	40 Bundles or 4 Cases to less than 6,000 lbs.	1	25
5	6,000 lbs. to less than 10 M lbs.	1	17
6	10 M lbs. to less than 20 M lbs.	5	12½
7	20 M lbs. to less than 36 M lbs.	10	12½
8	36 M lbs. and over	10	7

Paper classifications	Types of paper covered	Manufacturer's base price unit and quantity of sale	Color differentials ¹	Finish differentials ¹	Exceptions to quantity brackets
F2: Board Items.....	Binders Board, Marble Board, Cloth Board, Press Board, Stencil Board.	Base Price per ton for sale as listed in Quantity Brackets of Table F-2.	General Rule—Section 4 (b) applies. The merchant may add to the manufacturer's base price before the application of the merchants' percentage mark-up, any charges actually paid to the manufacturer for colors and special finishes.		None.

¹ For all other differentials and discounts, see section 4.

FEDERAL REGISTER, Tuesday, June 8, 1943

Appendix G—Percentage Mark-up Table for Group G

GROUP G
PERCENTAGE MARK-UP TABLE

Quantity bracket No.	Quantity	Percentage mark-up
1	1 Bundle to less than 10 Bundles.....	50
2	10 Bundles to less than 40 Bundles....	30
3	40 Bundles to less than 5,000 lbs.....	25
4	5,000 lbs. to less than 10,000 lbs.....	17
5	10,000 lbs. to less than 36,000 lbs.....	12½
6	36,000 lbs. and over.....	7

Paper classifications	Types of paper covered	Manufacturer's base price, unit and quantity of sale	Color differential †	Finish differential †	Sale of small quantities	Exceptions to quantity brackets												
G: Blotting papers:	Enameled, Pasted Offset, Plain, Halftone and Embossed and Fancy Finish.	Base Price per lb. or per 1 M sheets for a sale of 1 Bundle or 1 Carton, as the manufacturer's practice may be.	General Rule—Section 4 (b) applies. The merchant may add to the manufacturer's base price before the application of the merchants' percentage mark-up, any charges actually paid to the manufacturer for colors and special finishes.		For quantities less than those specified in Quantity Bracket No. 1, the following differentials may be applied: ENAMELED AND PASTED-OFFSET GRADES, PLAIN AND HALFTONE GRADES <table border="1"> <tr> <th>Base cost</th> <th>Less than bundle</th> </tr> <tr> <td>Cost less than 12c per lb.</td> <td>Add 6c per lb. to the per lb. bundle price.</td> </tr> <tr> <td>12c to 24c per lb.....</td> <td>Add 7c per lb. to the per lb. bundle price.</td> </tr> <tr> <td>24c per lb. and over...</td> <td>Add 8c per lb. to the per lb. bundle price.</td> </tr> </table> EMBOSSSED AND ALL FANCY FINISHED GRADES <table border="1"> <tr> <th>Less than package</th> <th>Package to less than bundle</th> </tr> <tr> <td>All Grades: Add 6c per lb. to the per lb. package price.</td> <td>Add 3c per lb. to the per lb. bundle price.</td> </tr> </table>	Base cost	Less than bundle	Cost less than 12c per lb.	Add 6c per lb. to the per lb. bundle price.	12c to 24c per lb.....	Add 7c per lb. to the per lb. bundle price.	24c per lb. and over...	Add 8c per lb. to the per lb. bundle price.	Less than package	Package to less than bundle	All Grades: Add 6c per lb. to the per lb. package price.	Add 3c per lb. to the per lb. bundle price.	None.
Base cost	Less than bundle																	
Cost less than 12c per lb.	Add 6c per lb. to the per lb. bundle price.																	
12c to 24c per lb.....	Add 7c per lb. to the per lb. bundle price.																	
24c per lb. and over...	Add 8c per lb. to the per lb. bundle price.																	
Less than package	Package to less than bundle																	
All Grades: Add 6c per lb. to the per lb. package price.	Add 3c per lb. to the per lb. bundle price.																	

† For all other differentials and discounts, see section 4.

This regulation shall become effective July 5, 1943.

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9094; Filed, June 4, 1943; 3:56 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280, Amdt. 21]

MAXIMUM PRICES FOR SPECIFIC FOOD 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. 280 is amended in the following respect:

1. Section 1351.801 (a) is amended by striking therefrom the following phrase:

* * * Butter sold by a farmer which he has produced on his farm from milk produced solely on his farm * * *

This amendment shall become effective June 10, 1943.

* 8 F.R. 5165, 6357.

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

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

Approved:

JESSE W. TAPP,
Acting War Food Administrator.

[F. R. Doc. 43-9095; Filed, June 4, 1943; 3:56 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289, Amdt. 13]

DAIRY PRODUCTS: BUTTER

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 1351.1520 (a) (4) (iii) is amended to read as follows:

(iii) The maximum price for 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 5,000 pounds or where delivery is not made to the physical premises of the individual retail store, non-federal gov-

* 7 F.R. 10996; 8 F.R. 490, 1458, 1835, 1972, 3252, 3327, 4335, 4513, 4337, 4338, 4918, 6440.

ernmental user, commercial user, institutional user, or industrial user, shall be determined in accordance with the provisions of sub-paragraph (3) 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 a manufacturer of butter made on the basis of f. o. b. the creamery or place of manufacture or to sales by a creamery or manufacturer of butter to any purchasers who alone, or in combination with other purchasers, buys in carload lots for single delivery.

2. Section 1351.1520 (m) (1), is amended by adding the following sentence:

"Butter" shall include butter manufactured by a farmer on his farm from milk produced on his farm.

This amendment shall become effective June 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

Approved:

JESSE W. TAPP,
Acting Administrator,
War Food Administration.

[F. R. Doc. 43-9097; Filed, June 4, 1943; 3:57 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 296,¹ Amdt. 3]

FLOUR FROM WHEAT, SEMOLINA AND FARINA
SOLD BY MILLERS AND BLENDERS

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 1351.1659 is amended to read as follows:

§ 1351.1659 *Exempt sales.* This maximum price regulation shall not apply to: (a) sales, deliveries or transfers of wallpaper paste; (b) sales, deliveries or transfers of flour from wheat, semolina or farina to the United States or any agency thereof: *Provided*, That the seller has purchased an equivalent amount of wheat from the United States or any agency thereof at prices computed at 100 per cent of parity by the United States Department of Agriculture.

This amendment shall become effective June 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 48-9109; Filed, June 4, 1943;
4:05 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 305,² Amdt. 6]

CORN MEAL, CORN FLOUR, CORN GRITS,
HOMINY GRITS, BREWERS GRITS AND OTHER
PRODUCTS MADE BY A DRY CORN MILLING
PROCESS

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 1351.1765 is amended to read as follows:

§ 1351.1765 *Exempt sales.* The provisions of this regulation shall not apply to sales, deliveries or transfers of wallpaper paste, nor to sales, deliveries or transfers of corn products in cartons which sales shall be and remain subject to the General Maximum Price Regulation.* Carton means packaged for sale to the ultimate consumer in a sealed paperboard box holding three pounds or less.

This amendment shall become effective June 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 48-9111; Filed, June 4, 1943;
4:05 p. m.]

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

¹ 8 F.R. 158, 612, 2598, 3703.
² 8 F.R. 1063, 2501, 3178, 3705, 5316, 6177, 6440.

³ 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4948, 6047, 6962.

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 401]

CERTAIN CORN PRODUCTS FOR ANIMAL
CONSUMPTION

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales by sellers of certain corn products for animal consumption by a maximum price regulation establishing dollars and cents markups for the respective commodities over the maximum price of #2 yellow corn.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.* In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order 9250 and Executive Order 9328. So far as practicable the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation.

§ 1351.358. *Maximum prices for certain corn products except those covered by Maximum Price Regulation 305.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Maximum Price Regulation No. 401, which is annexed hereto and made a part thereof is hereby issued.

MAXIMUM PRICE REGULATION 401—CERTAIN
CORN PRODUCTS FOR ANIMAL CONSUMPTION

ARTICLE I—PROHIBITIONS AND SCOPE OF
REGULATION

Sec.

- 1 Scope of regulation.
- 1a Prohibition against dealing in certain corn products (covered herein) at prices above the maximum.
- 2 Less than maximum prices.
- 3 Adjustable pricing.
- 4 Definitions.

ARTICLE II—MAXIMUM PRICES

- 5 Maximum prices f. o. b. seller's plant or warehouse for sales of ground corn, cracked corn, corn chops, corn bran, hominy feed, corn germ meal, ear corn chops and corn feed meal and cake.

ARTICLE III—MISCELLANEOUS

- 6 Petitions for amendment.
- 7 Records and reports.
- 8 Evasion.
- 9 Enforcement.
- 10 Geographical applicability.

AUTHORITY: § 1351.358 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

Article I—Prohibitions and Scope of
Regulation

SECTION 1 *Scope of regulation.* This regulation establishes maximum prices for the following corn products for animal consumption:

- (a) Ground corn.
- (b) Cracked corn.
- (c) Corn chops.

¹ 8 F.R. 1063, 2501, 3178, 3705, 5316, 6177, 6440.

- (d) Corn bran.
- (e) Ear corn chops.
- (f) Hominy feed.
- (g) Corn feed meal.
- (h) Corn germ meal.
- (i) Corn germ cake.

SEC. 1a *Prohibition against sales of certain corn products above maximum prices.* On and after June 10, 1943, regardless of any contract, agreement or other obligation no person shall sell or deliver certain corn products (covered herein) and no person in the course of trade or business shall buy or receive these corn products at a price higher than the maximum price permitted by this regulation, and no person shall agree, offer, solicit or attempt to do any of the foregoing. The maximum prices shall include duties, brokerages, commissions, handling charges and all other charges and shall not be increased by any charges for the extension of credit.

SEC. 2 *Less than maximum prices.* Lower prices than those provided for in this regulation may be charged, demanded, paid or offered.

SEC. 3 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 4 *Definitions.* "Corn bran" is the outer coating of the corn kernel, with little or none of the starch part or germ. "Corn chop, ground or cracked corn" is the entire product made by grinding, chopping or cutting the grains of sound (whole) Indian corn and may be fine, medium or coarse and must not contain more than 4% of foreign material.

"Corn feed meal" is the fine siftings obtained in the manufacture of screened corn chop, screened ground corn or screened cracked corn with or without its asperation products added.

"Hominy feed" is a mixture of corn bran, corn germ and a part of the starchy portion of either white or yellow corn kernels or a mixture thereof as produced in manufacture of pearl hominy, hominy grits or table meal and shall contain no less than 5% of crude fat.

"Corn germ cake" consists of corn germ with other parts of the corn kernel from which part of the oil has been pressed and is the product obtained in the process of dry milling of corn meal,

corn grits, hominy feed and other corn products.

"Corn germ meal" is ground corn germ cake.

"Ear corn chops" is corn and cob chopped, without the husk and with no greater a proportion of the cob being present than is present in the ear corn in its natural state.

Article II—Maximum Prices

SEC. 5 *Maximum prices f. o. b. seller's plant or warehouse for sales of ground corn, cracked corn, corn chops, corn bran, hominy feed, corn feed meal, ear corn chops and corn germ meal and cake.*

(a) For sales of ground or cracked corn, screened and mill run corn chops the maximum price per ton f. o. b. seller's plant or warehouse or delivered to the buyer's receiving point, as the case may be, shall be the sum of,

(1) The seller's maximum price per ton f. o. b. his plant or warehouse or delivered to buyer's receiving point, as the case may be, for a like quantity and like sale of #2 yellow corn, plus

(2) \$0.50 per ton.

(b) For sales of intermediate size cracked corn or corn chops, and cleaned and polished cracked corn or corn chops the maximum price per ton f. o. b. seller's plant or warehouse or delivered to buyer's receiving point, as the case may be, shall be the sum of,

(1) The seller's maximum price per ton f. o. b. his plant or warehouse or delivered to buyer's receiving point, as the case may be, for a like quantity and like sale of #2 yellow corn, plus

(2) \$1.00 per ton.

(c) For sales of chick size or fine cracked corn or fine corn chops the maximum price per ton f. o. b. seller's plant or warehouse or delivered to buyer's receiving point, as the case may be, shall be the sum of,

(1) The seller's maximum price per ton f. o. b. his plant or warehouse or delivered to buyer's receiving point, as the case may be, for a like quantity and like sale of #2 yellow corn, plus

(2) \$2.00 per ton.

The maximum prices established in the foregoing paragraphs (a), (b), and (c) of section 5 shall be reduced by \$1.80 per ton or 9 cents per hundred pounds, when the products covered by the above mentioned paragraphs are shipped into Area 1 and 2 (b) as delineated in Revised Maximum Price Regulation 346.

(d) For sales of corn feed meal, hominy feed, corn bran, corn germ cake and meal, the maximum price per ton f. o. b. seller's plant or warehouse or delivered to buyer's receiving point, as the case may be, shall be,

(1) The maximum price per ton f. o. b. seller's plant or warehouse or delivered

to buyer's receiving point, as the case may be, shall be the same as the maximum price for sales of like quantity and like sales of #2 yellow corn.

(e) For sales of ear corn chops the maximum price per ton f. o. b. seller's plant or warehouse or delivered to buyer's receiving point, as the cases may be, shall be the sum of,

(1) The seller's maximum price per ton f. o. b. his plant or warehouse or delivered to buyer's receiving point, as the case may be, for sales of a like quantity and like sale of ear corn, plus

(2) \$1.00 per ton.

Example: If a sale of bulk corn bran is made, the maximum price that may be charged is the maximum price that may be charged by the seller for the same amount of bulk #2 yellow corn to the same class of purchaser.

If a sale of sacked corn bran is made, the maximum price that may be charged is the maximum price that may be charged by the seller for the same amount of sacked #2 yellow corn to the same class of purchaser.

Article III—Miscellaneous

SEC. 6 *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1¹ issued by the Office of Price Administration.

SEC. 7 *Records and reports.* (a) On all sales covered by this regulation except sales at retail, the seller shall after June 9, 1943 keep for inspection by the Office of Price Administration, for long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of (1) each purchase or sale, showing the date thereof, (2) the name and address of the buyer and the seller, (3) the price paid or received, and (4) the quantity of each type and grade of corn products purchased or sold.

(b) Upon demand such persons shall submit such records to the Office of Price Administration and shall keep such other records in addition to or in place of the records required in the previous paragraph of this section as the Office of Price Administration may from time to time require.²

SEC. 8 *Evasion.* The price limitation set forth in this regulation shall not be evaded in any manner whatsoever in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to the corn products covered herein, alone or in conjunction with any other charge, discount,

¹ 7 F.R. 8961; 8 F.R. 3313, 3533, 6173.

² Subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

premium or other privilege or by tying agreement or other trade understanding, or by changing a business practice relating to price lines, rating, labeling, packaging, branding or otherwise.

SEC. 9 *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

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

SEC. 10 *Geographical applicability.* The provisions of this regulation shall be applicable to the several states of the United States and the District of Columbia.

This regulation shall become effective June 10, 1943.

NOTE: The record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 4th day of June 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

CHESTER DAVIS,
War Food Administrator.

[F. R. Doc. 43-9100; Filed, June 4, 1943;
4:00 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS [RPS 53, Amdt. 34]

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:

- Section 1351.151 (b) (6) (i) (a) is amended to read as follows:

(a) These crude cottonseed oil maximum prices shall be adjusted on a 9% settlement basis as provided in Rule 142 of the 1942-1943 rules of the National Cottonseed Products Association, Inc.

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

¹ 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.

2. Section 1351.151 (b) (6) (ii) is amended to read as follows:
 (ii) Refined cottonseed oil, delivered in tank cars, as follows:

[Cents per pound]

	Bleachable prime summer yellow	Refined bleached and undeodorized	Refined deodorized and unbleached	Cooking or deodorized white (bleached) summer oil	Salad or winterized oil	Hydrogenated or margarine oil	High titre hydrogenated oil
Albany, N. Y.	14.00	14.32					
Atlanta, Ga.	13.62	13.94	14.35	14.67	15.05	15.25	15.40
Baltimore, Md.	13.91	14.23	13.97	14.29	14.67	14.87	15.02
Boston, Mass.	13.99	14.31	14.26	14.58	14.96	15.16	15.33
Buffalo, N. Y.	14.03	14.35	14.34	14.66	15.04	15.24	15.39
Charlotte, N. C.	13.74	14.06	14.38	14.70	15.08	15.28	15.43
Chattanooga, Tenn.	13.70	14.11	14.09	14.41	14.79	14.99	15.14
Chicago, Ill.	13.88	14.20	14.14	14.46	14.84	15.04	15.19
Cincinnati, Ohio	13.88	14.20	14.23	14.55	14.93	15.13	15.28
Columbus, Ohio	13.93	14.25	14.23	14.55	14.93	15.13	15.28
Cudahy, Wis.	13.90	14.22	14.25	14.60	14.98	15.18	15.33
Dallas, Tex.	13.47	13.79	13.82	14.14	14.52	14.72	14.87
Denison, Tex.	13.51	13.83	13.86	14.18	14.56	14.76	14.91
Denver, Colo.	13.93	14.25	14.28	14.60	14.98	15.18	15.33
El Paso, Tex.	13.80	14.12	14.15	14.47	14.85	15.05	15.20
Fort Worth, Tex.	13.49	13.81	13.84	14.16	14.54	14.74	14.89
Houston, Tex.	13.53	13.85	13.88	14.20	14.58	14.78	14.93
Indianapolis, Ind.	13.85	14.17	14.20	14.52	14.90	15.10	15.25
Jacksonville, Fla.	13.72	14.04	14.07	14.39	14.77	14.97	15.12
Kansas City, Mo.	13.74	14.06	14.09	14.41	14.79	14.99	15.14
Los Angeles, Calif.	14.15	14.47	14.50	14.82	15.20	15.40	15.55
Los Angeles, Calif.	13.84	14.16	14.19	14.51	14.89	15.09	15.24
Louisville, Ky.	13.62	13.94	13.97	14.29	14.67	14.87	15.02
Macon, Ga.	13.71	14.03	13.99	14.31	14.69	14.89	15.04
Memphis, Tenn.	13.64	13.96	14.06	14.38	14.76	14.96	15.11
New Orleans, La.	13.71	14.03	14.06	14.38	14.76	14.96	15.11
New York, N. Y.	13.95	14.27	14.30	14.62	15.00	15.20	15.35
Oklahoma City, Okla.	13.62	13.94	13.97	14.29	14.67	14.87	15.02
Philadelphia, Pa.	13.93	14.25	14.28	14.60	14.98	15.18	15.33
St. Louis, Mo.	13.79	14.11	14.14	14.46	14.84	15.04	15.19
San Antonio, Tex.	13.53	13.85	13.88	14.20	14.58	14.78	14.93
San Francisco, Calif.	14.15	14.47	14.50	14.82	15.20	15.40	15.55
Savannah, Ga.	13.70	14.02	14.05	14.37	14.75	14.95	15.10
Seattle, Wash.	14.15	14.47	14.50	14.82	15.20	15.40	15.55
Sherman, Tex.	13.49	13.81	13.84	14.16	14.54	14.74	14.89
Terre Haute, Ind.	13.83	14.15	14.18	14.50	14.88	15.08	15.23

3. Section 1351.151 (b) (11) (ii) is amended to read as follows:

(ii) Refined soybean oil, in tank cars, basis f. o. b. Decatur, Illinois:

[Cents per pound]

	Refined unbleached and undeodorized	Refined bleached and undeodorized	Refined deodorized and unbleached	Deodorized and bleached soybean oil	Winterized soybean oil	Hydrogenated margarine soybean oil	High titre hydrogenated soybean oil
F. O. B., Decatur, Ill.	12.30	12.57	12.60	12.87	13.00	13.45	13.60

4. Section 1351.151 (b) (11) (v) is amended to read as follows:

(v) Crude peanut oil, in tank cars:

Cents per pound

F. O. B. southeastern mills..... 13.00

Cents per pound

F. O. B. Texas and Oklahoma mills.... 12.875

(a) These crude peanut oil maximum prices shall be adjusted on a 5% settlement basis as provided in Rule 142 of the 1942-1943 Rules of the National Cottonseed Products Association, Inc.

5. Section 1351.151 (b) (11) (vi) is amended to read as follows:

(vi) Refined peanut oil, delivered in tank cars, as follows:

[Cents per pound]

	Refined unbleached and undeodorized	Refined bleached and undeodorized	Refined deodorized and unbleached	Deodorized white (bleached) refined peanut oil	Hydrogenated margarine oil	High titre hydrogenated peanut oil
Albany, N. Y.						
Atlanta, Ga.	14.38	14.70	14.73	15.05	15.63	15.78
Baltimore, Md.	14.00	14.32	14.35	14.67	15.25	15.40
Boston, Mass.	14.29	14.61	14.64	14.96	15.54	15.69
Buffalo, N. Y.	14.37	14.69	14.72	15.04	15.62	15.77
Charlotte, N. C.	14.41	14.73	14.76	15.08	15.66	15.81
Chattanooga, Tenn.	14.12	14.44	14.47	14.79	15.37	15.52
Chicago, Ill.	14.17	14.49	14.52	14.84	15.42	15.57
Cincinnati, Ohio	14.26	14.58	14.61	14.93	15.51	15.66
Columbus, Ohio	14.26	14.58	14.61	14.93	15.51	15.66
Cudahy, Wis.	14.31	14.63	14.66	14.98	15.51	15.66
Dallas, Tex.	14.28	14.60	14.63	14.95	15.56	15.71
Denison, Tex.	13.85	14.17	14.20	14.52	15.03	15.68
Denver, Colo.	13.89	14.21	14.24	14.56	15.10	15.25
El Paso, Tex.	14.31	14.63	14.66	14.98	15.14	15.29
Fort Worth, Tex.	14.18	14.50	14.53	14.85	15.58	15.71
Houston, Tex.	13.87	14.19	14.22	14.54	15.43	15.58
Indianapolis, Ind.	13.91	14.23	14.26	14.58	15.12	15.27
Jacksonville, Fla.	14.23	14.55	14.58	14.90	15.16	15.31
Kansas City, Mo.	14.10	14.42	14.45	14.77	15.48	15.63
Los Angeles, Calif.	14.12	14.44	14.47	14.79	15.35	15.50
Louisville, Ky.	14.53	14.85	14.88	15.20	15.37	15.42
Macon, Ga.	14.22	14.54	14.57	14.89	15.78	15.93
Memphis, Tenn.	14.00	14.32	14.35	14.67	15.25	15.82
New Orleans, La.	14.02	14.34	14.37	14.69	15.27	15.40
New York, N. Y.	14.09	14.41	14.44	14.76	15.34	15.42
Oklahoma City, Okla.	14.33	14.65	14.68	15.00	15.58	15.49
Philadelphia, Pa.	14.00	14.32	14.35	14.67	15.25	15.73
St. Louis, Mo.	14.31	14.63	14.66	14.98	15.56	15.40
San Antonio, Tex.	14.17	14.49	14.52	14.84	15.42	15.71
San Francisco, Calif.	14.53	14.85	14.88	15.20	15.16	15.81
Savannah, Ga.	13.91	14.23	14.26	14.58	15.16	15.81
Seattle, Wash.	14.08	14.40	14.43	14.75	15.33	15.48
Sherman, Tex.	14.53	14.85	14.88	15.20	15.78	15.93
Terre Haute, Ind.	13.87	14.19	14.22	14.54	15.12	15.27
	14.21	14.53	14.56	14.88	15.46	15.61

This amendment shall become effective June 10, 1943.

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

Issued this 4th day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-9101; Filed, June 4, 1943;
4:01 p. m.]

PART 1381—SOFTWOOD LUMBER

[Rev. MPR 26]

DOUGLAS FIR AND OTHER WEST COAST LUMBER

Maximum Price Regulation 26 is redesignated Revised Maximum Price Regulation 26 and is revised and amended to read as set forth below:

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328. A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1381.51 *Maximum prices for Douglas fir and other West Coast lumber.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Revised Maximum Price Regulation No. 26 (Douglas Fir and Other West Coast Lumber), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1381.51 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

REVISED MAXIMUM PRICE REGULATION 26— DOUGLAS FIR AND OTHER WEST COAST LUMBER

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Article I—Scope of the Regulation

SECTION 1 *Prices higher than ceiling prohibited.* (a) On and after June 9, 1943, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive in the course of business, any Douglas fir or other West Coast lumber for direct-mill shipment at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may, of course, be charged and paid.

SEC. 2 *What products are covered.*

(a) This regulation covers all Douglas fir (*Pseudotsuga taxifolia*), West Coast hemlock (*Tsuga heterophylla* and *Tsuga mertensiana*) and all species of true fir (*Abies*) lumber produced in those parts of Oregon, Washington, and Canada lying west of the crest of the Cascade Mountains, and in California and Alaska. Any such lumber produced in these areas is covered, regardless of the kind of mill or plant in which it is produced.

The regulation applies whether the particular item is specifically priced in the price tables or not (except switch ties and cross ties, which are covered in Maximum Price Regulation 284¹—Western Primary Forest Products).

(b) If a mill is located in Oregon, Washington, or Canada near the crest of the Cascade Mountains, or in California, and has customarily graded and sold its lumber under the Western Pine Association Grading Rules, it may apply to the nearest office of the Office of Price Administration for special permission to use the maximum prices established in Maximum Price Regulation No. 94,² instead of prices established in Maximum Price Regulation No. 26. Such an application may be made by letter, and should be supported by evidence of the mill's actual practices in the past.

SEC. 3 *What transactions are covered.*

(a) *Direct-mill shipments.* This ceiling applies to all shipments originating at a mill, no matter who the seller is, and no matter whether he usually is known as a mill, wholesaler, retailer or anything else. It does not apply to sales out of distribution yard stock. (The prices for yard sales may be found either in Maximum Price Regulation No. 215 or in the General Maximum Price Regulation, depending on the nature of the sale and the purchaser.) A shipment is regarded as originating at a mill if the lumber reaches the purchaser without ever becoming an integral part of the stock of a distribution yard. A sale is considered a sale out of distribution yard stock only if the lumber was a part of regular yard stock at the time the sale was made. For example, if a retail yard takes an order for a defense housing

project, and then brings the lumber from a mill, puts it in his yard, and delivers it as needed, the sale is subject to this regulation.

(b) *How to tell a mill from a distribution yard.* The term "mill", as used here, covers what are known in the trade as sawmills, planing mills and concentration yards. Three types of establishment are described below: the first, (1), a typical sawmill or planing mill; the second, (2), a typical concentration yard; and the third, (3), a typical distribution yard. An establishment which resembles (1) or (2) more than it does (3) is considered a mill; and one which resembles (3) more than it does (1) or (2) is considered a distribution yard:

(1) "A typical sawmill or planing mill" is an establishment which is chiefly engaged in manufacturing lumber from logs or rough lumber by sawing or planing; which is located in or near a lumber producing area; which makes and sells chiefly Douglas fir and associated species of lumber;

(2) "A typical concentration yard" is an establishment which concentrates and prepares lumber for commercial shipment, which keeps in stock mostly Douglas fir and associated species of lumber, which has its lumber brought in chiefly in rough green form by truck from small local sawmills and sells chiefly for rail shipment, and which has been located at its particular site to be near the lumber producing area;

(3) "A typical distribution yard" is a wholesale or retail lumber yard which gets lumber from mills or other yards; unloads, sorts, stores, and resells or redistributes it; which regularly maintains a varied stock of lumber from different regions; which gets its lumber mostly by rail and sells mostly for truck shipment; which is equipped to make quick deliveries of many different items of lumber; and which has been located at its particular site in order to be near a lumber consuming area.

(c) *New yards.* In order to prevent violation of this regulation by unnecessary routing through yards, the Office of Price Administration will not recognize distribution yards set up after January 5, 1943, unless the new yard writes to the Office of Price Administration, Washington, D. C., and proves that it satisfies the requirements of the definition and that the purpose is not to get around this regulation by means of unnecessary yard business. Until approval is received, the new yard cannot consider itself a distribution yard for the purpose either of this regulation or of any other regulation issued by the Office of Price Administration.

(d) *No quantity limits.* There are no quantity limits on the transactions covered by this regulation. All direct-mill sales, large or small, are covered.

(e) "CPA yards," as defined in Maximum Price Regulation No. 215,³ are considered distribution yards, regardless of the above requirements.

SEC. 4 *What persons are covered.* Any person who makes the kind of sale or purchase described above, for himself or others, is subject to this regula-

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

¹ 7 F.R. 10477; 8 F.R. 6544.

² 7 F.R. 10848; 8 F.R. 859, 1138, 4118.

³ 8 F.R. 3789, 5565, 6446.

tion. The term "person" includes an individual, corporation, partnership, association or any other organized group, their legal successors and representatives, the United States or any government or any of their political subdivisions or any agency of any of the foregoing.

Article II—Maximum Prices and Terms of Sale

SEC. 5 Basic prices and cash discount—(a) Basic prices. The maximum prices f. o. b. mill are set forth in Article V—Price Tables.

(b) *Cash discount.* If cash is paid, the maximum price must be reduced by the seller's August 1941 cash discount. For example, if the August 1941 discount for cash was 2%, and the maximum price without discount according to this regulation is \$30.00, the maximum price when cash is paid is \$29.40. In any case, on specific written allocations issued by the Office of the Chief of Engineers, War Department, the terms 30 days net may be used regardless of former practices.

SEC. 6 Direct-mill retail sales. An addition of \$3.50 per thousand board feet may be made on a sale of less than 18,000 ft. BM (or less than carload if by rail), to any buyer who does not purchase for resale, where the shipment originates at a mill and the seller:

(a) Sees that the lumber is delivered to the job site at such time and in such manner as the buyer specifies;

(b) Gives the buyer the privilege of exchanging the lumber and returning unused material; and

(c) Agrees to make good any shortage promptly from stocks kept on hand for this purpose.

The size of the sale is determined by the total quantity involved in the transaction without regard to whether it is broken up into smaller orders or deliveries.

SEC. 7 Sales on delivered basis—(a) Rail charges. (1) Only two methods of selling are recognized by this regulation. Any other method is prohibited, as a device to evade the ceiling by manipulation of freight.

The two permitted methods are: on a delivered basis using the estimated weights in Article VII, or on an f. o. b. mill basis with actual freight (figured, of course, on actual weights) to be paid by the purchaser.

The two methods may not be combined in a single transaction; that is, a seller may not sell on a basis which gives him the benefit of favorable estimated weights but requires the use of actual weights on items where estimated weights would be unfavorable to him. Note that sales described as "ceiling delivered", or as f. o. b. mill with freight paid or included to a given destination, are to be treated as sales on a delivered basis. In such cases, the given estimated weights must be used. However, sales f. o. b. mill with seller to pay the freight to a stated destination and include it in his invoice to the buyer is a sale on an f. o. b. mill basis, and settlement on the basis of the actual weights must be made.

(2) The estimated green weights may be used only when green lumber is actually specified and shipped.

(3) The transportation charge, when estimated weights are used, must be evened out to the nearest quarter-dollar per 1000 feet board measure (nearest 5 cents per 1000 pieces of pickets).

(b) *Common or contract carrier (other than rail).* Where transportation is by common or contract carrier (other than rail) the only rule is that actual cost of transportation may be added to the f. o. b. mill ceiling.

(c) *Private truck.* When shipment is by truck owned or controlled by the seller, the following amounts may be added for transportation: For distances up to and including 10 miles, \$1.50 per M'; over 10 and up to and including 20 miles, \$2.00 per M'; and over 20 and up to and including 30 miles, \$2.50 per M'. Where the distance is greater than 30 miles, the seller may charge the amount of the railroad charge at the carload rate for the most similar haul or \$3.00 per M', whichever is greater. Distance, as used in this paragraph, means the distance from the mill to the point of destination as measured by the speedometer. No addition may be made for the return trip.

(d) *Trucking to rail shipping point.* When a truck haul precedes rail shipment, as when a mill located away from a railhead hauls lumber by truck to the railroad, no addition may be made for the truck haul. However, in the following three cases a mill may apply for special permission to make an addition:

(1) Where the mill was located away from rail connections because it specialized in water-borne lumber, and where shortage of shipping has forced it to operate by rail;

(2) Where the mill, prior to the shortage of tires and gasoline, shipped lumber to the particular final destination principally by all-truck haul, and now wishes to convert to truck-and-rail haul to save tires and gasoline, and is a substantial distance from a railhead.

(3) Where a mill's rail connection has been abandoned since September 5, 1941, and it has no comparable rail shipping point.

The application should be made by letter to the Lumber Branch of the Office of Price Administration, Washington, D. C., and may be acted upon by letter or telegram. The addition may not be made on quotations or sales until permission has been received.

(e) *Truck delivery after rail haul.* When truck delivery to yard or job site follows a rail haul, and is specified in the order, the actual cost of truck delivery may be added. This may include the actual cost of handling and reloading involved in transfer from rail cars to trucks.

(f) *All truck haul.* When an all-truck haul ends in delivery to the job site, no special addition may be made above the charges provided in paragraphs (b) and (c) of this section.

(g) *California mills.* Regardless of other provisions of this section, if shipment originates at a mill located in California, and is delivered to the purchaser within California, the addition for transportation may be computed by multiplying the estimated weights shown in Article VII by the applicable freight rate

from Portland, Oregon to the California destination.

SEC. 8 Mixed car or mixed truck shipments. (a) \$2.00 additional per MBM may be charged for mixed car or mixed truck shipments. No addition may be made for mixed cargo shipment without special authorization under section 12.

(b) A mixed car shipment consists of four or more items as defined in paragraph (c) below, of at least 1000 board feet each. A mixed truck shipment consists of four or more items of at least 250 board feet each.

(c) For the purpose of paragraph (b), the following classifications of lumber of any different species constitute separate items:

- (1) Boards, shiplap or strips.
- (2) Dimension.
- (3) Planks and small timbers, not exceeding 4" in thickness.
- (4) Large timbers, exceeding 4" in thickness.
- (5) Flooring.
- (6) Siding.
- (7) Ceiling or partition.
- (8) Finish.
- (9) Rough clears.
- (10) Stepping.
- (11) Mouldings.
- (12) Silo stock.
- (13) Gutter.
- (14) Cribbing.
- (15) Lath.
- (16) Casing and base.

SEC. 9 Sales for export. Maximum export prices for lumber graded in accordance with "N" Export Grading Rules adopted by the West Coast Lumbermen's Association and British Columbia Lumber and Shingle Manufacturers, Ltd., 1929, are set forth in Article VI of this regulation. Otherwise, the maximum prices for export sales are governed by Second Revised Maximum Export Price Regulation.⁴

SEC. 10 Lumber produced in Canada. The maximum prices for lumber produced in Canada west of the crest of the Cascade Mountains and sold in the United States shall be the maximum prices f.o.b. mill set forth in Article V plus additions for transportation permitted by section 7: *Provided, however,* That the amount of such addition may not be greater than if the shipment had originated at Seattle, Washington.

SEC. 11 Maximum prices for Alaska lumber. (a) The maximum prices f.o.b. mill for shipments originating in Alaska and delivered to points outside the continental United States shall be the maximum f.o.b. mill prices set forth in Article V plus an amount equal to freight under the Maritime Commission's published freight rate from Seattle, Washington, to the mill's shipping point, including surcharges, War Risk insurance, and wharfage and handling charges under the published Seattle Wharfage and Handling rate for comparable lumber.

(b) The maximum delivered prices for shipments originating in Alaska shall be the maximum price arrived at according to paragraph (a) plus transportation charges permitted by section 7.

SEC. 12 Grades, services, or extras not listed. (a) If a seller wishes to sell a

⁴ 8 F.R. 4132, 5987.

grade which is not specifically priced in the price tables, or wishes to make an addition for special workings, specifications, services, or other extras for which additions are not specifically permitted, he must apply to the Lumber Branch, Office of Price Administration, Washington, D. C., for a maximum price. He must provide the following information:

- (1) The requested price;
- (2) A complete description of the item to be priced;
- (3) The price differential between it and the most comparable item in the price tables, between October 1, 1941 and June 1, 1942, from the seller's own records, or if that is impossible, from the experience of the trade. If no established price differential existed, a detailed analysis of comparative value should be furnished.

(b) As soon as the request has been filed, quotations and deliveries may be made at the requested price, but the final payment may not be made until the price has been approved. Action on the request may be by letter or telegram.

(c) In all cases where special prices have been approved by the Lumber Branch of the Office of Price Administration under § 1381.62, paragraph (g) of the earlier regulation, Maximum Price Regulation 26, these special prices shall no longer apply if specific prices for the items are established by this regulation; but if no specific prices are established in the price tables, the price approved under the earlier regulation shall continue in effect.

Article III—Specific Duties and Prohibited Practices

SEC. 13 What the invoice must contain—(a) *F. o. b. mill price.* All invoices must contain a sufficiently complete description of the lumber to show whether the price is proper or not. Any working, specification, or extra which affects the maximum f. o. b. mill prices must be mentioned in the description. The amount added for these does not have to be separately shown.

(b) *Charges for transportation.* In all delivered sales, the invoice must show the:

- (1) Point of origin of shipment;
- (2) Destination;
- (3) Rail rate, if estimated weights are used; otherwise the actual amount added for transportation;
- (4) The words "Direct-mill shipment".

(c) *Delivery and related charges.* Any separate charge which the seller is permitted to make for truck delivery after rail haul, or for trucking to railhead, must be separately shown on the invoice.

(d) *Direct-mill retail sale.* If the "direct-mill retail sale" mark-up is permissible and is added, this must be separately indicated in the invoice.

SEC. 14 Averaging out—(a) *Different grades, classes or sizes.* Different grades, classes or sizes of lumber may be sold and invoiced at an average price if all of the following conditions are observed:

- (1) The footage of each item must be shown separately, and a piece tally must be furnished for each shipment.
- (2) The average price for the lumber actually shipped must not be higher than it would have been if all the individual

grades, classes, and sizes shipped had been sold separately at the individual ceiling price.

(3) If the order is shipped in more than a single carload, truckload, or boat shipment the following invoicing and charging practices must also be followed:

(i) The invoice must show that it is part of a larger order and identify the order. It must also show the individual ceiling prices for the various items of lumber actually contained in each shipment, and the average selling price agreed upon.

(ii) The charges which may be made and collected on account for each shipment must not exceed the average price agreed upon or the total of the ceiling prices for the items in the particular shipment, whichever is the lower. Thus, if an average price was quoted on widths from 4' to 12', and if a car of all 4' was shipped, only the 4' price can be charged and collected on that car. But if a car of all 12' widths was shipped, only the average price quoted could be charged on that car.

(iii) Upon completion of the order the seller must render a final invoice showing the quantity of each shipment or delivery, the freight charge for each if sold on a delivered basis, the amount received on account, the total amount due on the order at the agreed average prices, and a reconciliation of the total amount so computed with the maximum prices permitted by this regulation. Final payment and all necessary adjustments between buyer and seller are to be made upon the final reconciliation.

(b) *Different freight rates.* When a single order, for which a single flat delivered price was quoted and accepted, is shipped from two or more mills to a single destination on varying freight rates, the seller may average-out the transportation charges. For example, if a wholesaler bids \$33.00 per MBM on a single order of a hundred thousand feet of lumber, the ceiling price being \$30.00 per MBM and the estimated freight \$3.00, he can ship half of it on a rate resulting in a \$2.00 freight charge and half on a rate resulting in a \$4.00 freight charge.

(1) Where this practice is adopted, the seller must observe all of the following conditions:

(i) Each invoice must state that the particular shipment is part of a larger order and identify the order. It must also show the individual rates for each shipment or delivery.

(ii) The transportation charges which may be made and collected for each shipment or delivery, on account, must not exceed the average transportation charge figured on the entire order or the actual transportation charge for the particular shipment based upon the permitted estimated weights, whichever is the lower.

(iii) Upon completion of the order the seller must render a final invoice showing the individual f.o.b. mill prices separately, the amount shipped from each mill, the freight charge for each shipment, and a reconciliation of the total amount so computed with the agreed delivered selling prices and also with the maximum prices permitted by this regulation. In the event that the sale was

made at an average price for different grades, classes or sizes of lumber as well as an averaging-out of transportation charges, the provisions of (a) above shall also be observed. Final payment and all necessary adjustments between buyer and seller are to be made upon the final reconciliation.

SEC. 15 What records must be kept. All sellers and all buyers who, in any one calendar month, sell or buy 20,000 board feet or more of Douglas fir or other West Coast lumber, must keep records which will contain a complete description of the lumber involved, the name and address of the other party to the transaction, the date of the sale, and the price. Such records must be retained for two years, for inspection by the Office of Price Administration.

SEC. 16 Prohibited practices—(a) *General.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as such a violation of this regulation as an outright overceiling price. This applies to changes in credit practices and cash discounts and to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

(b) *Specific practices.* The following are some of the specific practices prohibited:

(1) Getting the effect of a higher price by changing credit practices from what they were in August 1941. This includes decreasing credit periods or making greater charges for extension of credit.

(2) Refusing, without good reason, to ship except in specified or restricted random lengths, or in mixed cars, or under other circumstances which bring the seller an extra return.

(3) Selling as specified lengths or widths, a specific lot or shipment of lumber which is substantially equivalent to random lengths or widths, or reselling intact as specified lengths or widths a specific lot or shipment bought by the seller as standard or random lengths or widths, unless specifically permitted in the price tables. This prohibition shall not apply to shipments or deliveries which have been sorted out as to widths and lengths and then resold.

(4) Grading as a special grade lumber which can be graded as a standard grade; or wrongly or falsely grading or invoicing lumber.

(5) Making additions for special specifications, services, or other extras which are not specifically permitted.

(6) Refusing to sell on an f. o. b. mill basis, and insisting on selling on a delivered basis.

(7) Failing to invoice properly and in accordance with the requirements of this regulation.

(8) Unnecessarily routing lumber through a distribution yard.

(9) Quoting a gross price above the maximum price, even if accompanied by a discount the effect of which is to bring the net price below the maximum.

(10) Making additions for kiln-drying, anti-stain treatment or other services, treatments, or specifications unless they are expressly ordered by the buyer.

(11) Getting a higher price by charging the buyer for ripping or resawing, or charging on the basis of an original size larger than the item actually delivered (for example, charging the price of 4 x 4 ripped to 2 x 4 on a sale and delivery of 2 x 4's) except where the items ordered and delivered are non-standard sizes not specifically priced in the tables. This prohibition has no application where the buyer specifies the larger size to be ripped or resawn into items of smaller size and the resulting items are priced higher in the tables than the original larger size; for example, the buyer may order 1 x 4 x 12' #2 Common, priced at \$25.00 per MBM ripped to 1 x 2 x 12'. By buying the larger size ripped the price to the buyer is lower (\$26.00) than it would have been had he ordered the 1 x 2 as such (\$29.00). In this example the maximum price is \$26.00.

(12) Making the buyer take something he does not want in order to get what he does want; for example, making a buyer who orders No. 2 Common take all the upper grades that develop.

(13) Breaking up an order or apportioning deliveries in order to get the \$3.50 direct-mill retail sale addition.

(c) *Adding commission to ceiling prohibited.* It is unlawful for any person to charge, receive or pay a commission for the service of procuring, buying, selling, or locating lumber, or for any related service (such as "expediting") which does not involve physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer of lumber which is higher than the maximum price of the lumber. For purposes of this regulation, a commission is any service charge or payment which is figured either directly or indirectly on the basis of the quantity, price, or value of the lumber in connection with which the service is performed.

(d) *Combination grades.* Lumber sold on combination grades may not be sold above the maximum price for the lowest priced grade actually named in the combination. For example, the maximum price for lumber sold as No. 2 Common and better is the maximum price fixed for No. 2 Common lumber. But it is permissible to quote with specified percentages of higher grades, provided that when the lumber is shipped, lumber of each grade is tallied on a board foot basis and invoiced separately at prices not in excess of ceiling prices for the respective grades.

Sec. 17 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The

authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

Sec. 18 *Special pricing rules.* (a) Where the buyer specifies restricted lengths or an average length and the shipment or order fails to conform, the entire shipment must be priced at the random length price (unless the agreed price is lower).

(b) Where the buyer orders a random length shipment, and the given percentages of lengths as specified in footnotes to some of the price tables are not met because there is too large a percentage of shorts, the excess shorts must be priced at the separate prices for the short lengths.

(c) Where random length shipments required to average a specified length (e. g. 12' in the Board Table) fall short of this average, the price may not exceed that of the nearest shorter even length below the average length actually shipped.

(d) Where the order fails to specify the grade required, the seller may only ship and charge for No. 2 Common, unless otherwise agreed.

(e) Where the invoice does not specify the grade shipped or delivered, the price of the lowest grade in the shipment shall apply to the whole order.

(f) Where moisture content requirements are waived by the purchaser, the maximum price for the whole order, shipment, or delivery shall be the price herein established for green lumber. Where such a sale is made on a delivered basis, the seller may only use the given estimated weights for dry lumber in computing transportation costs.

(g) None of the additions permitted in the footnotes to the tables in Articles V and VI may be added to the prices of the various items set forth in the tables unless the order expressly requires the working, grade, condition, size, or length for which the additions are permitted.

Article IV—Miscellaneous

Sec. 19 *Petitions for adjustment or amendment—(a) Government contracts.*

(1) The term "Government contract" is here used to include any contract with the United States or any of its agencies or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States". The term also includes any subcontract under this kind of contract.

(2) Any person who has entered into or proposes to enter into a "Government contract", who believes that the maximum prices established by this regulation impede or threaten to impede production of Douglas fir or other West Coast lumber essential to the war pro-

gram, may file an application for adjustment in accordance with Procedural Regulation No. 6¹ issued by the Office of Price Administration. As soon as the application is filed, contracts, deliveries, and payments may be made at the requested price, subject to refund if the requested price is disapproved or lowered. The seller must notify the buyer that the delivery is made subject to this refund.

(b) *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1² issued by the Office of Price Administration.

Sec. 20 *Enforcement.* (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

(b) War procurement agencies and their contracting or paying finance officers are not subject to any liability, civil or criminal, imposed by this regulation. Persons who make sales covered by this regulation to war procurement agencies and buyers to whom lumber has been allocated by any such agencies are, however, subject to all the liabilities imposed by this regulation. "War procurement agencies" include the War Department, the Navy Department, the United States Maritime Commission and the Lend-Lease Section in the Procurement Division of the Treasury Department, or any of their agencies.

Sec. 21 *Licensing.* All sellers under this regulation, except mills, are licensed by Supplementary Order 18. This order, in brief, provides that a license is necessary, except for mills, to make sales under this regulation. A license is automatically granted to all sellers making these sales. It is not necessary to apply specially for the license, but a registration may later be required. The Emergency Price Control Act of 1942, as amended, and Supplementary Order 18 tell the circumstances under which licenses may be suspended. The license cannot be transferred.

Sec. 22 *Grades.* All grade and size terms and "paragraph" references appearing in this regulation refer to, and have the meaning given in, the Standard Grading and Dressing Rules No. 12, issued by the West Coast Lumbermen's Association, effective March 1, 1943, or, in the case of export sales from the "N" list, to the "N" Export Grading Rules adopted by the West Coast Lumbermen's Association and British Columbia Lumber and Shingle Manufacturers, Ltd., 1929.

Article V—Price Tables

Sec. 23 *Douglas fir.* The maximum prices for Douglas fir lumber f. o. b. mill per one thousand feet board measure (or other designated measure where so indicated) where shipment originates at a mill, shall be as follows:

¹ 7 F.R. 5087, 5664; 8 F.R. 6173, 6174.

² 7 F.R. 8961; 8 F.R. 3313, 3533.

CONSTRUCTION GRADES
TABLE 1—BOARDS AND SHIP LAP
No. 1 Green Surfaced A. L. S.

	6' to 20'	6'	8'	10'	12'	14'	16'	18'	20'	Add for dry	Add for Select Merchantable Par. 186	Add for Select Par. 185
1 x 2"-----	\$31.00	\$31.00	\$31.00	\$31.00	\$31.00	\$32.50	\$33.50	\$33.50	\$33.50	\$4.00	\$4.00	\$8.00
1 x 3"-----	31.00	31.00	31.00	31.00	31.00	32.50	33.50	33.50	33.50	4.00	4.00	8.00
1 x 4"-----	27.00	27.00	27.00	27.00	27.00	28.50	29.50	29.50	29.50	4.00	4.00	10.00
1 x 6"-----	27.00	27.00	27.00	27.00	27.00	28.50	29.50	29.50	29.50	4.00	4.00	10.00
1 x 8"-----	27.00	27.00	27.00	27.00	27.00	28.50	29.50	29.50	29.50	4.00	4.00	12.00
1 x 10"-----	26.00	26.00	26.00	26.00	26.00	27.50	28.50	28.50	28.50	4.00	4.00	13.00
1 x 12"-----	28.00	28.00	28.00	28.00	28.00	29.50	30.50	30.50	30.50	4.00	8.00	14.00

Grades

1. Deduct from the No. 1 price of the same size, length and condition of seasoning:
Per M
No. 2 dry or green----- \$2.00
No. 3 green----- 6.00
No. 3 dry----- 8.00
No. 1 permitting up to 15% No. 2----- .50

2. No. 4 rough or surfaced dry or green 1xAW, AL: \$14.50. Dry or green, use green weights.

3. Shims 1/2" xAW, AL No. 3 and better surfaced H/M \$15.50. For 3/8" shims add \$2.00 per M to 1/2" shim price. If graded out and sold "On Grade" deduct \$7.00 per M from price of 1" same length, width and grade.

Lengths

4. Omitting short lengths in R/L loading add to R/L price of the same size and grade:

Lengths—Continued

- 6' add----- \$0.50
6' and 8' add----- .50
10' and shorter add----- 1.00
12' and shorter add----- 2.00

5. Specified lengths longer than 20' add \$1.00 per M for each foot to the specified 20' price.

6. Specified lengths rough, S1S, or S1E add to the specified surfaced price:

- 12' and shorter----- \$2.00
14'----- 3.50
16', 18' and 20'----- 5.00

7. Odd or fractional lengths add \$1.00 per M to and compute footage on next longer even length.

Widths

8. Widths wider than 12" add \$2.00 for each 2" wider than 12" for the same size and grade.

9. Odd or fractional widths (except 1x3) Add \$1.00 per M to and compute footage on the next wider even width.

Thickness

10. 5/4" and 6/4" No. 1, Select Merchantable, paragraph 186, and Select, paragraph 185 add \$5.00 per M to the 1" price of the same grade and width. 5/4 and 6/4 No. 2 Common same price as 1" No. 1. 5/4" and 6/4" No. 3 same price as 1" No. 2. 5/4" and 6/4" No. 4 same price as 1" No. 4.

Working charges

11. Surfacing 1/4" off add \$1.00 per M to the price of the same grade, width and length.

12. Ripping or re-sawing add \$1.00 per M; product of the piece to be shipped.

13. Center matched, Flooring, drop siding and other patterns; the following working charges contemplate first adding grade differentials, then specified working charge:

	Green		Dry	
	S2S and CM	Flooring, drop siding, beaded and other patterns ¹	S2S and CM	Flooring, drop siding, beaded and other patterns ¹
1" thickness—No droppings allowed-----	\$1.00	\$2.00	\$1.00	\$2.00
1" thickness—Droppings included at no reduction in price ² -----	0.50	1.00	0.50	1.00

¹ For amounts 1M feet or less add \$5.00 set-up charge.
² Droppings contemplate up to 15% in green and up to 20% in dry.

Special additions

14. If a mill is operating in compliance with the War Production Board's Circular No. 31, of March 31, 1943, addressed "To All Douglas Fir Sawmills," for so long as such order is in force and for so long as the mill

has not been granted exception from such order, its maximum prices for surfaced boards shall be the maximum prices established therefor under this table and footnotes thereto plus \$3.50 per MBM in the case of Select Merchantable, No. 1 and No. 2 boards, or, in the case of No. 3 boards, \$1.50 per

MBM. This addition may be made on 4/4, 5/4 and 6/4 boards but not on rough boards. It may not be used as a basis for any price calculated under Maximum Price Regulation No. 215, Distribution Yard Sales of Softwood Lumber.

TABLE 2—DIMENSION
No. 1 Green, Rough, or S4S, A. L. S.

Regular loading	6' to 20'	6'	8'	9'	10'	12'	14'	16'	18'	20'	22' to 24'	Add for dry S4S
2 x 2"-----	\$31.50	\$24.00	\$30.00	\$33.50	\$32.00	\$32.00	\$32.00	\$34.50	\$34.50	\$34.50	\$38.00	\$3.50
2 x 3"-----	28.50	21.00	27.00	30.50	29.00	29.00	29.00	31.50	31.50	31.50	35.00	3.50
2 x 4"-----	28.50	21.00	28.50	29.00	28.00	28.50	28.50	29.50	29.50	29.50	32.00	3.50
2 x 6"-----	28.50	21.00	26.50	28.50	27.00	28.50	28.50	29.00	29.00	29.00	31.00	3.50
2 x 8"-----	27.50	20.00	26.00	27.00	26.00	27.50	27.50	27.50	27.50	27.50	29.50	3.50
2 x 10"-----	27.50	20.00	26.00	28.00	26.50	28.00	28.00	28.50	28.50	28.50	30.50	4.00
2 x 12"-----	27.50	20.00	26.00	28.00	27.00	28.00	28.00	28.50	28.50	28.50	30.50	5.50

Grades

1. Scaffold Plank, paragraph 289, add \$20.00 per M to the select structural price.
2. Select Merchantable add to the price of No. 1 same width and length—\$3.00.
3. Select Structural add to the price of No. 1 same width and length—\$5.00.

4. No. 2 green all widths and lengths 24' and shorter deduct \$2.00 per M from the No. 1 green of the same width and length.

5. No. 3 green 2x2' to 2x8', 24' and shorter deduct \$8.00 per M from the No. 1 green of the same width and length.

6. No. 3 green 2x10' and 2x12', 24' and shorter deduct \$9.00 per M from the No. 1 green of the same width and length.

7. No. 2 dry all widths and lengths 24' and shorter deduct \$4.00 per M from the No. 1 dry of the same width and length.

8. No. 3 dry 2x2 to 2x8, 24' and shorter deduct \$10.00 per M from the No. 1 dry of the same width and length.

9. No. 3 dry 2x10 and 2x12, 24' and shorter deduct \$11.00 per M from the No. 1 price of the same width and length.

10. No. 1 permitting up to 15% of No. 2 deduct \$0.50 per M from the No. 1 price of the same width and length.

11. No. 4 rough or surfaced, Dry or green, 2x4, at \$12.50. Dry or Green use green weights.

12. Paragraph 215, 1200 F (Bending stress) add \$2.00 per M to the No. 1 price of the same size.

13. Paragraph 216, 900 F (Bending stress) add \$1.00 per M to the No. 2 price of the same size.

Lengths

14. Omitting short lengths in R/L loading add to the R/L price of the same size and grade:

6' and 8' and/or 10'.....	\$0.50
12' and shorter.....	1.00
14' and shorter at specified length price.	

15. Odd or fractional lengths add \$1.00 to and compute footage on next longer even length.

16. For even lengths longer than 24' add \$2.00 per M for each two feet longer than 24' of the same size and grade.

Widths

17. Wider than 12" add \$1.00 for each 2" wider than 12" for the same size and grade.

18. Odd or fractional widths add \$1.00 to and compute footage on next wider even width except 2x3.

Thicknesses

19. Fractional thicknesses over 2" and under 3" price from the table for plank and

small timbers by adding \$3.00 per M to the 3" price of the same length, width and grade. Compute footage on actual rough measure.

Working charges

20. Surfaced 1/4" off add \$1.00 per M to the same length, width and grade.

21. Ripping or resawing, not diagonal or tapered; for 2x4" add \$2.00 per M; 2x6" and wider add \$1.00 per M. Diagonal or tapered resawing add \$5.00 per M. In either instance, the product of the strip to be shipped.

22. Center matched, flooring, outgauged and other patterns. The following working charges contemplate first adding grade differentials and then the specified working charge.

	Green		Dry	
	S2S and CM or S/L	Flooring, outgauged or other patterns	S2S and CM or S/L	Flooring, outgauged or other patterns
2" thickness, no droppings allowed.....	\$1.00	\$2.00	\$1.50	\$2.50
2" thickness droppings included at no reduction in price ¹.....	.50	1.00	.50	1.00

¹ Droppings contemplate up to 15% in green and up to 20% in dry.

Miscellaneous

23. For S1E, S2E, S1S, S2S or S1S1E A. L. S. add \$1.00 per M.

24. Rough dry add \$1.00 per M to the S4S dry price.

TABLE 3—PLANK AND SMALL TIMBERS

Green, rough or S4S A. L. S.	No. 1				Select merchantable ^r				Green, rough or S4S A. L. S.	No. 1				Select merchantable			
	8' to 20'	22' to 24'	26' to 32'	34' to 40'	8' to 20'	22' to 24'	26' to 32'	34' to 40'		Regular loading 8/20'	8' to 20'	22' to 24'	26' to 32'	34' to 40'	8' to 20'	22' to 24'	26' to 32'	34' to 40'
3 x 3.....	\$34.00	\$36.50	\$39.50	\$44.50	\$38.00	\$40.50	\$42.50	\$47.50	4 x 4.....	\$32.00	\$34.00	\$36.00	\$39.50	\$36.00	\$38.00	\$40.00	\$43.50
3 x 4.....	32.50	35.50	38.50	42.50	36.50	39.50	41.50	45.50	4 x 6 & 4 x 8.....	31.00	33.00	34.50	37.50	35.00	37.00	38.50	41.00
3 x 6 & 3 x 8.....	31.00	33.00	34.50	37.50	35.00	37.00	38.50	41.50	4 x 10 & 4 x 12.....	30.50	32.50	34.00	37.00	33.50	35.50	37.00	40.00
3 x 10 & 3 x 12.....	30.50	32.50	34.00	36.50	33.50	35.50	37.00	39.50									

Regular loading 8/20'	Select Structural				Regular loading 8/20'	Select Structural			
	8' to 20'	22' to 24'	26' to 32'	34' to 40'		8' to 20'	22' to 24'	26' to 32'	34' to 40'
3 x 3.....	\$40.00	\$42.50	\$45.50	\$50.50	4 x 4.....	\$38.00	\$40.00	\$42.00	\$45.50
3 x 4.....	38.50	41.50	44.50	48.50	4 x 6 & 4 x 8.....	37.00	39.00	40.50	43.50
3 x 6 & 3 x 8.....	37.00	39.00	40.50	43.50	4 x 10 & 4 x 12.....	35.50	37.50	39.00	42.00
3 x 10 & 3 x 12.....	35.50	37.50	39.00	41.50					

Condition

1. Dry add \$10.00 per M to the same size, length and grade.

Grade differentials

2. No. 2 (No. 1 Mining)—deduct \$4.00 per M from the No. 1 price of the same width, thickness and length.

3. No. 3 (Mining)—deduct \$7.00 per M from the No. 1 price of the same width, thickness and length.

4. No. 1 permitting up to 15% of No. 2—deduct \$0.50 per M from the No. 1 price of the same width, thickness and length.

Lengths

5. Omitting short lengths in R/L loading, 20' and shorter, add to the R/L price of the same size and grade:

8' and/or 10'.....	\$0.50
12' and shorter.....	1.00
14' and shorter—Specified length price of lengths shipped.	

Omitting lengths longer than 20' within a R/L group add to the R/L group price:

Omitting 1 length..... \$0.50

Omitting 2 lengths..... 1.00

Omitting 3 lengths—Specified length price of lengths shipped.

Omitting lengths longer than 20', in paragraph 215, Select Merch, and higher grades, within a R/L group add to the R/L group price; for omitting one to two lengths in one group add \$1.00 per M to the R/L group price; for omitting any three or more lengths in one group use specified length price of the lengths shipped.

6. Odd or fractional lengths add \$1.00 per M to and compute footage on the next longer even length.

7. Lengths longer than 40' add the amount listed for the lengths specified to the 40' specified length price:

41'	\$2.00	48'	\$16.00
42'	4.00	49'	18.00
43'	6.00	50'	20.00
44'	8.00	51'	22.00
45'	10.00	52'	24.00
46'	12.00	53'	26.00
47'	14.00	54'	28.00

55'	\$30.00	78'	\$76.00
56'	32.00	79'	78.00
57'	34.00	80'	80.00
58'	36.00	81'	83.00
59'	38.00	82'	86.00
60'	40.00	83'	89.00
61'	42.00	84'	92.00
62'	44.00	85'	95.00
63'	46.00	86'	98.00
64'	48.00	87'	101.00
65'	50.00	88'	104.00
66'	52.00	89'	107.00
67'	54.00	90'	110.00
68'	56.00	91'	113.00
69'	58.00	92'	116.00
70'	60.00	93'	119.00
71'	62.00	94'	122.00
72'	64.00	95'	125.00
73'	66.00	96'	128.00
74'	68.00	97'	131.00
75'	70.00	98'	134.00
76'	72.00	99'	137.00
77'	74.00	100'	140.00

Lengths over 100', add \$3.00 per lineal foot for each additional foot over 100' to the 100' price.

8. Specified lengths up to 40'; In Select Merchantable, Select Structural and paragraphs 215 and 219—add \$2.00 per M. Other grades add \$1.00 per M, to the length group price in which the specified length falls.

Widths

9. Odd or fractional widths not listed add \$3.00 per M to the next larger even width. Compute footage on actual rough measure.

10. Widths wider than listed—add \$1.00 per M for each additional 2" to the widest listed width.

Thickness

11. Fractional thicknesses between 3" and 4" add \$3.00 per M to the price of 4" of the same width, length and grade and compute footage on actual rough measure. For frac-

tional and odd thicknesses over 4" and under 6" add \$3.00 per M to the price of 6" in the same width, length and grade (Table 4) and compute footage on actual rough measure.

Working charges

12. Surfacing 1/4" off add \$1.00 per M to the same grade, size and length.

13. Shiplap, T and G, Grooved for splines: 3" add \$3.00; 4" add \$4.00 per M to the surfaced price.

14. Outgauged add \$2.50 per M to the surfaced price.

15. Diagonal or tapered resawing add \$5.00 per M.

16. Surfacing lengths longer than 40' add \$0.25 per lineal foot to 40' price of each additional foot over 40'.

17. Surfacing wider than 12" add \$2.00 per M to the 12" price of the same size and grade.
18. Surfacing S1E, S2E, S1S, S2S or S1S1E A. L. S. add \$1.00 per M to the same size and grade.

Miscellaneous

19. Windmill Stock paragraph 172 use Select Structural price plus additions for F. O. H. C.
20. Barge Framing paragraph 284 same price as Select Structural. Barge Planking and Decking paragraph 285 add \$10.00 per M to the Select Structural price of the same size.
21. Scaffold Plank paragraph 289 add \$20.00 per M to the Select Structural price.
22. Paragraph 215 and 219, 1200 F (Bending Stress) add \$2.00 per M to No. 1 price.
23. Paragraph 216, 900 F (Bending Stress) add \$1.00 per M to the No. 1 of the same size.

TABLE 4—TIMBERS

Rough green regular loading R/L	No. 1			Select merchantable			Select structural		
	8' to 20'	22' to 30'	32' to 40'	8' to 20'	22' to 30'	32' to 40'	8' to 20'	22' to 30'	32' to 40'
6 x 6 & 6 x 8	\$30.50	\$33.00	\$34.00	\$34.50	\$37.00	\$40.50	\$36.50	\$39.00	\$42.50
6 x 10 & 6 x 12	29.50	30.50	31.00	31.50	32.50	33.00	33.50	34.50	35.50
8 x 8	30.50	32.50	33.50	34.50	36.50	40.00	36.50	39.00	42.00
8 x 10 & 8 x 12	29.50	30.50	31.00	31.50	32.50	33.00	33.50	34.50	35.50
10 x 10 & 10 x 12	29.50	31.50	30.50	31.50	33.50	34.00	33.50	35.50	36.50
12 x 12	30.00	32.00	31.00	33.00	36.00	35.50	35.00	38.00	38.00
6 x 14 & 8 x 14	31.75	33.75	32.75	34.75	37.75	37.25	36.75	39.75	39.75
6 x 16 & 8 x 16	34.00	36.00	35.00	37.00	40.00	39.50	39.00	42.00	42.00
6 x 18 & 8 x 18	34.00	36.00	35.00	37.00	40.00	39.50	39.00	42.00	42.00
10 x 14 & 12 x 16	31.50	33.50	32.50	34.50	37.50	37.00	36.50	39.50	39.50
10 x 16	33.75	35.75	34.75	36.75	39.75	39.25	38.75	41.75	41.75
10 x 18	30.00	32.00	31.00	33.00	36.00	35.50	35.00	38.00	38.00
12 x 14 & 14 x 14	29.50	31.50	30.50	32.50	35.50	35.00	34.50	37.50	37.50
14 x 16 & 16 x 16	31.50	33.50	34.50	34.50	37.50	38.50	38.50	41.50	41.50
18 x 18	33.50	35.50	36.50	36.50	39.50	40.50	38.50	41.50	42.50
20 x 20	35.50	37.50	38.50	38.50	41.50	42.50	40.50	43.50	44.50
22 x 22	37.50	39.50	40.50	40.50	43.50	44.50	42.50	45.50	46.50
24 x 24	41.50	43.50	44.50	44.50	47.50	48.50	46.50	49.50	50.50
26 x 26	45.50	47.50	48.50	48.50	51.50	52.50	50.50	53.50	54.50
28 x 28	49.50	51.50	52.50	52.50	55.50	56.50	54.50	57.50	58.50
30 x 30	53.50	55.50	56.50	56.50	59.50	60.50	58.50	61.50	62.50
32 x 32									

Grade differentials

1. No. 1 permitting up to 15%, No. 2 deduct \$0.50 per M from the No. 1 price of the same width and length.

2. No. 2 (No. 1 Mining) in 6 x 6, 6 x 8 and 8 x 8 deduct \$4.00 per M from the No. 1 price of the same thickness, width and length. For other sizes deduct \$5.00 per M from the No. 1 price of the same thickness, width and length.

3. No. 3 (Mining) in 6 x 6, 6 x 8 and 8 x 8 deduct \$7.00 per M from the No. 1 price of the same thickness, width and length. For other sizes deduct \$10.00 per M from the No. 1 price of the same thickness, width and length.

Lengths

4. Omitting short lengths in R/L loading 20' and shorter add to R/L price of the same size and grade:

8' and/or 10'	\$0.50
12' and shorter	1.00
14' and shorter—Specified length price of lengths shipped.	

Omitting lengths longer than 20' within a R/L group add to the R/L group price.

Omitting 1 length	\$0.50
Omitting 2 lengths	1.00
Omitting 3 lengths—Specified length price of lengths shipped.	

Omitting lengths longer than 20' in paragraph 219, select Merch. and higher grades within a R/L group add to the R/L group price; for omitting one or two lengths in one group add \$1.00 per M to the R/L group price; for omitting any three or more lengths in one group use specified length price of the lengths shipped.

5. Odd or fractional lengths add \$1.00 per M to and compute footage on the next longer even length.

6. Lengths longer than 40', add the amount listed for the lengths specified to the 40' specified length price.

41'	\$2.00	71'	\$62.00
42'	4.00	72'	64.00
43'	6.00	73'	66.00
44'	8.00	74'	68.00
45'	10.00	75'	70.00
46'	12.00	76'	72.00
47'	14.00	77'	74.00
48'	16.00	78'	76.00
49'	18.00	79'	78.00
50'	20.00	80'	80.00
51'	22.00	81'	83.00
52'	24.00	82'	86.00
53'	26.00	83'	89.00
54'	28.00	84'	92.00
55'	30.00	85'	95.00
56'	32.00	86'	98.00
57'	34.00	87'	101.00
58'	36.00	88'	104.00
59'	38.00	89'	107.00
60'	40.00	90'	110.00
61'	42.00	91'	113.00
62'	44.00	92'	116.00
63'	46.00	93'	119.00
64'	48.00	94'	122.00
65'	50.00	95'	125.00
66'	52.00	96'	128.00
67'	54.00	97'	131.00
68'	56.00	98'	134.00
69'	58.00	99'	137.00
70'	60.00	100'	140.00

Lengths over 100', add \$3.00 per lineal foot for each additional foot over 100' to the 100' price.

7. Specified lengths—Select merchantable and select structural and paragraph 219—add \$2.00 per M—Other grades add \$1.00 per M to the length group in which the specified length falls.

Widths

8. Odd or fractional widths not listed add \$1.50 per M to the next larger listed even width. Compute on actual rough measure.

9. Widths wider than listed—up to and including 24" add \$1.00 per M for each additional 2" to widest listed width of the same grade, thickness and length. Wider than 24": For each additional 2" over 24" add \$2.00 per M to the 24" price of the same grade, thickness and length.

Thickness

10. Odd or fractional thicknesses not listed add \$1.50 per M to the next larger listed even thickness. Compute footage on actual rough measure.

11. Thicker than listed—Thicker than 32" add \$2.00 per M for each additional 2" to 32" price of the same grade, width and length.

Working charges

12. Surfacing S1S, S2S, S3S, S4S, A. L. S. 6 x 6 to 16 x 16, add \$2.00 per M; larger than 16 x 16 add \$5.00 per M.

13. Surfacing 1/4" off add \$1.00 per M to the price of the same surfaced A. L. S. grade, width and length.

14. Surfacing lengths longer than 40' add \$0.25 per M per lineal foot to 40' price for each additional foot over 40'.

Miscellaneous

15. Barge framing, paragraph 284, same price as select structural. Barge planking and

decking, paragraph 285, add \$7.50 per M to the price of select structural.

210 and 218 when sap limitation is waived deduct \$1.00 per M.

add \$2.00 per M, to No. 1 of the same size. 18. Cross ties and switch ties priced under Maximum Price Regulation No. 284.

16. Material graded according to paragraph

17. Paragraph 219, 1,200 F (bending stress)

CLEAR GRADES
TABLE 5—FLOORING

R/L Dry	B & Better	"C"	"D"	"E" 1	R/L Dry	B & Better	"C"	"D"	"E" 1
1x3" & 1x4" V. G.	\$60.00	\$55.00	\$45.00		5/4 x 3" F. G.	\$49.00	\$45.00	\$37.00	
1x3" & 1x4" F. G.	45.00	43.00	38.00	\$25.00	5/4 x 4" V. G.	62.00	67.00	45.00	
1x6" V. G.	67.00	60.00	47.00		5/4 x 4" F. G.	47.00	45.00	37.00	
1x6" & 1x8" F. G.	50.00	48.00	40.00	\$7.00	5/8 x 4" & 5/8 x 6" F. G.	37.00	35.00	28.00	\$20.00
5/4 x 3" V. G.	62.00	57.00	45.00						

1 See grade definition General Notes.

Lengths

1. Random lengths as set forth in Standard Grading and Dressing Rules No. 12 paragraph 30.

2. Omitting short lengths in R/L loading, add to R/L price of the same size and grade:

5' and shorter	\$0.50
7' and shorter	1.00
9' and shorter	2.00
10' and shorter	3.00
12' and shorter	4.00

3. Specified lengths; add to R/L price of the same size and grade:

12' and shorter—No addition except \$2.00 per M for 1x4 and 5/4x4-12' in B & Better and "C" V.G. or F.G.

14'	\$3.00
16', 18' and/or 20'	5.00

Working charges

4. For square edge B & Better and "C" worked to the same overall size as standard

flooring, add \$2.00 per M to the T & G price of the same size and grade. To include up to 20% "C": deduct \$3.00 per M from B & Better price of the same size. Weight 200 lbs. more than flooring of the same size.

Miscellaneous

5. For clear all heart V. G., add \$5.00 to the B & Better price.

6. 3/4" flooring: deduct \$5.00 per M from the same size and grade of standard flooring.

TABLE 6—DROP SIDING AND RUSTIC

Drop siding, all patterns; rustic siding, shiplap; R/L dry	B & Better	"C"	"D"	"E" 1
1x4"	\$44.00	\$42.00	\$37.00	\$20.00
5/8 x 6"	45.00	43.00	36.00	20.00
1x6"	50.00	48.00	40.00	25.00
1x8"	53.00	50.00	43.00	28.00

1 See grade definitions General Notes.

Grain

1. For V. G. add \$10.00 per M to the same size and grade and length.

Lengths

2. Random lengths as set forth in Standard Grading and Dressing Rules No. 12, paragraph 30.

3. Omitting short lengths in R/L loading, add to R/L price of the same size and grade:

5' and shorter	\$0.50
7' and shorter	1.00
9' and shorter	2.00
10' and shorter	3.00
12' and shorter	4.00

4. Specified lengths add to R/L price of the same size and grade:

12' and shorter	No addition
14'	\$3.00
16', 18', and/or 20'	5.00

TABLE 7—BEVEL SIDING

R/L Dry	B & Better		"C"		"D"		R/L Dry	B & Better		"C"		"D"	
	V.G.	F.G.	V.G.	F.G.	V.G.	F.G.		V.G.	F.G.	V.G.	F.G.	V.G.	F.G.
3/4 x 4"	\$29.00	\$28.00	\$28.00	\$25.00	\$28.00	\$22.00	3/4 x 8"	\$55.00	\$54.00	\$51.00	\$50.00	\$47.00	\$46.00
3/4 x 6"	31.00	30.00	29.00	28.00	26.00	25.00	3/4 x 10"	61.00	60.00	57.00	56.00	53.00	52.00
3/4 x 8"	40.00	39.00	38.00	37.00	35.00	34.00							

Lengths

1. Random lengths, regular bundling in accordance with paragraph 540 Standard Grading and Dressing Rules No. 12.

Working charges

2. Rabbetted bevel siding: add \$1.50 per M to standard pattern price of the same width and thickness.

TABLE 8—CEILING

R/L—all patterns—dry	B & Better	"C"	"D"	"E" 1
1/4 x 4"	\$37.00	\$35.00	\$28.00	
1/4 x 4"	37.00	35.00	28.00	\$20.00
1/4 x 6"	45.00	43.00	36.00	30.00
1x4"	45.00	43.00	38.00	25.00
1x6"	50.00	48.00	40.00	25.00

1 See grade definition General Notes.

Grain

1. No addition for grain specification.

Lengths

2. Random lengths as set forth in Standard Grading and Dressing Rules No. 12, paragraph 30.

3. Omitting short lengths in R/L loading add to R/L price of the same size and grade:

5' and shorter	\$0.50
7' and shorter	1.00
9' and shorter	2.00
10' and shorter	3.00
12' and shorter	4.00

4. Specified lengths add to R/L price of the same size and grade:

12' and shorter	No addition
14'	\$3.00
16', 18' and/or 20'	5.00

TABLE 9—STEPPING

V. G., R/L-S3S and Nosed-dry	B & Better	"C"
5/4 x 10"	\$77.00	\$68.00
5/4 x 12"	82.00	73.00
6/4 x 10"	81.00	72.00
6/4 x 12"	84.00	75.00

Lengths

1. Random lengths regular loading is as follows:

B & Better and "C" grades:
30 percent..... 3' to 9'
70 percent..... 10' to 20'

1 Inclusion of 18' and/or 20' lengths is optional.

2. Omitting short lengths in R/L loading add to R/L price of the same size and grade:

5' and shorter	\$2.00
7' and shorter	3.00
9' and shorter	4.00
10' and shorter	5.00
12' and shorter	6.00

3. Specified lengths add to R/L price of the same size and grade:

14'	\$4.00
16', 18' and/or 20'	7.00

TABLE 10—CASING AND BASE

R/L, S4S, all patterns, dry	B & Better V. G.	B & Better F. G.	"C"
1x3"	\$74.00	\$64.00	\$60.00
1x4"	70.00	58.00	53.00
1x5"	78.00	66.00	60.00
1x6"	73.00	62.00	57.00
1x8"	74.00	62.00	57.00
1x10"	80.00	66.00	59.00
1x12"	85.00	68.00	61.00

Lengths

1. Random lengths as set forth in Standard Grading and Dressing Rules No. 12, paragraph 30.

2. Omitting short lengths in R/L add to R/L price of same size and grade:

5' and shorter.....	\$0.50
7' and shorter.....	1.00
9' and shorter.....	2.00
10' and shorter.....	3.00
12' and shorter.....	4.00

3. Specifying lengths add to R/L price of the same size and grade:

12' and shorter—No addition except \$5.00 per M addition to R/L price on 7' and 10' of the same size and grade in casing only.

14'.....	\$5.00
16', 18' and/or 20'.....	5.00

4. Specified odd and fractional lengths not listed—add \$3.00 per M to price of and compute footage on next longer listed length.

Widths

5. Fractional and odd widths not listed—same as next wider listed width, compute footage on next wider listed width.

6. Wider than 12": V. G. add \$5.00 per M to 12" price for each additional 1". F. G. add \$2.50 per M to 12" price for each additional 1".

Thickness

7. 5/8" casing and base same price as inch.

Working charges

8. Sanding: add \$10.00 per M.
9. For all patterns in quantities less than 2 M' add set-up charge of \$3.00 per M.

TABLE 11—FINISH AND CLEARS

Regular loading R. L. S2S, S4S, A. L. S. or rough-dry	B & Better V.G.	B & Better F.G.	"C" V.G.	"C" F.G.	"D" M.G.	"D" V.G.	Regular loading R. L. S2S, S4S, A. L. S. or rough-dry	B & Better V.G.	B & Better F.G.	"C" V.G.	"C" F.G.	"D" M.G.	"D" V.G.
x 2".....	\$68.00	\$56.00	\$65.00	\$54.00	\$43.00	\$50.00	5/4 and 6/4 x 6".....	\$75.00	\$62.50	\$72.00	\$58.00	\$47.00	\$67.00
1 x 3".....	69.00	59.00	66.00	57.00	44.00	51.00	5/4 and 6/4 x 8".....	78.00	63.00	75.00	61.00	50.00	60.00
1 x 4".....	65.00	53.00	62.00	50.00	41.00	47.00	5/4 and 6/4 x 10".....	82.00	69.50	79.00	63.00	51.00	64.00
1 x 5".....	73.00	61.00	70.00	57.00	44.00	55.00	5/4 and 6/4 x 12".....	87.00	77.00	84.00	70.00	54.00	69.00
1 x 6".....	68.00	57.00	65.00	54.00	43.00	50.00	2 x 2".....	68.00	57.00	65.00	51.00	40.00	51.00
1 x 8".....	69.00	57.00	66.00	54.00	43.00	51.00	2 x 3".....	69.50	59.00	66.50	53.00	40.00	51.00
1 x 10".....	75.00	61.00	72.00	56.00	44.00	57.00	2 x 4".....	65.00	53.00	62.00	49.50	40.00	47.00
1 x 12".....	83.00	70.00	80.00	64.00	48.00	65.00	2 x 5".....	74.00	62.00	71.00	56.00	43.00	56.00
1/4 and 6/4 x 2".....	71.50	62.00	68.50	57.00	46.00	53.50	2 x 6".....	70.00	57.00	67.00	54.00	44.50	53.00
5/4 and 6/4 x 3".....	73.00	64.50	70.00	61.00	48.00	55.00	2 x 8".....	71.00	59.00	68.00	55.50	46.00	58.00
5/4 and 6/4 x 4".....	69.00	59.50	66.00	55.50	46.50	51.00	2 x 10".....	76.00	63.00	73.00	58.00	46.00	60.00
5/4 and 6/4 x 5".....	79.00	67.00	76.00	62.00	49.00	61.00	2 x 12".....	84.00	71.50	81.00	65.00	49.00	66.00

Condition

1. For green—deduct \$10.00 per M from the dry price of the same size and grade.

Lengths

2. Random lengths as set forth in Standard Grading and Dressing Rules No. 12, paragraph 30.

3. Omitting short lengths 20' and shorter add to R/L price of the same size and grade.

5' and shorter.....	\$0.50
7' and shorter.....	1.00
9' and shorter.....	2.00
10' and shorter.....	3.00
12' and shorter.....	4.00
14' and shorter.....	Specified length price.

4. Random length groups longer than 20' add to 4' to 20' R/L price.

22' to 30'.....	\$10.00
32' to 40'.....	20.00
42' and longer.....	40.00

Omitting lengths longer than 20' within a R/L group add to R/L group price.

Omitting 1 length.....	\$1.00
Omitting 2 lengths.....	2.00
Omitting 3 lengths.....	Specified length price of lengths shipped.

5. Specified lengths add to R/L price of the same size and grade.

8', 10' and 12'.....	\$2.00
14'.....	3.00

16', 18' and/or 20'.....	\$5.00
22' and 24'.....	10.00

26', 28', 30', and 32'..... 15.00
34', 36', 38', and 40'..... 25.00
Longer than 40' add \$2.50 per M for each foot or fraction thereof to specified 40' lengths.

6. Fractional and odd lengths; add \$3.00 per M to price of and compute footage on next longer listed length.

Widths

7. Fractional and odd widths less than 12" not listed; same price as next wider listed width. Compute footage on and use weight for next wider listed width.

8. Even widths, wider than 12" V. G. add \$5.00 per M to 12" price for each additional 1"; F. G. add \$2.50 per M to 12" price for each additional 1". Odd or fractional widths wider than 12" same price as next wider even width. Compute footage on next wider even width.

Thickness

9. Fractional and odd thickness not listed; add \$5.00 per M to price of next thicker even size and compute footage on actual rough measurement. If over 2" and under 3" add \$5.00 per M to the price of 3" in Table 12 and compute footage on actual rough measurement.

Working charges

10. Surfacing S2S and C. M. 1' same price as finish; 5/4 and thicker add \$2.00 per M.

11. Surfacing thicker than A. L. S. add \$5.00 per M to the standard surfaced prices.

12. Sanding add \$10.00 per M.

13. Rabbetted jams, sills, nosing, or other special patterns not covered add \$5.00 per M; for orders less than 2M' of these patterns add an additional \$3.00 set-up charge.

14. Surfacing longer than 40' add \$0.25 per lineal foot to 40' price for each lineal foot over 40'.

Miscellaneous

15. Ship Plank: Paragraph 287, same price as B & Better.

16. Tank Stock: Paragraph 293, 294, and 294.1 add \$8.00 per M to the B & Better price.

17. Pipe Stake Stock: Paragraph 292, add \$2.00 per M to the B & Better price.

18. Door Stock: B & Better (i. e. graded poorer side) add \$4.00 per M to B & Better price of the same size.

19. Sap limit waived deduct \$2.00 per M.
20. Panel Stock: Paragraph 259 (a) add \$5.00 per M to B & Better price of the same size.

21. Scaffold Plank: Paragraph 268, add \$14.00 per M to "C" price for same size and grain. (For Structural grade, paragraph 269, See Tables 2, 3, or 4.)

22. Pole Stock: Paragraph 296, add \$20.00 per M to B & Better.

23. Selected B & Better eliminating cross, curly, and coarse grain, add \$15.00 to B & Better price.

TABLE 12—THICK CLEARS

B & Better Rough Green, paragraph 125

	F. G. 6/20'	V. G. 6/20'	F. G. 22/30'	V. G. 22/30'	F. G. 32/40'	V. G. 32/40'		F. G. 6/20'	V. G. 6/20'	F. G. 22/30'	V. G. 22/30'	F. G. 32/40'	V. G. 32/40'
3 x 3".....	\$59.00	\$64.00	\$66.00	\$73.00	\$74.00	\$84.00	5 x 10" & 12".....	\$64.00	\$73.00	\$71.00	\$82.00	\$81.00	\$95.00
3 x 4".....	57.00	62.00	64.00	71.00	72.00	82.00	6 x 6".....	60.00	67.00	67.00	76.00	77.00	89.00
3 x 6" & 8".....	60.00	67.00	67.00	76.00	75.00	87.00	6 x 8".....	61.00	68.00	68.00	77.00	78.00	90.00
3 x 10" & 12".....	63.00	72.00	70.00	81.00	78.00	92.00	6 x 10" & 12".....	62.00	71.00	69.00	80.00	79.00	93.00
4 x 4".....	57.00	62.00	64.00	71.00	72.00	82.00	8 x 8".....	62.00	69.00	69.00	78.00	79.00	91.00
4 x 6".....	57.00	64.00	64.00	73.00	72.00	84.00	8 x 10".....	63.00	72.00	70.00	81.00	80.00	94.00
4 x 8".....	58.00	65.00	65.00	74.00	73.00	85.00	8 x 12".....	64.00	73.00	71.00	82.00	81.00	95.00
4 x 10" & 12".....	63.00	72.00	70.00	81.00	78.00	92.00	10 x 10" & 12".....	66.00	75.00	73.00	84.00	83.00	97.00
5 x 5".....	62.00	69.00	69.00	78.00	79.00	91.00	12 x 12".....	68.00	77.00	75.00	86.00	85.00	99.00
5 x 6" & 8".....	68.00	70.00	70.00	79.00	80.00	92.00							

Conditions

1. For dry add to the green price for the same size, grain and grades: 3' and 4' thickness 6/20'—\$10.00; 22/30'—\$15.00; 32/40'—\$20.00; 6' thickness 6/20'—\$15.00; 22/30'—\$20.00; 32/40'—\$25.00; 8' and thicker 6/20'—\$20.00; 22/30'—\$25.00; 32/40'—\$30.00.

Grade differentials

2. "C" grade deduct \$5.00 per M from B & Better price of the same size.
3. Turning squares add \$5.00 per M to B & Better price of the same size.

Lengths

4. Omitting short lengths in R/L 20' and shorter add to R/L price of the same size and grade:

5' and shorter.....	\$0.50
7' and shorter.....	1.00
9' and shorter.....	2.00
10' and shorter.....	3.00
12' and shorter.....	4.00
14' and shorter.....	Specified length price.

Omitting lengths longer than 20' within a R/L group add to R/L group price:

Omitting 1 length.....	\$1.00
Omitting 2 lengths.....	2.00
Omitting 3 lengths.....	Specified length price of lengths shipped.

5. Specified lengths add to the R/L price of the same size and grade: 6/20'—\$3.00; 22/30'—\$5.00; 32/40'—\$7.50.

6. Lengths longer than 40'—add \$5.00 per M for each 2' or fraction thereof to the 40' specified length price. Compute footage on actual length.

7. Specified fractional and odd lengths not listed—add \$3.00 per M to price of and compute footage on next longer listed length.

Widths

8. Fractional and odd widths not listed: Same price as next wider even width. Compute footage on and use weights for next wider even width.

9. Wider than 12" for V. G. add \$10.00 per M to 12" price for each additional 2". For F. G. add \$5.00 per M to 12" price for each additional 2".

Thickness

10. Fractional and odd thicknesses not listed: add \$5.00 per M to next thicker even size and compute footage on actual rough measure.

11. For even thickness heavier than 12" add \$5.00 per M for each 1" thicker than 12".

Working charges

12. Surfacing dry clears S1S, S2S, S3S, S4S add \$3.00 per M to the rough dry price.

13. Surfacing green clears S1S, S2S, S3S, S4S add \$2.00 per M to rough green price.

14. Other workings, green or dry, not provided, add \$5.00 per M to the rough green or rough dry price.

15. Surfacing lengths longer than 40' add \$0.25 per M per lineal foot to 40' price for each additional foot over 40'.

Miscellaneous

16. Ship plank, paragraph 237, same price as B & Better.

17. Scaffold Plank, paragraph 288 add \$14.00 per M to "C" Clear price for same size and grain specifications.

18. Tank Stock, paragraphs 293, 294 and 294.1, add \$8.00 per M to B & Better price for same size and grain specification.

19. Pipe Stock, paragraph 292, add \$2.00 per M to B & Better price for same size and grain specification.

20. Cross arms, paragraph 297, same price as "C" Clear.

21. Sap limit waived deduct \$2.00 per M.

22. Pole Stock, paragraph 296, add \$25.00 per M to B & Better price.

23. Selected B & Better eliminating cross, curly and coarse grain, add \$15.00 to B & Better price.

TABLE 13—LADDER STOCK

Paragraph 952—10/20' Rough Green

4/4 x 3" and 4/4 x 3 1/4"----- \$85.00

Conditions:

1. Dry add to rough green price:

24' and shorter.....	Per M
Longer than 24'.....	\$10.00
Longer than 24'.....	15.00

Lengths:

2. Specified lengths add to base price:	
10/24'.....	10.00
26/32'.....	30.00
34/40'.....	60.00
Longer than 40'.....	\$20.00 for each additional foot to 40' price

Widths:

3. Widths wider than 8 1/4" add to base price:	
3 1/2" to 4".....	5.00
4 1/4" to 5".....	10.00
5 1/4" to 6".....	20.00
6 1/4" to 7".....	30.00

Thickness:

4. Add to the base price:	
1 1/4" and 1 1/2".....	5.00
1 3/4" and 1 3/8".....	10.00
2" and thicker.....	15.00

Working Charges

5. Surfacing to standard sizes or working to pattern add \$5.00 per M to the same size and length.

Miscellaneous

6. Hemlock and Noble Fir, paragraph 470, add \$10.00 per M.

INDUSTRIAL GRADES

TABLE 14—SHOP

Green, rough	Select V. G.	No. 1 V. G.	No. 2 V. G.	No. 3 M. G.
4/4 to 8/4 x 8' and wider.....	\$45.00	\$35.00	\$25.00	\$18.00
10/4".....	50.00	40.00	30.00	23.00
12/4".....	53.00	43.00	33.00	26.00

Grain

1. Flat grain: 4/4' deduct \$7.00 per M from Select, No. 1 or No. 2 V. G. Shop; 1-3/8' and thicker deduct \$12.00 per M from Select, No. 1 or No. 2 V. G. Shop.

Condition

2. Kiln dried 4/4' add \$5.00 per M; 1-3/8' to 8/4' add \$7.50 per M; 10/4 and 12/4 add \$10.00 per M.

Width and Thickness

3. Invoiced upon nominal sizes shown in paragraphs 258 and 264.

Working charges

4. Surfacing add \$1.00 per M.

TABLE 15—HEMLOCK BOX

	No. 1	No. 2	No. 3	Mill run
4/4 and thicker R/W and R/L Rough Dry.....	\$27.50	\$23.50	\$19.50	\$25.50

Condition

1. Green: deduct 10% from rough dry price.

Widths

2. Specified widths add to R/W price: Under 10"--- No addition. 10" and 12"--- Add \$1.00 per M to R/W price. 14" and wider. Add \$2.00 per M to R/W price.

Thickness

3. Less than 4/4: Price of 4/4 but compute on net size.

Working charges

4. Surfaced: Add \$1.00 per M to rough price.

RAILWAY AND CAR MATERIAL

TABLE 16.—CAR FRAMING, ETC.

Selected Framing, Sills, Purins, Slats, Running Boards, Etc., Par. 231, 223, Rough Green

Thickness (inches)	Widths	Specified Lths. 20' & Under		Specified Lths. Over 20' to 24'		Specified Lths. Over 24' to 32'	
		Even Lengths	Odd & Fr/Lths.	Even Lengths	Odd & Fr/Lths.	Even Lengths	Odd & Fr/Lths.
1"	Even widths, 2" to 6".....	\$38.00	\$41.00	\$42.00	\$44.00	\$48.00	\$50.00
	Even widths, 8" to 12".....	39.00	42.00	43.00	45.00	49.00	51.00
	Odd & Fr. widths, 2 1/4 to 5 1/4".....	43.00	46.00	47.00	49.00	53.00	55.00
1 1/4, 1 1/2"	Even widths, 2" to 6".....	44.00	47.00	48.00	50.00	54.00	56.00
	Even widths, 8" to 12".....	45.00	48.00	49.00	51.00	55.00	57.00
	Odd & fr. widths, 2 1/4 to 5 1/4".....	48.00	51.00	52.00	54.00	58.00	60.00
1 3/4"	Even widths, 2" to 6".....	49.00	52.00	53.00	55.00	59.00	61.00
	Even widths, 8" to 12".....	50.00	53.00	54.00	56.00	60.00	62.00
	Odd & fr. widths, 2 1/4 to 5 1/4".....	53.00	56.00	57.00	59.00	63.00	65.00
	Even widths, 2" to 6".....	54.00	57.00	58.00	60.00	64.00	66.00
	Even widths, 8" to 12".....	55.00	58.00	59.00	61.00	65.00	67.00
	Odd & fr. widths, 2 1/4 to 5 1/4".....	58.00	61.00	62.00	64.00	68.00	70.00

RAILWAY AND CAR MATERIAL—Continued

TABLE 16.—CAR FRAMING, ETC.—Continued

Selected Framing, Sills, Purlins, Slats, Running Boards, Etc., Par. 221, 223, Rough Green—Continued

Thickness (inches)	Widths	Specified Lths.		Specified Lths.		Specified Lths.	
		Even lengths	Odd & Fr/Lths.	Even Lengths	Odd & Fr/Lths.	Even Lengths	Odd & Fr/Lths.
2"	Even widths, 2" to 6"	\$35.00	\$38.00	\$37.00	\$39.00	\$41.00	\$43.00
	Even widths, 8" to 12"	36.00	39.00	38.00	40.00	42.00	44.00
	Odd & fr. widths, 2 1/4 to 5 3/4"	40.00	43.00	42.00	44.00	46.00	48.00
2 1/4, 2 1/2, 2 3/4"	Even widths, 4" & 6"	41.00	44.00	43.00	45.00	47.00	49.00
	Even widths, 8", 10" & 12"	38.00	41.00	40.00	42.00	43.00	45.00
	Odd & fr. widths, 2 1/4 to 5 3/4"	39.00	42.00	41.00	43.00	44.00	46.00
3" & 4"	Even widths, 4" to 6"	43.00	46.00	45.00	47.00	48.00	50.00
	Even widths, 8", 10" & 12"	44.00	47.00	46.00	48.00	49.00	51.00
	Odd & fr. widths, 2 1/4 to 5 3/4"	37.00	40.00	39.00	41.00	40.00	42.00
3 1/4, 3 1/2, 3 3/4"	Even widths, 4" to 6"	36.00	39.00	38.00	40.00	40.00	42.00
	Even widths, 8", 10" & 12"	42.00	45.00	44.00	46.00	46.00	48.00
	Odd & fr. widths, 2 1/4 to 5 3/4"	41.00	44.00	43.00	45.00	45.00	47.00
4 1/4 to 5 1/4"	Even widths, 4" to 6"	40.00	43.00	42.00	45.00	44.00	46.00
	Even widths, 8", 10" & 12"	39.00	42.00	41.00	44.00	43.00	45.00
	Odd & fr. widths, 2 1/4 to 5 3/4"	45.00	48.00	47.00	49.00	48.00	50.00
6, 8, 10 & 12"	Even widths, 4" to 6"	44.00	47.00	46.00	48.00	48.00	50.00
	Even widths, 8", 10" & 12"	38.00	41.00	40.00	42.00	42.00	44.00
	Odd & fr. widths, 2 1/4 to 5 3/4"	38.00	41.00	40.00	42.00	42.00	44.00
6 1/4 to 9 3/4"	Even widths, 4" to 6"	40.00	43.00	42.00	44.00	44.00	46.00
	Even widths, 8", 10" & 12"	38.00	41.00	40.00	42.00	42.00	44.00
	Odd & fr. widths, 2 1/4 to 5 3/4"	40.00	43.00	42.00	44.00	44.00	46.00

Thickness (inches)	Widths	Specified lengths, over 32' to 40'		Specified lengths, over 40' to 44'		Thickness (inches)	Widths	Specified lengths, over 32' to 40'		Specified lengths, over 40' to 44'	
		Even lengths	Odd and Fr/lths	Even lengths	Odd and Fr/lths			Even lengths	Odd and Fr/lths	Even lengths	Odd and Fr/lths
2"	Even widths, 2" to 6"	\$46.00	\$48.00	\$53.00	\$54.00	3 1/4, 3 1/2, 3 3/4"	Even widths, 4" to 6"	\$47.00	\$49.00	\$52.00	\$53.00
	Even widths, 8" to 12"	47.00	49.00	54.00	55.00		Even widths, 8, 10, & 12"	46.00	48.00	51.00	52.00
	Odd & fr. widths, 2 1/4 to 5 3/4"	51.00	53.00	58.00	59.00		Odd & fr. widths, 3 to 5 3/4"	52.00	54.00	57.00	58.00
2 1/4, 2 1/2, 2 3/4"	Even widths, 4" & 6"	52.00	54.00	59.00	60.00	4 1/4 to 5 1/4"	Even widths, 4" to 6"	51.00	53.00	56.00	57.00
	Even widths, 8", 10" & 12"	47.00	49.00	52.00	53.00		Even widths, 8, 10, 12"	45.00	47.00	50.00	51.00
	Odd & fr. widths, 2 1/4 to 5 3/4"	48.00	50.00	53.00	54.00		Odd & fr. widths, 2 1/4 to 5 3/4"	48.00	50.00	53.00	54.00
3" & 4"	Even widths, 4" to 6"	52.00	54.00	57.00	58.00	6, 8, 10 & 12"	Even widths, 4" to 6"	48.00	50.00	53.00	54.00
	Even widths, 8", 10" & 12"	53.00	55.00	58.00	59.00		Even widths, 8, 10, & 12"	48.00	50.00	53.00	54.00
	Odd & fr. widths, 2 1/4 to 5 3/4"	44.00	46.00	49.00	50.00		Odd & fr. widths, 2 1/4 to 5 3/4"	50.00	52.00	55.00	56.00
3 1/4, 3 1/2, 3 3/4"	Even widths, 4" to 6"	43.00	45.00	48.00	49.00	6 1/4 to 9 3/4"	Even widths, 4" to 6"	42.00	44.00	47.00	48.00
	Even widths, 8", 10" & 12"	49.00	51.00	54.00	55.00		Even widths, 8, 10, & 12"	45.00	47.00	50.00	51.00
	Odd & fr. widths, 2 1/4 to 5 3/4"	48.00	50.00	53.00	54.00		Odd & fr. widths, 2 1/4 to 5 3/4"	45.00	47.00	50.00	51.00

Grain

1. V. G. add to the same size and grade; 4" and narrower—\$10.00; wider than 4"—\$15.00 per M.

Condition

2. For dry add to the green price of the same size, grade and grain specifications under 2"—\$5.00 per M; 2" to 3"—\$10.00 per M; over 3"—\$15.00 per M.

Lengths

3. Lengths longer than listed, add \$2.00 per M for each extra 2' to the longest length price shown.

Widths

4. Widths wider than listed, add \$1.00 per inch or fraction thereof to the widest listed width.

Working charges

5. Surfacing S1S, S2S, S3S, S4S, add \$2.00 per M.

6. Other workings, add \$4.00 per M to rough price.

Miscellaneous

7. Select structural paragraph 222 add \$4.00 per M to the same size and grain specifications.

8. No. 1 paragraph 224, deduct \$2.00 per M from the same size.

9. Sizes larger than listed price from Table 4.

TABLE 17.—CAR LINING, ROOFING, SIDING

B & better car lining and roofing dry, flat grain, par. 240 and 245.

	1x4" D & M 2 3/32 x 3 1/4" A. L. S.	1x6" D & M 2 3/32 x 5 1/16" A. L. S.
5'	\$45.00	\$50.00
6'	45.00	50.00
8'	55.00	55.00
9'	60.00	61.00
10'	57.00	58.00
12'	57.00	58.00
14'	64.00	65.00
16'	69.00	70.00
18' & 20'	80.00	80.00
22' & 24'	53.00	53.00
6/20 R/L	54.00	54.00
10/20 R/L	56.00	56.00

Note: B & better car siding dry, flat grain, par. 237 add \$5.00 to price of car lining.

Grain

1. V. G. add to flat grain price; 1 x 4"—\$10.00 per M; 1 x 6"—\$15.00 per M.

Grade differentials

2. "C" lining, roofing, and siding paragraphs 241, 246, and 238—deduct \$2.00 per M from B and better price of the same item.

3. "Selected" roofing and lining (grain tight) paragraphs 247 and 242—deduct \$8.00 from B & better price.

Condition

4. Green—deduct \$5.00 per M from dry price.

Lengths

5. Specified odd or fractional lengths not listed add \$2.00 per M to price of and compute footage on basis of next longer even listed length.

Widths

6. For 1 x 3"—add \$5.00 per M to the price of 1 x 4" in 9' and 10'; other lengths same as 1 x 4".

7. For 1 x 5"—add \$5.00 per M to the price of 1 x 6".

Working charges

8. Blanked S1S, S2S, S3S, or S4S add \$2.00 per M to D and M price.

9. Patterns other than A. L. S. D and M add \$5.00 per M to D and M price.

Miscellaneous

10. Rough deduct \$2.00 per M from D and M price.

11. Insulation, paragraph 243 deduct \$10.00 per M from B and Better price.

TABLE 18—SHEATHING, DECKING, END LINING

B and Better Horizontal Sheathing, Decking, and End Lining Par. 249 and 254. Dry, Flat Grain, T and G or Shiplap.

2 x 4-3 1/4"	Over all or less	2 x 6-5 1/2"	Over all or less
8'	\$57.00	8'	\$60.00
9'	62.00	9'	65.00
10'	61.00	10'	64.00
12'	60.00	12'	63.00
14'	60.00	14'	63.00
16'	67.00	16'	70.00
18' & 20'	72.00	18' & 20'	75.00
22' & 24'	82.00	22' & 24'	85.00
8/20 R/L	58.00	8/20 R/L	61.00

Grain

- 2 x 4 V. G. add \$10.00 per M to F. G. price; 2 x 6 V. G. add \$15.00 per M to F. G. price.

Grade differentials

- "C" grade, paragraphs 250 and 255, deduct \$5.00 per M from B and better.

Condition

- Green deduct \$10.00 per M from dry price.

Lengths

- Specified fractional or odd lengths not listed add \$2.50 per M to the price of and compute footage on next even listed length.

Widths

- Add to 2 x 6' price, for 2 x 8' \$3.00 per M; for 2 x 10' \$7.50 per M.

Thickness

- 1 1/4 and 1 1/2" thickness dry add \$5.00 per M to the dry price; green deduct \$5.00 per M from the dry price.
- 2 1/4", 2 1/2" and 2 3/4" thickness add \$5.00 per M to the 2" price.

Working charges

- Blanked S1S, S2S, S3S, or S4S same price as T. and G.
- Patterns other than listed or wider than listed for 2 x 5" and 2 x 6" but not exceeding 3 3/4 and 5 1/4 over all add \$3.00 per M.

Miscellaneous

- Rough deduct \$2.00 per M from T. and G. price.

Condition

- Dry less than 2" add \$5.00 per M; 2" and thicker add \$10.00 per M.

Lengths

- Lengths longer than listed add \$1.00 to 10' price for each additional foot over 10'.

Widths

- Odd or fractional widths add \$3.00 per M to next wider even width.

Working charges

- Surfaced S1S, S2S, S3S, S4S, T. and G., or S/L A. L. S. add \$2.00 per M.

General notes on all railway and car material

- For grades other than those contained in W. C. L. A. car materials rules, the maximum price shall be the price for the W. C. L. A. grade and specification to which the other grade and specification most closely conforms.
- Western hemlock—price shall be \$1.00 per M less than Douglas Fir price of same item.
- "C & Better"—invoice "C" and "B & Better" at price shown for each grade.
- Random lengths other than listed—invoice each length at specified length price and deduct \$3.00 per M.
- Clear framing and running boards, Par. 226, 227, 229, 230, 232, and 233—add \$5.00 to price of same item (same size, length, grain, seasoning and grade) shown in Table 11 for "Finish and Clears" under 3", and Table 12 for "Clears" for 3" and thicker.

TABLE 19—SELECTED CAR DECKING AND END LINING

Par. 251 Rough Green	8' 6"	9'	9' 6"	10'	10' 6"
1 1/2 and 1 3/4" x 6", 8" and 10"	\$44.00	\$42.50	\$43.50	\$41.00	\$46.00
2 x 6", 8" and 10"	37.00	35.50	36.50	34.00	39.00
2 1/4, 2 1/2 and 2 3/4" x 6", 8" and 10"	39.00	37.50	38.50	36.00	41.00
3 x 6", 8" and 10"	38.00	36.50	37.50	35.00	40.00

Grain

- V. G. 4" and narrower add \$10.00 per M; wider than 4" add \$15.00 per M.

Grade differentials

- No. 1 car decking, paragraph 252, deduct \$2.00 per M from price of selected.

SHIP DECKING AND PONTON GRADES

TABLE 20—SHIP DECKING

Rough green par. 286 and margin pieces	8/40 av. 12'	10/40 av. 14'	12/40 av. 16'	14/40 av. 18'	16/40 av. 20'	18/40 av. 22'	20/40 av. 24'	22/40 av. 26'	Rough green par. 286 and margin pieces	8/40 av. 12'	10/40 av. 14'	12/40 av. 16'	14/40 av. 18'	16/40 av. 20'	18/40 av. 22'	20/40 av. 24'	22/40 av. 26'
1 x 3"	\$75.00	\$80.00	\$85.00	\$90.00	\$95.00				3 x 3"	\$82.00	\$87.00	\$92.00	\$97.00	\$102.00	\$107.00	\$112.00	\$117.00
1 x 4"	75.00	80.00	85.00	90.00	95.00				3 x 4"	78.00	83.00	88.00	93.00	98.00	103.00	108.00	113.00
1 x 5"	82.00	87.00	92.00	97.00	102.00				3 x 5"	82.00	87.00	92.00	97.00	102.00	107.00	112.00	117.00
1 x 6"	80.00	85.00	90.00	95.00	100.00				3 x 6"	80.00	85.00	90.00	95.00	100.00	105.00	110.00	115.00
2 x 3"	75.00	80.00	85.00	90.00	95.00	\$100.00	\$105.00	\$110.00	4 x 4"	75.00	80.00	85.00	90.00	95.00	100.00	105.00	110.00
2 x 4"	75.00	80.00	85.00	90.00	95.00	100.00	105.00	110.00	4 x 5"	82.00	87.00	92.00	97.00	102.00	107.00	112.00	117.00
2 x 5"	82.00	87.00	92.00	97.00	102.00	107.00	112.00	117.00	4 x 6"	80.00	85.00	90.00	95.00	100.00	105.00	110.00	115.00
2 x 6"	80.00	85.00	90.00	95.00	100.00	105.00	110.00	115.00									

Rough Green Par. 286 and margin pieces	24/40 Av. 28'	26/40 Av. 30'	28/40 Av. 32'	30/40 Av. 34'	32/40 Av. 36'	34/40	36/40	Rough Green Par. 286 and Margin pieces	24/40 Av. 28'	26/40 Av. 30'	28/40 Av. 32'	30/40 Av. 34'	32/40 Av. 36'	34/40	36/40
2 x 3"	\$115.00	\$120.00	\$125.00	\$130.00	\$130.00	\$130.00	\$130.00	3 x 5"	\$122.00	\$127.00	\$132.00	\$137.00	\$137.00	\$137.00	\$137.00
2 x 4"	115.00	120.00	125.00	130.00	130.00	130.00	130.00	3 x 6"	120.00	125.00	130.00	135.00	135.00	135.00	135.00
2 x 5"	122.00	127.00	132.00	137.00	137.00	137.00	137.00	4 x 4"	115.00	120.00	125.00	130.00	130.00	130.00	130.00
2 x 6"	120.00	125.00	130.00	135.00	135.00	135.00	135.00	4 x 5"	122.00	127.00	132.00	137.00	137.00	137.00	137.00
3 x 3"	122.00	127.00	132.00	137.00	137.00	137.00	137.00	4 x 6"	120.00	125.00	130.00	135.00	135.00	135.00	135.00
3 x 4"	118.00	123.00	128.00	133.00	133.00	133.00	133.00								

Grade Differential

- "C" grade: Price as "C" Green Rough, paragraph 123 and 126, Tables 11 and 12.

Lengths

- For specified lengths up to and including 34 feet: add \$5.00 per M feet to the

corresponding average length price listed above. Specified lengths 36' to 40' to be priced at the 34' specified length price.

	8/40	10/40	12/40	14/40	16/40	18/40	20/40	22/40	24/40	26/40	28/40	30/40
For 14' av. add												
For 16' av. add	\$4.00											
For 18' av. add	8.00	\$4.00										
For 20' av. add	12.00	8.00	\$4.00									
For 22' av. add	16.00	12.00	8.00	\$4.00								
For 24' av. add	20.00	16.00	12.00	8.00	\$4.00							
For 26' av. add	24.00	20.00	16.00	12.00	8.00	\$4.00						
For 28' av. add	28.00	24.00	20.00	16.00	12.00	8.00	\$4.00					
For 30' av. add	32.00	28.00	24.00	20.00	16.00	12.00	8.00	\$4.00				
For 32' av. add	36.00	32.00	28.00	24.00	20.00	16.00	12.00	8.00	\$4.00			
For 34' av. add	40.00	36.00	32.00	28.00	24.00	20.00	16.00	12.00	8.00	\$4.00		
For 36' av. add	44.00	40.00	36.00	32.00	28.00	24.00	20.00	16.00	12.00	8.00	\$4.00	
For 38' av. add	48.00	44.00	40.00	36.00	32.00	28.00	24.00	20.00	16.00	12.00	8.00	\$4.00

3. Where maximum length of any R/L specification is reduced to:

38' deduct	\$2.00
36' deduct	4.00
34' deduct	6.00
32' deduct	8.00
30' deduct	10.00
28' deduct	10.00
26' deduct	10.00
24' deduct	12.00
22' deduct	12.00
20' deduct	12.00

4. Specified fractional and odd lengths add \$3.00 per M to the specified length price of, and compute footage on next longer even length.

5. Lengths longer than 40' add \$2.50 per M for each foot or fraction thereof to the 40' specified length price. Compute footage on actual length.

Widths

6. Fractional widths add \$5.00 per M to next narrower listed width and compute footage on actual size.

7. Widths wider than listed up to and including 10" add \$5.00 per inch to the 6 inch price, wider than 10" add \$7.50 per inch to the 6" price.

Thickness

8. Fractional thicknesses add \$5.00 per M to the next less listed thickness and compute footage on actual size.

9. Even thicknesses thicker than listed add \$5.00 per M to the thickest listed thickness of the same width and length.

Working charges

10. Surfacing S1S, S2S, S3S, S4S, green or dry add \$3.00 per M to rough price.

11. Other workings not provided for, green or dry, add \$5.00 per M to rough price.

Condition

12. Dry decking 2" thick and under add \$15.00 per M; over 2" add \$25.00 per M.

Miscellaneous

13. Waiving sap limitation, paragraph 286, deduct \$3.00 per M from the same size and length.

TABLE 21.—PONTON LUMBER

U. S. Army specifications	Specification number	Net size per piece	Nominal size	Maximum price
25-TON MODEL, 1940				
Chess	T-1053	2 3/4 x 1 1/2-15'	3 x 1 3/4-16'	\$80.00
Half Chess	T-1053	2 3/4 x 5/8-15'	3 x 6-16'	70.00
Sill	T-1056	7 3/8 x 9 5/8-15' 6"	8 1/4 x 10 3/4-16'	180.00
Ponton Balk	T-1057	5 3/8 x 7 3/4-21' 9"	6 1/4 x 8 1/4-22'	175.00
Trestle Balk	T-1057	5 3/8 x 7 3/4-15' 5/8"	6 1/4 x 8 1/4-16'	170.00
Transverse Balk	T-1068	2 x 10-14' 11 3/4"	2 1/2 x 10 1/2-16'	90.00
Spacer Blocks	T-1068	1 1/2 x 2 1/2-10"	1 1/2 x 2 1/2-1'	75.00
Spacer Blocks	T-1068	1 1/2 x 4-10"	1 1/2 x 4 1/4-1'	75.00
10-TON MODEL, 1938				
Trestle Balk	T-1366	4 x 6-15' 4 3/4"	4 1/2 x 6 1/4-16'	155.00
Chess	T-1367	2 1/2 x 1 1/4-12'	2 1/2 x 1 1/2-12'	80.00
Half Chess	T-1367	2 1/2 x 5/8-12'	2 1/2 x 6-12'	70.00
Sill	T-1385	5 3/4 x 7 3/4-13'	6 1/4 x 8 1/4-14'	170.00
Ponton Balk	T-1366	4 x 6-21' 5"	4 1/2 x 6 1/4-22'	160.00

Compute footage on nominal sizes.

MISCELLANEOUS ITEMS

TABLE 22—LATH

	1/2" Fence lath	No. 1	No. 2
4' Lath green or dry, for 1,000 pieces...	\$6.25	\$5.00	\$4.00

(1) Fence lath may contain 20% No. 2; for 100% No. 1 add \$1.00.

TABLE 23—CORN CRIBBING AND WELL CURBING

R/L dry	C & better	"D"	No. 1 common
1 x 4"	\$47.00	\$41.00	\$30.00
1 x 6"	61.00	44.50	41.00
2 x 6"	83.50	45.50	42.00

Lengths

1. Random Lengths 6/20'.
2. Specified or random lengths 14' to 20' add \$5.00 per M to R/L price.

TABLE 24—GUTTER

Paragraph 282 green R/L	8/40	16/40	20/40
3x4, 3x5, 4x5, and 4x6	\$78.00	\$80.00	\$83.00

Lengths

1. Specified length 8/20' add \$5.00 per M, 22/30' add \$8.00 per M, 32/40' add \$10.00 per M.

TABLE 25—SILO STOCK

R/L Dry (Run to pattern)	B & Better Para. 164	Select Mer. Para. 165
2 x 6-8/20'	\$63.00	\$53.00
22/30'	73.00	63.00
32/40'	83.00	73.00

Condition

1. Green deduct \$10.00 per M.

Lengths

2. Specified lengths—add to R/L price same size and grade:

8' 10' & 12'	\$2.00
14'	3.00
16' 18' & 20'	5.00
22' & 24'	10.00
26', 28', 30' & 32'	15.00
34' 36' 38' & 40'	25.00

TABLE 26—PICKETS

No. 1 Pickets—Paragraph 181—Green per M Pieces

	3'	3'6"	4'	5'	6'
1 x 3 Gothic S4S	\$38.00	\$41.00	\$46.00	\$55.00	\$60.00

No. 2 pickets deduct \$10.00 per M pieces. Pointed one angle only deduct from Gothic price per M pieces—\$3.00. Pointed two angles deduct from Gothic price per M pieces—\$2.00.

Sec. 24 Other West Coast lumber (Western Hemlock and True Fir). The maximum prices for other West Coast lumber (Western

Hemlock and all species of True Fir) f. o. b. mill per one thousand feet board measure where shipment originates at a mill shall be as follows:

(a) For one inch boards: same as Douglas Fir prices.

(b) For all other items: deduct \$1.00 per MBM from maximum price for corresponding item in Douglas Fir (Section 23).

SEC. 25 General notes. (Applies to Entire Article V.)

1. The following additions may be added for special provisions when not included in the desired grade, and then only when the provision is specifically requested by the buyer. An official certificate of grade by the W. C. L. A., P. L. I. B. or any agency approved by the Portland Office of the Office of Price Administration, must be furnished by the mill when additions are made for paragraphs 300, 301, 302, 303, and 305, except that orders for less than a carload (or less than 18,000 feet if by truck) for delivery direct to the job may be covered by mill certificate only.

2. Hemlock may not include paragraph 302, the grade of Select Structural, or any stress grade higher than 1200 F.

Grain

The grain additions may be added only to the following grades (W. C. L. A. Standard Grading and Dressing Rules No. 12.)

I. Medium grain—Paragraph 300 add \$1.00 per M. (Paragraphs 199, 200, 221, 223, 224, 251 and 252.) Hemlock comparative grades.

II. Close grain—Paragraph 301 add \$2.00 per M. (Paragraphs 194, 195, 199, 200, 215, 219, 221, 223, 224, 251, 252, 284 and 285.) Hemlock comparative grades.

III. Dense Grain—Paragraph 302 add \$5.00 per M. (Paragraphs 194, 195, 199, 200, 210, 214, 215, 218, 219, 221, 222, 223, 224, 251, 252, 284, 285, 288, and 289.)

Heartwood

(Specified in no grade lower than #1)

IV. 75% Heartwood paragraph 303 (A and D) add \$0.50 per M to price of the same size, length and grade.

V. 85% Heartwood paragraph 303 (B and E)—Add \$1.50 per M to price of same size,

length and grade except addition to paragraphs 210 and 218—add \$1.00 per M only.

VI. 90% Heartwood paragraph 303 (C and F)—Add \$2.50 per M to price of the same size, length and grade except addition to paragraph 210 and 218 add \$2.00 per M only.

VII. 100% Heartwood or free from sap—add \$4.00 per M to the price of the same size, length and grade.

Square edge

VIII. Square edge add \$0.50 per M to the price of the same size, length and grade only in select merchantable and higher.

Slope of grain

IX. No. 1 and higher grades of common when not provided for in grades specified, slope of grain not exceeding 1" in 10" add \$0.50 per M; for 1" in 12", add \$1.00 per M; for 1" in 15", add \$2.00 per M to the price of the same size, length and grade.

X. "D" and better grades: Slope of grain not exceeding 1" in 10", add \$1.00 per M; for 1" in 12", add \$2.00 per M; for 1" in 15", add \$4.00 per M to the price of the same size, length and grade.

XI. Add for side cut (F. O. H. C.)—The following charges are for all lengths:

	No. 1	Sel. Merch.	Sel. Struct.		No. 1	Sel. Merch.	Sel. Struct.
3 x 10 & 3 x 12"	\$0.50	\$0.50	\$0.50	8 x 10 & 8 x 12"	\$4.00	\$3.00	\$2.00
3 x 14 & 3 x 16"	1.00	1.00	1.00	8 x 14"	4.50	3.50	3.00
3 x 18"	2.00	2.00	2.00	8 x 16"	6.00	5.50	5.00
4 x 10 & 4 x 12"	.50	.50	.50	8 x 18"	8.00	7.00	6.00
4 x 14 & 4 x 16"	1.00	1.00	1.00	10 x 10 & 10 x 12"	7.00	6.00	5.00
4 x 18"	2.00	2.00	2.00	10 x 14"	8.00	7.00	6.00
6 x 6 & 6 x 8"	1.50	1.50	1.50	10 x 16"	9.00	8.00	7.00
6 x 10 & 6 x 12"	2.50	2.00	1.50	10 x 18"	10.50	9.50	8.50
6 x 14"	3.00	2.50	2.00	12 x 12"	9.00	8.00	7.00
6 x 16"	5.00	4.00	3.50	12 x 14"	10.00	9.00	8.00
6 x 18"	6.00	5.00	4.50	12 x 16"	12.00	11.00	10.00
8 x 8"	2.50	2.00	1.50	14 x 14"	14.00	13.00	12.00

1. Timbers (F. O. H. C.) wider or thicker than listed add \$1.50 per M for each 2" wider or thicker than listed.

2. Odd size timbers (F. O. H. C.) not listed add half the difference between the nearest listed comparable sizes to the charge for the smaller size.

XII. Working charges.¹

OUTGAUGING

	6 x 6" to 16 x 20"	Over 16 x 20" to 24 x 30"	Larger than 24 x 30"
40' and shorter...	Add \$2.00	Add \$4.00	Add \$10.00
41 to 60'.....	Add 3.00	Add 5.00	Add 10.00
61 to 80'.....	Add 4.00	Add 6.00	Add 10.00
81' and longer....	Add 6.00	Add 8.00	Add 10.00

T & G—GROOVING OR SAW SIZING

	6 x 6" to 16 x 20"	Over 16 x 20" to 24 x 30"	Larger than 24 x 30"
40' and shorter..	Add \$3.00	Add \$5.00	Add \$10.00
41 to 60'.....	Add 4.00	Add 6.00	Add 10.00
61 to 80'.....	Add 5.00	Add 7.00	Add 10.00
81' and longer....	Add 7.00	Add 9.00	Add 10.00

DIAGONAL AND/OR TAPER RESAWING

	6 x 6" to 16 x 20"	Over 16 x 20" to 24 x 30"	Over 24 x 30"
40' and shorter..	Add \$5.00	Add \$10.00	Add \$15.00
41 to 60'.....	Add 6.00	Add 11.00	Add 15.00
61 to 80'.....	Add 7.00	Add 12.00	Add 15.00
81' and longer....	Add 10.00	Add 15.00	Add 15.00

¹The foregoing working charges are to be added to the surfaced price for same size, length and grade.

XIII. Fir Log Cabin Siding.

- All grades 1 and 2"—Add \$5.00 per M to the price of same grade, size and seasoning.
- All grades 3"—Add \$6.00 per M to the price of same grade, size and seasoning.
- Machine droppings—Up to 15% to be included at \$5.00 per M less.
- For less than 1 M Board Measure—Add set up charge of \$5.00.

XIV. All prices are based on one thousand feet board measure, except for lath and

pickets which are based on one thousand pieces. The board measure of dressed lumber is based upon the corresponding dimensions of rough green lumber. No lumber is sold on less than one inch count unless otherwise specifically stated.

XV. Where the buyer specifies a random length group or groups and also specifies a minimum average length, (other than odd) price, the random length group at the specified length price of the average length required. If a buyer specifies a minimum average length and that length is an odd length then price the R/L group at the specified length price of the next longer even length.

XVI. For surfacing thicker and/or wider than American Lumber Standard sizes, other than 1/4" off, add \$2.00 per M.

XVII. Grade definitions.

1. "E" Grade. This grade covers the "droppings" from "D" which would otherwise be wasted, and covers flooring, ceiling, drop-siding, rustic, shiplap, and finish.

The grade will admit the following defects which will not seriously impair the lumber for the use intended with a trim waste not to exceed 25%.

Splits, checks and shake.....	Not serious.
Tongue and groove.....	Scant.
Skips.....	H and M.
Stain.....	White specks.
Rot.....	Small spots.
Worm holes.....	
Pitch pockets.....	Large.

Knot holes, wane and other defects—that do not prevent use as cheap flooring, sheathing, finish, etc., in 4' lengths and longer.

2. No. 4. This grade covers the down-fall from 1" and thicker No. 3 which would otherwise be wasted. It may be either rough or surfaced. The defects which include splits, checks, shake, skips, rot, stain, worm holes, pitch pockets, knot holes, wane or other defects which in combination will not impair the lumber for the purpose intended.

3. Shims. Shims are boards that are too thin to be surfaced to standard sizes. They may be of such thicknesses as will surface to either 1/2" or 3/8" H/M. Shims are graded as No. 3 and better or according to the grading rules applying to the similar grade of standard size boards.

XVIII. For bundling: Add \$1.00 per thousand.

Article VI—Price Tables for Export—"N" List

The maximum prices for Douglas Fir and other West Coast lumber, where

(A) Shipment originates at a mill, and (B) The lumber is graded in accordance with "N" Export Grading Rules adopted by the West Coast Lumbermen's Association and British Columbia Lumber and Shingle Manufacturers, 1929, and is

(C) Sold for export to or for a destination outside the Continental United States (except Canada, Alaska, the Panama Canal Zone, and Puerto Rico), including sales or shipments in the course of being exported from the United States or any Territory thereof to any foreign nation, shall be as follows:

TABLE 1

[Prices are stated per one thousand board feet F. A. S. Vessel]

R/L, 8/24', Merchantable	Douglas Fir:	Rough Green
1 x 3.....		\$38.50
1 x 4.....		34.50
1 x 5.....		40.50
1 x 6.....		34.50
1 x 7.....		40.00
1 x 8.....		34.50
1 x 9.....		37.50
1 x 10.....		33.50
1 x 11.....		39.00
1 x 12.....		35.50
1' and thicker x AW—R/L price as if all 1".		

Grades

1. Selected merchantable add \$3.00 per M to merchantable price of the same width and length.

2. Merchantable permitting up to 15% common deduct \$0.50 per M from the merchantable price of the same width and length.

3. Common deduct \$3.00 per M from the merchantable price of the same width and length.

4. No. 3 and better common deduct \$6.00 per M from the merchantable price of the same width and length.

Condition

5. Dry add to the same length, width and grade \$4.00 per M.

Lengths

- 6. Specified odd lengths: Add \$3.00 per M to the price of the next longer even length and compute footage on actual length.
- 7. Specified fractional lengths: Add \$5.00 per M to the price of the next longer even length and compute footage on actual length.
- 8. Random lengths 25/32' add \$4.00 per M to the price of R/L 8/24'.
- 9. Omitting lengths 16' and shorter in R/L shipments add \$0.50 per M for each even length omitted.
- 10. Specified lengths add to the R/L price of the same size and grade.
 - 16' and shorter..... \$2.00 per M
 - 17' to 24'..... 4.00 per M
- 11. When average length specified in R/L specifications add:
 - 13' and shorter..... no addition
 - 16' and shorter..... \$1.00
 - 18' and shorter..... 2.00
 - 20' and shorter..... 4.00
- 12. If a percentage of odd lengths in excess of 10% is specified in R/L specifications add \$2.00 per M to the R/L price.

Widths

- 13. Random widths with a specified minimum average width, price at the specified average width required.
- 14. Random widths 8" and wider without average use 12" width price. Random widths less than 8" and wider without average use 8" width price.
- 15. Even widths wider than 12" add \$2.00 per M for each 2" wider than 12" to the 12" price of the same grade and length.
- 16. Odd or fractional widths not listed add \$6.00 per M to the next less even width. Compute footage on actual size.
- 17. If a percentage of odd widths in excess of 10% is specified in R/W specifications add \$2.00 per M to the R/W price.

Thickness

- 18. Thickness less than 1" price on the same width and grade as 1" on a basis of surface measure.
- 19. 3/4", 1/2" and 1/4" add \$5.00 per M to the 1" price of the same size and grade, compute footage on actual measurement.

Working Charges

- 20. Surfacing deduct \$1.50 per M.
- 21. S1S & T & G or S2S & T & G and bundled if required add \$3.00 per M.
- 22. Ripping or resawing add \$1.00 per M.

Miscellaneous

- 23. Hemlock or true Fir same price as Douglas Fir.

TABLE 2

R/L, Merchantable Douglas Fir:	Rough Green
2 x 2, 8/20'	\$38.00
2 x 3, 8/24'	36.00
2 x 4, 8/24'	36.00
2 x 5, 8/24'	42.00
2 x 6, 8/32'	36.00
2 x 7, 8/32'	40.50
2 x 8, 8/32'	35.00
2 x 9, 8/32'	39.00
2 x 10, 8/32'	35.00
2 x 11, 8/32'	38.50
2 x 12, 8/32'	35.00
2" and thicker x AW—8/32' price as if all 2".	

Grades

- 1. Selected merchantable add \$3.00 per M to merchantable price of the same width and length.

2. Merchantable permitting up to 15% common deduct \$0.50 per M from the merchantable price of the same width and length.

3. Common deduct \$3.00 per M from the merchantable price of the same width and length.

4. No. 3 and better common deduct \$6.00 per M from the merchantable price of the same width and length.

5. Mining deduct \$7.00 per M from merchantable grade of the same width and length.

Condition

- 6. Dry add \$4.00 per M to the same width, length and grade.

Lengths

- 7. Specified odd lengths: Add \$3.00 per M to the price of the next longer even length and compute footage on actual length.
- 8. Fractional lengths: Add \$5.00 per M to the price of the next longer even length and compute footage on actual length.
- 9. Random lengths 33/40' add \$4.00 per M to random lengths 8/32'. Random lengths: 2 x 2—21/32' add \$5.00 per M to R/L 8/20'; 2 x 3 to 2 x 5 25/32' add \$2.00 per M to R/L 8/24'.
- 10. Omitting lengths 16' and shorter in R/L shipments add \$0.50 per M for each even length omitted.
- 11. Specified lengths, when ordered, add \$2.00 per M to the R/L price of the same size and length.
- 12. When average length specified in R/L specifications add:
 - 14' and shorter..... No addition
 - 15' and shorter..... \$0.50
 - 17' and shorter..... 1.00
 - 19' and shorter..... 2.00
 - 20' and shorter..... 3.00
 - 22' and shorter..... 5.00
 - 24' and shorter..... 7.00
- 13. If a percentage of odd lengths in excess of 10% is specified in R/L specifications add \$2.00 per M to the R/L price.

Widths

- 14. Random widths with a specified minimum average width, price at the specified average width required.
- 15. Random widths 8" and wider without average use 8" width price. Random width less than 8" and wider without average use 6" width price.
- 16. Even widths wider than 12" add to the price of the 12" of the same grade and length \$1.00 per M for each 2" wider than 12".
- 17. Odd or fractional widths not listed add \$6.00 per M to the next less even width. Compute footage on actual size.
- 18. If a percentage of odd widths in excess of 10% is specified in R/W specifications add \$2.00 per M to the R/W price.

Thickness

- 19. Odd or fractional thicknesses over 2" and under 3" price from table for plank and small timbers by adding \$3.00 per M to the 3" price of the same width, length and grade. Compute footage on actual rough measure.

Working Charges

- 20. Surfacing deduct \$1.50 per M.
- 21. S1S & T & G or S2S & T & G add \$3.00 per M.
- 22. Ripping or resawing, not diagonal or tapered; for 2 x 4" add \$2.00; 2 x 6" and wider add \$1.00 per M. Diagonal or tapered resawing add \$5.00 per M. In either instance the product of the strip to be shipped.

Miscellaneous

- 23. Hemlock and True Fir deduct \$1.00 per M.

TABLE 3

R/L, 10/32', Merchantable Douglas Fir:	Rough Green
3 x 3.....	\$40.50
3 x 4.....	39.00
3 x 6.....	37.50
3 x 8.....	37.50
3 x 10.....	37.00
3 x 12.....	37.00
4 x 4.....	38.50
4 x 6.....	37.50
4 x 8.....	37.50
4 x 10.....	37.00
4 x 12.....	37.00
6 x 6.....	37.00
6 x 8.....	37.00
8 x 8.....	37.00
3" or 4" or 5" or 6" or 8" thickness x AW—10/32' price as if all 3 x 6.	

Grades

- 1. Selected Merchantable add \$3.00 per M to Merchantable price of same width and length.
- 2. Merchantable permitting up to 15% Common deduct \$0.50 per M from the Merchantable price of the same width and length.
- 3. Common deduct \$3.00 per M from the Merchantable price of the same width and length.
- 4. No. 3 and Better Common deduct \$10.00 per M from the Merchantable price of the same width and length.
- 5. Mining deduct \$7.00 per M from Merchantable grade of the same width and length.

Lengths

- 6. 3 x 3 and 4 and 4 x 4 for lengths 33/40' add \$10.00 per M to 10/32' R/L price. 3 x 6 to 3 x 12 and 4 x 6 to 4 x 12 for lengths 33/40' add \$4.00 per M to 10/32' R/L price. 6 x 6 to 8 x 8 for lengths 33/40' add \$2.00 per M to 10/32' R/L price.
- 7. Lengths longer than 40' add the amount listed for the length specified to the 40' specified length price.

41'.....	\$2.00
42'.....	4.00
43'.....	6.00
44'.....	8.00
45'.....	10.00
46'.....	12.00
47'.....	14.00
48'.....	16.00
49'.....	18.00
50'.....	20.00
51'.....	22.00
52'.....	24.00
53'.....	26.00
54'.....	28.00
55'.....	30.00
56'.....	32.00
57'.....	34.00
58'.....	36.00
59'.....	38.00
60'.....	40.00
61'.....	42.00
62'.....	44.00
63'.....	46.00
64'.....	48.00
65'.....	50.00
66'.....	52.00
67'.....	54.00
68'.....	56.00
69'.....	58.00
70'.....	60.00
71'.....	62.00
72'.....	64.00
73'.....	66.00
74'.....	68.00
75'.....	70.00
76'.....	72.00
77'.....	74.00
78'.....	76.00
79'.....	78.00
80'.....	80.00
81'.....	83.00

TABLE 4

82'	\$86.00
83'	89.00
84'	92.00
85'	95.00
86'	98.00
87'	101.00
88'	104.00
89'	107.00
90'	110.00
91'	113.00
92'	116.00
93'	119.00
94'	122.00
95'	125.00
96'	128.00
97'	131.00
98'	134.00
99'	137.00
100'	140.00

R/L, 10/32', Merchantable Douglas Fir:		Rough Green
6 x 10		\$36.00
6 x 12		36.00
8 x 10		36.00
8 x 12		36.00
10 x 10		36.00
10 x 12		36.00
12 x 12		36.00
6 x 14		36.50
8 x 14		36.50
6 x 16		38.25
8 x 16		38.25
6 x 18		40.50
8 x 18		40.50
10 x 14		36.00
12 x 16		36.00
10 x 16		38.00
10 x 18		40.25
12 x 14		36.50
14 x 14		36.50
14 x 16		36.00
16 x 16		36.00
18 x 18		38.00
20 x 20		40.00
22 x 22		42.00
24 x 24		44.00
26 x 26		48.00
28 x 28		52.00
30 x 30		56.00
32 x 32		60.00

61'	\$42.00
62'	44.00
63'	46.00
64'	48.00
65'	50.00
66'	52.00
67'	54.00
68'	56.00
69'	58.00
70'	60.00
71'	62.00
72'	64.00
73'	66.00
74'	68.00
75'	70.00
76'	72.00
77'	74.00
78'	76.00
79'	78.00
80'	80.00
81'	83.00
82'	86.00
83'	89.00
84'	92.00
85'	95.00
86'	98.00
87'	101.00
88'	104.00
89'	107.00
90'	110.00
91'	113.00
92'	116.00
93'	119.00
94'	122.00
95'	125.00
96'	128.00
97'	131.00
98'	134.00
99'	137.00
100'	140.00

Lengths over 100', add \$3.00 per lin. foot for each additional foot over 100' to the 100' price.

8. Omitting lengths in 3 x 3 to 4 x 12—20' and shorter—add \$0.50 per M for each even length omitted; 6 x 6 to 8 x 8—20' and shorter—add \$0.25 per M for each even length omitted.

9. Specified lengths when ordered add \$2.00 per M to the R/L price of the same size and grade.

10. When average length specified in R/L specifications add:

15' and shorter	No addition
17' and shorter	\$0.50
19' and shorter	1.00
21' and shorter	1.50
23' and shorter	2.00
25' and shorter	2.50
27' and shorter	3.00
29' and shorter	3.50
30' and shorter	4.00
32' and shorter	5.00

11. Specified fractional lengths: add \$5.00 per M to the price of the next longer even length. Compute footage on actual length.

12. Specified odd lengths: add \$3.00 per M to the price of the next longer even length. Compute footage on actual length.

13. If a percentage of odd lengths in excess of 10% is specified in R/L specifications add \$1.00 to the R/L price.

Widths

14. Even widths wider than 12" add to the price of 12" of the same grade and length \$1.00 per M for each 2" wider than 12".

15. Odd or fractional widths, add \$3.00 per M to the next larger even width. Compute footage on actual rough measure.

16. If a percentage of odd widths in excess of 10% is specified in R/W specifications add \$2.00 per M to the R/W price.

17. Random widths with a specified minimum average width, price at the specified average width required.

18. Random widths 8' and wider without average use 12" width price. Random widths less than 8' and wider without average use 8" width price.

Thickness

19. Odd or fractional thicknesses not covered add \$3.00 per M to the next larger even thickness. Compute footage on actual rough measure.

Working charges

20. Surfacing deduct \$1.50 per M.

21. Surfacing lengths longer than 40' add \$0.25 per M per lineal foot to surfaced 40' price for each additional foot over 40'.

Miscellaneous

22. Hemlock and True Fir deduct \$1.00 per M.

10" or thicker x AW—10/32" Price as if all 10".

Grades

1. Selected Merchantable add \$3.00 per M to Merchantable price of the same width and length.

2. Merchantable permitting up to 15% Common deduct \$0.50 per M from the Merchantable price of the same width and length.

3. Common deduct \$3.00 per M from the Merchantable price of the same width and length.

4. No. 3 and Better Common deduct \$10.00 per M from the Merchantable price of the same width and length.

5. Mining deduct \$7.00 per M from Merchantable grade of the same width and length.

Lengths

6. Lengths 33/40' add \$2.00 per M to the 10/32' R/L price of the same size and grade.

7. When average length specified in R/L specifications add

20' and shorter	No addition
24' and shorter	\$1.00
28' and shorter	2.00
33' and shorter	3.00

8. Lengths longer than 40' add the amount listed for the lengths specified to the 40' specified length price.

41'	\$2.00
42'	4.00
43'	6.00
44'	8.00
45'	10.00
46'	12.00
47'	14.00
48'	16.00
49'	18.00
50'	20.00
51'	22.00
52'	24.00
53'	26.00
54'	28.00
55'	30.00
56'	32.00
57'	34.00
58'	36.00
59'	38.00
60'	40.00

Lengths over 100', add \$3.00 per lin. foot for each additional foot over 100' to the 100' price.

9. Omitting lengths 20' and shorter add \$0.25 per M for each even length omitted.

10. Specified lengths, when ordered, add \$2.00 per M to the R/L price of the same size and grade.

11. Odd or fractional lengths add \$1.00 per M to and compute footage on the next longer even length.

Widths

12. Random widths with a specified minimum average width, price at the specified average width required.

13. Random widths 8' and wider without average use 12" width price. Random widths less than 8' and wider without average use 8" width price.

14. Odd or fractional widths add \$1.50 per M to the next larger even width, compute footage on actual rough measure.

15. Widths wider than listed—up to and including 24" add \$1.00 per M for each additional 2" to widest listed width of the same grade, thickness and length. Wider than 24" add \$2.00 per M for each additional 2" to 24" of same grade, thickness and length.

Thickness

16. Odd or fractional thickness add \$1.50 per M to the next larger even thickness, compute footage on actual rough measure.

17. Thicker than listed, add \$4.00 per M for each additional 2" to 32" price of the same grade, width and length.

Working charges

18. Surfacing deduct \$1.50 per M.

19. Surfacing lengths longer than 40' add \$0.25 per M per lineal foot to surfaced 40' price for each additional foot over 40'.

Miscellaneous

20. Hemlock and True Fir deduct \$1.00 per M.

TABLE 5

R/L, 10/24', #2 Clear & Better Douglas Fir Rough Green	F. G.	V. G.
1 x 2	\$58.00	\$70.00
1 x 3	61.00	71.00
1 x 4	65.00	75.00
1 x 5	68.00	78.00
1 x 6	69.00	79.00
1 x 8	70.00	80.00
1 x 10	72.00	82.00
1 x 12	74.00	84.00
5/8 and 3/4 x 2	66.50	75.00
5/8 and 3/4 x 3	61.50	71.00
5/8 and 3/4 x 4	69.00	81.00
5/8 and 3/4 x 5	64.50	77.00
5/8 and 3/4 x 6	65.00	80.00
5/8 and 3/4 x 8	71.50	84.00
5/8 and 3/4 x 10	78.00	88.00
5/8 and 3/4 x 12	59.00	70.00
2 x 2	61.00	71.50
2 x 3	55.00	67.50
2 x 4	64.00	76.00
2 x 5	59.00	72.00
2 x 6	61.00	73.00
2 x 8	65.00	78.00
2 x 10	73.50	86.00
2 x 12	71.00	76.00
3 x 3	69.00	74.00
3 x 4	72.00	79.00
3 x 6 and 8	75.00	84.00
3 x 10 and 12	69.00	74.00
4 x 4	69.00	76.00
4 x 6	70.00	77.00
4 x 8	75.00	84.00
4 x 10 and 12	74.00	81.00
5 x 5	75.00	82.00
5 x 6 and 8	76.00	85.00
5 x 10 and 12	72.00	79.00
6 x 6	73.00	80.00
6 x 8	74.00	83.00
6 x 10 and 12	74.00	81.00
8 x 8	75.00	84.00
8 x 10	76.00	85.00
8 x 12	78.00	87.00
10 x 10 and 12	80.00	89.00
12 x 12		
1" and thicker x AW—AL price as if all 1"		

Grades

1. No. 3 Clear deduct \$5.00 per M from the No. 2 Clear and Better grade of the same size and grain specifications.

Condition

2. Dry add per M to Green prices:

1" and 2" thickness 10/24'	\$10.00
3" and 4" thickness 10/24'	12.50
26/32'	17.50
34/40'	20.00
6" thickness 10/24'	17.50
26/32'	22.50
34/40'	25.00
8" and thicker 10/24'	22.50
26/32'	27.50
34/40'	30.00

Lengths

3. Specified lengths of 1" and 2" add to the R/L price of the same size and grade.

8', 10' & 12'	\$2.00
14'	3.00
16', 18', & 20'	5.00
22' to 24'	10.00
26', 28', 30', 32'	15.00
34', 36', 38', 40'	25.00

Specified lengths 3" and thicker add to the R/L price of the same size and grade.

6/20'	\$3.00
22/30'	5.00
32/40'	7.50

4. Random lengths longer than 24' add to the R/L price of the same size and grade.

26/32'	\$10.00
34/40'	20.00

5. Random lengths with a specified minimum average length price at the specified minimum length required.

6. When average length specified in 1" and 2" in R/L specifications add:

13' and shorter	No addition
15' and shorter	\$1.50
17' and shorter	3.00
19' and shorter	5.00
21' and shorter	8.00

When average length specified in 3" and thicker in R/L specifications add:

15' and shorter	No addition
17' and shorter	\$1.00
19' and shorter	2.00
21' and shorter	3.00
23' and shorter	5.00
25' and shorter	7.00
27' and shorter	10.00
29' and shorter	12.50
33' and shorter	15.00

7. Omitting lengths 10' to 16' in R/L shipments add \$2.00 per M for each even length omitted.

8. Specified odd lengths add \$5.00 per M to the next longer even length and compute footage on actual length.

9. Specified fractional lengths add \$7.00 per M to the next longer even length and compute footage on actual length.

10. If a percentage of odd lengths in excess of 10% is specified in R/L specifications add \$4.00 per M to the R/L price.

Widths

11. Random widths with a specified minimum average width, price at the specified average width required.

12. Random widths 8" and wider without average use 12" width price. Random widths less than 8" and wider without average use 6" width price.

13. Wider than 12" for V. G. add \$5.00 per M to 12" price for each additional 1". For F. G. add \$2.50 per M to 12" price for each additional 1".

14. Fractional and odd widths less than 12" not listed add \$5.00 per M to the next wider listed width. Compute footage on actual measure.

15. If a percentage of odd widths in excess of 10% is specified in R/W specifications add \$4.00 per M to the R/W price.

Thickness

16. Thickness under 1" add \$5.00 per M to the same width in 1" and compute footage on 1" surface measure.

17. Thickness heavier than 12" add \$5.00 per M for each additional 1" thicker than 12".

18. Fractional or odd thicknesses not listed add \$5.00 per M to the next larger thickness. Compute footage on actual measure.

19. Random thicknesses use price of the minimum thickness specified.

Working Charges

20. SIS & T & G or S2S & T & G (Bundled when required) add \$3.00 per M.

21. Surfacing deduct \$1.50 per M.

22. Surfacing lengths longer than 40' add \$0.25 per M per lineal foot to the 40' surfaced price for each additional foot over 40'.

Miscellaneous

23. Hemlock and True Fir deduct \$1.00 per M.

General notes. (Applies to Entire Article VI.) All general notes as set forth in Export Grading Rules "N" List edition 1929 adopted by West Coast Lumbermen's Association and British Columbia Lumber and Shingle Manufacturers, Ltd., apply unless otherwise provided in this Article VI.

1. In the case of random thicknesses the price may be computed by determining the quantity falling into each thickness and pricing each quantity at the random price listed for the thickness into which each such quantity falls.

Article VII—Tables of Estimated Weights

In arriving at delivered prices (section 7), the use of the following estimated weights (even if higher than actual weights), is permitted:

Fir flooring	Finished thickness (inches)	Weight per M' BM (dry, lbs.)
1 x 3 and 4"	2 5/8"	1,800
1 x 6"	2 3/4"	1,900
3/4 x 3 and 4"	1 3/4"	2,000
5/8 x 4"	7/8"	1,400

Hemlock and true fir same weight as fir. Square edge flooring—add 200 lbs.

Fir ceiling, all patterns	Finished thickness	Weight per M' BM (dry, lbs.)
1/2 x 4"	7/8"	1,000
5/8 x 4"	7/8"	1,200
3/4 x 6"	7/8"	1,300
1 x 4	1 1/4"	1,500
1 x 6	2 3/4"	1,700

Hemlock and true fir same weight as fir. Ceiling worked 2 3/4" net—deduct 100 lbs. from flooring weight.

Fir drop siding, rustic, clear shiplap	Finished thickness	Weight per M' BM (dry, lbs.)
1 x 4"—Pat. 119, 121	5/8"	1,300
1 x 4"—Pat. 120, 122	5/8"	1,400
1 x 4"—Pat. 106	3/4"	1,500
5/8 x 6"—Pat. 105, 106, 115, 117, and rustic	5/8"	1,300
1 x 6"—Pat. 107, 113, 115, 117, 124	3/4"	1,500
1 x 6"—Pat. 103, 108, 111, 114, 118	5/8"	1,600
1 x 6"—Pat. 101, 104, 105, 106, 112, and rustic	3/4"	1,700
1 x 6"—Pat. 102, 109, 110, 116, and V rustic	3/4"	1,800
1 x 8"—Pat. 116, and shiplap	3/2"	1,900

Hemlock and true fir same weight as fir. 8" width—Add 100 lbs. to 6" pat.

Fir bevel and bungalow siding	Thickness finished	Weight per M' BM (dry, lbs.)
1/2 x 4 and 6"	3/4 x 3/4"	900
3/4 x 8 and 10"	1 1/8 x 3/4"	1,200

Hemlock and True Fir—deduct 100 lbs.

Fir stepping	Finished thickness	Weight per M' BM (dry, lbs.)
3/4 x 10 and 12"	1 1/4"	2,200
5/8 x 10 and 12"	1 1/8"	2,300

Fir casing and base	Finished thickness, inches	Weight per M' BM (dry, lbs.)
1 x 3 to 12"	25/32"	1,500
5/8 x 4, 5, 6, and 8"	9/16"	1,600

Hemlock and true fir same weight as fir.

Fir corn cribbing and beveled well curbing	Weight per M' BM dry lbs. green, or S2E	Weight per M' BM green, lbs rough or S2E	Weight per M' BM dry, lbs. sur. and bev.	Weight per M' BM green, lbs. sur. and bev.
1 x 4" clear	2,800	3,500	1,800	2,100
1 x 4" common	2,900	3,300	1,800	2,100
1 x 6" clear	2,800	3,500	1,900	2,200
1 x 6" common	2,900	3,300	1,900	2,200
2 x 6" common	2,900	3,300	1,900	2,200

Hemlock—and true fir—green 400 pounds additional—dry, same weight as fir.

Fir Factory Lumber	Weight rough green	Weight rough dry	Weight S2S standard dry
1 x 5" & wider surf. to 1 1/2"	3,500	3,000	2,300
1 1/2 x 5" & wider surf. to 1 3/4"	3,500	3,000	2,400
1 3/4 x 5" & wider surf. to 1 7/8"	3,500	3,000	2,450
2 x 5" & wider surf. to 1 7/8"	3,500	3,000	2,500
2 1/2 x 5" & wider surf. to 2"	3,500	3,100	2,600
3 x 5" & wider surf. to 2 1/2"	3,500	3,100	2,900

Hemlock and True Fir, Rough Green—add 500 lbs. to corresponding fir weight.

Hemlock and True Fir, Rough and S2S Standard, Dry—same weight as fir.

Hemlock and True Fir, S2S standard, Green—add 400 lbs. to corresponding fir weight.

Lath	Weight per M pes. dry, lbs.	Weight per M pes. Green, lbs.
4" Fir	500	800
4" Hemlock	400	1,000
4" Fence Fir	800	1,100
4" Fence Hemlock	700	1,400

Fir and hemlock log cabin siding	Clear or common	
	Weight per M' BM dry, lbs.	Weight per M' BM green, lbs.
2"	1,700	2,000
3"	2,000	2,300

Fir Clears and Ship Decking	Dry S4S std., lbs.	Green S4S std., lbs.
1 x 2"	1,800	2,200
1 x 3 & 4"	1,900	2,400
1 x 5" & wider	2,000	2,600
1 1/4 x 2"	2,000	2,400
1 1/4 x 3 & 3 1/2"	2,100	2,600
1 1/4 x 5" & wider	2,200	2,800
1 1/2 x 2"	2,100	2,500
1 1/2 x 3 & 4"	2,200	2,700
2 x 2"	2,300	2,900
2 x 3 & 4"	1,900	2,300
2 x 5" & wider	2,000	2,500
3 x 3 & 3 x 4"	2,500	2,700
3 x 5, 3 x 6, & 3 x 8"	2,600	2,700
3 x 10, & 3 x 12"	2,700	2,800
4 x 4, 4 x 5, 4 x 6, & 4 x 8"	2,700	2,900
4 x 10 & 4 x 12"	2,800	3,000
6 x 6"	2,800	3,000
6 x 8"	2,900	3,100
6 x 10"	2,900	3,100
6 x 12"	2,900	3,100
8 x 8"	2,900	3,100
8 x 10"	3,000	3,200
8 x 12"	3,000	3,200
10 x 10"	3,000	3,200
10 x 12"	3,000	3,200
12 x 12"	3,100	3,300

Hemlock, and True Fir, dry, same weight as Fir; Green, add 400 lbs.

Fir Clears	Dry S1S or S2S only lbs.	Green S1S or S2S only lbs.
1" surf. to 7/8"	1,300	1,550
1" surf. to 1 1/4"	1,400	1,750
1" surf. to 1 1/2"	1,600	2,000
1" surf. to 1 3/4"	1,800	2,200
1" surf. to 1 7/8"	2,000	2,400
1" surf. to 2"	2,100	2,650
1" surf. to 2 1/4"	2,200	2,750
1" surf. to 2 1/2"	2,300	2,850
1 1/4" surf. to 1 1/2"	2,400	3,000
1 1/4" surf. to 1 3/4"	2,350	2,950
1 1/4" surf. to 1 7/8"	2,450	3,100
1 1/4" surf. to 1 3/4"	2,450	3,050
2" surf. to 1 3/4"	2,300	2,850
2" surf. to 1 7/8"	2,500	3,150
2 1/4" surf. to 2 1/4"	2,350	2,950
2 1/2" surf. to 2 1/2"	2,400	3,000
2 3/4" surf. to 2 3/4"	2,450	3,050
3" surf. to 2 3/4"	2,850	3,050
4" surf. to 3 3/4"	3,000	3,200

Hemlock, and true fir, dry same as fir weight.

Hemlock, and true fir, green add 400 lbs. to fir weights.

Fir Gutter:	Green
3 x 3, 3 x 5, and 4 x 4"	1400
3 x 6 and 4 x 5"	1500
4 x 6 and 5 x 7"	1600

Fir Pickets:	Green per M pieces
1 x 3-3"	1350
1 x 3-3'6"	1550
1 x 3-4"	1750
1 x 3-5"	2200
1 x 3-6"	2650

Silo stock	Dry	Green
2 x 6"	2100	2600

Fir car material, car siding, decking, etc. (clear items)	Finished thickness	Weight per M' BM dry, lbs.	Weight per M' BM green, lbs.
1" rough		2,800	3,500
Over 1" and under 3" in thickness, rough		2,900	3,500
1 x 4" patterned	2 5/8"	1,800	2,300
1 x 6" patterned	2 5/8"	1,900	2,400
1 1/4 x 4" patterned	1 3/4"	2,000	2,500
1 1/4 x 6" patterned	1 3/4"	2,100	2,600
1 x 6" S2S & T&G	1 3/4"	1,900	2,400
1 x 6" S2S & T&G	1 3/4"	2,000	2,500
1" S2S blanks	1 3/4"	2,300	2,800
2 x 4" S2S & T&G or S/L	1 1/2"	1,800	2,300
2 x 4" S2S & T&G or S/L	1 5/8"	2,000	2,400
2 x 4" S2S & T&G or S/L	1 3/4"	2,100	2,600
2 x 4" S2S	1 1/2"	2,200	2,700
2 x 4" S2S	1 1/2"	2,400	2,900
2 x 6" S2S & T&G or S/L	1 1/2"	2,600	3,100
2 x 6" S2S & T&G or S/L	1 5/8"	1,900	2,400
2 x 6" S2S & T&G or S/L	1 3/4"	2,100	2,600
2 x 6" S2S	1 1/2"	2,200	2,700
2 x 6" S2S	1 5/8"	2,400	2,900
2 x 6" S2S	1 3/4"	2,600	3,100
2 1/4, 2 1/2 and 2 3/4 x 6" T&G or S/L		2,300	2,700
2 1/4, 2 1/2 and 2 3/4 x 6" S2S		2,600	3,100

2 x 8" same weight as 2 x 6" of similar working.
2 1/4, 2 1/2, and 2 3/4 x 8" same weights as 2 1/4, 2 1/2 and 2 3/4 x 6" of similar working.
Hemlock, and true fir dry, same weight as fir; green, add 400 lbs.

Fir car material (common items)	Finished thickness	Weight per M' BM dry, lbs.	Weight per M' BM green, lbs.
Rough		2,900	3,300
1" S2S & T&G	2 5/8"	2,100	2,400
1" S2S & T&G	1 3/4"	2,200	2,500
1" S2S Blanks	1 3/4"	2,400	2,700
2 x 4" S2S T&G or S/L	1 1/2"	1,800	2,100
2 x 4" S2S T&G or S/L	1 3/4"	2,200	2,500
2 x 4" S2S	1 1/2"	2,200	2,500
2 x 4" S2S	1 5/8"	2,400	2,700
2 x 4" S2S	1 3/4"	2,600	2,900
2 x 6" S2S T&G or S/L	1 1/2"	1,900	2,100
2 x 6" S2S T&G or S/L	1 3/4"	2,200	2,500
2 x 6" S2S	1 1/2"	2,200	2,500
2 x 6" S2S	1 5/8"	2,400	2,700
2 x 6" S2S	1 3/4"	2,600	2,900
2 1/2" x 6" S2S, T&G or S/L	2 1/4"	2,300	2,600
2 1/2" x 6" S2S	2 1/4"	2,600	2,900

2 x 8" same weight as 2 x 6" of similar working.
2 1/2 x 8" same weight as 2 1/4 x 6" of similar working.
Hemlock, and true fir, dry, same weight as fir; green, add 400 lbs.

Car Framing, Sills Purlins, Slats and Running Boards: S4S 1/4" Off M' BM Green Lbs.

1" by all widths	2,500
1 1/4 & 1 1/2" by all widths	2,600
1 3/4" by all widths	2,700
2" by all widths	2,800
2 1/4, 2 1/2, and 2 3/4" by all widths	2,900
3 & 4 and 3 1/4, 3 1/2 & 3 3/4" by all widths	3,000
Larger sizes	3,150

Hemlock, and True Fir, rough or S1E green—3,800 lbs.

Hemlock, and True Fir, surfaced, green, add 400 pounds to fir weights.

Fir boards and shiplap	Finished thickness	Weight per M' BM dry, lbs.	Weight per M' BM green, lbs.
1/4, 1/2, 3/4, x 2" and wider rough or S1E		2,900	3,300
1 x 2" S4S	2 5/8"	1,900	2,200
1 x 3 and 4" S4S	2 5/8"	2,100	2,400
1 x 6" and wider S4S	2 5/8"	2,200	2,500
S1S or S2S		2,300	2,600

1/4 and 1/2 S4S standard—add 200 lbs. to weight of 1" of same width.

S/L—D & M, or C. M.—100 lbs. less than S4S.

Surfaced to 3/4"—100 lbs. less than 2 5/8".

Surfaced to 1 1/4"—add 100 lbs. to 2 5/8".

Hemlock and true fir green rough—3,800 lbs.

Hemlock and true fir green surfaced—add 400 lbs. to fir weight of same size and working.

Hemlock, and true fir, dry, rough or surfaced—use fir weight.

FIR-DIMENSION, PLANK AND SMALL TIMBERS WEIGHT PER M' BM

	S4S Standard dry	S4S Standard green	CM&S1S or S2S dry	Standard green
2 x 2"	2,000	2,200		
2 x 3"	2,100	2,400		
2 x 4"	2,200	2,500	1,900	2,150
2 x 6"	2,250	2,550	2,050	2,300
2 x 8"	2,250	2,550	2,100	2,400
2 x 10"	2,300	2,600	2,150	2,450
2 x 12"	2,300	2,600	2,150	2,500
3 x 3"	2,400	2,600		
3 x 4"	2,400	2,600	2,050	2,250
3 x 6"	2,600	2,800	2,350	2,500
3 x 8"	2,600	2,800	2,400	2,600
3 x 10"	2,600	2,800	2,450	2,650
3 x 12"	2,600	2,800	2,500	2,700
4 x 4"	2,500	2,700		
4 x 6"	2,600	2,800	2,400	2,600
4 x 8"	2,600	2,800	2,500	2,700
4 x 10"	2,700	2,900	2,550	2,750
4 x 12"	2,700	2,900	2,600	2,800
5 x 5"	2,700	2,900		
5 x 6"	2,700	2,900	2,450	2,650
5 x 8"	2,700	2,900	2,550	2,750
5 x 10"	2,700	2,900	2,600	2,800
5 x 12"	2,700	2,900	2,650	2,850

Rough or S1E—Green, 3,300 lb., dry, 2", 2,900 lb; 3" and thicker, 3,100 lb.
Hemlock, and True Fir—Rough Green 3,800 lb. Green S4S Standard—add 400 lb. to green fir weight; Dry S4S, same weight as fir.

FIR TIMBERS—S1S1E OR S4S STANDARD WEIGHT PER M' BM

	Green Lbs.
6' x 6 to 6 x 16"	2,900
6' x 18 to 6 x 24"	3,000
8' x 8 to 8 x 16"	3,000
8' x 18 to 8 x 24"	3,100
10' x 10 to 10 x 16"	3,000
10' x 18 to 10 x 24"	3,100
12' x 12 to 12 x 24"	3,100
14' x 14 to 14 x 24"	3,100
16' x 16 to 16 x 24"	3,100
18' x 18 to 18 x 24"	3,200
20' x 20 to 20 x 24"	3,200
22' x 22 to 22 x 24"	3,200
24' x 24 and larger	3,200
Rough or S1E	3,300

Hemlock and True Fir, Rough or S1E 3,800. Hemlock, Green S1S1E, S4S Standard—add 400 lbs. to Green Fir Surfaced Weights.

Dimension and timber surfaced 1/4" off:

	S4S 1/4" off by indicated widths green
2 x 2"—1/4" off each way	2,550
2 x 3"—1/4" off each way	2,650
2 x 4"—1/4" off each way	2,750
2 x 6"—1/4" off each way	2,800
2 x 8"—1/4" off each way	2,850
2 x 8"—1/4" off by 1/2" off in width	2,750
2 x 10"—1/4" off each way	2,850
2 x 10"—1/4" off by 1/2" off in width	2,750
2 x 12"—1/4" off each way	2,850
2 x 12"—1/4" off by 1/2" off in width	2,800

Green surfaced 1/4" off each way

3 x 3"	2,800
3 x 4"	2,850
3 x 6, 3 x 8, and 3 x 10"	2,950
3 x 12"	3,000
4 x 4"	2,950
4 x 6"	3,000
4 x 8, 4 x 10, and 4 x 12"	3,050
6 x 6"	3,050
6 x 8 and 6 x 10"	3,100
6 x 12"	3,150
8 x 8, 8 x 10, and 8 x 12"	3,150
10 x 10 and 10 x 12"	3,150
12 x 12"	3,200

Hemlock and true fir, green surfaced 1/4" off—Add 400 lbs. to weights listed above.
Hemlock, and true fir, rough or S1E green, 3,800 lbs.

SHIPPING WEIGHT FORMULA FOR SIZES NOT LISTED.

Where surfacing is specified other than standard or where weights are not provided in this list, weight is to be computed by applying the following weights, and deducting the equivalent to the percentage of difference between the rough and surfaced size, breaking on the next greater 50 pounds.

	Pounds
Fir rough green clear	3,500
Fir rough dry clear 1"	2,800
Fir rough dry clear, over 1" and under 3" in thickness	2,900
Fir rough dry clear, 3" thick and over, 200 lbs. less than corresponding green weight.	8,300
Fir rough green, all other grades	2,900
Fir rough dry, all other grades, under 3" in thickness	2,900
Fir rough or surfaced, dry, 3" and over in thickness, 200 lbs. less than corresponding green weight.	4,000
Hemlock and true fir rough green clear	3,800
Hemlock and true fir rough green all other grades	3,800
Hemlock and true fir rough or surfaced, dry, all grades, same weight basis as fir.	

This regulation shall become effective June 9, 1943.

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

Issued this 3d day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9096; Filed, June 4, 1943; 3:57 p. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 351; Amdt. 1]

FERROUS FORGINGS

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 351 is amended in the following respects:

1. Section 1390.205 (a) is amended to read as follows:

(a) *General rule.* For any ferrous forging for which the manufacturer had no list price in effect on October 1, 1941, but which he agreed or offered to sell between January 1 and October 1, 1941, the maximum price shall be the net price at which the manufacturer last agreed or offered to sell the forging during that period. Certain modifications of this rule are set forth in the following paragraphs.

2. Section 1390.205 (b) is amended to read as follows:

(b) *Purchasers of different classes.* If the net price at which the manufacturer last agreed or offered to sell the forging between January 1 and October 1, 1941 was applicable to purchasers of

*Copies may be obtained from the Office of Price Administration.
† 8 F.R. 3784.

a particular class only, maximum prices to purchasers of other classes shall be determined by the use of the differentials in the price between different classes of purchasers which the manufacturer had in effect on October 1, 1941.

3. Section 1390.205 (d) is amended to read as follows:

(d) *Comparable forgings.* For any ferrous forging for which the manufacturer had no list price in effect on October 1, 1941, and which he did not agree or offer to sell between January 1 and October 1, 1941, but which is closely comparable to a forging the manufacturer agreed or offered to sell during that period, the maximum price shall be the last price at which the manufacturer agreed or offered to sell the most comparable forging during that period, plus or minus the difference in total unit cost resulting from the change in specifications: However, this pricing method may be used only if it was the practice of the manufacturer on July 22, 1942, to calculate prices of forgings on the basis of prices previously charged for comparable forgings. For the purposes of this paragraph, total unit costs shall be calculated on the basis of the price-determining method and cost estimating methods which the manufacturer used on October 1, 1941, in accordance with the applicable provisions of § 1390.207. Changes in materials used, in tolerances, and in tests required may all be regarded as specification changes.

This amendment shall become effective June 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9098; Filed, June 4, 1943; 3:59 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

FUEL OIL RATIONING REGULATIONS

[RO 11; Amdt. 66]

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

Section 1394.5151 (a) (1) (iv) (g) is added to read as follows:

(g) Such space heater at the time the applicant acquired it was not "new" as defined by Ration Order No. 9, and the applicant was eligible for a new space heater pursuant to Ration Order No. 9.

* 7 F.R. 8480, 8809, 8897, 9316, 9396, 9492, 9492, 9427, 9430, 9621, 9784, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071; 8 F.R. 165, 237, 437, 369, 374, 374, 535, 439, 444, 607, 608, 977, 1203, 1316, 1235, 1282, 1282, 1681, 1636, 1859, 2194, 2432, 2598, 2598, 2781, 2871, 2720, 2942, 2942, 2993, 2887, 3106, 3521, 3628, 3733, 3848, 3848, 3948, 4255, 4137, 4350, 4784, 4850, 5678, 6046, 6262, 6960.

This amendment shall become effective on June 10, 1943.

(Pub. Law 471, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-O, as amended, 7 F.R. 8416; E.O. 9125, 7 F.R. 2719)

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9112; Filed, June 4, 1943;
4:06 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,¹ Amdt. 37]

PROCESSED FOODS

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

The first sentence of section 23.8 (c) of Ration Order 13 is amended to read as follows:

(c) Any government agency which acquires processed foods for purposes of inspection or investigation may, after they have served the purpose for which they were acquired, dispose of them to any federal, state or local institution without receiving points for them.

This amendment shall become effective June 10, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9108; Filed, June 4, 1943;
4:04 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,¹ Amdt. 7 to Rev. Supp. 1]

PROCESSED FOODS

Revised Supplement No. 1 to Ration Order 13 is amended in the following respects:

1. Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 4) which is made a part hereof:*

2. Section 1407.1102 (b) (2) (iv) is amended to read as follows:

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

¹ 8 F.R. 1840, 2288, 2677, 2681, 2684, 2948, 3179, 3949, 4342, 4525, 4726, 4784, 4892, 4921, 5318, 5341, 5342, 5480, 5568, 5757, 5758, 5818, 5819, 5847, 6048, 6137, 6138, 6181, 6138, 6838, 6839

*Filed with the Division of the Federal Register as part of the original document.

No. 112—10

(iv) Frozen processed foods (packed in containers of ten pounds or less) 6.4

3. Section 1407.1102 (b) (2) (v) is added to read as follows:

(v) Frozen processed foods (packed in containers of over ten pounds) 3

This amendment shall become effective 12:01 A. M., June 6, 1943.

(Pub. Law 671, 76th Cong., as amended by 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. Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9104; Filed, June 4, 1943;
4:02 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,¹ Amdt. 8 to Rev. Supp. 1]

PROCESSED FOODS

Revised Supplement 1 to Ration Order 13 is amended in the following respects:

1. Section 1407.1102 (c) (2) is amended to read as follows:

(2) For the reporting period beginning May 2, 1943 and ending June 5, 1943—3

2. Section 1407.1102 (c) (3) is added to read as follows:

(3) For the reporting period beginning June 6, 1943 and ending July 3, 1943—4

This amendment shall become effective June 5, 1943.

(Pub. Law 671, 76th Cong., as amended by 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. Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9102; Filed, June 4, 1943;
4:02 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,² Amdt. 33]

MEAT, FATS, FISH, AND CHEESES

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

The first sentence of section 22.8 (c) of Ration Order 16 is amended to read as follows:

(c) Any government agency which acquires foods covered by this Order for

² 8 F.R. 3591, 3715, 3949, 4137 4350, 4423, 4721, 4784, 4893, 4967, 5172, 5318, 5679, 5687, 5739, 5819, 6046, 6138, 6181, 6446, 6614, 6620, 6687, 6840, 6960, 6961.

purposes of inspection or investigation may, after they have served the purpose for which they were acquired, dispose of them to any federal, state or local institution without receiving points for them.

This amendment shall become effective June 10, 1943.

(Pub. Law 671, 76th Cong., as amended by 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, and 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 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9106; Filed, June 4, 1943;
4:03 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 3-5]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN DESIGNATED COUNTIES IN OHIO

In the judgment of the Regional Price Administration of Region III, the prices of food and beverages sold for immediate consumption in the counties of Ashland, Ashtabula, Carroll, Columbiana, Cuyahoga, Erie, Geauga, Huron, Lake, Lorain, Mahoning, Medina, Portage, Richland, Stark, Summit, Trumbull, Tuscarawas, and Wayne in the State of Ohio have risen and are threatening further to rise to an extent and in a manner inconsistent with the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the Regional Administrator of Region III, the maximum prices established by this regulation are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Act. So far as possible, the Regional Administrator of Region III gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living", and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price Control Act of 1942, the Regional Price Administrator of Region III hereby issues this Restaurant Maximum Price Regulation No. 3-5, establishing as maximum prices for food and drink sold for immediate consumption in the counties mentioned above the prices prevailing therefor during the seven-day period beginning April 4, 1943 and ending April 10, 1943.

§ 1448.205 *Maximum prices for food and drink sold for immediate consumption.* Under the authority vested in the Regional Administrator of Region III by the Emergency Price Control Act of 1942 as amended, Executive Order 9250, Executive Order 9328 and General Order No. 50 issued by the Office of Price Administration, Restaurant Maximum Price Regulation No. 3-5 (Food and Drink Sold for Immediate Consumption), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1448.205 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

RESTAURANT MAXIMUM PRICE REGULATION NO. 3-5—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

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SECTION 1 *Sales at higher than ceiling prices prohibited.* If you own or operate a restaurant, hotel, cafe, delicatessen, soda fountain, boarding house, or any other eating or drinking place, you must not offer or sell any "food item" (including any beverage) or "meal" at a price higher than the highest price at which you offered the same food item or meal in the seven-day period beginning Sunday, April 4, 1943 and ending Saturday, April 10, 1943. You must not offer or sell any other food item or meal at a price higher than the ceiling price which you figure according to the directions in the next section, (section 2). You may, of course, sell at lower than ceiling prices.

SEC. 2 *How you figure ceiling prices for food items and meals you did not sell in the seven-day period.* You must figure your ceiling price for a food item or meal which you did not offer in the seven-day period as follows:

(a) If you served the same food item or meal within thirty days prior to April 4, 1943, you shall take as your ceiling price the last price at which you offered the same food item or meal during said thirty-day period.

(b) If you did not sell or offer to sell the food item or meal either during the seven-day period, or the thirty-day period, then you choose from the food items or meals for which a ceiling price has already been fixed, the food item or

meal which is most similar to the food item or meal you are pricing; and

(c) Figure a price which is "in line" with the price of that most similar food item or meal. A price is "in line" if the customer receives as much value for his money from the one item or meal as from the other, even though the two prices may be different. In comparing values, quality, size of portions, and the margin over food cost are the things that count.

(d) Once your ceiling price for a food item or meal has been fixed, it may not be changed.

Sec. 3 *Classes of food items and meals.* See definition of "food item" and "meal" contained in Section 15.

(a) The classes of food items are as follows:

BREAKFAST ITEMS

- (1) Fruits and fruit juices.
- (2) Cereals.
- (3) Egg and combination egg dishes served at breakfast.
- (4) Breads, rolls, toast, etc., served at breakfast.
- (5) All other breakfast dishes.

OTHER ITEMS

- (6) Appetizers and cocktails.
- (7) Soups.
- (8) Beef.
- (9) Pork.
- (10) Lamb, mutton.
- (11) Veal.
- (12) Poultry.
- (13) Fish and shellfish.
- (14) Miscellaneous and variety meats including liver, kidneys, and made dishes such as stews, casseroles, etc.
- (15) Egg and cheese dishes which might be served as a main dish or entree in a meal.
- (16) All other dishes which might be served as a main dish or entree in a meal, such as spaghetti, vegetable plate, baked beans, chop suey, etc.
- (17) Potatoes.
- (18) All other vegetables.
- (19) Bread and butter.
- (20) Salads (except as served as main course in a meal).
- (21) Cakes, cookies, pies, pastries and other baked goods.
- (22) Ice cream and all fountain items.
- (23) All other desserts including fruits, puddings, cheese, etc.
- (24) Hot sandwiches including hamburgers and frankfurters.
- (25) Cold sandwiches.
- (26) All other food items.

BEVERAGES

- (27) Non-alcoholic beverages.
- (28) Beer and other malt beverages.
- (29) Wines.
- (30) Other alcoholic beverages.

(b) *The classes of meals.* For the purposes of this regulation there shall be ten classes of meals; namely, breakfast, lunch, tea, dinner, and supper during week days, and breakfast, lunch, tea, dinner and supper on Sundays.

(c) *Legal holidays.* Your ceiling prices for food items or meals served on those days designated Legal Holidays by Federal Law or the law of the State in which the establishment is located may be the same as your Sunday ceiling prices for such establishment.

SEC. 4 *No ceiling price to be higher than the highest price in the base period.* Under no circumstances are you permitted to charge a higher price for a new

food item or meal which you did not offer in the seven-day period than the highest price at which you offered a food item or meal under the same class during the seven-day period.

Example 1: If you figured an "in line" price for a week day at \$1.25, and your highest price in the week-day dinner class is \$1.00, your ceiling price for the new dinner is \$1.00.

Example 2: If during the seven-day period your highest price for soup was 15 cents, you may not offer any soup at a price higher than 15 cents.

SEC. 5 *Prohibition against discontinuing meals at certain prices.* You must not now discontinuing offering meals at prices comparable to those charged by you in the seven-day period if by your doing so your customers would actually have to pay more than they did in the seven-day period. You will be in violation of this rule unless:

(a) You continue to offer meals at different prices representative of the range of prices at which you offered meals of the same class during the seven-day period, and unless

(b) You continue to offer on week days at least as many different meals at or below the lowest price charged by you for meals of the same class on any week day that you select in the seven-day period, as you did on that day.

(c) You continue to offer on Sundays and legal holidays at least as many different meals at or below the lowest price charged by you for meals of the same class on Sunday, April 4, 1943, as you did on that day.

Example: Thus, you may select any week day in the seven-day period as the base day for week-day meals.

If you select Friday, April 9, 1943 to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 85¢, and one each at 90¢, \$1.00, \$1.10, \$1.15 you must continue to offer at least two week-day dinners at 85¢.

SEC. 6 *Evasion.* (a) You must not evade the provisions of this regulation by any scheme or device, including:

(1) Deteriorating quality or reducing quantity without making appropriate reductions in price;

(2) Withdrawing the offer, or increasing the price, of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or making such charges when they were not in effect in the seven-day period;

(4) Requiring as a condition of sale of an item or meal the purchase of other items or meals, except that you may refuse to sell coffee unless a customer also purchases another food item;

(5) Refusing to sell combinations of food items as meals if such meals were offered in the seven-day period and the items making up the combination are being offered separately.

(b) You will not be considered evading the provisions of this regulation, however, if you do any of the following things, even though you did not do any of those things during the seven-day period:

(1) You may limit your customers to one cup of coffee per meal;

(2) You may limit your customers to one pat of butter per meal;

(3) You may reduce the quantity or eliminate altogether, ketchup, chili sauce, and any other condiment which is rationed.

(4) You may reduce the amount of sugar served with each cup of coffee or tea to, but not less than, one teaspoonful.

(c) You must not, however, make the curtailment authorized in the foregoing sub-paragraphs and furnish these items at an additional charge. For example, if during the seven-day period you furnished ketchup, you may not discontinue furnishing this item free and at the same time offer to furnish it for an additional charge.

Sec. 7 Rules for new proprietors. (a) If you acquire another's business and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor.

(b) If you open an eating or drinking place after the seven-day period, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. If you operate a concession in conjunction with a public event and were not in operation during the base period, you shall establish your prices in line with a similar type of eating and drinking place operating during the time of the base period. If the ceiling prices so fixed are too high and threaten to have an inflationary effect on the prices of food or drink, the Office of Price Administration may issue an order requiring you to reduce your ceiling prices. You are subject to the record requirements of section 9 and the posting requirements of section 10 immediately upon the opening of your place.

Sec. 8 Taxes. If in the seven-day period you stated and collected the amount of any tax separately from the price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax or of any increase in the amount of a previous tax on the sale of food or drink, or in the business of selling food or drink, if the tax is measured by the number or price of items or meals.

Sec. 9 Records. You must observe all the record keeping requirements of General Order No. 50. This order requires among other things that you do the following:

(a) **Customary records.** You must preserve all your existing records relating to your prices, costs, and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration.

(b) **Records of the seven-day period.** You must make available for examination by any person during ordinary business hours a copy of each menu used by you in the seven-day period. If you did

not use menus, you must prepare in duplicate and make available for such examination a list of the highest prices you charged in the seven-day period.

(c) **Future records.** Beginning with the effective date of this regulation, you must keep, for examination by the Office of Price Administration, two each of the menus used by you each day. If you do not use menus you must prepare in duplicate, and preserve for such examinations, a record of the prices charged by you each day, except that you need not record prices which are the same as, or less than, prices you previously recorded for the same items or meals.

Sec. 10 Posting. (a) If you made menus available to customers in the seven-day period April 4 to April 10, inclusive, you shall continue to make them available. All menus shall include prices for meals and food items offered.

(b) Within one week after the effective date of this order:

(1) Your menus must contain in clear and legible printing or writing, the following statement:

All prices listed are at or below our ceiling price, which, by OPA regulation, are the highest prices we charged for the same item or meal from April 4 to April 10, 1943. Our records of prices for such period are available for your inspection.

(2) In addition to the above statement, whenever a meal or food item appears on a menu or price list at a price below the ceiling price, an asterisk shall appear beside the price. The asterisk shall be explained on the menu by clear and legible printing or writing as follows:

*Below our ceiling price

(c) If you did not use menus during the April 4-10 period, you may either (1) institute the use of menus, abiding by the foregoing requirements, or (2) you must post a price list including prices for all meals and food items offered, near the cashier's desk, if any, or in such other location in your establishment that it may be easily seen and read by customers at the time of purchase. Such price list shall conform to the requirements of subsection (b) above.

Sec. 11 Operation of several places. If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately.

Sec. 12 Relation to other maximum price regulations. The provisions of this regulation shall not apply to any sale for which a maximum price is established by any other regulation, including the General Maximum Price Regulation, now or hereafter issued by the Office of Price Administration.

For example, bottles of milk and beer remain subject to the GMPR as amended.

Sec. 13 Geographical application. The provisions of this order shall be applicable to all eating and drinking places (as hereinafter defined in section 15 (e)) located in the Counties of Ashland, Ashtabula, Carroll, Columbiana, Cuyahoga, Erie, Geauga, Huron, Lake, Lorain, Mahoning, Medina, Portage, Richland,

Stark, Summit, Trumbull, Tuscarawas, and Wayne in the State of Ohio.

Sec. 14 Enforcement. Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for suspension of licenses provided for by the Emergency Price Control Act of 1942, as amended.

Sec. 15 Definitions and explanations. (a) "Person" means individual, corporation, partnership, association or other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(b) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal." Examples of such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(c) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food item" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(e) "Eating and drinking place" shall include any place, establishment or location, whether temporary or permanent, from which any food item or meal is sold, except those which are specifically exempted in section 16 hereof. It shall include by way of example, but not by way of limitation, such movable places where food is dispensed as field kitchens, lunch wagons, "Hot Dog" carts, etc.

(f) Unless the context otherwise requires, the definitions set forth in Sec. 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

Sec. 16 Exemptions. Sales by the following eating or drinking places are specifically exempted from the provisions of this regulation:

(a) Eating and drinking places located on church, temple or synagogue premises and operated in connection with special church, temple, or synagogue, Sunday School or other religious occasions.

(b) Railroad dining cars.

(c) Hospitals, except for food items and meals served to persons other than the patients, when a separate charge is made for such food items and meals.

Sec. 17 Provision for amendments. The provisions of this regulation to the contrary notwithstanding, the Office of

Price Administration may from time to time issue special orders providing for the reduction of the maximum price of any food item or items or meal or meals sold or offered for sale by any seller or sellers when, in the judgment of the Administrator, such action is necessary or desirable to prevent excessive charges, to prevent inflation, to stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

SEC. 18 *Licensing.* 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 Restaurant Maximum Price Regulation No. 3-5.

Effective Date

This regulation shall be effective June 12, 1943.

Issued this 29th day of May 1943.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 43-9099; Filed, June 4, 1943;
4:00 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 4-1, Amdt. 1]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN DESIGNATED SOUTHERN STATES

For the reasons set forth in the statement of considerations issued simultaneously herewith and under the authority vested in the Regional Price Administrator of Region IV by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, and General Order No. 50, section (e), it is hereby ordered that section 17 (d) be amended to read as set forth below and that a new section be added, as set forth below, to be known as section 20:

SEC. 17 * * *

(d) Eating and drinking places located on board common carriers (when operated as such) including railroad dining cars, club, bar and buffet cars, and peddlers aboard railroad cars. Provided, however, that peddlers aboard railroad cars who make no sales outside of the states enumerated in section 13 shall not be exempt but shall be covered by the regulation.

SEC. 20 *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 Restaurant Maximum Price Regulation No. 4-1.

This amendment to Restaurant Maximum Price Regulation No. 4-1 shall become effective May 10, 1943.

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

Issued this 3d day of May 1943.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 43-9114; Filed, June 4, 1943;
4:07 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1¹ to GMPR,² Amdt. 10]

EXCEPTED GRAIN 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 2.3 (p) is amended to read as follows:

(p) *Excepted grain products.* (1) The following products when neither further processed nor packaged. The term "packaged," as here used, means packaged for sale at retail, in a container holding three pounds or less, provided such packaging takes place before delivery to the retail establishment. The term "ground," as used below in describing these products, means crushed, cracked, rolled, ground, flaked or pulverized; but a product is "ground" and not "further processed" although subjected to processes such as steaming, which are incidental to grinding, as distinguished from other processes not merely incidental to grinding:

(i) The following wheat products: ground wheat, malted wheat.

(ii) The following barley products: pearled barley, ground pearled barley, hulled barley, malted barley, ground barley.

(iii) The following oat products: groats, hulled oats, ground groats, rolled hulled oats (table or feeding), cereal oats, ground oats.

(iv) The following rye products: malted rye, ground rye.

(v) Ground soy beans.

(vi) Ground buckwheat.

(2) All corn products of a dry corn milling process not covered by Maximum Price Regulation 305 or Maximum Price Regulation 401.

(3) Wallpaper paste.

This amendment shall become effective June 10, 1943.

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

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9110; Filed, June 4, 1943;
4:05 p. m.]

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

[MPR 364,² Amdt. 2]

FROZEN FISH AND SEAFOOD

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 14, Schedule No. 27, base price per pound for Item No. 1 is amended by deleting the figure ".21", and inserting in its place the figure ".22".

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

¹ 8 F.R. 4978, 6055, 6363, 6547, 6615, 6964.

² 7 F.R. 4978, 4848, 6047, 6962.

³ 8 F.R. 4640, 5566.

This amendment shall become effective June 4, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9118; Filed, June 4, 1943;
5:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14 to GMPR, Amdt. 181]

MILK PRICES IN NEW YORK AREA

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

Supplementary Regulation No. 14 to the General Maximum Price Regulation is amended in the following respects:

1. In § 1499.73 (a) (1) (i) (a) under "Boroughs of Manhattan, Bronx, Brooklyn and Queens", the table in subdivision (1) is amended by substituting the figures "17" for "17½", "33" for "34", "18" for "18½" and "35" for "36" under the column "Adjusted maximum price (cents)".

2. In § 1499.73 (a) (1) (i) (a) under "Westchester, Richmond, and Nassau Counties" the table in subdivision (1) is amended by substituting the figures "17" for "17½", "33" for "34", "18" for "18½" and "35" for "36" under the column "Adjusted maximum price (cents)".

This amendment shall become effective June 7th, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9117; Filed, June 4, 1943;
5:01 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 268,² Amdt. 3]

BUTTER

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

Revised Maximum Price Regulation No. 268 is amended in the following respect:

Section 13a is added to read as follows:

SEC. 13a *Special provision for calculating maximum prices for butter.* Every retailer, before making a sale of any item of butter on Thursday, June 10, 1943, must calculate a new maximum price for each such item. He shall calculate his maximum price for each such item basing his "net cost" on the "largest single purchase" of the item made on and after June 4, 1943, if such pur-

¹ 8 F.R. 6129, 7116.

chase is made from a creamery or manufacturer of butter as defined in Maximum Price Regulation No. 289 (Dairy Products), or on the "largest single purchase" of the item made on and after June 6, 1943, if such purchase is made from a primary distributor or jobber as defined in Maximum Price Regulation No. 289 (Dairy Products). If the retailer has not received delivery of butter on or after June 4 from such a creamery or manufacturer, or on or after June 6 from such a primary distributor or jobber, he shall use as his "net cost" the "net cost" on which his existing maximum price is based, less 5 cents. The maximum price figured under this section shall be the retailer's maximum price until such time as the "net cost" of his "largest single purchase" changes.

This amendment shall become effective June 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9107; Filed, June 4, 1943; 4:04 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289, Amdt. 15]

BUTTER

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. Table A of § 1351.1520 (a) (2) (i) is amended to read as follows:

TABLE A

	Chi- cago	New York	San Fran- cisco
U. S. grade AA or U. S. 93 score.....	Cents per lb. 41½	Cents per lb. 42¼	Cents per lb. 43
U. S. grade A or U. S. 92 score.....	41	41¾	42½
U. S. grade B or U. S. 90 score.....	40¾	41½	42¼
U. S. grade C or U. S. 89 score.....	40¼	41	41¾
U. S. cooking grade.....	39	39¾	40¾
No grade.....	35	35¾	36½

2. Section 1351.1520 (a) (2) (iv) is amended to read as follows:

(iv) The maximum price for any particular score or grade of bulk butter delivered at any place in the States of Washington and Oregon shall be as follows:

	Cents per lb.
U. S. grade AA or U. S. 93 score.....	42¾
U. S. grade A or U. S. 92 score.....	42¼
U. S. grade B or U. S. 90 score.....	42
U. S. grade C or U. S. 89 score.....	41½
U. S. cooking grade.....	40¼
No grade.....	36¼

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

17 F.R. 10996; 8 F.R. 490, 1458, 1885, 1972, 2252, 3327, 4335, 4513, 4337, 4338, 4918, 6440.

3. Section 1351.1520 (a) (2) (v) is amended to read as follows:

(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.....	43
U. S. grade A or U. S. 92 score.....	42½
U. S. grade B or U. S. 90 score.....	42¼
U. S. grade C or U. S. 89 score.....	41¾
U. S. cooking grade.....	40¾
No grade.....	36½

4. Section 1351.1520 (a) (2) (vi) is amended to read as follows:

(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.....	41½
U. S. grade A or U. S. 92 score.....	41
U. S. grade B or U. S. 90 score.....	40¾
U. S. grade C or U. S. 89 score.....	40¼
U. S. cooking grade.....	39
No grade.....	35

5. Section 1351.1520 (a) (5) is amended to read as follows:

(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 any such agency, in addition to paying to the seller the maximum price prescribed herein, may pay to Defense Supplies Corporation an amount equivalent to the butter production payments made by Defense Supplies Corporation on account of the production of such butter.

(iii) Provided further, That the maximum price for sales to the United States Government or any agency thereof established by subdivision (i) of this subparagraph 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:

- 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.

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.

This amendment shall become effective as follows:

(1) On June 4, 1943 with reference to the maximum prices established by

§ 1351.1520 (a) (2) for sales by a creamery or manufacturer of butter.

(2) On June 6, 1943 with reference to the maximum prices established by § 1351.1520 (a) (3) for sales by a primary distributor and by § 1351.1520 (a) (4) for sales by a jobber.

(3) On June 10, 1943 with reference to the maximum prices established by § 1351.1520 (c) for sales at retail by retail route sellers, and by § 1351.1520 (d) for sales at retail by a creamery or manufacturer of butter.

(4) On June 4, 1943 with reference to the maximum prices established by § 1351.1520 (a) (5) for sales to the United States Government: Provided, however, That the maximum price for the sale in car load lots to the United States Government or any agency thereof, of butter manufactured prior to June 1, 1943 and contracted to be sold prior to June 5, 1943 and delivered prior to June 14, 1943 shall not be affected by the provisions of this amendment.

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9116; Filed, June 4, 1943; 5:01 p. m.]

PART 1393—ICE

[MPR 154 as Amended, Amdt. 4]

ICE

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. 154 as amended is amended in the following respects:

1. Section 1393.3 is amended to read as follows:

§ 1393.3 Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

17 F.R. 5139, 5276, 5944, 8940, 8948; 8 F.R. 1270.

2. Section 1393.7 is amended to read as follows:

§ 1393.7 *Relationship between this regulation and the General Maximum Price Regulation.* The following sections of the General Maximum Price Regulation, as well as amendments to them, apply to sales covered by this regulation:

- (1) Supplemental regulations (§ 1499.4).
- (2) Transfers of business or stock in trade (§ 1499.5).
- (3) Federal and State taxes (§ 1499.7).
- (4) Current Records (§ 1499.12).
- (5) Maximum prices of cost-of-living commodities: statement, marking or posting (§ 1499.13).
- (6) Sales slips and receipts (§ 1499.14).
- (7) Registration (§ 1499.15).
- (8) Licensing (§ 1499.16).
- (9) Definitions (§ 1499.20 (g), (h), (i), (k), (m), (o), (p), (r) and (s)).

3. Section 1393.12 (e) is added to read as follows:

(e) *Maximum prices for certain sales or deliveries in Vermont, New Hampshire, Maine, Massachusetts, Connecticut and Rhode Island.* (1) On and after June 4, 1943 the seller's maximum prices for retail delivered sales and the seller's maximum prices for quantity platform sales, in the particular form and quality of ice sold or delivered by the seller in the State of Vermont, New Hampshire, Maine, Massachusetts, Connecticut or Rhode Island, shall be either the maximum prices established by the seller under paragraph (a) or paragraph (b) of this section or the respective prices listed in Schedule I for the quantities named, whichever are higher, in the respective states.

SCHEDULE I

State	Prices for retail delivered sales	Prices for quantity platform sales	
		Per 300-lb. block	Per ton
Vermont, New Hampshire, or Maine	\$.50	\$.45	\$3.00
Massachusetts	.55	.50	3.33
Connecticut or Rhode Island	.60	.55	3.67

Lower prices than those set forth in Schedule I may be charged, demanded, paid or offered.

NOTE: The seller's maximum prices for retail platform sales, quantity delivered sales and for all categories of sales not listed in Schedule I, in the particular form, quantity and quality of ice sold or delivered by the seller in the States of Vermont, New Hampshire, Maine, Massachusetts, Connecticut or Rhode Island, shall be determined in accordance with the provisions of paragraphs (a) and (b) of this section.

(2) On or before July 5, 1943 each seller who determines his maximum prices under Schedule I for retail delivered sales or quantity platform sales shall

(1) Post his maximum prices so established in the following manner: in the

* 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962.

case of a seller making retail delivered sales, by posting the maximum price on the side of his delivery vehicle in such a manner as to be clearly visible to the purchaser; in the case of a seller making quantity platform sales, by posting in his place of business, in a place and manner plainly visible to the purchaser, a placard or card setting forth such maximum price, and

(ii) File his maximum prices so established with the appropriate War Price and Rationing Board having jurisdiction over him.

(3) When used in this paragraph, the term:

(i) "Retail delivered sale" means a sale of ice delivered to a purchaser at the purchaser's receiving point (other than the seller's place of business) except that the term does not include a "quantity delivered sale".

(ii) "Quantity delivered sale" means a sale of at least 100 pounds of ice to a purchaser who customarily purchases from such seller at least 300 pounds per week, delivered to the purchaser's receiving point (other than the seller's place of business).

(iii) "Retail platform sale" means a sale of less than 300 pounds of ice delivered to a purchaser at the seller's place of business.

(iv) "Quantity platform sale" means a sale of not less than 300 pounds of ice delivered to a purchaser at the seller's place of business.

This amendment shall become effective June 4, 1943.

NOTE: All reporting provisions of this amendment have been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1943.
 GEORGE J. BURKE,
 Acting Administrator.

[F. R. Doc. 43-9119; Filed, June 4, 1943; 5:02 p. m.]

	Container, type and size	To wholesalers (per dozen containers)	To retailers (per dozen containers)	At retail (per container)
2. Imported soda crackers:				
Keobler	10 oz. carton	\$2.05	\$2.25	\$0.25
Sunshine	5 lb. tin	13.50	14.60	1.40

This amendment shall become effective as of May 31, 1943.

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

Issued this 4th day of June 1943.
 GEORGE J. BURKE,
 Acting Administrator.

[F. R. Doc. 43-9120; Filed, June 4, 1943; 5:01 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS [MPR 183, Amdt. 40] CIGARETTES, PUERTO RICO

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

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 4, Amdt. 6]

FOOD COMMODITIES RESTRICTION, PUERTO RICO

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Restriction Order 4 is amended in the following respect:

Section 1407.5009 (a) (7), (8) and (9) are amended to read as follows:

(7) From May 31, 1943 to June 13, 1943.

(8) From June 14, 1943 to June 27, 1943.

(9) From June 28, 1943 to July 11, 1943.

This amendment shall become effective on May 31, 1943 at 8:00 a. m.

(Pub. Laws 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., W.P.B. Dir. No. 1, Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7671, Supp. Dir. No. 1-J, 7 F.R. 8831, E.O. 9280, 7 F.R. 10179, F.D. No. 3, 8 F.R. 2005)

Issued this 4th day of June 1943.

JAMES P. DAVIS,
 Acting Director,

Office of Price Administration
 for Puerto Rico.

[F. R. Doc. 43-9115; Filed, June 4, 1943; 4:07 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS [MPR 183, Amdt. 39]

SODA CRACKERS, 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.*

Section 1418.14 (hh) Table XXIX is amended by adding two new brands under category 2, following the brand National, to read as follows:

	Container, type and size	To wholesalers (per dozen containers)	To retailers (per dozen containers)	At retail (per container)
2. Imported soda crackers:				
Keobler	10 oz. carton	\$2.05	\$2.25	\$0.25
Sunshine	5 lb. tin	13.50	14.60	1.40

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

Maximum Price Regulation No. 183 is amended in the following respects:

1. Section 1418.14 (c), Table III (1) is amended to read as follows:

(1) The maximum prices for the following enumerated brands of cigarettes sold in packages shall be:

*Copies may be obtained from the Office of Price Administration.
 * 8 F.R. 3417, 4190, 5987, 5988, 6274.
 * 8 F.R. 4122, 4351, 4781, 4788, 5486, 5739.
 * 8 F.R. 4122, 4351, 4781, 4788, 5486, 5739, 5742, 5819, 6000, 6001, 6139, 6359, 6446, 6614, 6621, 6964, 7261.

Brand	To wholesaler	At wholesale	At retail
	Per carton of 200	Per carton of 200	Per package of 20
Chesterfield			
Spud			
Viceroy			
Kool			
Raleigh			
Fleetwood			
Camel	\$1.86	\$1.90	\$0.22
Phillip Morris			
Lucky Strike			
Mapleton			
Chelsen			
Masterpiece	1.75	1.80	.21
Snur			
Wings			
Avalon			
Southland			
Rivalo	1.70	1.74	0.20
Medal			
Totem			
Roy			
Domino			
Collectiva			
Toro	1.57	1.60	.19
Casino			
Yankee	1.70	1.74	Per package of 10 \$0.10
Violetas	1.57	1.60	1.10
Casino	1.57	1.60	1.10
	Per carton of 100	Per carton of 100	Per package of 16
DeLuxe	1.47	1.50	.17
	Per carton of 100	Per carton of 100	Per carton of 100
Rivalo Largo	.92	0.95	1.10
Yankee Largo	.87	.90	1.05
Collectiva Largo	.83	.85	.99
Toro Largo	.83	.85	.99

* 2 packages 19 cents

2. The headnote and first five prices of the second column in the table following § 1418.14 (c) (2) are amended to read as follows:

On brands retailing at 22¢ per package
\$0.21
.20
.19
.18
.17

This amendment shall become effective as of June 1, 1943.

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

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9121; Filed, June 4, 1943; 5:02 p. m.]

PART 1306—IRON AND STEEL

[RPS 49, Correction to Amdt. 14]

RESALE OF IRON OR STEEL PRODUCTS

Amendment No. 14 to Revised Price Schedule No. 49 is corrected in the following respects:

- In § 1306.165 (b) (1) (ii) Table G-3 entitled "Hot rolled carbon steel bars" under "Equal Leg Angles" the item which now reads "1 x 1 to 1 1/4 x 1/4, x 3/4" is corrected to read "1 x 1 to 1 1/4 x 1 1/4 x 3/4".
- In § 1306.165 (b) (1) (ii) Table G-4 entitled "Cold finished carbon bars" under subtitle "A. Size", in the division of this Table entitled "Rounds", the last

item which now reads "7 1/16 to less than 8, incl" is corrected to read "7 1/16 to 8, incl".

3. In § 1306.165 (b) (1) (ii) Table G-4 entitled "Cold finished carbon bars" under subtitle "B. Finish" for the size "5/32 to less than 3/16" for "Ground and polished from cold drawn rounds standard manufacturing tolerances: Plus, 0.0005"; Minus, 0.0005", the figure "\$18.15" is corrected to read "\$16.15".

4. In § 1306.165 (b) (1) (ii) Table G-8 entitled "Cold rolled round edge flat wire" the first box heading which reads "Under 1/2 to incl. 3.16" is corrected to read "Under 1/2 to incl. 3/16".

5. In § 1306.165 (b) (1) (ii) Table G-8 entitled "Cold rolled round edge flat wire" in the column headed "Width in inches" the second item which now reads "0.060 to 0.100" is corrected to read "0.160 to 0.100".

6. In § 1306.165 (b) (1) (ii) Table G-9 entitled "Hot rolled sheets" the extra for U. S. standard gauge No. 30 for widths "32 and under" was omitted and should read "\$1.40".

7. In § 1306.165 (b) (1) (ii) Table G-17 entitled "Stainless steel plates" in the column headed "Width in inches" the first item which reads "Over 10" to 18" incl." is corrected to read "10" to 18" incl.", the word "over" being deleted.

8. In § 1306.165 (b) (2) (ii) Table E-1 entitled "Hot rolled products" the item which now reads "500 lbs. to 1,999 lbs." is corrected to read "400 lbs. to 1,999 lbs."

9. In § 1306.165 (b) (2) (ii) Table E-6 entitled "Coated sheets" the item which now reads "150 lbs. to 499 lbs." is corrected to read "150 lbs. to 449 lbs."

10. In § 1306.165 (b) (2) (ii) Table G-5 entitled "Cold finished carbon bars" under subtitle "A. SIZE" in the division of this table entitled "ROUNDS" the last item which now reads "7 1/16 to less than 10, inclusive" is corrected to read "7 1/16 to 10, inclusive".

11. In § 1306.165 (b) (2) (ii) Table H-7 entitled "Flame cutting plates" the sentence under the subtitle "Rectangular plates" is corrected to read as follows: "Over 7/8" thick a charge may be made for flame cutting one side and one end at the above extras unless flame cutting all edges is specified when a charge may be made for two sides and two ends, 7/8" thick and under a charge may be made for flame cutting of four edges".

12. In § 1306.165 (b) (2) (ii) Table H-8 entitled "Friction saw cutting structural shapes" the first sentence is corrected to read as follows, "Beams, channels, tees, zees, 3" and over, angles over 6" either leg, and Universal Mill Plates over 7/8" thick, in stock width up to 14" inclusive."

13. In § 1306.165 (b) (2) (ii) Table K-1 entitled "Galvanizing extras" under subtitle "C. List Prices" the subdivisions entitled "3/16" Angles and Tees 3/16" and "3/16" Channels 3/16" are corrected to read as follows:

3/16" ANGLES AND TEES 3/16"

(Bar sizes)

3/4" x 3/4"	\$3.20
1" x 1"	2.70
1 1/4" x 1 1/4"	2.60
1 1/2" x 1 1/2"	2.50
1 3/4" x 1 3/4" and larger	2.20

3/16" CHANNELS 3/16"

(Bar sizes)

1 1/8" x 3/16"	\$3.10
1 1/4" x 1/2"	3.10
1 1/2" x 1/2"	3.10
1 3/4" x 5/8"	3.10
1 3/4" x 1/2"	3.10
1 1/2" x 1 1/2"	2.70
2" x 3/16"	3.00
2" x 5/8"	2.70
2" x 1"	2.70
2 1/2" x 5/8"	2.70

14. In § 1306.165 (b) (3) (ii) in the Table entitled "Zone Three price component index" in column "A" basing points for the item "Cold rolled sheets" which reads "Buff., Pgh., Sp. Pt." is corrected to read "Buff., Pgh.". The basing point "Sp. Pt." is deleted.

15. In § 1306.165 (b) (3) (ii) Table E-4 entitled "Cold rolled sheets and hot rolled pickled and oiled sheets" the item "2,000 lbs. to 9,999 lbs. . . . Deduct \$0.20" is corrected to read "2,000 lbs. to 9,999 lbs. . . . Deduct \$0.10".

16. In § 1306.165 (b) (3) (ii) Table F-2 entitled "Bars and bar shapes" the fourth item which reads "Squares, AISI C1117 (SAE 1020)" is corrected to read "Squares, AISI C1017 (SAE 1020)".

17. In § 1306.165 (b) (3) (ii) Table G-5 entitled "Cold finished carbon bars" under subtitle "A. Size" in the division of this table entitled "Rounds" the last item which now reads "7 1/16 to less than 8, incl" is corrected to read "7 1/16 to 8, incl".

18. In § 1306.165 (b) (3) (ii) Table K-1 entitled "Galvanizing extras" under subtitle "C. List Prices" all sections immediately preceding "Structural Sections" are corrected to read as follows:

Length 10'0" to 22'0"

1/8" ANGLES AND TEES 1/8"

(Bar sizes)

Size:	
1/2" x 1/2"	\$5.40
3/4" x 3/4"	4.20
1" x 1"	3.70
1 1/4" x 1 1/4"	3.70
1 1/2" x 1 1/2"	3.70
1 3/4" x 1 3/4"	3.20
1 3/8" x 7/8"	3.20
1 1/4" x 1 1/4"	2.70
1 1/2" x 1 1/2"	2.60
1 3/4" x 1 3/4"	2.60
2" x 2"	2.50
2 1/4" x 2 1/4"	2.50
2 1/2" x 2 1/2" and larger	2.20

1/8" CHANNELS 1/8"

(Bar sizes)

Size:	
1/2" x 1/4"	\$5.70
3/4" x 3/16"	4.70
1" x 3/16"	4.70
1 1/4" x 3/8"	4.70
1 1/2" x 1/2"	4.70
1 3/4" x 3/4"	4.20
1" x 3/8"	3.70
1 1/4" x 1/2"	3.60
1 1/2" x 1/2"	3.40
1 3/4" x 3/4"	3.40
2" x 1 1/2"	3.40
2" x 1"	3.40

3/16" CHANNELS 3/16"
(Bar sizes)

Size:		
3/4" x 3/4"	-----	\$3.20
1" x 1"	-----	2.70
1 1/4" x 1 1/4"	-----	2.60
1 1/2" x 1 1/2"	-----	2.50
1 3/4" x 1 3/4" and larger	-----	2.20

3/16" ANGLES AND TEES 3/16"
(Bar sizes)

Size:		
1 3/8" x 3/16"	-----	\$3.10
1 1/4" x 3/8"	-----	3.10
1 1/2" x 3/4"	-----	3.10
1 3/4" x 5/8"	-----	3.10
1 3/4" x 1/2"	-----	3.10
1 1/2" x 1 1/2"	-----	2.70
2" x 3/16"	-----	3.00
2" x 5/8"	-----	2.70
2" x 1"	-----	2.70
2 1/2" x 5/8"	-----	2.70

1/4" ANGLES AND TEES 1/4"
(Bar sizes)

Size:		
1" x 1"	-----	\$2.60
1 1/4" x 1 1/4"	-----	2.50
1 1/2" x 1 1/2" and larger	-----	2.20
All sizes 3/16" angles and tees	-----	2.20

3/4" CHANNELS 3/4"
(Bar sizes)

Size:		
1 1/2" x 3/16"	-----	\$2.50
2" x 5/8"	-----	2.50

19. In § 1306.165 (b) (4) (ii) in the Table entitled "Zone Four price component index" in column "A" basing points for the item "Cold rolled sheets" which reads "Buff., Pgh., Sp. Pt." is corrected to read "Buff., Pgh.". The basing point "Sp. Pt." is deleted.

20. In § 1306.165 (b) (4) (ii) Table G-5 entitled "Cold finished carbon bars" under subtitle "A. Size" in the division of this table entitled "Rounds" the last item which now reads "7 1/16 to less than 8, inclusive" is corrected to read "7 1/16 to 8, inclusive".

21. In § 1306.165 (b) (4) (ii) Table K-1 entitled "Galvanizing extras" under subtitle "C. List Prices" all sections immediately preceding "3/16" Angles and Tees 3/16" are corrected to read as follows:

LENGTH 10'0" TO 22'0"
1/8" ANGLES AND TEES 1/8"
(Bar sizes)

Size:		
3/8" x 3/8"	-----	\$5.40
7/8" x 3/8"	-----	4.20
3/4" x 3/4"	-----	3.70
1" x 5/8"	-----	3.70
7/8" x 7/8"	-----	3.70
1" x 1"	-----	3.20
1 3/8" x 3/8"	-----	3.20
1 1/4" x 1 1/4"	-----	2.70
1 1/2" x 1 1/2"	-----	2.60
1 3/4" x 1 3/4"	-----	2.60
2" x 2"	-----	2.50
2 1/4" x 2 1/4"	-----	2.50
2 1/2" x 2 1/2" and larger	-----	2.20

1/8" CHANNELS 1/8"
(Bar sizes)

Size:		
3/2" x 1/4"	-----	\$5.70
5/8" x 3/16"	-----	4.70
3/4" x 3/16"	-----	4.70
3/4" x 3/8"	-----	4.70
3/8" x 3/8"	-----	4.70
3/8" x 3/16"	-----	4.70
1" x 3/8"	-----	4.20
1" x 1/2"	-----	3.70
1 1/4" x 1 1/2"	-----	3.60

1/8" CHANNELS 1/8"—Continued
(Bar sizes)

Size:		
1 1/2" x 1/2"	-----	\$3.40
1 1/2" x 3/4"	-----	3.40
2" x 1 1/2"	-----	3.40
2" x 1"	-----	3.40

22. In § 1306.165 (b) (3) (ii) Table H-12 entitled "Stainless Steel Angles" the table should read:

	No extra	
Under 12"	-----	\$0.50
12" to under 36"	-----	1.00
36" to under 60"	-----	1.50
60" to under 120"	-----	2.00
120" and under	-----	2.00

23. In § 1306.165 (b) (2) (ii) Table G-5 entitled "Cold Finished Carbon Bars", in the division of the table entitled "Squares", the third, sixth, seventh and eighth lines should read as follows:

3/16" to less than 1/4"	-----	\$4.00
1/4" to less than 1 1/16"	-----	1.30
1 1/16" to less than 1 3/8"	-----	1.05
1 3/8" to less than 2 1/16"	-----	1.25

24. In § 1306.165 (b) (2) (ii) Table K-1 entitled "Galvanizing Extras", in the division of the table entitled "Sheets and plates not galvanized at producing mill", the table is corrected to read as follows:

50" wide and under, 22'0" long and shorter Plates 6 1/16" and wider, 1/4" thick and heavier Plates 24" and wider, 3/16" thick and heavier Sheets 24" and wider, lighter than 3/16"

	Rate per	
	100 lbs.	
#16	-----	\$6.20
#15	-----	6.00
#14	-----	5.50
#13	-----	4.80
#12	-----	4.20
#1 1/2" to #8	-----	4.00
#3/16" to #4	-----	3.70
#1/4" and heavier	-----	3.00

The following net size differentials may be added:

Over 50" wide	-----	.50
Over 22 ft. long	-----	.50

25. In § 1306.165 (b) (3) (ii) Table K-1 entitled "Galvanizing Extras", in the division of the table entitled "Sheets and plates not galvanized at producing mill", the table is corrected to read as follows:

50" wide and under, 22'0" long and shorter Plates 6 1/16" and wider, 1/4" thick and heavier Plates 24" and wider, 3/16" thick and heavier Sheets 24" and wider, lighter than 3/16"

	Rate per	
	100 lbs.	
#16	-----	\$6.20
#15	-----	6.00
#14	-----	5.50
#13	-----	4.80
#12	-----	4.20
#1 1/2" to #8	-----	4.00
#3/16" to #4	-----	3.70
#1/4" and heavier	-----	3.00

The following net size differentials may be added:

Over 50" wide	-----	\$0.50
Over 22 ft. long	-----	.50

26. In § 1306.165 (b) (4) (ii) Table K-1 entitled "Galvanizing Extras", in the division of the table entitled "Sheets and plates not galvanized at producing mill", the table is corrected to read as follows:

50" wide and under, 22'0" long and shorter Plates 6 1/16" and wider, 1/4" thick and heavier Plates 24" and wider, 3/16" thick and heavier Sheets 24" and wider, lighter than 3/16"

	Rate per	
	100 lbs.	
#16	-----	\$6.20
#15	-----	6.00
#14	-----	5.50
#13	-----	4.80
#12	-----	4.20
#1 1/2" to #8	-----	4.00
#3/16" to #4	-----	3.70
#1/4" and heavier	-----	3.00

The following net size differentials may be added:

Over 50" wide	-----	\$0.50
Over 22 ft. long	-----	.50

27. In § 1306.165 (b) (2) (ii) Table F-2 entitled "Hot rolled bars, bar shapes and hot rolled strip" the fifth item which reads "Squares, AISI C1117 (SAE 1020)" is corrected to read "Squares, AISI C1017 (SAE 1020)".

28. In § 1306.165 (b) (4) (ii) Table F-2 entitled "Bars and bar shapes" the fourth item which reads "Squares, AISI C1117 (SAE 1020)" is corrected to read "Squares, AISI C1017 (SAE 1020)".

29. In § 1306.165 (b) (2) (ii) Table G-18 entitled "Stainless steel plates" in the column headed "Width in inches" the first item which reads "Over 10" to 18" incl." is corrected to read "10" to 18" incl.", the word "over" being deleted.

30. In § 1306.165 (b) (3) (ii) Table G-18 entitled "Stainless steel plates" in the column headed "Width in inches" the first item which reads "Over 10" to 18" incl." is corrected to read "10" to 18" incl.", the word "over" being deleted.

31. In § 1306.165 (b) (4) (ii) Table G-18 entitled "Stainless steel plates" in the column headed "Width in inches" the first item which reads "Over 10" to 18" incl." is corrected to read "10" to 18" incl.", the word "over" being deleted.

32. In § 1306.165 (b) (1) (ii) Table H-7 entitled "Stainless steel sheets" under subtitle "A. Rectangular shapes" the paragraphs numbered "1.", "2." and "3." are corrected to read as follows:

1. If width* of piece ordered is less than 1/4 of the width of any stock size sheet in same type, gauge and finish add ten percent (10%) of the stock size price (quantity extra and freight shall not be considered a part of the stock size price).

2. If width* of piece ordered is 1/4 but less than 1/2 of the width of any stock size sheet in same type, gauge and finish add fifteen percent (15%) of the stock size price (quantity extra and freight shall not be considered a part of the stock size price).

3. If width* of piece ordered is 1/2 or more of the width of any stock size sheet in same type, gauge and finish add twenty percent (20%) of the stock size price (quantity extra and freight shall not be considered a part of the stock size price).

33. In § 1306.165 (b) (2) (ii) Table H-9 entitled "Stainless steel sheets" under subtitle "A. Rectangular shapes" the paragraphs numbered "1.", "2." and "3." are corrected to read as follows:

1. If width* of piece ordered is less than 1/4 of the width of any stock size sheet in same type, gauge and finish add ten percent (10%) of the stock size price (quantity extra and freight shall not be considered a part of the stock size price).

2. If width* of piece ordered is 1/4 but less than 1/2 of the width of any stock size sheet in same type, gauge and finish add fifteen percent (15%) of the stock size price (quantity extra and freight shall not be considered a part of the stock size price).

3. If width* of piece ordered is $\frac{1}{2}$ or more of the width of any stock size sheet in same type, gauge and finish add twenty percent (20%) of the stock size price (quantity extra and freight shall not be considered a part of the stock size price).

34. In § 1306.165 (b) (3) (ii) Table H-9 entitled "Stainless steel sheets" under subtitle "A. Rectangular Shapes" the paragraphs numbered "1.", "2." and "3." are corrected to read as follows:

1. If width* of piece ordered is less than $\frac{1}{4}$ of the width of any stock size sheet in same type, gauge and finish add ten percent (10%) of the stock size price (quantity extra and freight shall not be considered a part of the stock size price).

2. If width* of piece ordered is $\frac{1}{4}$ but less than $\frac{1}{2}$ of the width of any stock size sheet in same type, gauge and finish add fifteen percent (15%) of the stock size price (quantity extra and freight shall not be considered a part of the stock size price).

3. If width* of piece ordered is $\frac{1}{2}$ or more of the width of any stock size sheet in same type, gauge and finish add twenty percent (20%) of the stock size price (quantity extra and freight shall not be considered a part of the stock size price).

35. In § 1306.165 (b) (4) (ii) Table H-9 entitled "Stainless steel sheets" under subtitle "A. Rectangular shapes" the paragraphs numbered "1.", "2." and "3." are corrected to read as follows:

1. If width* of piece ordered is less than $\frac{1}{4}$ of the width of any stock size sheet in same type, gauge and finish add ten percent (10%) of the stock size price (quantity extra and freight shall not be considered a part of the stock size price).

2. If width* of piece ordered is $\frac{1}{4}$ but less than $\frac{1}{2}$ of the width of any stock size sheet in same type, gauge and finish add fifteen percent (15%) of the stock size price (quantity extra and freight shall not be considered a part of the stock size price).

3. If width* of piece ordered is $\frac{1}{2}$ or more of the width of any stock size sheet in same type, gauge and finish add twenty percent (20%) of the stock size price (quantity extra and freight shall not be considered a part of the stock size price).

36. In § 1306.165 (b) (1) (ii) Table G-4 entitled "Cold finished carbon bars" under subtitle "A. Size", in the division of this table entitled "Hexagons", the last item which now reads " $3\frac{3}{16}$ to less than 4, incl" is corrected to read " $3\frac{3}{16}$ to 4, inclusive."

37. In § 1306.165 (b) (2) (ii) Table G-5 entitled "Cold finished carbon bars", under subtitle "A. Size", in the division of the table entitled "Hexagons", the last item which now reads " $3\frac{3}{16}$ to less than 4, incl" is corrected to read " $3\frac{3}{16}$ to 4, inclusive".

38. In § 1306.165 (b) (3) (ii) Table G-5 entitled "Cold finished carbon bars", under subtitle "A. Size", in the division of this table entitled "Hexagons", the last item which now reads " $3\frac{3}{16}$ to less than 4, incl" is corrected to read " $3\frac{3}{16}$ to 4, inclusive".

39. In § 1306.165 (b) (4) (ii) Table G-5 entitled "Cold finished carbon bars", under subtitle "A. size", in the division of the table entitled "Hexagons", the last item which now reads " $3\frac{3}{16}$ to less than 4, incl" is corrected to read " $3\frac{3}{16}$ to 4, inclusive".

40. In § 1306.165 (b) (1) (ii) Table G-14 entitled "Cold finished alloy steel

bars", in the division of the table entitled "Squares", the last item which now reads " $4\frac{1}{16}$ to less than $4\frac{1}{2}$, inclusive" is corrected to read " $4\frac{1}{16}$ to $4\frac{1}{2}$, inclusive".

41. In § 1306.165 (b) (2) (ii) Table G-15 entitled "Cold finished alloy steel bars", in the division of the table entitled "Squares", the last item which now reads " $4\frac{1}{16}$ to less than $4\frac{1}{2}$, inclusive" is corrected to read " $4\frac{1}{16}$ to $4\frac{1}{2}$, inclusive".

42. In § 1306.165 (b) (3) (ii) Table G-15 entitled "Cold finished alloy steel bars", in the division of the table entitled "Squares", the last item which now reads " $4\frac{1}{16}$ to less than $4\frac{1}{2}$, inclusive" is corrected to read " $4\frac{1}{16}$ to $4\frac{1}{2}$, inclusive".

43. In § 1306.165 (b) (4) (ii) Table G-15 entitled "Cold finished alloy steel bars", in the division of the table entitled "Squares", the last item which now reads " $4\frac{1}{16}$ to less than $4\frac{1}{2}$, inclusive" is corrected to read " $4\frac{1}{16}$ to $4\frac{1}{2}$, inclusive".

44. In § 1306.165 (b) (1) (ii) Table G-16 entitled "Stainless bars", in the division of the table entitled "Cold Finished Bars", under subdivision entitled "Rounds and squares", the second item which now reads "3 to $2\frac{3}{16}$ " is corrected to read "3 to $2\frac{3}{16}$ ".

45. In § 1306.165 (b) (2) (ii) Table G-17 entitled "Stainless bars", in the division of the table entitled "Cold finished bars", under subdivision entitled "Rounds and squares", the second item which now reads "3 to $2\frac{3}{16}$ " is corrected to read "3 to $2\frac{3}{16}$ ".

46. In § 1306.165 (b) (3) (ii) Table G-17 entitled "Stainless bars", in the division of the table entitled "Cold finished bars", under subdivision entitled "Rounds and squares", the second item which now reads "3 to $2\frac{3}{16}$ " is corrected to read "3 to $2\frac{3}{16}$ ".

47. In § 1306.165 (b) (4) (ii) Table G-17 entitled "Stainless bars", in the division of the table entitled "Cold finished bars", under subdivision entitled "Rounds and squares", the second item which now reads "3 to $2\frac{3}{16}$ " is corrected to read "3 to $2\frac{3}{16}$ ".

48. In § 1306.165 (b) (3) (ii) Table K-1 entitled "Galvanizing extras", under subtitle "C. List Prices", in the division of this table entitled "OVALS-HALF", for the size 1" x $\frac{1}{4}$ " the figure "\$4.30" is corrected to read "\$3.40".

49. In § 1306.165 (b) (3) (ii) Table G-7 entitled "Hot rolled strip", the third footnote below this table, which now reads "For bevel edge sections add 15", is corrected to read "For bevel edge sections add \$0.15".

50. In § 1306.165 (b) (1) (ii) Table F-2 entitled "Bars, bar shapes and strip", the second item which now reads "Bar Zees—\$.95" is corrected to read "Bar Zees—\$.50".

51. In § 1306.165 (b) (1) (ii) Table G-3 entitled "Hot rolled carbon steel bars", a new division entitled "Zees" is added to this table to appear immediately following the division entitled "Octagons" and immediately preceding the division entitled "Ovals", as follows:

ZEEES	
Dimensions in inches:	
$1\frac{1}{4}$ x $1\frac{1}{4}$ x $1\frac{1}{4}$ x $\frac{3}{16}$ -----	\$. 45
$1\frac{1}{4}$ x $1\frac{1}{4}$ x $2\frac{1}{8}$ x $\frac{3}{16}$ -----	. 45
$1\frac{3}{4}$ x $1\frac{3}{4}$ x $1\frac{3}{4}$ x $\frac{3}{16}$ -----	. 20

52. In § 1306.165 (b) (2) (ii) Table G-4 entitled "Hot rolled carbon steel bars", a new division entitled "Zees" is added to this table to appear immediately following the division entitled "Octagons" and immediately preceding the division entitled "Ovals", as follows:

ZEEES	
Dimensions in inches:	
$1\frac{1}{4}$ x $1\frac{1}{4}$ x $1\frac{1}{4}$ x $\frac{3}{16}$ -----	\$. 45
$1\frac{1}{4}$ x $1\frac{1}{4}$ x $2\frac{1}{8}$ x $\frac{3}{16}$ -----	. 45
$1\frac{3}{4}$ x $1\frac{3}{4}$ x $1\frac{3}{4}$ x $\frac{3}{16}$ -----	. 20

53. In § 1306.165 (b) (3) (ii) Table G-4 entitled "Hot rolled carbon steel bars", a new division entitled "Zees" is added to this table to appear immediately following the division entitled "Octagons" and immediately preceding the division entitled "Ovals", as follows:

ZEEES	
Dimensions in inches:	
$1\frac{1}{4}$ x $1\frac{1}{4}$ x $1\frac{1}{4}$ x $\frac{3}{16}$ -----	\$. 45
$1\frac{1}{4}$ x $1\frac{1}{4}$ x $2\frac{1}{8}$ x $\frac{3}{16}$ -----	. 45
$1\frac{3}{4}$ x $1\frac{3}{4}$ x $1\frac{3}{4}$ x $\frac{3}{16}$ -----	. 20

54. In § 1306.165 (b) (4) (ii) Table G-4 entitled "Hot rolled carbon steel bars", a new division entitled "Zees" is added to this table to appear immediately following the division entitled "Octagons" and immediately preceding the division entitled "Ovals", as follows:

ZEEES	
Dimensions in inches:	
$1\frac{1}{4}$ x $1\frac{1}{4}$ x $1\frac{1}{4}$ x $\frac{3}{16}$ -----	\$. 45
$1\frac{1}{4}$ x $1\frac{1}{4}$ x $2\frac{1}{8}$ x $\frac{3}{16}$ -----	. 45
$1\frac{3}{4}$ x $1\frac{3}{4}$ x $1\frac{3}{4}$ x $\frac{3}{16}$ -----	. 20

This correction shall be effective as of April 15, 1943.

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

Issued this 5th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9157; Filed, June 5, 1943; 3:50 p. m.]

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

[RPS 63, Amdt. 11]

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 63 is amended in the following respects:

1. Section 1315.102a is added to read as follows:

§1315.102a *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with ac-

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

18 F.R. 2110, 2663, 4332, 5746.

tion taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

2. Section 1315.110 (m) (2) (ii) (j) is added to read as follows:

Size	Ply	Maximum price
(f) Chippewa Super Rib Heavy Service:		
6.00-16.....	6	\$20.95
6.50-16.....	6	24.20

3. Section 1315.110 (m) (3) (iii) is added to read as follows:

Size	Ply	Maximum price
(iii) Dayton-McClaren Thorobred Raytex:		
8.25-20.....	10	\$76.40
8.25-20.....	12	87.80
9.00-20.....	10	91.15
9.00-20 (36 x 8).....	12	106.80
10.00-20.....	12	115.55
10.00-22.....	12	121.75
11.00-20.....	12	136.65
11.00-22.....	12	144.60

4. Section 1315.110 (m) (4) is amended by designating the text following the company name and the colon as subdivision (i) and by redesignating subdivision (i), (ii) and (iii) as inferior subdivision (a), (b) and (c) respectively.

5. Section 1315.110 (m) (4) (ii) is added to read as follows:

(i) Maximum prices for the following sizes in the following brands of truck tubes shall be:

Size:	Maximum price
8.25-15.....	\$7.61
8.25-16.....	7.23
9.00-16.....	8.97
9.75/10.00-18.....	12.15
11.25/12.00-20.....	19.25
8.25-22.....	9.41
9.00-22.....	10.78
7.00-24 (36 x 6).....	7.50
7.50-24 (38 x 7).....	9.51
9.00-24 (40 x 8).....	12.10
10.00-24 (42 x 9).....	14.75
11.00-24.....	17.05
12.00-24 (44 x 10).....	20.85

6. Section 1315.110 (m) (8) (ii) (b) is added to read as follows:

Size:	Maximum price
(b) Yale Truck Tubes:	
6.00-16.....	\$3.40
6.50-16.....	4.05

7. Section 1315.110 (m) (9) (i) is amended by adding the following two items to the table at the end thereof:

Size	Ply	Maximum price
10.00-22.....	12	\$121.75
11.00-22.....	12	144.60

8. Section 1315.110 (m) (11) is added to read as follows:

(11) Denman Tire and Rubber Company: Maximum prices for the following sizes in the following brands of truck tires shall be:

(i) Mud and snow.

Size	Ply	Maximum price
6.50-20 (32 x 6).....	8	\$37.00
7.00-20 (32 x 6).....	10	49.80
7.50-20 (34 x 7).....	10	66.45
11.00-20.....	12	126.50

9. Section 1315.110 (n) is amended by adding a sentence to the end thereof to read as follows: "The Territorial Director of Hawaii may by order provide that all or any part of the increase provided by this paragraph shall not apply after June 11, 1943, in the Territory of Hawaii to passenger-car tires and tubes which were not returned under the Dealer Tire Return Plan."

10. Section 1315.110 (p) (2) (iii) is added to read as follows:

Distributor	Brand of passenger-car tires	Brand of truck tires
National Dixie Distributors, Inc.....	Dixie Deluxe First Line.....	Dixie Truck and Bus Balloon.
Ritz Rubber Co.....	Ritz.....	

13. Section 1315.111 (d) 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	Brand of truck tubes
Billups Petroleum Co., Inc.....	Your Friend.....	Your Friend.
Latham's Tire Exchange.....	Latham's Deluxe.....	
National Dixie Distributors, Inc.....	Dixie First Line.....	Dixie First Line.
United Auto Supply Co., Inc.....	United Heavy Duty.....	United Heavy Duty.

14. Section 1315.111 (m) (3) is amended to read as follows:

(3) Star Rubber Company:

(1) Maximum prices for the following sizes in the following brands of truck tires shall be:

(a) STAR MASTERPIECE

Size	Ply	Maximum price
8.25-15.....	12	\$71.10
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	71.29
10.00-18.....	12	89.64
6.00-20 (30 x 5).....	10	33.40
8.25-20.....	12	70.11
9.00-20 (36 x 8).....	12	85.05
9.00-20 (38 x 8).....	14	92.55
10.00-20.....	12	92.11

(b) MUD GRIP

6.50-20 (32 x 6).....	8	\$93.30
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(iii) The Gates Rubber Company: Maximum prices for the following sizes in the following brands of tires shall be:

(a) Gates Rugged Rib Trailer Tire.

Size	Ply	Maximum price
8.25-15.....	12	\$79.00

11. Section 1315.110 (p) (2) (iv) is added to read as follows:

(iv) United States Rubber Company: Maximum prices for the following sizes in the following brands of tires shall be:

(a) Gillette Tractor Implement.

Size	Ply	Maximum price
5.00-15.....	4	\$11.55
5.50-16.....	4	12.65
6.00-16.....	4	14.40
7.50-10.....	4	23.95
7.50-18.....	4	22.00

12. Section 1315.111 (b) is amended by revoking the item in the table which reads, "Vogue Rubber Co.—Ritz" 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:

(c) STAR MUD AND SNOW

Size	Ply	Maximum Price
7.50-18.....	8	\$43.83
9.00-18.....	10	73.61
10.00-18.....	10	80.01
10.00-18.....	12	94.14
7.00-20.....	8	34.42
9.00-20 (36 x 8).....	12	90.81

(d) NON-DIRECTIONAL MUD AND SNOW

6.00-16.....	6	\$19.80
9.00-20 (36 x 8).....	12	90.81

(ii) Maximum prices for the following sizes in the following brands of truck tubes shall be:

(a) Star Deluxe

Size:	Maximum price
8.25-15.....	\$9.85

15. Section 1315.111 (m) (4) is added to read as follows:

(4) Vogue Rubber Company: Maximum prices for all brands of passenger-car tires shall be the consumer list prices for such tires on file with the Office of Price Administration which were in effect on November 5, 1941. This subparagraph shall not apply to the Ritz brand.

16. Section 1315.111 (n) is amended by adding a sentence at the end thereof to read as follows: "The Territorial Director of Hawaii may by order provide that all or any part of the increase provided by this paragraph shall not apply after June 11, 1943, in the Territory of Hawaii to passenger-car tires and tubes which were not returned under the Dealer Tire Return Plan."

This amendment shall become effective June 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9158; Filed, June 5, 1943; 3:50 p. m.]

PART 1340—FUEL

[MPR 121,¹ Correction to Amdt. 17]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

In § 1340.249 (d) (4) (v) (b) the reference to "30 cents" is hereby corrected to read "50 cents".

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9159; Filed, June 5, 1943; 3:50 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 280,² Amdt. 24]

SPECIFIC FOOD PRODUCTS; MILK

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 1351.801 (a) is amended by deleting the phrase, "packaged powdered skim milk sold for animal feed," and inserting in lieu thereof the phrase, "all powdered skim milk for animal feed and all powdered butter milk for animal feed."

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

¹ 7 F.R. 3237, 3989, 4483, 5941, 6002, 6386, 6587, 8521, 8938, 10529; 8 F.R. 1895, 2756, 4179, 5757, 6261, 6951, 6957.

² 8 F.R. 5165, 6357.

This amendment shall become effective this 11th day of June, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9160; Filed, June 5, 1943; 3:49 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 296,¹ Amdt. 4]

FLOUR FROM WHEAT, SEMOLINA AND FARINA SOLD BY MILLERS AND BLENDERS

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 296 is amended in the following respects:

1. Section 1351.1666 (VI) is amended to read as follows:

VI. Maximum prices for family cake flour, and family whole wheat our, and for family farina, enriched and unenriched. (a) At all destinations, the maximum prices for family cake flour and family whole wheat flour shall be as follows:

(i) When packed 12 2¼ pound packages or 24 1¼ pound packages to the case, \$2.75 per case.

(ii) When packed in packages containing 5 pounds or less, other than the package and case sizes covered by (i) hereof, 7½ cents per pound plus the cost of packages, labels and shipping containers.

(iii) When packed in packages containing more than 5 pounds, the same as the maximum prices for family flours in like packages as elsewhere set forth in this Appendix A.

(f)

Size (pound)	Container—Kind	Column 1—Seller's packages, charge per cwt. over 100 pound cotton carload price	Column 2—buyer's packages, charge per cwt. over bulk price
200	Wood or plywood.....	\$0.625 over cwt. basis.....	\$0.125
100	Wood or plywood.....	\$0.95 over cwt. basis.....	.20
140	Jute.....	Same as basis.....	None
100	Jute.....	Same as basis.....	None
140	Cotton.....	\$0.025 over cwt. basis.....	None
100	Cotton.....	Basis.....	None
50	Cotton.....	\$0.125 over cwt. basis.....	.02
25	Cotton.....	\$0.25 over cwt. basis.....	.04
10	Cotton.....	\$0.50 over cwt. basis.....	.10
5	Cotton.....	\$0.85 over cwt. basis.....	.20
2	Cotton.....	\$1.75 over cwt. basis.....	.50
100	Paper.....	Same as basis.....	None
50	Paper.....	\$0.05 over cwt. basis.....	.02
25	Paper.....	\$0.10 over cwt. basis.....	.04
10	Paper.....	\$0.30 over cwt. basis.....	.10
5	Paper.....	\$0.575 over cwt. basis.....	.20
2	Paper.....	\$1.35 over cwt. basis.....	.50
1¼	Any type.....	\$1.75 over cwt. basis.....	.70

Cents per cwt. additional

Outside jute envelopes (1 to cwt.).....	17½
Outside jute envelopes (1 to cwt.).....	23½
Outside jute envelopes (2 to cwt.).....	30
Outside cotton envelopes (1 to cwt.).....	25
Outside fibre containers (2 to cwt.).....	22½
Outside paper envelopes (1 to cwt.).....	15
Outside paper envelopes (2 to cwt.).....	17½
Outside paper envelopes (4 to cwt.).....	25
Other outside containers.....	actual cost

(b) At all destinations the maximum prices for family farina, enriched and unenriched, shall be as follows:

	Carlots	Less than carlots
(i) When packed 18 28-ounce packages to the case.....	\$3.47½	\$3.55
(ii) When packed 24 14-ounce packages to the case.....	2.70	2.75

(iii) When packed in packages containing 5 pounds or less, other than the package and case sizes provided for under (i) and (ii) hereof, 9¼ cents per pound plus the cost of packages, labels and shipping containers.

(iv) When packed in packages containing more than 5 pounds, the same as the maximum prices for family flour in like packages as elsewhere set forth in this Appendix A.

2. Section 1351.1666 (XVI) is added to Maximum Price Regulation 296 and reads as follows:

XVI. Conversion to cwt. basis, bulk basis, and container differentials. (a) All maximum prices hereinbefore set forth on a per barrel basis may be converted to maximum prices per hundred weight by dividing the appropriate maximum price per barrel by 1.96 and rounding the result to the nearest cent.

(b) All differentials set forth in subdivisions (xii), (ix) and (x) of this appendix, may be converted to a differential per hundred weight by dividing the appropriate differential by two and rounding the result to the next highest cent.

(c) The maximum price per hundred weight in 100 pound cotton sacks may be converted to a maximum price per hundred weight bulk by deducting 16 cents per hundred weight.

(d) The maximum price per hundred weight in 100 pound cotton sacks may be increased for seller's containers other than 100 pound cotton sacks by the differentials set forth in column 1 subdivision (f) of this section.

(e) The maximum price per hundred weight bulk may be increased for buyer's containers other than 100 pound cotton sacks by the differentials set forth in column 2 of subdivision (f) of this section.

A. Charge for handling and packing buyer's outside paper, cotton, or jute envelopes, 5¢.

B. Charge for handling and packing buyer's fibre containers, 7½¢.

(g) For any other kind of seller's containers, the maximum price shall be the maximum price per hundredweight bulk plus the actual cost of packages, labels and shipping containers and plus the differential

¹ 8 F.R. 158, 612, 2598, 3703.

set forth in column 2 of subdivision (f) of this section for the size nearest the size in question.

(h) The provisions of subparagraphs (d), (e), (f), and (g) of this subdivision XVI of this Appendix A shall have no application to family cake flour, family whole wheat flour and family farina sold in packages of 5 pounds or less as provided for in subdivision VI of this Appendix A.

3. Section 1351.1666 (XVII) is added to Maximum Price Regulation 296 and reads as follows:

XVII. *Use of railroad rates in calculations.* Wherever in this regulation maximum prices are determined by adding a railroad transportation charge to a basic price, said railroad transportation charge shall be calculated by using the railroad rates in effect prior to May 15, 1943, until

(a) August 1, 1943, for prices which include a charge from Enid, Oklahoma; Kansas City, Missouri; Omaha, Nebraska; Memphis, Tennessee; Cairo, Illinois; Evansville, Indiana; Louisville, Kentucky; Cincinnati, Ohio; Sterling, Colorado; or Odgen, Utah, and for prices which are calculated by deducting from the basic price the transportation charge from the milling point to New York City and then adding the transportation charge to the destination; and

(b) September 1, 1943, for prices which include a charge from Minneapolis, Minnesota; Billings or Great Falls, Montana; or Spokane, Washington.

After August 1, 1943 and September 1, 1943, the railroad rates then applicable shall be used in so calculating said maximum prices.

This amendment shall become effective June 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9161; Filed, June 5, 1943;
3:48 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Rev. SR 1 to GMPR, Amdt. 11]

AVIATION GASOLINE, CRACKING CATALYSTS

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 section 2.5 (b) (1) the period at the end of the sentence is deleted, a semicolon substituted therefor, and the following phrase is added: "and cracking catalysts, either liquid or vapor phase." This amendment shall become effective June 11, 1943.

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

Issued this 5th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9152; Filed, June 5, 1943;
3:51 p. m.]

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

PART 1499—COMMODITIES AND SERVICES
[SR 14 to GMPR, Amdt. 178]

SUGAR

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.*

Supplementary Regulation No. 14 is amended in the following respect: Section 1499.73 (a) (10) is hereby revoked.

This amendment shall become effective June 11, 1943.

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

Issued this 5th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9153; Filed, June 5, 1943;
3:51 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 244 Under § 1499.18 (b) of GMPR]

MUMSEY CANDY CO.

Order No. 244 Under § 1499.18 (b) of the General Maximum Price Regulation; Docket No. GF3-3277.

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

§ 1499.1844 *Adjustment of maximum price governing the sale of "Cluster Pops", a 5 cent retail confectionery item, manufactured by David Dorkin, trading as the Mumsey Candy Co., Camden, New Jersey.* (a) That Mumsey Candy Co. is hereby authorized to sell its "Cluster Pops", a cluster of five candy pops, to its distributors at the maximum delivered price of 64 cents per box of 24 clusters.

(b) That all distributors of the Mumsey Candy Co. are hereby authorized to purchase its "Cluster Pops" at a maximum delivered price not in excess of 64 cents per box of 24 clusters.

(c) That all wholesalers and retailers of this item shall maintain prices not in excess of their maximum prices as established under the provisions of the General Maximum Price Regulation.

(d) That the Mumsey Candy Co. shall mail or otherwise supply to each of its distributors prior to the first delivery to such distributor a notice as follows:

The Office of Price Administration has authorized us to increase our maximum delivered price for "Cluster Pops" from 60 cents per box of 24 clusters to 64 cents per box of 24 clusters. No price increases are permitted at the wholesale or retail levels. (You are to maintain a price not in excess of your maximum price as established under the General Maximum Price Regulation.

(e) This Order No. 244 may be revoked or amended by the Price Administrator at any time.

(f) This Order No. 244 (§ 1499.1844) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(g) This Order No. 244 (§ 1499.1844) shall become effective June 7, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 5th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9154; Filed, June 5, 1943;
3:52 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5, Amdt. 26]

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. Section 3.8 is added to read as follows:

SEC. 3.8 *Opening inventory of frozen fruits and vegetables in containers over ten (10) pounds.* (a) As part of his application for an allotment of processed foods for the third allotment period or when he applies for an allotment pursuant to section 7.6 (b), whichever is earlier, an institutional user must report in pounds his inventory of frozen fruits and vegetables in containers over ten (10) pounds at the close of business on June 5, 1943 in accordance with the rules stated in paragraphs (a) to (e) of section 3.2. Such inventory shall be treated as excess inventory.

(b) The point value of an institutional user's inventory of frozen fruits and vegetables in containers over ten (10) pounds at the close of business on June 5, 1943 is to be computed by multiplying the total weight in pounds by a factor fixed for that purpose by the Office of Price Administration (in a supplement to this order).

2. Section 7.6 is added to read as follows:

SEC. 7.6 *Change of registration to include frozen fruits and vegetables in containers over ten (10) pounds.* (a) An institutional user shall change his registration to include in his December 1942 use of processed foods the amount of frozen fruits and vegetables in containers over ten (10) pounds he used in that month. His base for processed foods shall be recomputed on the basis of the changed registration and his allotments of processed foods for the third and subsequent allotment periods shall be calculated on the recomputed base.

(b) On or after June 6, 1943, the Board shall, upon application, grant to an institutional user whose base for processed foods is increased when frozen fruits and vegetables in containers over ten (10)

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

8 F.R. 2195, 2348, 2598, 2666, 2667, 3178, 3216, 3255, 3616, 3851, 4131, 4325, 4784, 4785, 4839, 5341, 5265, 5476, 5476, 5485, 5643, 6116, 6439, 6956, 7105.

pounds are included pursuant to paragraph (a), an additional allotment of processed foods for the second allotment period computed as follows:

- (1) Subtract the allotments he actually received for the second allotment period from the allotments he would have received for that period if the re-computed base had been used;
- (2) Multiply the remainder by .41;
- (3) The result is the amount of the additional allotment to be granted to the institutional user.

This amendment shall become effective June 5, 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 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. Dir. 1, Supp Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, 3471, respectively)

Issued this 5th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9155; Filed, June 5, 1943; 3:48 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5, Amdt. 3 to Supp. 1¹]

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.*

Supplement No. 1 to General Ration Order No. 5 is amended in the following respect:

1. Section 1305.203 (a) is amended to read as follows:

(a) Average point values (to be used in determining opening inventory and December use of processed foods).

	Average point-value per pound
Class of processed foods:	
Canned and bottled; dry peas, beans and lentils.....	11
Frozen: (1) For December use.....	13
(2) For opening inventory other than frozen fruits and vegetables in containers over ten (10) pounds.....	13
(3) For inventory of frozen fruits and vegetables in containers over ten (10) pounds at the close of business June 5, 1943.....	4
Dried and dehydrated fruits, soups and soup mixtures.....	18

This amendment shall become effective June 5, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 597, 77th

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

¹ 8 F.R. 2195, 2348, 2598, 2666, 2667, 3178, 8216, 3255, 3616, 3851, 4325, 4131, 4784, 4785, 4839, 5341, 5265, 5476, 5476, 5485, 5848, 6118, 6439, 6956, 7105.

² 8 F.R. 2597, 4840, 5529.

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, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, 3471, respectively)

Issued this 5th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9156; Filed, June 5, 1943; 3:47 p. m.]

PART 1389—APPAREL

[MPR 178, Amdt. 4]

WOMEN'S FUR GARMENTS

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 178 is amended in the following respect:

1. Section 1389.163a is added to read as follows:

§ 1389.163a *Licenses of manufacturers*—(a) *Licenses required.* A license, as a condition of selling, is hereby required of every manufacturer now or hereafter making a sale of a garment for which a maximum price is established by this regulation. The person whose license is suspended in proceedings under section 205 (f) (2) of the Emergency Price Control Act of 1942 shall not, during the period of suspension, sell any garment as to which his license to sell is suspended.

(b) *Licenses granted.* Every manufacturer now or hereafter making a sale of any garment for which a maximum price is established by this regulation or by any amendment thereto, is hereby granted a license as a condition of selling such garment. The provisions of this regulation shall be deemed to be incorporated in the license hereby granted, and any violation of any provision so incorporated shall be a violation of the provisions of said license. Such license shall be effective on June 5, 1943, or on any subsequent date when any such person becomes subject to the provisions of this regulation, and shall unless suspended in accordance with the provisions of the Emergency Price Control Act of 1942, as amended, continue in force as long as this regulation or any amendment or supplement thereto remains in effect.

This amendment shall become effective June 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9162; Filed, June 5, 1943; 3:52 p. m.]

¹ 7 F.R. 5277, 6771, 8016, 8946, 8948.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 12, Amdt. 41]

COFFEE

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

The effective date provision of Amendment No. 36 to Ration Order No. 12 is amended to read as follows:

This Amendment No. 36 shall become effective June 11, 1943.

This amendment shall become effective June 4, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, and 729, 77th Cong.; E.O. 9125; 7 F.R. 2719; E.O. 9280; 7 F.R. 10179; WPB Dir. No. 1, Supp. Dir. No. 1-R; Food Dir. No. 3, 8 F.R. 2005)

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9151; Filed, June 5, 1943; 3:47 p. m.]

Chapter XIII—Petroleum Administration for War

[Petroleum Directive 57, Revocation]

PART 1510—SUPPLY

DISTILLATES AND OTHER FUEL OILS, ETC.

Directive 57 of the Deputy Petroleum Coordinator for War, issued August 19, 1942, to increase and supplement means of overland transportation of petroleum products, particularly distillates and other fuel oils, and to obtain the maximum efficient use of all available supply and distribution facilities. This directive has been superseded by the provisions of Directives 65 and 67 of the Deputy Petroleum Administrator for War, and

Therefore, pursuant to Executive Order 9276 issued December 2, 1942, establishing the office of Petroleum Administration for War, Directive 57 (§ 1510.17 through § 1510.23, inclusive, this chapter) of the Deputy Petroleum Coordinator for War is hereby revoked, effective immediately.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

JUNE 4, 1943.

[F. R. Doc. 43-9126; Filed, June 5, 1943; 10:20 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATER

Chapter II—Corps of Engineers: War Department

PART 206—FISHING AND HUNTING REGULATIONS

DESIGNATED FISHING AREA IN HUDSON RIVER, N. Y. & N. J.

The areas in Hudson River, New York and New Jersey, approved by the Secre-

¹ 8 F.R. 3400, 3843, 4486, 4519, 4977, 4892, 5918, 5480, 5486, 5818, 5846, 7198, 7267.

tary of War on February 23, 1940, amended on June 6, 1940, as areas within which shad nets, poles, and other fishing structures may be permitted, pursuant to regulations approved therefor by the Secretary of War, are further amended by adding Area 2A described in § 206.45 (c) (3a) below:

§ 206.45 *Hudson River, N. Y. and N. J.; south of Stony Point, Stony Point, N. Y.; fishing.* * * *

(c) The areas in Hudson River, New York and New Jersey, described below, are recommended by the Chief of Engineers and approved by the Secretary of War as areas within which shad nets, poles, and other fishing structures may be permitted, pursuant to regulations approved therefor by the Secretary of War.

(3) *Area No. 2.* * * *

(3a) *Area No. 2A.* An area in the westerly portion of the river, between Area No. 2 and Area No. 3 and bounded by straight lines between the following points:

Point No.	Latitude	Longitude
10.....	40°52'13.5"	73°56'25.9"
9.....	40°52'19.2"	73°56'43.8"
13.....	40°52'36.9"	73°56'32.4"
12.....	40°52'31.8"	73°56'14.4"

(Sec. 10, River and Harbor Act, March 3, 1899, 30 Stat. 1151, 33 U.S.C. 403) [Regs. May 24, 1943 (CE 800.217 (Hudson River, N. J.; N. Y.)—SPEKH)]

[SEAL]

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

[F. R. Doc. 43-9174; Filed, June 7, 1943; 10:04 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter I—Procurement Division, Department of the Treasury

PART 37—PROPERTY ACQUIRED BY THE ADMINISTRATOR OF THE FEDERAL HOUSING ADMINISTRATION

Effective ten days after the final approval hereof, Part 37 is amended as follows:

Sec.

- 37.1 Definitions.
37.2 Property to which clear title is acquired.
37.3 Property acquired subject to liens or other interest; discharge of liens or other interests for transfer of property to Federal agencies.

AUTHORITY: §§ 37.1 to 37.3, inclusive, issued under sec. 2 (c) of Title I, National Housing Act, as amended, 49 Stat. 1188 (U.S.C. Sup. V. Title 12, sec. 1703 (c)), and sec. 5 (k) of the Home Owners Loan Act of 1933, as amended, 48 Stat. 646 (U.S.C. Title 12, sec. 1464 (k)).

§ 37.1 *Definitions.* The term "Administrator" means the Federal Housing Administrator, or such other official as has been or may be authorized to exercise the functions of the Federal Housing Administrator under the Act, and such term includes any officer of the

Federal Housing Administration whom the Administrator may designate to act for him; the term "property" means property assigned to or held by the Administrator in connection with the payment of insurance heretofore or hereafter granted under section 2 of Title I, National Housing Act, 48 Stat. 1246 (U.S.C. Title 12, ch. 13, Title I), as amended; and the term "Federal agency" means any executive department, independent establishment, commission, board, bureau, service, office or division of the United States, including any corporation wholly owned by the United States, or any wholly owned subsidiary of any such wholly owned corporation.

§ 37.2 *Property to which clear title is acquired.* All tangible personal property to which the United States, through the Administrator, has acquired title free and clear of all liens or other legal or equitable interest, unless required by the Federal Housing Administration for official use, shall be disposed of as follows:

(a) The Administrator, upon the acquisition of title to such property, shall transmit to the Procurement Division, Treasury Department, an itemized list thereof, in triplicate. The Procurement Division may cause such property to be transferred to any Federal Agency in accordance with regulations governing the disposition of surplus personal property.

(b) All tangible personal property which the Director of Procurement may, in his discretion, determine should not be retained for use by a Federal agency or agencies, may, at the request of the Administrator, and if the Director of Procurement sees fit, be disposed of by officers and employees of the Procurement Division, acting as agents of the Administrator, through public sale to the highest bidder, or may be cleared in the discretion of the Director of Procurement for disposal by the Administrator, by public or private sale, as the Administrator may deem in the best interest of the United States.

§ 37.3 *Property acquired subject to liens or other interest; discharge of liens or other interests for transfer of property to Federal agencies.* The Administrator, when he deems it to be in the public interest, may make an appropriate report to the Procurement Division of any tangible personal property acquired by him subject to a lien or other outstanding legal or equitable interest, and the Procurement Division may transmit such report to such Federal agencies as in its opinion might be interested in such property. If any Federal agency desiring to acquire such property deposits with the Administrator an amount sufficient to satisfy, discharge, or purchase the lien or other outstanding interest, and if in the opinion of the Administrator and the Director of Procurement, acting upon the request of the Administrator for approval of the transfer, it would be in the public interest for such Federal agency to acquire such property, the Administrator shall satisfy, discharge, or purchase any such lien or other outstanding interest

and transfer the property to such Federal agency.

Dated this 25th day of May 1943.

ABNER H. FERGUSON,
Federal Housing Commissioner.

Approved: May 28, 1943.

JOHN B. BLANDFORD, JR.,
National Housing Administrator.

Approved: May 29, 1943.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 43-9150; Filed, June 5, 1943; 3:34 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Service Order No. 124-A]

PART 95—CAR SERVICE

MOVEMENT OF POTATOES FROM ALABAMA AND FLORIDA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 5th day of June, A. D. 1943.

Upon further consideration of the provisions of Service Order No. 124, of May 19, 1943, and good cause appearing therefor: *It is ordered, That:*

§ 95.14 *Movement of potatoes from Alabama and Florida under permit.* This section is hereby vacated and set aside.

It is further ordered, That this order shall become effective at 12:01 a. m. June 6, 1943; that copies of this order and direction shall be served upon all common carriers by railroad and upon all common and contract motor carriers serving the States of Alabama and Florida and upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of this agreement; and that notice of this order be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 43-9188; Filed, June 7, 1943; 11:02 a. m.]

Subchapter B—Carriers by Motor Vehicle

[Emergency Order M-2]

PART 215—EMERGENCIES

RESTRICTION ON USE OF TRAILERS BETWEEN DETROIT, MICH., AND CLEVELAND, OHIO

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 4th day of June, A. D. 1943.

Section 204 (e) of Part II of the Interstate Commerce Act being under consideration and

It appearing, That the operation of trailers and semi-trailers by motor carriers from an area comprised of the City of Detroit, Mich., and a zone extending twenty-five (25) air miles from the boundaries thereof, to an area comprised of the City of Cleveland, Ohio, and a zone extending twenty-five (25) air miles from the boundaries thereof, or in the reverse direction, over the highways, has resulted in a shortage of motor carrier equipment, congestion of traffic and depletion of rubber and fuel supplies; that the continuance of these conditions adversely affects the prosecution of the war; that water transportation not involving such depletion is available between said areas; that the Director of the Office of Defense Transportation has requested that this Commission take such action in the premises as it deems necessary; that the Commission is of the opinion that an emergency exists requiring immediate action to facilitate the prosecution of the war; *It is ordered*, That:

§ 215.300 *Restriction of use of trailers and semi-trailers from Detroit, Mich., to Cleveland, Ohio, and in the reverse direction.* (a) Effective at once and until further order of this Commission, no common or contract carrier of property by motor vehicle subject to the Interstate Commerce Act shall propel or draw by mechanical power, any trailer or semi-trailer over highways from an area comprised of the City of Detroit, Mich., and a zone extending twenty-five (25) air miles from the boundaries thereof, to an area comprised of the City of Cleveland, Ohio, and a zone extending twenty-five (25) air miles from the boundaries thereof, or in the reverse direction, except where water transportation between said areas is not available and the lack of availability of such water transportation is evidenced by a general or special permit for such motor transportation issued by the Office of Defense Transportation.

(b) Common and contract carriers by motor vehicle holding authority to perform the transportation prohibited in paragraph (a) of this section, are hereby authorized to tender any trailer or semi-trailer, loaded or empty, which such carrier has in his possession, to any water carrier subject to the Interstate Commerce Act operating between such areas described in paragraph (a) of this section, for transportation by water between said areas, notwithstanding any shipper's instructions or any existing contract, lease or other agreement, express or implied.

(c) The provisions of this section shall not apply in respect of:

(1) Any trailer or semi-trailer when containing shipments for delivery, or while operated for the purpose of collecting shipments, at any point between the areas described in paragraph (a) of this section;

(2) Any trailer or semi-trailer while operated under the direction of the military or naval forces of the United States or State military forces organized pur-

suant to § 61 of the National Defense Act, as amended;

(3) Any trailer or semi-trailer while actually transporting exclusively any explosive listed in Part 2 of "Regulations for Transportation of Explosives and Other Dangerous Articles" (5 F.R. 4905), promulgated and published by the Interstate Commerce Commission by order of August 16, 1940, effective January 7, 1941, in Docket No. 3666, as amended, pursuant to the provisions of Title 18, Section 383, U. S. Code, including explosives, materials and accessories, such as ammunition, black powder, low explosives, liquid nitroglycerine, fireworks smokeless powder, cordeau detonant, fuzes, igniters or primers, and, in addition, blasting agents and blasting accessories necessary for the use of any said explosives: *Provided, however*, That nothing contained in this paragraph shall be so construed as to relieve any common or contract carrier affected by this order from any rule, regulation or order of the Commission or other requirement of law pertaining to the transportation exempted hereby. (Sec. 204 (e), 56 Stat. 176; 49 U.S.C. 304 (e))

And it is further ordered, That a copy of this order and direction shall be served upon all motor and water carriers affected by this order and upon all shippers by them and upon the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, the National Archives.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 43-9147; Filed, June 5, 1943; 11:46 a. m.]

Chapter II—Office of Defense Transportation

[Administrative Order ODT 1, Amdt. 2]

PART 503—ADMINISTRATION

DELEGATION OF AUTHORITY, DIVISION OF MOTOR TRANSPORT

Pursuant to Executive Orders 8989 and 9156, and War Production Board Directive 21, § 503.2 of Administrative Order ODT 1 (8 F.R. 6001, 7285) is hereby amended by adding to paragraph (a) thereof a subparagraph numbered (19), reading as hereinafter set forth:

§ 503.2 *Division of Motor Transport.*
(a) * * *

(19) To execute and issue, in his discretion, and in the name of the Director of the Office of Defense Transportation, general or special permits as provided by Supplementary Order ODT 3, Revised—25 (8 F.R. 7514), or as hereafter amended; to determine and require the information to be supplied in applications for special permits as provided in said order; to direct common and contract carriers subject to said order to make the tender of trailers and semi-trailers as provided therein, and to designate the time and place for such tender;

to grant or deny applications for relief from the provisions of said order, as provided therein; and to do any or all things, whether or not enumerated herein, that are necessary or proper for the complete exercise of the powers delegated by this subparagraph (19). The authority conferred by this subparagraph may be exercised by such Director through such members of the staff of the Division of Motor Transport as he may designate.

(E.O. 8989, 9156; 6 F.R. 6725, 7 F.R. 3349; War Production Board Directive 21; 8 F.R. 5834)

This amendment to Administrative Order ODT 1 shall become effective June 5, 1943.

Issued at Washington, D. C., this 5th day of June 1943.

JOSEPH B. EASTMAN,
Director,

Office of Defense Transportation.

[F. R. Doc. 43-9185; Filed, June 7, 1943; 11:01 a. m.]

Notices

TREASURY DEPARTMENT.

THREE AND ONE-QUARTER PERCENT TREASURY BONDS OF 1943-45

NOTICE OF CALL FOR REDEMPTION

1. Public notice is hereby given that all outstanding 3¼ percent Treasury Bonds of 1943-45, dated October 15, 1933, are hereby called for redemption on October 15, 1943, on which date interest on such bonds will cease.

2. Full information regarding the presentation and surrender of the bonds for redemption under this call will be found in Department Circular No. 666, dated July 21, 1941.

3. Holders of these bonds may, in advance of the redemption date, be offered the privilege of exchanging all or any part of their called bonds for other interest-bearing obligations of the United States, in which event public notice will hereafter be given.

[SEAL]

D. W. BELL,
Acting Secretary of the Treasury.

JUNE 7, 1943.

[F. R. Doc. 43-9170; Filed, June 7, 1943; 9:58 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. B-355]

RED TOP COAL COMPANY, INC.

ORDER RESCHEDULING HEARING

By notice of and order for hearing dated February 4, 1943, the above-entitled matter was scheduled for hearing at the Community Room, City Hall, Altoona, Pennsylvania on March 9, 1943; by order dated March 4, 1943 said hearing was postponed to March 15, 1943; by

order dated March 12, 1943 said hearing was postponed to April 8, 1943 and William A. Cuff (vice Edward J. Hayes) was designated to preside; and by order dated April 3, 1943 said hearing was postponed to a time and place to be thereafter designated by the Director; and

It appears to the Director that the place and date of hearing should now be designated.

Now, therefore, it is ordered, That a hearing in the above-entitled matter be held on July 13, 1943, at 10 a. m. at a hearing room of the Bituminous Coal Division at Civil Service Rm., New Post Office Bldg., Altoona, Pennsylvania; and

It is further ordered, That William A. Cuff, or any other duly designated officer or officers of the Bituminous Coal Division shall preside at the hearing in said matter; and

It is further ordered, That said notice of and order for hearing dated February 4, 1943, shall, in all other respects, remain in full force and effect.

Dated: June 4, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-9177; Filed, June 7, 1943;
10:57 a. m.]

BELKNAP COAL & STOKER CO.

INVITATION TO FURNISH INFORMATION

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
Belknap Coal & Stoker Co., 1100 North 14th Street, Lincoln, Ne- braska.....	5-3-43

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 June 14, 1943. This information should be mailed or presented to the Bituminous Coal Division, Department of the Interior, Washington, D. C.

Dated: June 4, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-9178; Filed, June 7, 1943;
10:57 a. m.]

[Docket Nos. A-2000; A-2000, Part II]

DISTRICT BOARD 22

MEMORANDUM OPINION AND ORDER SEVERING DOCKET NUMBERS AND GRANTING TEMPORARY 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 the Smith No. 2 Vein Mine; Docket No. A-2000.

In the matter of the petition of District Board No. 22 for the establishment of a price classification and minimum prices for nut coals, 3" x 1 1/2" in size of the Smith No. 2 Vein Mine; Docket No. A-2000, Part II.

The original petition in the above-entitled matter filed with this Division pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requests, among other matters, that the price classification and minimum prices established in Docket No. A-1959 for nut coals, 3" x 1 1/2" in size, produced by code members in Subdistricts 1 and 2 in District No. 22, for shipment by rail to destinations in specified market areas also be established for the same shipments for coals of the same dimensions produced from the Smith No. 2 Vein Mine, Mine Index No. 310 of code member Montana Coal & Iron Company in Subdistrict No. 2 in District No. 22.

Coals 3" x 1 1/2" in size produced at all other mines in Subdistrict 2 are presently subject to temporary minimum prices established by the order entered in Docket No. A-1959 on April 30, 1943. Accordingly, pending a hearing and further order in Docket No. A-1959, it appears that no permanent relief should be granted at this time with respect to this size of coal produced at the Smith No. 2 Vein Mine but that the same temporary price classification and minimum prices established for this size of coal produced at other mines in Subdistrict 2 should also be established for the coals of the Smith No. 2 Vein Mine. It appears further that a reasonable showing of necessity has been made for the granting of temporary relief, and that relief should be granted in the manner hereinafter set forth.

Now, therefore, it is ordered, That the portion of Docket No. A-2000 relating to nut coals, 3" x 1 1/2" in size, produced from the Smith No. 2 Vein Mine, Mine Index No. 310 of code member, Montana Coal & Iron Company be, and it hereby is, severed from the remainder of that docket and designated as Docket No. A-2000, Part II.

It is further ordered, That pending further order, temporary relief is granted

as follows: Commencing forthwith the Schedule of Effective Minimum Prices for District No. 22 For All Shipments is supplemented to include the price classification and minimum prices set forth in the schedule marked Supplement R annexed hereto and hereby made a part hereof.¹

Notice is hereby given that applications to stay, terminate or modify the temporary relief granted herein may be filed 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.

Dated: June 4, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-9179; Filed, June 7, 1943;
10:57 a. m.]

[Docket No. A-1864]

DISTRICT BOARD 2

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of the Donze Mine of the Elders Ridge Coal Company in District 2.

By an order dated April 3, 1943, the hearing in the above-entitled matter was postponed until a date to be designated by further order.

Now, therefore, it is ordered, That the hearing in the above-entitled matter be held on July 15, 1943 at 10 o'clock in the forenoon of that day, at the place and before the officer heretofore designated.

Dated: June 4, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-9180; Filed, June 7, 1943;
10:57 a. m.]

DEPARTMENT OF LABOR.

Children's Bureau.

LOGGING OCCUPATIONS

NOTICE OF PROPOSED AMENDMENT

Whereas the Chief of the Children's Bureau, United States Department of Labor, issued Hazardous-Occupations Order No. 4 effective August 1, 1941 (6 F.R. 3148), and amended September 12, 1942 (7 F.R. 7198), providing that all

¹ Not filed as part of the original document.

occupations in logging and in the operation of any sawmill, lath mill, shingle mill, or cooperage-stock mill, excepting certain specified occupations, are particularly hazardous for the employment of minors between 16 and 18 years of age, and

Whereas the Chief of the Children's Bureau has been petitioned for amendment of said order with respect to certain occupations in logging, and

Whereas a supplementary investigation reveals, and the War Manpower Commission has also advised the Chief of the Children's Bureau, that critical shortages of labor exist in the logging industry which are limiting production of lumber needed for war purposes, and

Whereas such supplementary investigation also reveals that certain of the logging occupations included in the requests for amendment are not as highly hazardous as other logging occupations covered by such order, and

Whereas it appears that the production of lumber needed for war purposes will be aided by the employment of minors between 16 and 18 years of age in such occupations, and

Whereas the Chief of the Children's Bureau proposes to issue an order in the form set forth below amending Hazardous-Occupations Order No. 4 by adding paragraph (f) to § 422.4 of such order,

Now, therefore, notice is hereby given that any interested person may, within fifteen days from the date of publication of this proposed order in the FEDERAL REGISTER, file with the Chief of the Children's Bureau, United States Department of Labor, Washington, D. C., written objections thereto. Any person filing objections may have an additional period of ten days from the date of such filing within which to file a memorandum or brief in support thereof, provided notice of intention to file a memorandum or brief is given simultaneously with the filing of such written objections. Any interested person may secure a copy of the report of the Children's Bureau entitled "Occupational Hazards To Young Workers: Report No. 4B, Supplementary Investigation of the Logging Industry" upon request made to the Chief of the Children's Bureau, United States Department of Labor, Washington, D. C.

PROPOSED ORDER

[Hazardous-Occupations Order 4, Amendment]

It is ordered, That § 422.4 of Part 422 of Chapter IV, Title 29, Code of Federal Regulations, is hereby amended so as to include the following paragraph, to be designated as paragraph (f):

No. 112—12

(f) Notwithstanding the provisions of paragraph (a) hereof, during the continuance of the present war and for six months after the termination thereof, unless terminated prior thereto by order of the Chief of the Children's Bureau, this order shall not apply to the following logging occupations: repair or maintenance of equipment; work as fire patrolman or watchman; log scaling on trucks when performed away from a landing or log dump; peeling or loading of posts of sizes ordinarily used for fencing; driving of animals; and the construction, repair or maintenance of roads, railroads, flumes or camps; *Provided*, That the provisions of this subsection shall not apply to the felling or bucking of trees, the operation of machinery, the handling or use of explosives, the lifting and placing of ties or rails, and work on trestles.

This amendment shall become effective upon publication in the FEDERAL REGISTER.

Dated: June 7, 1943.

MARTHA M. ELIOT,
Acting Chief.

[F. R. Doc. 43-9190; Filed, June 7, 1943; 11:55 a. m.]

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 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 June 3, 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 the 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

Barasch Brothers, Lindenhurst, New York; Ladies' & Men's handkerchiefs; 5

learners; 320 hours for Machine Operating (except cutting) and 160 hours for Trimming at 30¢ per hour; June 3, 1944.
Signed at New York, N. Y., this 5th day of June 1943.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 43-9168; Filed, June 7, 1943; 9:26 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 wage rates 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 therein contained and to the provisions of the applicable Deter-

mination and Order or Regulations cited above. The applicable Determination and Order or Regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. 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 EFFECTIVE DATES

Apparel Industry

Seattle Cap & Apparel Manufacturing Co., 83 Columbia Street, Seattle, Washington; Caps & slacks & lounging robes; 5 learners (T); effective June 5, 1943, expiring June 5, 1944.

Single Pants, Shirts, and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Albion Manufacturing Company, Inc., Olney, Illinois, Rayon & cotton dresses, W. A. A. C. Waists; 130 learners (E); effective June 7, 1943, expiring December 7, 1943.

Alhambra Sportswear Manufacturing Company, 527 W. Main Street, Alhambra, California; Skirts, shorts, slacks; 5 learners (T) effective June 3, 1943, expiring June 3, 1944.

Collins Manufacturing Company, 121 North 8th Street, Philadelphia, Pennsylvania; Manufacture of Infants wear; 6 learners (T); effective June 16, 1943, expiring June 16, 1944.

Del Monte Frocks, Incorporated, 113 North Broadway, Long Branch, New Jersey; Rayon dresses; 5 learners (T); effective June 2, 1943, expiring June 2, 1944.

Jalma Manufacturing Company, 801 Lucas Avenue, St. Louis, Missouri; Silk and cotton dresses; 10 learners (T); effective June 3, 1943, expiring June 3, 1944.

K. W. B. Manufacturing Company, 1801 South Main Street, Los Angeles, California; Washable service apparel; ten percent (T); effective June 3, 1943, expiring June 3, 1944.

Kaplan & Lipman, Incorporated, 32 Barcelow Street, Port Jervis, New York; Children's cotton and rayon underwear; 10 learners (T); effective June 16, 1943, expiring June 16, 1944.

Keystone Coat & Apron Mfg. Company, 315 North 12th Street, Philadelphia, Pennsylvania; Service apparel, military garments; ten percent (T); effective June 16, 1943, expiring June 16, 1944.

Lexington Shirt Corporation, East 2nd Avenue, Lexington, North Carolina;

Men's & boys' dress shirts; (ALT); effective June 3, 1943, expiring October 19, 1943.

S. Liebovitz & Sons, Inc., Strausstown, Pennsylvania; Men's dress shirts; 10 learners (T); effective June 12, 1943, expiring June 12, 1944.

Nightingale Manufacturing Company, Inc., 1010 Chestnut Street, Allentown, Pennsylvania; Children's cotton pajamas & night gowns; 5 learners (T); effective June 9, 1943, expiring June 9, 1944.

Simeil Shirt Waist Company, 40 South Laurel Street, Rear, Bridgeton, New Jersey; Ladies' shirt waists; 5 learners (T); effective June 2, 1943, expiring June 2, 1944.

Glove Industry

Frank Russell Glove Company, Berlin, Wisconsin; Leather dress and knit fabric gloves; 5 learners (ALT); effective June 7, 1943, expiring February 22, 1944.

Hosiery Industry

Chipman La Crosse Hosiery Mills Company, East Flat Rock, North Carolina; Seamless hosiery; 5 learners (ALT); effective June 7, 1943 expiring October 1, 1943.

Harriss & Covington Hosiery Mills, Inc., 308 Oak Street, High Point, North Carolina; Seamless hosiery; ten percent (ALT); effective June 2, 1943, expiring December 2, 1943.

Rome Hosiery Mills, Rome, Georgia; Seamless hosiery; ten percent (ALT); effective June 7, 1943, expiring December 3, 1943.

Spalding Knitting Mills, Griffin, Georgia; Seamless hosiery; 45 learners (ALT); effective June 20, 1943, expiring November 2, 1943.

Supreme Hosiery Company, Oliver & Cemetery Streets, Jersey Shore, Pennsylvania; Full-fashioned hosiery; 5 learners (T); effective June 9, 1943, expiring June 9, 1944.

Vermont Hosiery & Machinery Company, Northfield, Vermont; Seamless hosiery; 5 learners (T); effective June 16, 1943, expiring June 16, 1944.

West Orange Hosiery Mills, Inc., Stiger Street, Hackettstown, New Jersey; Full-fashioned hosiery; 5 learners (T); effective June 2, 1943, expiring June 2, 1944.

Knitted Wear Industry

Malone Knitting Company, Wolfeboro, New Hampshire; Knitted underwear; 40 learners (E); effective June 5, 1943, expiring December 5, 1943.

Telephone Industry

Central Iowa Telephone Company, Toledo, Iowa; to employ learners as commercial switchboard operators at its Toledo, Iowa exchange; effective June 26, 1943, expiring June 26, 1944.

Cigar Industry

Consolidated Cigar Corporation, 1766 Main Street, Northampton, Pennsylvania; Stripping and preparation of cigar leaf tobacco; (E) 10 Machine Strippers and 10 Hand Strippers for a learning period of 160 hours at 75% of the applicable minimum; effective June 4, 1943, expiring October 4, 1943.

Textile Industry

Summerville Manufacturing Company, Summerville, Georgia; Duck cotton goods; 3 percent (T); effective June 9, 1943, expiring June 9, 1944.

Swift Manufacturing Company, 1410 6th Avenue, Columbus, Georgia; Cotton & paper fiber; 8 percent (ALT); effective June 7, 1943, expiring December 7, 1943. (This certificate replaces certificate effective September 27, 1942 and expiring September 27, 1943.)

Signed at New York, N. Y., this 5th day of June 1943.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 43-9169; Filed, June 7, 1943; 9:26 a. m.]

[Administrative Order 199]

CHEMICAL, PETROLEUM AND COAL PRODUCTS, AND ALLIED MANUFACTURING INDUSTRIES

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Sam Beers from Industry Committee No. 60 for the Chemical, Petroleum and Coal Products, and Allied Manufacturing Industries, and do appoint in his stead Mr. William Ronald Neilson of New York, New York, as representative for the employees on such Committee.

Signed at New York, New York this 4th day of June 1943.

L. METCALFE WALLING,
Administrator.

*[F. R. Doc. 43-9166; Filed, June 7, 1943; 9:26 a. m.]

STONE, CLAY, GLASS, AND ALLIED INDUSTRIES

NOTICE OF HEARING ON THE MINIMUM WAGE RECOMMENDATION OF INDUSTRY COMMITTEE

Whereas the Administrator of the Wage and Hour Division of the United

States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, on April 30, 1943, by Administrative Order No. 192, appointed Industry Committee No. 59 for the Stone, Clay, Glass, and Allied Industries, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas Industry Committee No. 59, on May 27, 1943, recommended a minimum wage rate for the Stone, Clay, Glass, and Allied Industries and duly adopted a report containing such recommendation and reasons therefor and filed such report with the Administrator on May 31, 1943 pursuant to section 8 (d) of the Act and § 511.19 of the regulations issued under the Act; and

Whereas the Administrator is required by section 8 (d) of the Act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 59 if he finds that the recommendation is made in accordance with law and is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purposes of section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, notice is hereby given that:

I. The recommendation of Industry Committee No. 59 is as follows:

Wages at a rate of not less than 40 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Stone, Clay, Glass, and Allied Industries (as defined in Administrative Order No. 192) who is engaged in commerce or in the production of goods for commerce.

II. The definition of the Stone, Clay, Glass, and Allied Industries as set forth in Administrative Order No. 192, issued April 30, 1943, is as follows:

The mining, quarrying or other extraction and the further processing of all minerals other than metal ores and the manufacture of products from such minerals.

a. It includes, but without limitation, glass and glass products; structural clay products; china, pottery, ceramic white-ware and electrical porcelain products; refractories; dimension and cut stone; crushed stone, sand and gravel; abrasives; cements; concrete, gypsum and plaster products; and talc, soapstone, feldspar, mica, and asbestos products.

b. *Provided, however*, That the definition shall not include:

(1) The extraction of coal, petroleum or natural gases or the manufacture of products therefrom; or

(2) The manufacture of basic chemicals or chemical products; or

(3) Any product included in the Metal, Plastics, Machinery, Instrument and Allied Industries (as defined in Administrative Order No. 173) or in the Jewelry Manufacturing Industry as defined in the wage order for such industry.

III. The full text of the report and recommendation of Industry Committee No. 59 is and will be available for inspection by any person between the hours of 9:00 a. m. and 4:00 p. m. at the following offices of the United States Department of Labor, Wage and Hour Division:

Boston, Massachusetts, Old South Building, 294 Washington Street.

New York, New York, Parcel Post Building, 341 Ninth Avenue.

Philadelphia, Pennsylvania, 1216 Widener Building, Chestnut and Juniper Streets.

Richmond, Virginia, 215 Richmond Trust Building.

Atlanta, Georgia, Fifth Floor, Carl Witt Building, 249 Peachtree Street, NE.

Columbia, South Carolina, Federal Land Bank Building, Hampton and Marion Streets.

Birmingham, Alabama, 1007 Comer Building.

Jackson, Mississippi, 404 Deposit Guaranty Bank Building, 102 Lamar Street.

Cleveland, Ohio, 4050 Main Post Office, West Third and Prospect Avenue.

Detroit, Michigan, David Stott Building, 1150 Griswold Street.

Hartford, Connecticut, Department of Labor and Factory Inspection, 357 State Office Building.

Newark, New Jersey, Essex Building, 31 Clinton Street.

Pittsburgh, Pennsylvania, Clark Building, Liberty Avenue and Seventh Street.

Baltimore, Maryland, 401-411 Old Town Building, Gay and Fallsway Streets.

Raleigh, North Carolina, North Carolina Department of Labor, Salisbury and Edenton Streets.

Jacksonville, Florida, 456 New Post Office Building.

New Orleans, Louisiana, 916 Union Building.

Nashville, Tennessee, 509 Medical Arts Building.

Cincinnati, Ohio, 1312 Traction Building, Fifth and Walnut Streets.

Chicago, Illinois, 1200 Merchandise Mart, 222 West North Bank Drive.

Minneapolis, Minnesota, 406 Pence Building, 730 Hennepin Avenue.

St. Louis, Missouri, 316 Old Customs House, 815 Olive Street.

Dallas, Texas, Rio Grande National Building, 1100 Main Street.

San Francisco, California, 800 Humboldt Bank Building, 785 Market Street.

Kansas City, Missouri, 3000 Fidelity Building, Tenth and Walnut Streets.

Denver, Colorado, 300 Chamber of Commerce Building, 1726 Champa Street.

Los Angeles, California, 417 H. W. Hellman Building, Spring and Fourth Streets.

Seattle, Washington, 305 Post Office Building, Third Avenue and Union Street.

San Juan, Puerto Rico, Post Office Box 112, Washington, District of Columbia, Department of Labor, First Floor.

New York, New York, 165 West 46th Street.

Copies of the Committee's report and recommendation may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

IV. A public hearing will be held on June 30, 1943, before the Administrator of the Wage and Hour Division or a representative designated to preside in his place, at 10:00 a. m. in Room 1610, United States Department of Labor, 165 West 46th Street, New York, New York, for the purpose of taking evidence on the following question:

Whether the recommendation of Industry Committee No. 59 should be approved or disapproved.

V. Any interested person supporting or opposing the recommendation of Industry Committee No. 59 may appear at the aforesaid hearing to offer evidence, either on his behalf or on behalf of any other person: *Provided*, That not later than June 26, 1943, such person shall file with the Administrator at New York, New York, a notice of his intent to appear which shall contain the following information:

1. The name and address of the person appearing.

2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.

3. Whether such person proposes to appear for or against the recommendation of Industry Committee No. 59.

4. The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 59 may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, or by consulting with attorneys representing the Administrator who will be available for that purpose at the Office of the Solicitor, United States Department of Labor, in Washington, D. C., and New York, New York.

VII. Copies of the following document relating to the Stone, Clay, Glass, and Allied Industries will be made available

on request for inspection by any interested person who intends to appear at the aforesaid hearing:

Report entitled, *Economic Factors Bearing on the Establishment of Minimum Wages in the Stone, Clay, Glass, and Allied Industries*, prepared by the Economics Branch, Wage and Hour and Public Contracts Divisions, United States Department of Labor, May 1943.

VIII. The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Administrator or Presiding Officer as are deemed appropriate.

1. The hearing shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

2. In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable of the approximate day and the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice, he will not be permitted to offer evidence at any other time except by special permission of the Presiding Officer.

3. At the discretion of the Presiding Officer, the hearing may be continued from day to day, or adjourned to a later date, or to a different place by announcement thereof at the hearing by the Presiding Officer or by other appropriate notice.

4. At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the hearing has been closed, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

5. All evidence must be presented under oath or affirmation.

6. Written documents or exhibits, except as otherwise permitted by the Presiding Officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.

7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the Presiding Officer.

When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the Presiding Officer the original document together with two copies of those portions of the document intended to be put in evidence.

8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

10. The rules of evidence prevailing in the courts of law or equity shall not be controlling.

11. The Presiding Officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person insofar as is practicable, and to object to the admission or exclusion of evidence by the Presiding Officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the Presiding Officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the Presiding Officer.

12. Before the close of the hearing, written requests shall be received from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

14. On the close of the hearing, a complete record of the proceedings shall be filed with the Administrator. No intermediate report shall be filed unless so directed by the Administrator. If a report is filed it shall be advisory only and have no binding effect upon the Administrator.

15. No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the *FEDERAL REGISTER*.

Signed at New York, New York, this 4th day of June 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-9167; Filed, June 7, 1943;
9:26 a. m.]

BOARD OF ECONOMIC WARFARE.

INTERNATIONAL INDUSTRIES AND FRANK SAN ROMAN

ORDER DENYING LICENSING PRIVILEGES

Pursuant to Part 807 of the regulations, adopted under section 6 of the Act of July 2, 1940, as amended, the Chief of the Trade Intelligence Division of the Country Program Branch, Board of Economic Warfare, charged International Industries and Frank San Roman hereinafter referred to as appellants with the violation of section 6 of the Act of July 2, 1940, and the regulations adopted pursuant thereto. After due notice the respondents requested an oral hearing in accordance with § 807.7 of said regulations. The matter came on for oral hearing on March 23, 1943, before Kelly Kash, Compliance Commissioner for the Board of Economic Warfare. Frank Lancer in charge of the Shipping Department of International Industries appeared for the respondents who were represented by counsel.

The Compliance Commissioner received the evidence presented and after due consideration of the record on the twentieth day of May, 1943, filed his findings of fact in this matter. Said findings show that the respondents between December 11, 1941 and January 22, 1942, filed with the Office of Exports certain applications for export licenses; that among others five such applications were approved and licenses issued pursuant thereto; that thereafter between the months of December 1941 and June 1942 the respondents made purported exportations thereunder; that in each of the said five license applications the respondents falsely set forth the approxi-

mate net value of the commodities to be exported, i. e., they set forth a selling price different from that for which the commodities purportedly exported thereunder were actually sold; that the respondents made shipments purportedly under said export licenses to persons and concerns other than those named as a purchaser therein and to consignees other than those named as a consignee therein; that the respondents issued three sets of invoices for each shipment so made, one invoice designating the value stated in the corresponding export license under which the exportation was purportedly made; a second invoice designating the selling price actually received by the respondents for the commodities exported, and a third invoice designating a price at which the commodity was purchased by the ultimate consumer in the foreign country; that the respondents filed Shippers Export Declarations covering such shipments designating the price of the commodity to be the same as that stated in the export license under which the exportation was to be made; and that the respondents by making false statements in said applications, by shipping commodities to persons other than the purchaser or consignee named in said license without first having obtained an amendment thereof and by using duplicate invoices in clearing said goods through the U. S. Customs did violate section 6 of the Act of July 2, 1940, and the regulations and executive orders promulgated pursuant thereto. The Commissioner recommended that the respondents be denied export licensing privileges for a period of six months dating from February 3, 1943.

The Acting Chief of Office, having considered the findings and the recommendations of the Compliance Commissioner, has determined that the violations are of such a nature as to warrant denial of licensing privileges.

Now, therefore, it is determined and ordered, That the respondents, International Industries and Frank San Roman, Partner, and any person, association or organization acting for or on their behalf and each of them be and they are hereby denied the privilege of obtaining individual or any other type of export license and are denied the use of any general program or unlimited export license granted authorizing any exportation whatsoever from the United States until August 3, 1943.

Respondents may appeal in writing to the Assistant Director in charge of the Office of Exports provided the appeal is taken within ten days after receipt of this order.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; Order 3 and Delegation of Authority 25, 7 F.R. 4951; Delegation of Authority 45, 8 F.R. 6331)

Dated: May 26, 1943.

E. W. GAUMNITZ,
Acting Chief of Office,
Office of Exports.

[F. R. Doc. 43-9175; Filed, June 7, 1943;
10:49 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 456 and 782]

PAN AMERICAN AIRWAYS, INC.

NOTICE OF HEARING

In the matter of the application of Pan American Airways, Inc., for amendment of its certificate of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said Act, in the above-entitled proceeding, that hearing is assigned for June 8, 1943, at 10 a. m. (eastern war time) in Room 3237 of the Post Office Department, Washington, D. C., before Examiner F. A. Law, Jr.

Dated June 4, 1943.

By the Civil Aeronautics Board:

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 43-9136; Filed, June 5, 1943;
11:15 a. m.]

[Docket No. SA-79]

INVESTIGATION OF AIRCRAFT ACCIDENT
AT WICHITA, KANSAS

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC 23275 and NC 40826 which occurred at Wichita, Kansas, on June 3, 1943.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said Act, in the above-entitled proceeding, that hearing is hereby assigned to be held on Wednesday, June 9, 1943, at 9:30 a. m., (c. w. t.) in the Federal Building, Room 501, Wichita, Kansas.

Dated at Washington, D. C., Saturday, June 5, 1943.

[SEAL] W. K. ANDREWS,
Presiding Officer.

[F. R. Doc. 43-9189; Filed, June 7, 1943;
11:03 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6517]

WESTERN UNION TELEGRAPH CO. & POSTAL TELEGRAPH, INC.

NOTICE OF HEARING DATE

In the matter of the application for merger of The Western Union Telegraph Company and Postal Telegraph, Inc.

Please take notice that a public hearing in the above entitled matter will be held at the offices of the Commission in Washington, D. C., beginning on the 7th day of July, 1943, at 10:30 a. m. Eastern War Time.

Dated June 4, 1943.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-9176; Filed, June 7, 1943;
10:51 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Special Permit 4 Under Service Order 1231]

POTATOES FROM ARIZONA OR CALIFORNIA

REICING IN TRANSIT

Pursuant to the authority vested in me by paragraph (c) of the first ordering paragraph (§ 95.307) of Service Order No. 123, of May 14, 1943, as amended, permission is granted for:

Any common carrier by railroad subject to the Interstate Commerce Act transporting a refrigerator car or cars loaded with potatoes originating at any point or points in Arizona or California to perform

One (1) reicing in transit after the first or initial icing of any car or cars moving through State of Washington gateways and destined to any point or points in the Dominion of Canada.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

Issued at Washington, D. C., this 4th day of June 1943.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 43-9148; Filed, June 5, 1943;
11:46 a. m.]

18 F.R. 6481, 6741.

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 1554]

ESTATE OF AGOSTINO ALESSANDRINI

In re: Estate of Agostino Alessandrini, deceased; File No. D-38-512; E. T. sec. 5664.

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 Treasurer of the County of Cook of State of Illinois, as depository, acting under the judicial supervision of the Probate Court of Cook County, Illinois; and

(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
Marina Marchionni.....	Piceno, Italy.
Carmela Gervasi.....	Piceno, Italy.
Domenico Alessandrini.....	Piceno, Italy.
Maria Travaglini.....	Piceno, 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, 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 Mariana Marchionni in the sum of \$601.21, Carmela Gervasi in the sum of \$601.21, Domenico Alessandrini in the sum of \$601.22, and Maria Travaglini in the sum of \$601.22, which amounts were deposited with the Treasurer of Cook County, Illinois, on March 27, 1942, pursuant to order of the court of March 25, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9065; Filed, June 4, 1943;
2:03 p. m.]

[Vesting Order 1555]

ESTATE OF MARIA FIERRO ARDOLINO

In re: Estate of Maria Fierro Ardolino, deceased; File D-38-588; E. T. sec. 6402.

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 Michele Macchiaroli, Administrator of the estate of Maria Fierro Ardolino, deceased, 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, Italy, namely,

National:	Last known address
Gaetano Ardolino.....	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 Gaetano Ardolino in and to the Estate of Maria Fierro Ardolino, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9066; Filed, June 4, 1943;
2:03 p. m.]

[Vesting Order 1556]

ESTATE OF MARIE L. BAEUERLEN

In re: Estate of Marie L. Baeuerlen, deceased; File No. D-28-3510; E. T. sec. 5773.

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 Treasurer of the County of Cook of State of Illinois, as depository, acting under the judicial supervision of the Probate Court of Cook County, Illinois; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

	Last known address
Minna Rieblitz.....	Goeppingen, Stugar- terstr. 12 I, Ger- many.
Mrs. Nan Baeuerlen.....	Goeppingen, Ziegel- str. 35, 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 Minna Rieblitz in the sum of \$858.93, and Mrs. Nan Baeuerlen in the sum of \$783.21, which amounts were deposited with the Treasurer of Cook County, Illinois, on Nov. 14, 1941, pursuant to order of the court of Oct. 28, 1941, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9067; Filed, June 4, 1943;
2:03 p. m.]

[Vesting Order 1557]

ESTATE OF ANNA BOEHM

In re: Estate of Anna Boehm, deceased; File No. D-28-3511; E. T. sec. 5735.

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 Treasurer of the County of Cook of State of Illinois, as depository, acting under the judicial supervision of the Probate Court of Cook County, Illinois; and

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

Last known address

National:
Auguste Boehm..... Kalenderweg 9,
Coburg, 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:

Cash distributable and payable to Auguste Boehm in the sum of \$4,445.17, which amount was deposited with the Treasurer of Cook County, Illinois, on Sept. 12, 1941, pursuant to order of the court of Sept. 11, 1941, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9068; Filed, June 4, 1943;
2:03 p. m.]

[Vesting Order 1558]

ESTATE OF MARY BOGASH

In re: Estate of Mary Bogash (also known as Mary Bogasch), deceased; File No. D-28-3506; E. T. sec. 5595.

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 Treasurer of the County of Cook of State of Illinois, as depository, acting under the judicial supervision of the Probate Court of Cook County, Illinois; and

(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:
Clara Bogasch... Friedrichshagen, near
Berlin, Germany.

Pauline Kuttig... Friedrichshagen, near
Berlin, Germany.

Arthur Rauthe... Vietzen (Muertitz), Ger-
many.

Paul Rauthe... Goss Ossig Krs. Militsch,
Trachenberg (Schl),
Germany.

Herbert Noessel. Berlin, 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 Clara Bogasch in the sum of \$448.48, Pauline Kuttig in the sum of \$448.48, Arthur Rauthe in the sum of \$224.23, Paul Rauthe in the sum of \$224.23 and Herbert Noessel in the sum

of \$416.69, which amounts were deposited with the Treasurer of Cook County, Illinois, on September 19, 1942, pursuant to order of the court of July 29, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9069; Filed, June 4, 1943;
2:03 p. m.]

[Vesting Order 1559]

ESTATE OF PETER BRACHETTI

In re: Estate of Peter Brachetti, deceased; File No. D-28-3512; E. T. sec. 5736.

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 Treasurer of the County of Cook of State of Illinois, as depository, acting under the judicial supervision of the Probate Court of Cook County, Illinois; and

(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*

Elizabeth Blum..... Saarland, Germany.

Veronica Grommes... Saarbrücken, Ger-
many.

Hedwig Blankenstein... Coeln, Rhein, Ger-
many.

Clara Ansel..... Duesseldorf, Ger-
many.

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 Elizabeth Blum in the sum of \$935.75, Veronica Grommes in the sum of \$935.75, Hedwig Blankenstein in the sum of \$935.75 and Clara Ansel in the sum of \$935.75, which amounts were deposited with the Treasurer of Cook County, Illinois, on March 25, 1942, pursuant to order of the court of March 10, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9070; Filed, June 4, 1943;
2:04 p. m.]

[Vesting Order 1560]

LYDIA H. BURGSTALLER

In re: Central Hanover Bank and Trust Company, as trustee of the trust created under a certain trust indenture, dated March 1, 1932, made by and for Lydia H. Burgstaller, Plaintiff, against Lydia H. Burgstaller, et al., defendants; File No. F-28-7076; E. T. sec. 1428.

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 Central Hanover Bank and Trust Company of New York, Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, Appellate Division, Second Department, Queens County; and

(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
Lydia H. Burgstaller-----	Germany.
Lydia M. Taubenberger-----	Germany.
Johannes Taubenberger and his issue.	Germany.
Peter Taubenberger and his issue.	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 Lydia H. Burgstaller, Lydia M. Taubenberger, Johannes Taubenberger and his issue, and Peter Taubenberger and his issue, and each of them, in and to the trust created under a Trust Agreement dated March 1, 1932 between Lydia H. Burgstaller and the Central Hanover Bank and Trust Company,

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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9071; Filed, June 4, 1943;
2:05 p. m.]

[Vesting Order 1561]

ESTATE OF THERESA KELLER

In re: Estate of Theresa Keller, deceased; File No. D-34-149; E. T. sec. 5795.

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 Treasurer of the County of Cook of the State of Illinois, as depositary, acting under the judicial supervision of the Probate Court of Cook County, Illinois; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals:	Last known address
Mary Szmerekovski-----	Kany, County Abauj-torna, Hungary.
Helen Sedlack-----	Kany, County Abauj-torna, Hungary.
Anna Sedlack-----	Krasznokvajda, County Abauj-torna, Hungary.
John Sedlack-----	Kany, County Abauj-torna, Hungary.

And determining that:

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash distributable and payable to Mary Szmerekovski in the sum of \$281.46, Helen Sedlack in the sum of \$281.46, Anna Sedlack in the sum of \$281.46 and John Sedlack in the sum of \$281.46, which amounts were deposited with the Treasurer of Cook County, Illinois, on March 27, 1942, pursuant to order of the court of March 20, 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 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.

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9072; Filed, June 4, 1943;
2:05 p. m.]

[Vesting Order 1562]

TRUST UNDER WILL OF JOHN W. KOGGE

In re: Trust under the will of John W. Kogge, also known as John William Kogge, deceased; File D-28-1924; E. T. sec. 1756.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that:

(1) The property and interests hereinafter described are property which is in the process of administration by the First National Bank of Orange, Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Fresno;

(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
Anna Schuett (Schütt).....	Germany.
Heinrich Schütt or his issue.....	Germany.
Maria Schütt or her issue.....	Germany.
Martha Schütt or her issue.....	Germany.
Friede Schütt or her issue.....	Germany.
Annamarie Budde.....	Germany.
Elfriede Budde.....	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 Anna Schuett (Schütt), Heinrich Schütt or his issue, Maria Schütt or her issue, Martha Schütt or her issue, Friede Schütt or her issue, Annamarie Budde and Elfriede Budde and each of them in and to a trust created under the will of John W. Kogge, also known as John William Kogge, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9073; Filed, June 4, 1943;
2:05 p. m.]

[Vesting Order 1563]

ESTATE OF GIUSEPPE LAURIOLA

In re: Estate of Giuseppe Lauriola alias Joseph Labriola, Joseph Lavriola and Giuseppe Lavillo, deceased; File No. D-38-521; E. T. sec. 5671.

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 Treasurer of the County of Cook of State of Illinois, as depository, acting under the judicial supervision of the Probate Court of Cook County, Illinois; 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
Angela Vizzani Lauriola.....	Montesangelo, Province of Foggia, Italy.
Pasquale Lauriola.....	Montesangelo, Province of Foggia, Italy.
Maria Antonia Lauriola.....	Montesangelo, Province of Foggia, 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:

Cash distributable and payable to Angela Vizzani Lauriola in the sum of \$1760.41, Pasquale Lauriola in the sum of \$880.20 and Maria Antonia Lauriola in the sum of \$880.20, which amounts were deposited with the Treasurer of Cook County, Illinois, on March 27, 1942, pursuant to order of the court of March 18, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9074; Filed, June 4, 1943;
2:05 p. m.]

[Vesting Order 1564]

LAWYERS MORTGAGE COMPANY

In re: Mortgage participation fund of the Lawyers Mortgage Company; File F-28-17655; E.T. sec. 1938.

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 Brooklyn Trust Company, Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, County of Kings;

(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
Dorothea Drews.....	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 Dorothea

Draws in and to the Mortgage Participation Fund of the Lawyers Mortgage Company,

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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9075; Filed, June 4, 1943;
2:05 p. m.]

[Vesting Order 1565]

TRUST UNDER WILL OF JOHN FREDERICK MAY

In re: Trust under the will of John Frederick May, deceased; File D-38-1654; E. T. sec. 3773.

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 National Savings and Trust Company, Trustee, 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
Amy Wetmore May	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 Amy Wetmore May in and to the Trust created under the will of John Frederick May, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9076; Filed, June 4, 1943;
2:06 p. m.]

[Vesting Order 1566]

WILLIAM MAY

In re: Estate of William May, deceased; File D-38-109; E. T. Sec. 3728.

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 National Savings and Trust Company and Frank Stetson, Administrators c. t. a., 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
Amy Wetmore May	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 Amy Wetmore May in and to the Estate of William May, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9077; Filed, June 4, 1943;
2:06 p. m.]

[Vesting Order 1567]

ESTATE OF JOHANNA NOSSEN

In re: Estate of Johanna Nossen, deceased; File F-28-15003; E. T. sec. 5910.

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 William Meyer, Administrator, acting under the judicial supervision of the District Court of the Second Judicial District of the State of Montana, in and for the County of Silver Bow;

(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
Mrs. Gertrud P. Nossen	Germany.
Bruno Nossen	Germany.
Mrs. Hedwig Nossen Stern	Germany.
Mrs. Margarete Nossen Joseph	Germany.
Henry Nossen	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 Mrs. Gertrud P. Nossen, Bruno Nossen, Mrs. Hedwig Nossen Stern, Mrs. Margarete Nossen Joseph and Henry Nossen and each of them in and to the Estate of Johanna Nossen, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9078; Filed, June 4, 1943;
2:06 p. m.]

[Vesting Order 1568]

TRUST UNDER WILL OF SARAH MARIA PRICE

In re: Trust under the Will of Sarah Maria Price, deceased; File D-28-2482; E. T. Sec. 5285.

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 Fidelity-Philadelphia Trust Company, 135 South Broad Street, Philadelphia, Pennsylvania, Trustee, acting under the judicial 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 designated enemy countries, Germany and Hungary, namely,

Nationals:	Last known address
Anna von Dory Jobahaza.....	Germany.
Tassilo von Berg.....	Hungary.
Max von Berg.....	Hungary.
Maria Wucherer-Huldenfeld.....	Germany.
Otto Wucherer-Huldenfeld.....	Germany.
The child or children (names unknown) of Anna von Dory Jobahaza.	Germany.

And determining that:

(3) If such nationals are persons not within any designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries, Germany, and Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna von Dory Jobahaza, Tassilo von Berg, Max von Berg, Maria Wucherer-Huldenfeld, Otto Wucherer-Huldenfeld, and the child or children (names unknown) of Anna von Dory Jobahaza, and each of them, in and to the Trust Estate created under the Last Will and Testament of Sarah Maria Price, 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 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 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: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9079; Filed, June 4, 1943;
2:06 p. m.]

[Vesting Order 1569]

TRUST UNDER WILL OF GEORGE N. REICHARD

In re: Trust under the will of George N. Reichard, deceased; File D-28-2385; E. T. Sec. 3327.

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 Miners National Bank of Wilkes-Barre, Trustee, acting under the judicial supervision of the Orphans Court, Luzerne County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Jessie Swoyer Guenther.....	Germany.
Ilse Guenther and her issue.....	Germany.
Dolores Guenther Von Blanca and her issue.	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 Jessie Swoyer Guenther, Ilse Guenther and her issue and Dolores Guenther Von Blanca and her issue, and each of them, in and to the trust created under the will of George N. Reichard, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9080; Filed, June 4, 1943;
2:07 p. m.]

[Vesting Order 1570]

ESTATE OF S. S. SCHARZWEISS

In re: Estate of S. S. Scharzweiss, deceased; File F-28-17709; E. T. sec. 2662.

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 A. J. Dolinsky, Receiver, acting under the judicial supervision of the Superior Court in Burke County, State of Georgia;

(2) Such property and interest are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:

Rosa Sara Cohn.....	Germany.	<i>Last known address</i>
Heirs of Rosa Sara Cohn, names unknown.	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 Rosa Sara Cohn and the Heirs of Rosa Sara Cohn, names unknown, and each of them, in and to the Estate of S. S. Scharzweiss, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9081; Filed, June 4, 1943;
2:07 p. m.]

[Vesting Order 1571]

ESTATE OF KATIE SCHOEN

In re: Estate of Katie Schoen, also known as Katie Schmallen, deceased; File No. D-28-3541; E. T. Sec. 5751).

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 Treasurer of the County of Cook of State of Illinois, as depositary, acting under the judicial supervision of the Probate Court of Cook County, Illinois; and

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:

Otto Guenther.....	Rosenstr. 14, Juna I, Thuringen, Ger- many.	<i>Last known address</i>
Fritz Guenther.....	Rosenstr. 14, Juna I, Thuringen, Ger- many.	

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 Otto Guenther in the sum of \$1,681.54, and Fritz Guenther in the sum of \$858.26, which amounts were deposited with the Treasurer of Cook County, Illinois, on April 4, 1942, pursuant to order of the court of March 26, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9082; Filed, June 4, 1943;
2:07 p. m.]

[Vesting Order 1572]

TRUST CREATED IN ESTATE OF DEIDERICH SCHROEDER

In re: Trust created by Decree of Partition in the Matter of the Estate of Deiderich Schroeder, deceased; File D-28-2445; E. T. sec. 3459.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that:

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America National Trust and Savings Association, Trustee, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Riverside;

(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>
Johann Gerd Hinrich Albers....	Germany.
Anna Adelheid Niemann.....	Germany.
Gretchen Hermine Geerken.....	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 Johann Gerd Hinrich Albers, Anna Adelheid Niemann and Gretchen Hermine Geerken and each of them in and to a trust created by a Decree of Partition in the Matter of the Estate of Deiderich Schroeder, 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 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.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9083; Filed, June 4, 1943; 2:07 p. m.]

[Vesting Order 1573]

TRUST UNDER WILL OF FRED SCHUBERT

In re: Trust under the will of Fred Schubert, deceased; File D-28-2357; E. T. sec. 3533.

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 Quakertown Trust Company, acting under the judicial supervision of the Orphans Court, Bucks County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:

Robert Schubert and his heirs...	Germany.
Paul Werchan and his heirs....	Germany.
Antonie Wehler and her heirs....	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 Robert Schubert and his heirs, Paul Werchan and his heirs and Antonie Wehler and her heirs and each of them, in and to the Trust created under the will of Fred Schubert, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9084; Filed, June 4, 1943; 2:08 p. m.]

[Vesting Order 1574]

ESTATE OF JENNIE SCHUMAN

In re: Estate of Jennie Schuman, deceased; File D-57-84; E. T. sec. 5937.

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 Benne (Bennie) Schuman and Jennie Kaufman, Executors of the Estate of Jennie Schuman, deceased, 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, Rumania, namely,

National:

Israel Ushitel.....	Rumania.
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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, Rumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest, and claim of any kind or character whatsoever of Israel Ushitel in and to the Estate of Jennie Schuman, 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 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 ACP-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: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9085; Filed, June 4, 1943; 2:09 p. m.]

[Vesting Order 1575]

ESTATE OF HELMUT SCHWARZBACH

In re: Guardianship Estate of Helmut Schwarzbach, minor; File D-28-2451; E. T. Sec. 3478.

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 Otto A. Hoecker, Guardian, acting under the judicial supervision of the Superior Court, State of California, in and for the County and City of San Francisco;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National:

Helmut Schwarzbach.....	Germany.
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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 Helmut Schwarzbach in and to the Guardianship Estate of Helmut Schwarzbach, minor,

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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9086; Filed, June 4, 1943;
2:09 p. m.]

[Vesting Order 1576]

ESTATE OF ABRAMO SERVENTE

In re: Estate of Abramo Servente, deceased; File D-38-505; E. T. sec. 5618.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that:

(1) The property and interests hereinafter described are property which is in the process of administration by the Bank of America NT & SA and Alfred Taddeucci, Co-Executors, 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, nationals of a designated enemy country, Italy, namely,

Nationals:

Angelo Servente.....	Italy.
Giovanni Gotelli.....	Italy.

Last known
address

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 Angela Servente and Giovanni Gotelli and each of them in and to the Estate of Abramo Servente, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9087; Filed, June 4, 1943;
2:09 p. m.]

[Vesting Order 1577]

TRUST UNDER WILL OF HEDWIG STADER

In re: Trust u/w Hedwig Stader, deceased; File D-66-725; E. T. sec. 4120.

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 Northern Trust Company, Trustee of the trust under the will of Hedwig Stader, deceased, 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, nationals of a designated enemy country, Germany, namely,

Nationals:

Marie Stein.....	Germany.
Annelise Hohner.....	Germany.

Last known
address

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 Marie Stein and Annelise Hohner and each of them, in and to a trust created under the will of Hedwig Stader, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9088; Filed, June 4, 1943;
2:09 p. m.]

[Vesting Order 1578]

TRUST UNDER WILL OF ELISE STOEHR-BARTHOLOMAY

In re: Trust under the Will of Elise Stoehr-Bartholomay, dec'd.; File No. D-28-5177; E. T. sec. 1383.

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 Security Trust Company of Rochester, Rochester, New York, trustee, acting under the judicial supervision of the Surrogate's Court of Monroe County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National:

Waldfriedhof Cemetery Association.	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 Waldfriedhof Cemetery Association, in and to the Trust Estate created under the Last Will and Testament of Elise Stoehr-Bartholomay, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9089; Filed, June 4, 1943;
2:10 p. m.]

[Vesting Order 1579]

ESTATE OF HERMINE CAROLINE STUEVEN

In re: Estate of Hermine Caroline Stueven, deceased; File D-28-6610; E. T. sec. 4566.

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 Frederick W. Boesche, Executor, acting under the judicial supervision of the Surrogate's Court of Richmond County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Dora Boesche.....	Germany.
Hans Boesche.....	Germany.
Dorle Boesche.....	Germany.
Egbert Dirksen.....	Germany.

The heirs at law, next of kin, legatees, devisees, personal representatives and all other persons in Germany, names unknown, entitled to, or claiming from, through or under, the Estate of Emilie Stoffregen, 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, 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 Dora Boesche, Hans Boesche, Dorle Boesche, Eg-

bert Dirksen and the heirs at law, next of kin, legatees, devisees, personal representatives and all other persons in Germany, names unknown, entitled to, or claiming from, through or under, the Estate of Emilie Stoffregen, deceased, and each of them, in and to the Estate of Hermine Caroline Stueven, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9090; Filed, June 4, 1943;
2:10 p. m.]

[Vesting Order 1580]

TRUST UNDER WILL OF MARTIN WACKWITZ

In re: Trust under will of Martin Wackwitz, deceased; File No. D-28-4420; E. T. sec. 1093.

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 Land Title Bank and Trust Company as substituted trustee under the Last Will and Testament of Martin Wackwitz, deceased, acting under the judicial supervision of the Orphans' Court, of the State of Pennsylvania, in and for the County of Philadelphia;

(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
Richard Bachman.....	Germany.
Anna Heinzig.....	Germany.
Selma Schubert.....	Germany.
Marie Wachler.....	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 Richard Bachman, Anna Heinzig, Selma Schubert and Marie Wachler, and each of them, in and to the Trust Estate created under the Last Will and Testament of Martin Wackwitz, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9091; Filed, June 4, 1943;
2:10 p. m.]

[Vesting Order 1581]

ESTATE OF GERTRUDE VANDERBILT WHITNEY

In re: Estate of Gertrude Vanderbilt Whitney, deceased; File No. D-9-100-28-2441; E. T. sec. 3645.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order No. 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that:

(1) The property and interests hereinafter described are property which is in the process of administration by Frank L. Crocker and Flora Whitney Miller, Executors of the estate of Gertrude Vanderbilt Whitney, 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:	Last known address
Marie Pfitzer.....	Germany.

And determining that:

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest.

Now, therefore, the Alien Property Custodian hereby vests the following property and interest:

All right, title, interest and claim of any kind or character whatsoever of Marie Pfitzer in and to the estate of Gertrude Vanderbilt Whitney, 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 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.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: May 28, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-9092; Filed, June 4, 1943;
2:10 p. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supplementary Administrative Order ODT 1-2]

DELEGATION OF AUTHORITY, DIVISION OF MOTOR TRANSPORT

Pursuant to § 503.2 (a) (19) of Administrative Order ODT 1, as amended (8 F.R. 6001, 7285; *supra*):

1. Each of the persons named in paragraph 2 of this order is hereby authorized to execute and issue, in his discretion, and in the name of the Director of the Office of Defense Transportation, general or special permits as provided by Supplementary Order ODT 3, Revised-25 (8 F.R. 7514), or as hereafter amended; to determine and require the information to be supplied in applications for special permits as provided in said order; to direct common and contract carriers subject to said order to make the tender of trailers and semi-trailers as provided therein, and to des-

ignate the time and place for such tender; to grant or deny applications for relief from the provisions of said order, as provided therein; and to do any or all things, whether or not enumerated herein, that are necessary or proper for the complete exercise of the powers delegated hereby.

2. The authority conferred by paragraph 1 of this order is delegated to the following members of the staff of the Division of Motor Transport, Office of Defense Transportation:

(a) *Detroit, Michigan, District Office, Division of Motor Transport.* (Leslie W. Patterson, District Manager; John Rock, Assistant District Manager; Clinton G. Austin, Joseph A. Czarnecki, Britton W. Bolton, Eldon B. Farr, Sidney Katz, Eckford F. Kellum, Archie E. Gordon, Frank A. Cipriani, George S. Smith, Walter M. Spaulding, Walter R. Work, Harry R. Pohlman, Melvin P. Harmer, Malcolm A. Wellington, Max Casselman, William J. Murray, Shirley J. Bommhardt, and E. Donovan Sweeney, Examiners.

(b) *Cleveland, Ohio, District Office, Division of Motor Transport.* C. R. Allen, District Manager; Joseph J. Kuhner, Assistant District Manager; Robert W. Powell, Thomas E. Holmden, George J. Walsh, Lawrence E. McKim, Edward Blaugrund, Leonard G. Warren, Harold W. George, Paul J. Armstrong, Edward M. Price, George E. Schultz, Max Lee Freman, Ralph A. Taggett, H. J. Dickerson, and H. G. Gessner, Examiners.

3. The exercise of the powers and authority conferred by this order shall be subject to the general control and supervision of the Director of the Office of Defense Transportation and the Director, Division of Motor Transport, Office of Defense Transportation.

Issued at Washington, D. C., this 5th day of June 1943.

JOHN L. ROGERS,
Director,
Division of Motor Transport,
Office of Defense Transportation.

[F. R. Doc. 43-9187; Filed, June 7, 1943;
11:01 a. m.]

[Supplementary Order ODT 3, Revised-24]

SUNRISE TRAIL, INC.
CONSOLIDATED FREIGHTWAYS, INC.
COORDINATED OPERATIONS IN THE STATE OF WASHINGTON

Upon consideration of the application for authority to coordinate operations as common carriers by motor vehicle in the transportation of property between Seattle and points in Washington, filed with the Office of Defense Transportation by Sunrise Trail, Inc., Walla Walla, Washington, and Consolidated Freightways, Inc., Portland, Oregon, herein called Sunrise and Consolidated, respectively, as governed by § 501.9 of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660), and

It appearing that such coordination is necessary in order to assure maximum utilization of the facilities, services and equipment, and to conserve and providently utilize vital equipment, materials

and supplies, of the above-named carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. On such terms as may be agreed upon between the carriers or, if they fail to agree thereon, as the Office of Defense Transportation shall find to be just and reasonable:

(a) Sunrise shall discontinue its present collection and delivery services, and other terminal functions, in Seattle, Washington, and shall constitute Consolidated its terminal agent for the performance of its collection and delivery services, loading and unloading of vehicles, rating and billing of shipments, telephone information service for customers, and such other terminal functions as may be necessary for proper performance of an agency service for Sunrise at Seattle;

(b) Consolidated shall act as the terminal agent for Sunrise at Seattle, and shall perform for Sunrise the collection and delivery services and terminal functions referred to in subparagraph (a) of this paragraph 1.

2. Whenever either of the carriers named herein has shipments constituting less than a capacity load, or has no equipment available to transport shipments, offered to it for transportation from Seattle, Washington, to Kennewick or Pasco, Washington, or in the reverse direction, and the other carrier has equipment available for the transportation of those shipments, the carrier having such shipments shall divert them to the other carrier, which shall accept and transport all shipments so diverted.

3. The carrier to which a shipment has been diverted shall transport such shipment pursuant to the lawfully applicable rates, charges, rules and regulations of the diverting carrier.

4. Except as may be otherwise provided by agreement between the carriers, or prescribed by the Interstate Commerce Commission or by an appropriate State regulatory body, the division of revenues derived from the transportation performed pursuant hereto shall be as determined by the Office of Defense Transportation.

5. All records of the carriers pertaining to any transportation performed pursuant to this order shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The provisions of this order shall not be so construed or applied as to require either carrier named herein to perform any service beyond its transportation capacity, or to permit either carrier to alter its legal liability to any shipper. In the event compliance with any term of this order would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of either carrier named herein, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prose-

cute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

7. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations and practices of the carrier which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

8. Contractual arrangements made by the carriers to effectuate the terms of this order shall not extend beyond the effective period of this order.

9. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-24", and unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

10. This order shall become effective June 21, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 7th day of June 1943.

JOSEPH B. EASTMAN,
Director,

Office of Defense Transportation.

[F. R. Doc. 43-9186; Filed, June 7, 1943; 11:01 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 400 Under MPR 188]

F. SCHUMACHER & Co.

APPROVAL OF MAXIMUM PRICES

Order No. 400 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 Orders 9250 and 9328, *It is ordered:*

(a) The maximum prices for sales of a new stirrup pump manufactured from substitute materials by F. Schumacher & Co., 60 West Fortieth Street, New York City, equipped with hose of different types and length, are set forth below:

No. 112—14

Type and length of hose	Manufacturer to jobber price	Wholesale price	Retail price
K, 4 ft.-----	\$1.97	\$2.45	\$3.70
K, 10 ft.-----	2.42	3.00	4.50
K, 20 ft.-----	3.16	3.95	5.95
G, 4 ft.-----	2.08	2.60	3.90
G, 10 ft.-----	2.67	3.34	5.00
G, 20 ft.-----	3.65	4.55	6.80

(1) The prices listed under "Manufacturer to jobber price" are the maximum prices for sales by F. Schumacher & Co. to jobbers or wholesalers. The prices are f. o. b. New York City.

(2) The prices listed under "Wholesale price" are the maximum prices for sales to retailers by F. Schumacher & Co. and by wholesalers. The prices are f. o. b. the seller's city.

(4) The prices listed under "Retail price" are the maximum prices for sales by retailers to consumers.

(b) Before delivery of a stirrup pump to any purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price of the stirrup pump. The tag or label shall not be detached until the pump has been delivered to the consumer.

(c) Prior to the first invoice to each purchaser for resale after June 5, 1943, the manufacturer shall notify the purchaser of the maximum price set by this Office for resales by the purchaser. This notice may be given in any convenient form.

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

(e) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to terms used herein.

This order shall become effective June 5, 1943.

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9093; Filed, June 4, 1943; 4:01 p. m.]

[Correction to Order 8 Under RPS 89]

SEARS, ROEBUCK & COMPANY

ORDER GRANTING ADJUSTMENT

Correction to Order 8 under § 1316.111 (d) (5) of Revised Price Schedule No. 89—Bed Linens; Docket No. 3089-11.

The last line in the table set forth in paragraph (b) of Order No. 8 is corrected to read as follows:

Size	Description	Premium
45 x 36-----	Pillow case-----	4.19%

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of June 1943.

GEORGE J. BURKE,
Acting Administrator.

[F. R. Doc. 43-9113; Filed, June 4, 1943; 4:06 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

H. VAUGHAN CLARKE & Co.

ORDER REVOKING REGISTRATION

In the matter of H. Vaughan Clarke, doing business as H. Vaughan Clarke & Company, Philadelphia, Pennsylvania.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of June, A. D. 1943.

A proceeding having been instituted by order of the Commission to determine whether the registration of H. Vaughan Clarke, doing business as H. Vaughan Clarke & Company, as a broker-dealer, should be revoked pursuant to section 15 (b) of the Securities Exchange Act of 1934 and whether the said H. Vaughan Clarke, doing business as H. Vaughan Clarke & Company, should be suspended or expelled from the National Association of Securities Dealers, Inc., pursuant to section 15A of said Act; the said H. Vaughan Clarke, doing business as H. Vaughan Clarke & Company, having waived his opportunity for hearing thereon, and having consented to the revocation of his registration as a broker-dealer; and the Commission having this day issued its finding and opinion herein;

On the basis of said findings and opinion and pursuant to section 15 (b) of said Act, *It is ordered*, That the registration of the said H. Vaughan Clarke, doing business as H. Vaughan Clarke & Company, as a broker-dealer be and it hereby is revoked.

It is further ordered, That the proceeding with respect to the expulsion of H. Vaughan Clarke, doing business as H. Vaughan Clarke & Company, from the National Association of Securities Dealers, Inc. be and it hereby is discontinued. By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-9130; Filed, June 5, 1943; 11:01 a. m.]

[File Nos. 37-26, 37-25, 37-36, 37-57]

FEDERAL ADVISERS, INC., ET AL

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 2d day of June 1943.

In the matter of Federal Advisers, Inc., File No. 37-26; Electric Advisers, Inc., File No. 37-25; Gas Advisers, Inc., File No. 37-36; Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Arkansas Natural Gas Corporation, Central Arkansas Public Service Corporation, Petroleum Advisers, Inc., Federal Advisers, Inc., Electric Advisers, Inc., Gas Advisers, Inc., File No. 37-57.

The Commission having on March 24, 1943, pursuant to section 13 of the Public Utility Holding Company Act of 1935, ordered a hearing to be held on May 3, 1943, in the above entitled matter; and

Counsel for the respondents having requested and the Commission having ordered that such date for hearing be postponed until June 3, 1943; and

Counsel for the respondents having requested that said date for hearing be further postponed for a period of two weeks; and the Commission having considered said request and deeming it appropriate that such postponement be granted;

It is ordered, That the hearing in this matter previously scheduled for June 3, 1943 be and hereby is postponed to June 17, 1943, at the same time and place and before the same trial examiner as heretofore designated.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-9128; Filed, June 5, 1943;
11:01 a. m.]

[File No. 59-10]

THE NORTH AMERICAN CO. AND ITS SUBSIDIARY COMPANIES

ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 4th day of June 1943.

The Commission having, by an order dated April 14, 1942, entered in the above styled and numbered matter pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, directed Washington Railway and Electric Company and The Washington and Rockville Railway Company of Montgomery County, both registered holding companies, to dispose of their interests in certain companies as designated therein; and having by the terms of said order reserved jurisdiction to enter such further orders as it might deem necessary or appropriate; and

The respondents, Washington Railway and Electric Company and The Washington and Rockville Railway Company of Montgomery County, having filed an application pursuant to section 11 (c) of said Act requesting extension of time for one year within which to comply with said order of April 14, 1942; and

The Commission having found that said respondents have been unable in the exercise of due diligence to comply with said order within the initial statutory period of one year from the date of its entry, and that a limited extension of time is necessary and appropriate in the public interest and for the protection of investors; and that under the circumstances an extension should be granted for a period of six months;

It is ordered, That Washington Railway and Electric Company and The Washington and Rockville Railway Company of Montgomery County be and hereby are granted an additional period of six months from April 14, 1943 within which to comply with said order of April 14, 1942, without prejudice, however, to

the respondents to apply for an additional extension if the circumstances warrant.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-9129; Filed, June 5, 1943;
11:01 a. m.]

[File No. 68-24]

NORTH CONTINENT UTILITIES CORP.

ORDER PERMITTING DECLARATION 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 4th day of June, A. D. 1943.

In the matter of Frank D. Bennett, Oliver F. Baldwin, Joseph W. Frank, Leo J. Rahn and Charles A. Vette, acting as a preferred stockholders committee for holders of the \$7 noncumulative convertible preferred stock of North Continent Utilities Corporation.

A declaration having been filed on May 7, 1943 and amendments thereto on May 22, and 28 and June 1, 1943, by the above declarants, pursuant to Rule U-62 promulgated under the Public Utility Holding Company Act of 1935, regarding the proposed solicitation of authorizations by declarants as a preferred stockholders committee for the \$7 noncumulative convertible preferred stock of North Continent Utilities Corporation; and

The Commission having considered the declaration, as amended, and finding that the requirements of Rule U-62 are complied with and deeming it appropriate in the public interest and the interest of investors to permit the declaration to become effective forthwith;

It is therefore ordered, That the declaration, as amended, be permitted to become effective forthwith in the manner and on the terms set forth therein.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-9131; Filed, June 5, 1943;
11:01 a. m.]

[File No. 70-731]

STANDARD POWER AND LIGHT CORPORATION

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 4th day of June, 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Standard Power and Light Corporation, a registered holding company.

All interested persons are referred to said document which is on file in the office of this Commission for a statement

of the transactions therein proposed, which are summarized as follows:

Standard Power and Light Corporation proposes to sell from time to time all or any part of the 1,160,000 shares of Common Stock of Standard Gas and Electric Company now owned by it, such sales to be made for cash on the New York Stock Exchange.

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

It is ordered, That a hearing in this proceeding be held at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 a. m., e. w. t., on the 25th day of June, 1943, in such room as may be designated on such day by the hearing room clerk. At such hearing, cause shall be shown why such declaration or application (or both) shall become effective or shall be granted.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided in Rule XVII of the Commission's Rules of Practice on or before June 21, 1943.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That the Secretary of this Commission shall serve notice of this order by mailing a copy thereof by registered mail to Standard Power and Light Corporation and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

It is further ordered, That, without limiting the scope of the issues presented by such application or declaration, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed sale of the common stock of Standard Gas and Electric Company is consistent with all applicable provisions of the Public Utility Holding Company Act of 1935 and the Rules and Regulations promulgated thereunder, particularly in view of the fact that Standard Gas and Electric Company has filed a plan with this Commission pursuant to section 11 (e) of said Act which plan provides for the complete elimination of its common stock and grants the holders thereof no participation in the distribution of the assets of that company.

(2) Whether any terms or conditions are necessary to prevent the circumven-

tion of the provisions of the Act or the rules, regulations, or orders thereunder. By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-9132; Filed, June 5, 1943;
11:02 a. m.]

[File No. 70-732]

NEW BEDFORD GAS AND EDISON LIGHT
COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 4th day of June 1943.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by New Bedford Gas and Edison Light Company ("New Bedford"), a subsidiary of New England Gas and Electric Association, a registered holding company; and

Notice is further given that any interested person may not later than June 21, 1943, at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reason for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such application as filed or as amended may be granted as provided in Rule U-23 of the rules and regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia.

All interested persons are referred to said application, which is on file in the offices of said Commission, for a statement of the transactions therein proposed which are summarized below:

New Bedford proposes (a) to issue and sell \$750,000 principal amount Serial Notes, Fourth Series, 3%, dated as of June 1, 1943, and maturing May 31, 1958, and (b) to extend the time within which the company may borrow funds from The First National Bank of Boston from June 30, 1943, to December 31, 1943.

New Bedford has presently outstanding indebtedness aggregating \$1,050,000 due The First National Bank of Boston, represented by notes maturing on June 30, 1945. The company now desires to fund a portion of the above \$1,050,000 indebtedness and proposes to do so by paying off \$750,000 principal amount of such notes with the proceeds to be obtained through the issue and sale of \$750,000 principal amount of serial notes. The serial notes to be issued will be sold privately to The Life Insurance Company of Virginia, National Life Insurance Company, and Phoenix Mutual Life Insurance Company in equal principal amounts of \$250,000, at 102.44% of the principal amount, plus accrued interest to date of delivery.

By order dated July 6, 1942, the Commission granted the application of New

Bedford for exemption from the provisions of section 6 (a) of the Act of the issue and sale of unsecured notes to The First National Bank of Boston in the aggregate sum of \$2,000,000, such notes to be issued from time to time but in any event prior to June 30, 1943. Due to conditions arising from the effects of the war the program as originally contemplated has been delayed, and to date but \$1,050,000 has been borrowed. In order that the company may finance that part of the program remaining incomplete the company proposes to extend the time within which it may borrow funds from The First National Bank of Boston from June 30, 1943, to December 31, 1943.

The application is filed pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of section 6 (a) of the Act of the issuance and sale of the securities designated herein, such issue and sale having been authorized by the Department of Public Utilities of the Commonwealth of Massachusetts.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-9133; Filed, June 5, 1943;
11:02 a. m.]

[File No. 60-9]

METROPOLITAN EDISON COMPANY

MODIFICATION OF ORDER RESTRICTING DIVIDENDS; ORDER CLOSING CASE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 4th day of June 1943.

The Commission, on December 5, 1940, having entered an order, pursuant to section 12 (c) of the Public Utility Holding Company Act of 1935, that Metropolitan Edison Company be forbidden to declare or pay any dividend on its common stock until it has accumulated \$4,279,561.67 in its earned surplus or effectively increased its capital by that amount; and

The Commission having reserved jurisdiction in the premises, with the right also reserved to Metropolitan Edison Company to petition for modifications of the order; and

Metropolitan Edison Company, on June 2, 1943, having petitioned the Commission that the order of December 5, 1940, be modified and that the record be closed; and

The Commission having considered such petition for modification, and finding that consummation of the proposals contained in such petition of Metropolitan Edison Company is appropriate to protect the financial integrity of that Company and that the record may be closed;

It is hereby ordered, That except in accordance with a further order of this Commission Metropolitan Edison Company be, and it hereby is, forbidden to declare or pay any dividend on its preferred stocks or common stock except out of earned surplus in excess of \$6,229,-

917.73: Provided, however, That said \$6,229,917.73 balance of earned surplus unavailable for the payment of dividends upon preferred stocks or common stock may be reduced from time to time or completely extinguished by charges to earned surplus, other than for dividends upon its common and preferred stocks, in compliance, where requisite, with an authorization of any regulatory body having jurisdiction thereof.

It is further ordered, That the record and proceedings in this matter be closed. By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-9134; Filed, June 5, 1943;
11:02 a. m.]

[File Nos. 34-9, 34-41, 70-28]

FEDERAL WATER SERVICE CORP., ET AL.

NOTICE OF FILING OF AMENDMENT AND NOTICE OF AND ORDER FOR HEARING AND ORAL ARGUMENT

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 5th day of June, A. D. 1943.

In the matter of Federal Water Service Corporation, Utility Operators Company, Federal Water and Gas Corporation, File Nos. 34-9; 34-41; 70-28.

Federal Water Service Corporation, Utility Operators Company, and Federal Water and Gas Corporation having filed applications and declarations, and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder with respect to a plan for the recapitalization and simplification of the corporate structure of Federal Water Service Corporation by means of and in connection with a merger among said corporations;

Said plan having provided for participation on a parity with public security holders of the preferred stock purchased by certain of the officers and directors of Federal Water Service Corporation since November 8, 1937; the Commission having found in its findings and opinion, dated March 24, 1941 (Holding Company Act Release No. 2635) that the participation on a parity of the said preferred stock purchased by the said officers and directors with other preferred stock is detrimental to the public interest and the interests of investors within the meaning of section 7 (d) and not fair and equitable within the meaning of section 11 (e); the applicants and declarants having thereupon filed amendments to such plan which provided that the surviving corporation to the merger shall purchase the said preferred stock at its cost to the said officers and directors plus 4 per cent interest from the dates of purchase by them to the date of the merger; the Commission having by order dated September 24, 1941 approved such plan of merger and recapitalization as so amended; the said officers and directors affected by such amendment having filed a petition with the United States Court of Appeals for the District of Columbia

pursuant to section 24 (a) of the Act to review the aforesaid order of this Commission; the said Court of Appeals having entered a judgment on April 27, 1942 reversing the order of the Commission; the Commission having petitioned for and having been granted a writ of certiorari by the Supreme Court of the United States to said Court of Appeals to review the judgment of the said Court reversing the Commission's order; the Supreme Court of the United States having issued its opinion on February 1, 1943, remanding the case to the Court of Appeals with directions to remand it to the Commission for such further proceedings not inconsistent with its opinion as may be appropriate (Securities and Exchange Commission v. Chenery Corporation, et al., 63 S. Ct. 454); said Court of Appeals having on April 5, 1943 issued an order on the mandate of the Supreme Court directing that the order of the Securities and Exchange Commission be set aside and that the cause be remanded to this Commission for such further proceedings, not inconsistent with the opinion of the Supreme Court of the United States in the case, as may be appropriate;

Federal Water and Gas Corporation having filed an amendment on March 7, 1943 to its applications and declarations previously filed, requesting approval of an amendment to the merger agreement among Federal Water Service Corporation, Utility Operators Company, and Federal Water and Gas Corporation, which amendment would permit the said officers and directors affected by the Commission's order of September 24, 1941 to participate on a parity with other preferred stockholders, and requesting approval of the issuance of such amounts of common stock of Federal Water and Gas Corporation to the said officers and directors as they would have been entitled to had they been permitted to participate on a parity with other preferred stockholders; Counsel for said officers and directors having filed a motion that such further proceedings be had before the Commission as may be necessary to treat said officers and directors on the same basis as other holders of preferred stock and having requested oral argument on said motion;

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing and oral argument be held before this Commission in connection with said mandate of the Supreme Court, said order on the mandate of the Supreme Court, and said amendment and motion, that Counsel for the Public Utilities Division of the Commission, Counsel for Federal Water and Gas Corporation, and Counsel for the said officers and directors shall submit briefs, and serve copies thereof upon each other, to the Commission, in respect of the issues involved in this matter on or prior to June 15, 1943;

It is ordered, That a hearing and oral argument be held on the issues raised by the said mandate of the Supreme Court, the said order on the mandate of the Supreme Court, the said amendment filed by Federal Water and Gas Corporation, the motion by Counsel for said officers and directors, including the issue of whether participation on a parity with other security holders of the preferred stock purchased by officers and directors of Federal is detrimental to the public interest and the interest of investors and consumers within the meaning of section 7 and not fair and equitable within the meaning of section 11 (e) of the Act, and that such hearing and argument be held at 11:30 a. m., on the 17th day of June, A. D., 1943, at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa.

It is further ordered, That Counsel for the Public Utilities Division of the Commission, Counsel for Federal Water and Gas Corporation, and Counsel for the said officers and directors shall submit briefs, and serve copies thereof upon

each other, to the Commission, in respect of the issues involved in this matter on or prior to June 15, 1943.

It is further ordered, That the Secretary of this Commission shall serve notice of this order by mailing a copy thereof by registered mail to Federal Water and Gas Corporation and to Covington, Burling, Rublee, Acheson & Shorb, Counsel for the said officers and directors, and that notice shall be given to all other persons thereof by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 43-9171; Filed, June 7, 1943;
10:04 a. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain Revocation Orders listed in Schedule A below, revoking Preference Rating Orders issued in connection with, and 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, June 4, 1943.

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

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Location of project	Issuance date
P-19-H....	81933	Government of the District of Columbia, Washington, D. C.	Washington, D. C.....	5-24-43
P-19-H....	5892	F.W.A., Washington, D. C.....	Ketchikan, Alaska.....	5-24-43
	None	Board of County Commissioners, Dade County, Fla.	Biscayne Bay, Miami, Fla.	5-24-43

[F. R. Doc. 43-9122; Filed, June 4, 1943; 5:06 p. m.]