

FEDERAL REGISTER



VOLUME 8

NUMBER 132

Washington, Tuesday, July 6, 1943

The President

EXECUTIVE ORDER 9358

PROVIDING FOR THE FUNCTIONS OF THE BOARD OF LEGAL EXAMINERS

By virtue of and pursuant to the authority vested in me by the Constitution, by section 1753 of the Revised Statutes, and by the Civil Service Act of January 16, 1883, it is hereby ordered as follows:

Pending action by the Congress with respect to the continuance of the Board of Legal Examiners created in the Civil Service Commission by Executive Order No. 8743 of April 23, 1941¹ and until further order, the administration of the civil service laws in their application to attorney positions in the classified civil service and to the incumbents of such positions shall vest in the Civil Service Commission. The Commission shall have authority to determine the regulations and procedures governing the recruitment and examination of applicants for attorney positions and the selection, appointment, promotion, and transfer of attorneys in the classified civil service and shall have discretion to give effect to such of the provisions of sections 3 (c) and 3 (e)-3 (h), inclusive, of Executive Order No. 8743 as amended by Executive Order No. 9230 of August 20, 1942,² as it deems appropriate. Subject to the provisions of this order, Executive Order No. 8743 as amended shall remain in effect.

This order shall become effective on July 1, 1943.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
July 1, 1943.

[F. R. Doc. 43-10698; Filed, July 2, 1943;
4:28 p. m.]

EXECUTIVE ORDER 9359

SUSPENDING CERTAIN STATUTORY PROVISIONS RELATING TO EMPLOYMENT IN THE CANAL ZONE

By virtue of the authority vested in me by section 2 of the War Department

Civil Appropriation Act, 1944 (Public Law 64, 78th Congress), section 7 of the Military Appropriation Act, 1944, and section 108 of the Naval Appropriation Act, 1944, relating to certain kinds of employment in the Canal Zone, and deeming such course to be in the public interest, I hereby suspend, from and including the respective effective dates of said acts, compliance with the provisions of the said sections during the continuance of any of the wars in which the United States is now engaged.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

July 1, 1943.

[F. R. Doc. 43-10697; Filed, July 2, 1943;
4:27 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation

PART 402—1940 WHEAT CROP INSURANCE REGULATIONS

By virtue of the authority vested in the Federal Crop Insurance Corporation by the Federal Crop Insurance Act, approved February 16, 1938, as amended, the 1940 Wheat Crop Insurance Regulations are amended as follows:

Section 402.64 of the 1940 Wheat Crop Insurance Regulations is amended by deleting the semicolon at the end of paragraph (a) thereof, inserting a comma, and adding the following provision:

unless the Corporation determines that all or part of such threshed wheat was unmerchantable, in which case the amount to be included in the total production representing the unmerchantable wheat may be determined by appraisal;

(Secs. 506 (e), 516 (b); 52 Stat. 73, 77, 7 U.S.C. 1940 ed., 1506 (e), 1516 (b); E.O. 9322, E.O. 9334)

(Continued on p. 9177)

CONTENTS

THE PRESIDENT

EXECUTIVE ORDERS:	Page
Board of Legal Examiners, transfer to Civil Service Commission	9175
Employment in Canal Zone, suspension of certain statutory provisions	9175

REGULATIONS AND NOTICES

ALIEN PROPERTY CUSTODIAN:	Page
Reports of royalties due and payable under vested interests in works subject to copyright	9178
Vesting orders:	
Alessandrini, Agostino	9245
Bier, Siegfried Max	9252
Brand, Augusta von Hagen	9245
Buhmann, A. W., Inc.	9245
Candido, Samuel	9253
Chamois, Paul	9246
DeMatteo, Joseph A., vs. John Garbo, et al.	9246
De Faolo, Angelo	9251
Dierich, Franz	9246
Fabrisch, Charles	9247
Fassnacht, George M.	9247
Fischer, George and Hans	9243
Forster, Helen	9253
Gambini, D.	9254
Gausebeck, Beatrice	9243
Gigliotti, Vincenzo	9247
Gold, Rose	9248
Guth, Philipp	9248
Haensroth, Edward	9249
Heidmann, Henry C. A.	9244
Herr, Lena C.	9253
Horneff, August	9249
Kasai, Tadaichi	9249
Krause, Auguste	9250
Lang, Louise	9254
Linz, Albert	9254
Manci, Henry	9250
Mantovani, Ernesto	9250
Moritz, Mathilde	9251
Okura & Co. (Trading) Ltd.	9243
Pacific Bank	9244
Pinchetti, Carlo	9251
Plack, Eric	9243
Reinhardt, Gottlob	9252
Stocke, Henry Louis	9255
Sumitomo Bank of Hawaii	9244
Zanier, John	9256

(Continued on p. 9176)

9175

¹6 F.R. 2117.

²7 F.R. 6665.



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CONTENTS—Continued

BITUMINOUS COAL DIVISION:	Page
District 3, relief from filing monthly tonnage reports	9182
Hearings, etc.:	
Beccaria Coal Mining Co.	9238
Cable, John J.	9239
Coe, Campbell, Coal Co.	9237
Corley, W. D., Jr.	9240
District Board 2 (2 documents)	9235, 9238
District Board 16	9239
District Board 23 (2 documents)	9236, 9240
England, A. H.	9235
Golden Cycle Corp., Pikes Peak Fuel Division	9237
Greenman, Geo. H., Coal Co., et al.	9239
Griffith-Consumers Co.	9241
Morrisdale Coal Co.	9235
Superior Coal Co.	9240
York & Park	9241
CIVIL AERONAUTICS BOARD:	
Air traffic rules, revisions preparatory to reprinting	9181
Scheduled air carrier rules, altitude recording device	9181
FEDERAL COMMUNICATIONS COMMISSION:	
Fixed public and fixed public press services, modifications of licenses	9241
FEDERAL CROP INSURANCE CORPORATION:	
Wheat crop insurance regulations, 1940, amendment	9175
FEDERAL POWER COMMISSION:	
Hearings, etc.:	
Hope Natural Gas Co.	9242
Ohio Fuel Gas Co. v. Panhandle Eastern Pipe Co.	9242
FISH AND WILDLIFE SERVICE:	
Alaska commercial fisheries, salmon traps	9233

CONTENTS—Continued

FISHERIES COORDINATOR:	Page
Pilchard, coordinated production plan	9233
INTERSTATE COMMERCE COMMISSION:	
Freight traffic, rerouting in flood conditions	9231
Green peas, icing in transit by common carriers by railroad	9243
Potatoes:	
Holding of cars for diversion, reconsignment, or orders	9231
Movement from Maine	9230
Reicing:	
Arizona and California	9230
Chicago, Milwaukee, St. Paul and Pacific Railroad Co.	9243
MINES BUREAU:	
General purchaser's license, sodium nitrate and ammonium nitrate for use as fertilizer	9183
OFFICE OF DEFENSE TRANSPORTATION:	
Georgia Highway Express, Inc., and Dixie Ohio Express Co., coordinated operations in Georgia	9256
Motor equipment conservation, taxicabs and taxi service (Gen. Order ODT 20A)	9231
Salem Navigation Co. and Reimann Truck Service, joint freight service in Washington and Oregon	9258
Schlairet, E. A., Transfer Co. and Haeckl's Express, Inc.; coordinated operations in Ohio	9257
OFFICE OF PRICE ADMINISTRATION:	
Adjustments, exceptions, etc.:	
Bigelow-Sanford Carpet Co., Inc.	9229
Gulf Coast Towing Co., Inc.	9203
Jordan's Truck Line	9217
Lynn Stewart Co.	9218
N. D. Q. Specialty Corp.	9217
Virgin Island Co.	9218
Corebinder (Rev. SR 1, Am. 18)	9218
Dairy products (MPR 289, Am. 18)	9229
Food and food products:	
Processed, rationing:	
(RO 13, Am. 43)	9216
(RO 13, Am. 44)	9216
(RO 13, Rev. Supp. 1, Am. 11)	9203
Seasonal and miscellaneous food commodities (MPR 262, Am. 7)	9201
Fruit preserves, jams, and jellies (MPR 226, Am. 7)	9201
Fuel oil rationing (RO 11, Am. 69)	9219
Gasoline rationing:	
(RO 5C, Am. 60)	9202
(RO 5C, Am. 63)	9219
Honey, extracted (MPR 275, Am. 5)	9218
Meat, fats, fish and cheeses; rationing:	
(RO 16, Am. 44)	9217
(RO 16, Am. 45)	9217
(RO 16, Supp. 1, Am. 10)	9203
Military field equipment (Rev. SR 1, Am. 20)	9219
OFFICE OF PRICE ADMINISTRATION—Continued:	Page
Regional, district, and state office orders:	
Fluid milk, special sales in Massachusetts	9259
Hardwood - cordwood and firewood, Massachusetts (2 documents)	9259, 9261
Rubber drug sundries:	
Manufacturers' prices (MPR 300, incl. Am. 9)	9203
Retail and wholesale prices (MPR 301, incl. Am. 7)	9212
Stoves, domestic cooking and heating (RPS 64, Am. 8)	9218
Tires, tubes, recapping, and camelback; rationing (RO 1A, Am. 37)	9218
RAILROAD RETIREMENT BOARD:	
Municipal Docks Railway, Jacksonville, order reopening initial determination	9261
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
Associated Gas and Electric Corp.	9268
Braddock Light & Power Co., Inc.	9261
Central Power and Light Co., et al.	9269
Clarke, Stanley, et al.	9262
Consolidated Natural Gas Co.	9267
Consumers Gas Co.	9267
Electric Bond and Share Co.	9266
International Utilities Corp.	9270
Jacksonville Gas Corp.	9268
New England Public Service Co.	9269
North American Light & Power Co. Holding-Company System, and North American Co.	9261
Northern States Power Co. (Del.) and Northern States Power Co. (Minn.)	9267
Scranton-Spring Brook Water Service Co.	9262
West Texas Utilities Co. and Middle West Corp.	9268
SELECTIVE SERVICE SYSTEM:	
East Lansing project, Mich., establishment for conscientious objectors	9270
Waiver of physical examination by local board examining physician	9184
STATE DEPARTMENT:	
Blocked nationals, proclaimed list	9181
TREASURY DEPARTMENT:	
Employers Mutual Casualty Co., certificate of authority	9183
Values of foreign moneys, 1943	9182
WAR DEPARTMENT:	
Army exchanges, taxicab and bus operations	9179
Prescribed service uniform, officers' overcoats	9179
Safeguarding technical information, responsibility of Government contractors	9178
Women's Army Auxiliary Corps, regulations	9179
WAR FOOD ADMINISTRATION:	
Battle Creek, Mich., sales area, suspension of milk license	9270
Figs (FDO 62)	9177

(Continued on next page)

CONTENTS—Continued

	Page
WAR FOOD ADMINISTRATION—Con.	
Houston Cattle Co., suspension order	9177
Sperm oil (FDO 37-1, Corr.)	9177
Spices (FDO 19-2, Corr.)	9177
WAR MANPOWER COMMISSION:	
Policies for employment stabilization programs which include the exercise of hiring controls in areas of manpower shortage	
WAR PRODUCTION BOARD:	
Aniline (M-184)	
Apparel, men's work clothing (L-181)	
Cotton textiles for (M-207, Sch. I)	
Chrome steel, corrosion and heat resistant (M-21-d)	
Controlled materials plan (CMP Reg. 1, Am. 1)	
BEW and Lend-Lease orders (CMP Reg. 1, Direction 20)	
Mill stocks of steel (CMP Reg. 1, Direction 15)	
Dyestuffs and organic pigments (M-103)	
Farm supplies:	
Farmstead wiring material (P-144)	
Machinery and equipment (M-330, Supp. 2)	
Priorities system operation (PR 19)	
Iron and steel, plates (M-21-c)	
License plates, metallic (L-32-a)	
Machine tools, production and delivery (E-1-b)	
Printing and publishing (L-240)	
Priorities system operation (PR 1, Int. 4)	
Public sanitary sewerage facilities, maintenance, repair, and operating supplies (P-141)	
Taxi service (Certificate 86)	
WAR SHIPPING ADMINISTRATION:	
Port Everglades, Florida; vessel priorities	9230
Suspension of rate ceilings	9230

Adopted by the Board of Directors on April 10, 1942.

M. CLIFFORD TOWNSEND,
Chairman of the Board.

Approved: July 2, 1943.

MARVIN JONES,
Administrator, War Food
Administration.

[F. R. Doc. 43-10739; Filed, July 3, 1943;
2:11 p. m.]

Chapter XI—War Food Administration

[FDO 19-2]

PART 1455—SPICES

RESTRICTED QUOTAS

Correction

In the document appearing on page 8918 of the issue for Wednesday, June

30, 1943, the section number should be 1455.3 instead of 14.55.3. In the table of restricted spices listed in § 1455.3 the entry "Gloves" should read "Cloves."

[FDO 37-1]

PART 1460—FATS AND OILS

SPERM OIL

Correction

The issuance date of the document appearing on page 9104 of the issue for Saturday, July 3, 1943, should read "June 30" instead of "July 30".

[FDO 62]

PART 1405—FRUITS AND VEGETABLES

FIGS

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of figs for defense and private account; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1405.12 *Restrictions relative to the use of figs*—(a) *Definitions*. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "figs" means figs in the fresh or partially dried form, customarily marketed as the Calimyrna, Adriatic, Kadota, and Black Mission varieties produced in Butte, Colusa, Contra Costa, Fresno, Glenn, Kern, Kings, Madera, Merced, Sacramento, San Joaquin, Solano, Stanislaus, Sutter, Tehama, Tulare, Yuba, and Yolo Counties in the State of California.

(2) The term "dried figs" means figs preserved by the removal of a part of the natural moisture and includes such fruit in the processed or unprocessed condition.

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

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

(b) *Restrictions*. (1) No person may, unless specifically authorized by the Director, purchase, accept delivery of, or use figs or dried figs for conversion into brandy, alcohol, any concentrate, syrup, scent, flavoring, animal feed, or any other by-product.

(2) No person may sell or deliver figs or dried figs with knowledge or reason to believe that such figs or any portion thereof thus sold or delivered are to be used in violation of this order.

(c) *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 figs 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.

(d) *Records and reports*. The Director shall be entitled to obtain such in-

formation 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, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(e) *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.

(f) *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 figs, 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.

(g) *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.

(h) *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 Administrator, be addressed to the Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref. FD-62.

(i) *Effective date*. This order shall become effective at 12:01 a. m., e. w. t., July 6, 1943.

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

Issued this 3d day of July 1943.

PAUL A. PORTER,
Acting War Food Administrator.

[F. R. Doc. 43-10823; Filed, July 5, 1943;
11:02 a. m.]

[Suspension Order Docket No. FDA-SW-1]

PART 1590—SUSPENSION ORDERS

HOUSTON CATTLE CO.

Roland Mason, an individual doing business as Houston Cattle Company, Missouri City, Texas, hereinafter referred to as "respondent," was duly served with a Statement of Charges and Procedure informing him that he was charged with a violation of Food Distribution Order 27 (8 F.R. 2785), issued by the Secretary

of Agriculture on March 5, 1943, as amended. The respondent answered the charge and requested a hearing. Pursuant to this request, a hearing was held at Houston, Texas, on May 12, 1943, before a duly authorized presiding officer. The respondent appeared at the hearing and was represented by counsel. Data and information pertaining to the violation alleged in the Statement of Charges were presented on behalf of the interested parties. The War Food Administrator, acting under authority conferred upon him by Executive Order No. 9322 (8 F.R. 3807), as amended by Executive Order No. 9334 (8 F.R. 5423), and having considered all of the data and information, including the answer filed by the respondent, pertaining to the alleged violation by the respondent of the provisions of said food distribution order, hereby determines, That:

(a) Respondent, an individual, is a local slaughterer within the meaning of that term as it is defined in said food distribution order, doing business as a local slaughterer under the trade name of Houston Cattle Company, at Missouri City, Texas.

(b) Pursuant to the provisions of said food distribution order, the Fort Bend County War Board, Richmond, Texas, issued to the respondent a permit authorizing the slaughter of livestock for the delivery of meat, in accordance with the provisions of the said order. Under respondent's quota for April 1943, he was authorized to slaughter a sufficient number of cattle to obtain for delivery not more than 44,000 pounds of beef.

(c) Respondent has violated said food distribution order in that during the period from April 1 to April 30, 1943, more particularly between April 1 and April 15, 1943, inclusive, respondent slaughtered cattle and obtained therefrom and delivered approximately 183,879 pounds of beef, which was approximately 139,879 pounds in excess of the amount of his beef quota for the aforesaid quota period.

Because of the great scarcity of livestock for the fulfillment of the meat requirements of the United States for defense, for private account, and for export, and the importance of having meat distributed in a manner to assure an adequate supply and efficient distribution of meat for war and civilian needs, the aforesaid violation by the respondent has impeded the war effort and has, therefore, been contrary to public interest. It also appears to the War Food Administrator that further violations by the respondent are likely unless appropriate action is taken: *It is therefore ordered, That:*

§ 1590.1 Suspension order against Roland Mason, an individual doing business as Houston Cattle Company. (a) The respondent, his agents, successors, or assigns shall not, in any manner, directly or indirectly, (1) slaughter livestock, or cause livestock to be slaughtered, for delivery of meat; or (2) receive or accept delivery of meat for the purpose of resale or redelivery thereof to others.

(b) No person shall, in any manner, directly or indirectly, (1) transfer to the

respondent, his agents, successors, or assigns any livestock for the purpose of having said livestock slaughtered by the respondent, his agents, successors, or assigns for the delivery of meat; or (2) transfer or deliver to the respondent, his agents, successors, or assigns any meat for the purpose of sale or disposition by or through the respondent, his agents, successors, or assigns.

(c) Nothing contained in this order shall be deemed to relieve the respondent, his agents, successors, or assigns from any restriction, prohibition or provision contained in any order or regulation of the War Food Administrator, except insofar as the same may be inconsistent with the provisions hereof.

(d) Any terms used in this order that are defined in Food Distribution Order 27 (8 F.R. 2785), issued by the Secretary of Agriculture on March 5, 1943, as amended, shall have the meaning therein given to them, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof.

(e) This order shall become effective 12:01 a. m., c. w. t., July 15, 1943, and, unless sooner terminated, shall expire 12:01 a. m., c. w. t., Sept. 13, 1943.

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

Issued this 3d day of July 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-10824; Filed, July 5, 1943;
11:02 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

[General Order 23]

PART 503—GENERAL ORDERS

REPORTS OF ROYALTIES DUE AND PAYABLE UNDER VESTED INTERESTS IN WORKS SUBJECT TO COPYRIGHT

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned hereby issues the following regulation:

§ 503.23 General Order No. 23. (a) In all cases in which the Alien Property Custodian is entitled to receive royalties by virtue of having vested an interest in a work subject to copyright, the persons who are obliged to pay such royalties shall execute and file in duplicate with the Office of Alien Property Custodian, Washington, D. C., reports on Forms APC-45 and APC-46, which are hereby adopted and made a part of this regulation; such reports shall be accompanied by the payment of royalties due and payable and shall be executed as follows:

(1) Royalties which became due and payable prior to the date of vesting shall be reported on Form APC-45 and paid, within thirty days after receipt of demand from the Alien Property Custodian for such report and payment;

(i) Federal withholding taxes on such royalties shall be paid in the usual manner by the Reporter directly to the Collector of Internal Revenue;

(ii) Commissions and other charges may be deducted by the Reporter if authorized by the agreement under which the royalties are payable. No other amounts may be deducted; but claims for refund of such amounts may be filed on Form APC-1, copies of which will be supplied on request.

(2) Royalties which become due and payable subsequent to the date of vesting shall be reported on Form APC-46 and paid, within ten days after the date they become due and payable;

(i) Federal withholding taxes on such royalties shall not be paid by Reporter to the Collector of Internal Revenue and the amounts ordinarily withheld for such purposes shall be included in the payments to the Alien Property Custodian;

(ii) Commissions and other charges may be deducted if authorized by the agreements under which the royalties are payable. Charges which are incurred subsequent to vesting and which are not authorized by the agreement shall not be deducted unless approved by the Alien Property Custodian in writing.

(b) For the purposes of this regulation, the definitions contained in General Order No. 14 of the Alien Property Custodian shall be applicable; "royalties" shall be deemed to include, but not by way of limitation, fees, serial or other payments, shares of profits, and any and all other emoluments or compensation.

(c) The reporting requirements in this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(40 Stat. 411; 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp. 1941); E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on June 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10622; Filed, July 5, 1943;
9:32 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 5—SAFEGUARDING TECHNICAL INFORMATION

RESPONSIBILITY OF GOVERNMENT CONTRACTORS

Section 5.20 (c) is rescinded as follows:

§ 5.20 Responsibility of Government contractors. * * *

(c) [Rescinded] (R.S. 161; 5 U.S.C. 22) [Par. 61, AR 380-5, 28 September 1942 as amended by C 12, 26 June 1943]

[SEAL] J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-10780; Filed, July 5, 1943;
9:59 a. m.]

Chapter V—Military Reservations and National Cemeteries

PART 54—ARMY EXCHANGES

CERTAIN TAXICABS AND BUS OPERATIONS

Section 54.5 (a) (25) (iii) (8 F.R. 5431) is amended as follows:

§ 54.5 Activities—(a) Authorized activities.

(25) Taxicab and bus operations subject to the following limitations:

(iii) The contract under (ii) above requires the permission of the commanding general of the service command. (R.S. 161; 5 U.S.C. 22) [Par. 10a, AR 210-65, 19 March 1943 as amended by C 1, 17 June 1943]

[SEAL] J. A. Ulio,
Major General,
The Adjutant General.

[F. R. Doc. 43-10781; Filed, July 5, 1943;
9:57 a. m.]

Chapter VII—Personnel

PART 79—PRESCRIBED SERVICE UNIFORM

OFFICERS' OVERCOATS

Section 79.2 (a) (1) (iv) is rescinded as follows:

§ 79.2 Adopted standards of cloths.¹ The standards of cloths are as follows:

(a) For officers, warrant officer, flight officers, and contract surgeons—(1) For winter uniform.

(iv) Overcoats. [Rescinded] (R.S. 1296; 10 U.S.C. 1391) [Par. 2, AR 600-35, 10 November 1942, as amended by C 24, 25 June 1943]

Section 79.9 (c) (1) is rescinded as follows:

§ 79.9 Coat.² (1) Long, for officers and warrant officers. [Rescinded] (R.S. 1296; 10 U.S.C. 1391) [Par. 9, AR 600-35, 10 November 1942, as amended by C 24, 25 June 1943]

[SEAL] J. A. Ulio,
Major General,
The Adjutant General.

[F. R. Doc. 43-10782; Filed, July 5, 1943;
9:59 a. m.]

PART 79b—WOMEN'S ARMY AUXILIARY CORPS

Sections 79b.1 to 79b.12 are rescinded and the following §§ 79b.1 to 79b.16 are substituted therefor.

These regulations are also contained in Women's Army Auxiliary Corps

¹ 7 F.R. 11, 2987, 10755, 11107; 8 F.R. 8798.
² 7 F.R. 11, 2987, 4246, 4637, 7989, 10359; 8 F.R. 5132, 8798.

Regulations, June 1943, the particular paragraphs being shown in brackets at end of sections.

GENERAL PROVISIONS

Sec. 79b.1 Definitions.
79b.2 Mission.
79b.3 Military status.
79b.4 Assignment.

ENROLLMENT

79b.5 Eligibility.
79b.6 Term of service.
79b.7 Inactive duty status.
79b.8 Physical examination.
79b.9 Reenrollment.

OFFICER CANDIDATES FROM CIVILIAN STATUS

79b.10 Qualifications of officer candidates from civilian status.
79b.11 Selection.
79b.12 Disposition of nongraduates.

APPOINTMENT OF OFFICERS

79b.13 Appointment.
79b.14 Distribution of grades of officers.
79b.15 Reappointment.

ALLOWANCES

79b.16 Travel allowances.

AUTHORITY: Act of 14 May 1942, 56 Stat. 278, as amended by act of 26 October 1942, 56 Stat. 988; 10 U.S.C. Sup. 1701-1718.

GENERAL PROVISIONS

§ 79b.1 Definitions. Wherever the following terms are used they will be construed as noted below:

(a) Officers. The term "officer" will include the Director, Assistant Directors, Field Directors, First Officers, Second Officers, and Third Officers appointed in the Women's Army Auxiliary Corps.

(b) Enrolled women. The term "enrolled women" will include all members of the WAAC in the grades of Chief Leader, First Leader, Technical Leader, Staff Leader, Technician Third Grade, Leader, Technician Fourth Grade, Junior Leader, Technician Fifth Grade, Auxiliary First Class, and Auxiliary. The term "auxiliary" will be used only to refer to enrolled women of the Sixth and Seventh Grades.

(c) Members. The word "members" is a general term used to include all officers and enrolled women of the WAAC. [Par. 1]

§ 79b.2 Mission. The mission of the Women's Army Auxiliary Corps is to further the war effort by releasing soldiers in the Army of the United States from non-combatant duties, and by making available to the Army the knowledge, skill, and special training of the women of the nation. Inherent in the mission is the careful procurement, selection, classification, training, and utilization of the personnel of the Corps necessary to insure the Army the highest possible efficiency in the performance of such duties as the Secretary of War may direct. [Par. 3]

§ 79b.3 Military status. The WAAC will not be part of the Army but will be only a women's organization authorized to serve with the Army exclusive of the Army Nurse Corps. Members of

the WAAC will be subject to military law pursuant to the second article of war, when applicable. [Par. 9]

§ 79b.4 Assignment. Officers and enrolled women in the WAAC are subject to orders to duty at any place where their services may be required. They may be assigned to any noncombatant duties for which they are qualified. [Par. 15]

ENROLLMENT

§ 79b.5 Eligibility—(a) Original enrollment. Original enrollment in the WAAC will be in the grade of auxiliary and will be made from women volunteers between the ages of 21 and 45 years who are citizens of the United States, of excellent character, and in good physical health. Exceptions are as noted in §§ 79b.10, 79b.11 and 79b.12.

(b) Restriction on enrollment of women with dependents. (1) No applicant will be accepted for enrollment in the WAAC if she has anyone dependent upon her for financial support unless such support can be met entirely by means other than that derived from her pay as a member of the Women's Army Auxiliary Corps.

(2) No applicant will be accepted for enrollment in the Women's Army Auxiliary Corps if she has one or more children under 14 years of age. [Par. 16]

§ 79b.6 Term of service. The term of service of all officers and enrolled women of the Women's Army Auxiliary Corps will be for the period of the war plus 6 months thereafter unless sooner terminated by proper authority. [Par. 17]

§ 79b.7 Inactive duty status. (a) Officers and enrolled women may be relieved from active duty or recalled thereto at any time during their period of service.

(b) Members of the WAAC, while in inactive duty status, will not by reason solely of their appointments, oaths, commissions, enrollments, or status as such members, or any duties or functions performed, be held or deemed to be officers or employees of the United States, or persons holding any office of trust or profit, or discharging any official function under or in connection with any department of the Government of the United States, nor will they be entitled to pay, or allowances in lieu of quarters, or subsistence, or to any benefit or allowance by reason of being a member of the WAAC, nor will they wear the uniform of the WAAC except pursuant to the orders issued by the Director. [Par. 18]

§ 79b.8 Physical examination of members of WAAC—(a) General. The physical fitness of applicants for admission to the WAAC will be determined by one or more medical officers.

(b) Physical standards. (1) In general, due consideration being given the difference in sex, the standards prescribed for general military service will apply except as regards those pertaining to height, weight, and chest measurements. The following table is the average weight for age and height for applicants for admission to the WAAC:

Height (inches)	Weight according to age period				
	21 to 25	26 to 30	31 to 35	36 to 40	41 to 45
60	114	117	120	123	126
61	117	120	123	126	129
62	120	123	126	129	132
63	123	126	129	132	135
64	127	130	133	136	139
65	131	134	137	140	143
66	135	138	141	144	147
67	139	142	145	148	151
68	143	146	149	152	155
69	147	150	153	156	159
70	151	154	157	160	163
71	155	158	161	164	167
72	159	162	165	168	

NOTE: Height and weight to be taken without shoes and with surgical gown or sheet in lieu of dress, minimum standard height is 5 feet, maximum 6 feet; minimum of weight is 100 pounds.

(2) Permissible variation in weight below the standard for age is 15 pounds, and overweight above the standard is 16½ percent, with the exception that no applicant will be accepted whose weight is less than 100 pounds. In applying the percentage variation, fractions of less than ½ pound will be dropped, those of ½ pound or more will be counted as an additional pound. A candidate whose weight falls at the extremes of either the maximum or minimum range should be accepted only when the individual is obviously active, of firm musculature, and evidently vigorous and healthy. Waivers of minor physical defects may be granted by the commanding generals of service commands.

(3) The minimal visual standard for general service will be 20/400 in one or both eyes without glasses, if correctible with glasses to at least 20/40 in each eye, and provided that no organic disease of either eye exists, and asthenopia is not present.

(c) *Causes for rejection.* In addition to the conditions common to both men and women which are listed as causes for rejection for general military service, pregnancy and certain diseases or defects peculiar to women are additional causes for rejection for service in the WAAC. [Par. 21]

§ 79b.9 *Reenrollment.* (a) Enrolled women honorably discharged from the WAAC (including those discharged for physical disability) are eligible for reenrollment in the WAAC subject to all requirements for original enrollment.

(b) In case of reenrollment within 60 days after honorable discharge, the enrolled woman may be enrolled in the same grade she held when last discharged from the WAAC.

(c) The reenrollment of a married member previously discharged without prejudice by reason of pregnancy will be authorized provided she meets all requirements for original enrollment. Such enrollment may be in the same grade as held at the time of discharge provided a vacancy exists. [Par. 22]

OFFICER CANDIDATES FROM CIVILIAN STATUS

§ 79b.10 *Qualifications for officer candidates from civilian status.* In addition to general WAAC enrollment re-

quirements, the following qualifications will govern the selection of candidates:

(a) *Age limits.* From twenty-first birthday, inclusive, to fiftieth birthday, exclusive.

(b) *Mental.* Minimum mental alertness test score of 110.

(c) *Education and experience.* At least 4 years of experience beyond the high school level in work, study, social, or civic fields entailing responsibility, initiative, resourcefulness, and other qualifications of leadership. This experience should show successful accomplishment in one or more positions of responsibility not subject to close and immediate supervision. Successful completion of 1 or more years of college work, in which the applicant has demonstrated the qualities listed above, will be taken as equivalent to the same number of years of the experience above described.

(d) *Personal characteristics.* The ideal candidate will have in high degree the ability to work easily and effectively with others. She will have emotional stability and be able to adapt herself quickly and easily to changing conditions. She will be able to subordinate personal views and interests to the welfare of the Corps as a whole. [Par. 24]

NOTE: In addition to civilian applicants, any enrolled woman in active service who has completed basic training may apply to attend WAAC officer candidate school. [Par. 33]

§ 79b.11 *Selection—(a) Applications.* Applications will be submitted in writing to any recruiting office authorized to enroll women in the Women's Army Auxiliary Corps. Applications that indicate possession of the qualifications set forth in § 79b.10 (a) (b) and (c), will be forwarded to an examining board for review, with recommendations, and with all pertinent papers incident to the applications attached.

(b) *Procedure.* The examining boards will interview and evaluate the qualifications of those applicants whose papers indicate that they may be suitable officer candidates. Each board will maintain a record of qualified applicants whose cases it has considered, arranged in order of merit. This order will govern in the designation or recommendation of individuals to be selected as officer candidates. [Par. 26]

§ 79b.12 *Disposition of nongraduates.* Officer candidates who are not commissioned may be honorably discharged from the Corps for the convenience of the Government, or, upon written applications, may be retained in the Women's Army Auxiliary Corps as enrolled women if they meet all requirements for enrolled members. Applications for reten-

APPOINTMENT OF OFFICERS

§ 79b.13 *Appointment—(a) Authority.* The Secretary of War may appoint from time to time, from women citizens of the United States to serve during his pleasure, a Director and such numbers of officers in the grades of assistant

director, field director, first officer, second officer, and third officer, as may be deemed necessary for the proper administration of the Corps.

(b) *Sources.* Officers of the Women's Army Auxiliary Corps will be appointed from the following sources:

(1) Enrolled women who are selected from those competing within the ranks of the Corps for attendance at officer candidate school.

(2) Women who, because of outstanding qualifications, are enrolled specifically for attendance at an officer candidate school.

(3) Women over 45 years of age may be selected as officer candidates to attend an extended course of officer candidate training, and during such attendance will be entitled to receive the pay and other benefits provided for officer candidates by section 3, act 14 May 1942 (56 Stat. 278), as amended by act 26 October 1942 (56 Stat. 988).

(c) *Original appointments.* (1) Original appointments of Women's Army Auxiliary Corps medical officers will be made in a grade not lower than second officer.

(2) Those candidates who successfully complete the course of instruction at an officer candidate school if otherwise qualified, will be appointed third officer. [Par. 49]

§ 79b.14 *Distribution of grades of officers.* Distribution of grades of officers in the Women's Army Auxiliary Corps in the order of their precedence, with pay periods and corresponding Army grades, is as follows:

WAAC grade	Pay period	Army grade
Director	Sixth	Colonel
Assistant director	Fifth	Lieutenant colonel
Field director	Fourth	Major
First officer	Third	Captain
Second officer	Second	First lieutenant
Third officer	First	Second lieutenant

[Par. 51]

§ 79b.15 *Reappointment.* Officers honorably discharged from the WAAC (including those discharged for physical disability) are eligible for reappointment in the WAAC subject to all requirements for original appointment, upon approval of the Director, and provided that a vacancy exists. [Par. 54]

ALLOWANCES

§ 79b.16 *Travel allowances—(a) Applicants for enrollment.* The travel allowances of applicants for enrollment in the WAAC will be the same as those of applicants for enlistment in the Army. See § 71.14.

(b) *On discharge.* Travel allowances to members of the WAAC on discharge or dismissal are payable from the place of discharge or dismissal to the place of acceptance for enrollment or appointment. [Par. 137]

[SEAL]

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

[F. R. Doc. 43-10713; Filed, July 3, 1943;
9:54 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 60-19]

PART 60—AIR TRAFFIC RULES

REVISIONS PREPARATORY TO REPRINTING

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 28th day of June, 1943.

Effective July 1, 1943, Part 60 of the Civil Air Regulations is amended as follows:

1. By amending § 60.0 to read as follows:

§ 60.0 (Unassigned).

2. By amending § 60.102 to read as follows:

§ 60.102 *Civil airway*. Civil airway means a path through the navigable airspace of the United States identified by an area on the surface of the earth, designated or approved by the Administrator as suitable for interstate, overseas or foreign air commerce.

NOTE: By regulation of the Administrator effective April 1, 1943, "Each civil airway shall include the navigable airspace of the United States above all that area on the surface of the earth lying within five miles of the center line prescribed for each such airway, but shall not include any of the airspace of an airspace reservation set apart as provided in section 4 of the Air Commerce Act of 1936.

3. By amending §§ 60.104 through 60.110, inclusive, to read as follows:

§§ 60.104, 60.105, 60.106, 60.107, 60.108, 60.109, 60.110 (Unassigned).

4. By amending § 60.123 to read as follows:

§ 60.123 *Airport traffic control tower*. An airport traffic control tower is an establishment properly situated and equipped to allow an operator thereof to adequately control air traffic in the immediate vicinity of the airport on or adjacent to which such airport traffic control tower is located.

5. By amending § 60.1331 (e) to read as follows:

(e) The proposed cruising altitude or altitudes and the route to be followed.

6. By amending § 60.1331 (h) to read as follows:

(h) Transmitter frequency.

7. By amending § 60.1331 (k) to read as follows:

(k) The alternate airport or airports.

8. By amending § 60.1331 (l) to read as follows:

(l) Any other pertinent information which the pilot deems useful for control purposes or which may be requested by an airway traffic control center.

9. By amending § 60.134 to read as follows:

§ 60.134 *Approved flight plan*. An approved flight plan is a plan of flight, containing the information required by § 60.133, which has been approved solely with respect to known air traffic condi-

tions by an airway traffic control center of the Administrator.

10. By amending § 60.22 to read as follows:

§ 60.22 (Unassigned).

11. By amending the title of § 60.3 to read as follows:

§ 60.3 *General flight rules*. * * *

12. By deleting from §§ 60.4 and 60.5 the following phrase: "or control zone of intersection."

13. By amending § 60.531 to read as follows:

§ 60.531 (Unassigned).

14. By amending § 60.571 to read as follows:

§ 60.571 *Communications contracts*. The pilot shall maintain a continuous listening watch on the appropriate radio frequency and shall, by radio, contact and report as soon as possible to the appropriate communication station the time and altitude of passing each radio fix or other check point designated by the Administrator or specified in the flight plan together with unanticipated weather conditions being encountered and any other information pertinent to the aircraft movement.

15. By amending § 60.580 to read as follows:

§ 60.580 *Flight altitudes along green or red civil airways*. The following rules will govern the altitude at which aircraft shall fly when making flights along green or red civil airways:

16. By amending § 60.5800 to read as follows:

§ 60.5800 *Eastbound flights*. Aircraft making good a true course of from 0° (or 360°) to, but not including, 180° shall fly at an odd thousand-foot level above sea level (such as 3,000, 5,000, or 7,000 feet).

17. By amending § 60.5801 to read as follows:

§ 60.5801 *Westbound flights*. Aircraft making good a true course of from 180° to, but not including, 360° or (0°) shall fly at an even thousand-foot level above sea level (such as 2,000, 4,000, or 6,000 feet).

18. By amending § 60.581 to read as follows:

§ 60.581 *Flight altitudes along blue or amber civil airways*. The following rules will govern the altitude at which aircraft shall fly when making flights along blue or amber civil airways.

19. By amending § 60.5810 to read as follows:

§ 60.5810 *Northbound flights*. Aircraft making good a ~~through~~ course of from 270° to, but not including, 90° shall fly at an odd thousand-foot level above sea level (such as 3,000, 5,000, or 7,000 feet).

20. By amending § 60.5811 to read as follows:

§ 60.5811 *Southbound flights*. Aircraft making good a ~~through~~ course of

from 90° to, but not including, 270° shall fly at an even thousand-foot level above sea level (such as 2,000, 4,000, or 6,000 feet).

21. By amending §§ 60.582 through 60.5851 inclusive to read as follows:

§§ 60.582, 60.5820, 60.5821, 60.583, 60.5830, 60.5831, 60.584, 60.5840, 60.5841, 60.58410, 60.58411, 60.5842, 60.58420, 60.58421, 60.58422, 60.5843, 60.58430, 60.585, 60.5850 (a), 60.5851 (b) (Unassigned).

22. By amending 60.586 to read as follows:

§ 60.586 *Crossing a civil airway*. Unless otherwise instructed by an airway traffic control center of the Administrator, a civil airway shall not be crossed at an angle of less than 45° to such airway.

23. By amending the title of § 60.94 to read as follows:

§ 60.94 *Foreign flight authorization*. * * *

24. By amending the table of contents to conform to this amendment.

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

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 43-10792; Filed, July 5, 1943;
10:33 a. m.]

[Civil Air Regs., Amdt. 61-10]

PART 61—SCHEDULED AIR CARRIER RULES

ALTITUDE RECORDING DEVICE

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 30th day of June 1943.

Effective July 1, 1943, § 61.341 *Altitude recording device* of the Civil Air Regulations is amended by striking the word July from said regulation and inserting in lieu thereof the word November.

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

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 43-10793; Filed, July 5, 1943;
10:33 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Cumulative Supp. 3, to Rev. V of April 23, 1943]

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 3 containing certain additions to, amend-

J. T. True

FEDERAL REGISTER, Tuesday, July 6, 1943

ments 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.

JULY 2, 1943.

[F. R. Doc. 43-10738; Filed, July 3, 1943; 12:24 p. m.]

war, no employer shall be obliged to retain in his employ a worker who is incompetent to perform the work to which he has been assigned or other suitable work offered him by the employer; or who fails to conform to reasonable shop rules or standards of conduct.

PAUL V. McNUTT,

Chairman.

JUNE 30, 1943.

[F. R. Doc. 43-10819; Filed, July 5, 1943; 11:11 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter III—BITUMINOUS COAL DIVISION

[Order No. 356]

PART 308—REPORTS AND RECORDS

FILING OF MONTHLY TONNAGE REPORTS BY DISTRICT 3 CODE MEMBERS

An order relieving code members within District No. 3 from filing monthly tonnage reports required by the rules and regulations prescribed by order in General Docket No. 24.

The Bituminous Coal Producers Board for District No. 3 having requested that the code members within said district be relieved from filing the monthly tonnage reports required to be filed pursuant to the rules and regulations requiring tonnage reports from code members, established by order in General Docket No. 24, dated April 7, 1942, 7 F.R. 2894, and having shown good cause why such request should be granted;

It is ordered, That § 308.26 (Rules and regulations requiring tonnage reports from code members to facilitate the levying and collection of code assessments by district boards) be amended to provide that code members within District No. 3 be, and they are hereby relieved, until further order of the Division, from filing with the Statistical Bureau for District No. 3 monthly tonnage data on Form B. C. D. No. 718, with respect to coal produced on and after June 1, 1943. (Sec. 10 (a) 50 Stat. 8(e):²

(6) Insofar as it will not interfere with the effective prosecution of the

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

² This subparagraph originally appeared in "Policies for employment stabilization programs which include the exercise of hiring controls in areas of manpower shortage," 8 F.R. 1604 (February 4, 1943).

VALUES OF FOREIGN MONETARY UNITS (AT PAR AS REGARDS GOLD UNITS; NONGOLD UNITS HAVE NO FIXED PAR WITH GOLD)

Country	Monetary unit	Value in terms of U. S. money	Remarks
Argentine Republic	Peso	\$1.6335	Given valuation is of gold peso. Paper nominally convertible at 44% of face value. Conversion suspended Dec. 16, 1929.
Australia	Pound	8.2397	Control of gold stocks and exports authorized Dec. 17, 1929.
Belgium	Belga	.1095	By decree of Mar. 31, 1936. One belga equals 5 Belgian francs. The Anglo-Belgian financial agreement of June 7, 1940, fixed the rate of exchange of the Belgian franc and the franc of the Belgian Congo at 176.625 francs for £1 sterling.
Bolivia	Boliviano	.6180	Conversion of notes into gold suspended Sept. 23, 1931.
Brazil	Cruzeiro (Milreis)	.0606	Based upon official rate for cruzeiro in terms of the dollar as announced by the Bank of Brazil. Conversion of Stabilization-Office notes into gold suspended Nov. 22, 1930. Under decree law of October 6, 1942, the cruzeiro became the unit of currency, replacing the milreis.
British Honduras	Dollar	1.6931	Conversion of notes suspended.
Bulgaria	Lev	.0122	Exchange control established Oct. 15, 1931.
Canada	Dollar	1.6931	Embargo on export of gold, Oct. 19, 1931; redemption of Dominion notes in gold suspended Apr. 10, 1933.
Chile	Peso	.2060	Given valuation is of gold peso. Gold pesos are received for conversion at the rate of 4 paper pesos for one gold peso. Conversion of notes suspended July 30, 1931.
China	Yuan		Silver standard abandoned by decree of Nov. 3, 1935; bank notes made legal tender under Currency Board control; exchange rate for yuan fixed at 20 to the U. S. dollar by Stabilization Board of China, July 10, 1942.
Hong Kong	Dollar		Treasury notes and notes of the three banks of issue made legal tender by silver nationalization ordinance of Dec. 5, 1935; exchange fund created to control exchange rate.
Colombia	Peso	.5714	Obligation to sell gold suspended Sept. 24, 1931. New gold content of .56424 grams of gold 9/10 fine established by monetary law of Nov. 19, 1938, effective Nov. 30, 1938.
Costa Rica	Colon	.7879	Conversion of notes into gold suspended Sept. 18, 1914; exchange control established Jan. 16, 1932.
Cuba	Peso	1.0000	By law of May 25, 1934.
Czechoslovakia	Koruna		

88; 15 U.S.C. Supp. 840 (a); sec. 2 (a)
50 Stat. 72; 15 U.S.C. 829 (a)).

Dated: July 2, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-10797; Filed, July 5, 1943;
10:41 a. m.]

**TITLE 31—MONEY AND FINANCE:
TREASURY**

Chapter I—Monetary Offices

[1943 Dept. Circ. 1]

PART 129—VALUES OF FOREIGN MONEYS

JULY 1, 1943.

§ 129.6 *Calendar year 1943.* * * *

(c) *Quarter beginning July 1, 1943.* Pursuant to section 522, title IV, of the Tariff Act of 1930, reenacting section 25 of the act of August 27, 1894, as amended, the following estimates by the Director of the Mint of the values of foreign monetary units are hereby proclaimed to be the values of such units in terms of the money of account of the United States that are to be followed in estimating the value of all foreign merchandise exported to the United States during the quarter beginning July 1, 1943, expressed in any such foreign monetary units: *Provided, however,* That if no such value has been proclaimed, or if the value so proclaimed varies by 5 per centum or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate, as determined and certified by the Federal Reserve Bank of New York and published by the Secretary of the Treasury pursuant to the provisions of section 522, title IV, of the Tariff Act of 1930.

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

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

VALUES OF FOREIGN MONETARY UNITS (AT PAR AS REGARDS GOLD UNITS; NONGOLD UNITS HAVE NO FIXED PAR WITH GOLD)—Continued

Country	Monetary unit	Value in terms of U. S. money	Remarks
Denmark	Krone	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Dominican Republic	Dollar	1.6931	U. S. money is principal circulating medium.
Ecuador	Sucre	.3386	Conversion of notes into gold suspended Feb. 9, 1932.
Egypt	Pound (100 piasters)	8.3692	Conversion of notes into gold suspended Sept. 21, 1931.
Estonia	Kroon	.4537	Conversion of notes into gold suspended June 28, 1933.
Finland	Markka	.0426	Conversion of notes into gold suspended Oct. 12, 1931.
France	Franc		Provisions of monetary law of Oct. 1, 1936, providing for gold content of franc, superseded by decree of June 30, 1937, which stated that the gold content of the franc shall be fixed ultimately by a decree adopted by the Council of Ministers. Until issuance of such decree a stabilization fund shall regulate the relationship between the franc and foreign currencies.
Germany	Reichsmark	.4033	Exchange control established July 13, 1931.
Great Britain	Pound Sterling	8.2397	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Greece	Drachma	.0220	Conversion of notes into gold suspended Apr. 26, 1932.
Guatemala	Quetzal	1.6931	Conversion of notes into gold suspended Mar. 6, 1933.
Haiti	Gourde	.2000	National bank notes redeemable on demand in U. S. dollars.
Honduras	Lempira	.8466	Gold exports prohibited Mar. 27, 1931; lempira circulates as equivalent of half of U. S. dollar.
Hungary	Pengő	.2961	Exchange control established July 17, 1931.
India (British)	Rupee	.6180	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Indo-China	Plaster		Plaster pegged to French franc at the rate of 1 piaster = 10 French francs; conversion of notes into gold suspended Oct. 2, 1936.
Ireland	Pound	8.2397	Conversion of notes into gold suspended Sept. 21, 1931.
Italy	Lira	.0525	New gold content of 46.77 milligrams of fine gold per lira established by monetary law of Oct. 5, 1936.
Japan	Yen	.8440	Embargo on gold exports Dec. 13, 1931.
Latvia	Lat		Currency pegged to sterling Sept. 28, 1936, at 2,522 lati = £100; on Sept. 13, 1939, a law was passed providing that if the pound sterling should depreciate by more than 5 percent with respect to the United States dollar, or the Swedish krona, the Bank of Latvia shall take steps to keep the rate of exchange of the lat stable by basing it on gold or some other monetary unit.
Liberia	Dollar	1.6931	U. S. money is principal circulating medium.
Lithuania	Litas	.1693	Free export of gold suspended Oct. 1, 1935.
Mexico	Peso		Decree of Aug. 28, 1936, left the monetary unit, the peso, to be later defined by law.
Netherlands and colonies	Guilder (florin)	.6806	Suspension of convertibility of notes into gold and restrictions placed on free gold exports—Sept. 26, 1936; gold export prohibition repealed by decree June 28, 1938; prohibition restored by Act of Nov. 25, 1938. The Anglo-Netherlands financial agreement of June 14, 1940, established the official rate of exchange between the Netherlands Indies guilder and the pound sterling at 7.60 guilders for £1 sterling. By act of September 20, 1940, the Netherlands Indies Volksraad decided, subject to later ratification by law, that the Java Bank shall fix the value of its stocks of gold coin and bullion at Fl. 2.121 per kilogram fine.
Newfoundland	Dollar	1.6931	Newfoundland and Canadian notes legal tender.
New Zealand	Pound	8.2397	Conversion of notes into gold suspended and export of gold restricted, Aug. 5, 1914; exchange regulations Dec. 1931.
Nicaragua	Cordoba	1.6933	Embargo on gold exports Nov. 13, 1931.
Norway	Krone	.4537	Conversion of notes into gold suspended Sept. 20, 1931.
Panama	Balboa	1.0000	U. S. money is principal circulating medium.
Paraguay	Peso (Argentine)	1.6335	Paraguayan paper currency is used; exchange control established June 28, 1932.
Persia (Iran)	Rial	.0824	Obligation to pay out gold deferred Mar. 13, 1932; exchange control established Mar. 1, 1936.
Peru	Sol	.4740	Conversion of notes into gold suspended May 18, 1932.
Philippine Islands	Peso	.5000	By act approved Mar. 16, 1935.
Poland	Zloto	.1899	Exchange control established Apr. 27, 1936.
Portugal	Escudo	.0749	Gold exchange standard suspended Dec. 31, 1931.
Rumania	Leu	.0101	Exchange control established May 18, 1932.
Salvador	Colon	.8460	Conversion of notes into gold suspended Oct. 7, 1931.
Spain	Peseta		
Straits Settlements	Dollar	.9613	British pound sterling and Straits dollar and half dollar legal tender.
Sweden	Krona	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Switzerland	Franc		Order of Federal Council enacted Sept. 27, 1936, instructed the Swiss National Bank to maintain the gold parity of the franc at a value ranging between 190 and 215 milligrams of fine gold.
Thailand (Siam)	Baht (Tical)	.7491	Conversion of notes into gold suspended May 11, 1932.
Turkey	Plaster	.0744	100 piasters equal to the Turkish £; conversion of notes into gold suspended 1916; exchange control established Feb. 26, 1930.
Union of South Africa	Pound	8.2397	Conversion of notes into gold suspended Dec. 28, 1932.
Union of Soviet Republics	Chervonet	8.7123	One chervonet equals 10 rubles. Notes not convertible into gold.
Uruguay	Peso	.6583	Conversion of notes into gold suspended Aug. 2, 1914; exchange control established Sept. 7, 1931. New gold content of .585018 grams of pure gold per peso established by monetary law of Jan. 12, 1938.
Venezuela	Bolívar	.3267	Exchange control established Dec. 12, 1936.
Yugoslavia	Dinar	.0298	Exchange control established Oct. 7, 1931.

[F. R. Doc. 43-10721; Filed, July 3, 1943; 10:54 a. m.]

Chapter II—Fiscal Service

Subchapter A—Bureau of Accounts

PART 226—SURETY COMPANIES

ISSUANCE OF CERTIFICATE OF AUTHORITY TO EMPLOYERS MUTUAL CASUALTY CO., DES MOINES, IOWA

[1943 2d Supp., Dept. Circ. 570, Rev. April 20, 1943]

JULY 1, 1943.

A Certificate of Authority has been issued by the Secretary of the Treasury to the following company under the Act of Congress approved August 13, 1894, 28 Stat. 279-80, as amended by the Act of Congress approved March 23, 1910, 36 Stat. 241, (U.S. Code, title 6, secs. 6-13) as an acceptable surety on Federal bonds. An underwriting limitation of \$144,000

has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be procured from the Treasury Department, Bureau of Accounts, Section of Surety Bonds, Washington, D. C.

Name of company, location of principal executive office and State in which incorporated:

Iowa

Employers Mutual Casualty Co., Des Moines.

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

[F. R. Doc. 43-10722; Filed, July 3, 1943; 10:54 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter III—Bureau of Mines

[General License 6, as Amended]

PART 303—GENERAL LICENSE PERTAINING TO EXPLOSIVES

SODIUM NITRATE AND AMMONIUM NITRATE FOR USE AS FERTILIZER

General License No. 6 (§ 303.6)¹ is amended to read as follows:

§ 303.6 General Purchaser's License for sodium nitrate and ammonium nitrate as fertilizer. A general license is hereby granted under the Federal Explosives Act of December 26, 1941 (55 Stat. 863), as amended, to any person as defined therein who, as owner, manager,

¹ 7 F.R. 4760, 6670, 10925; 8 F.R. 564, 1938.

tenant or sharecropper, operates a tract of land for the production of food, fiber, medicinal herbs, tobacco, or inedible oils, authorizing him to purchase and possess sodium nitrate and ammonium nitrate for use as a fertilizer on that tract of land and to use them for that purpose thereon.

This general license relieves those covered by it only from the duty of applying for and securing an individual license. It does not relieve them or anyone else from the duty of keeping records on the acquisition and disposition of sodium nitrate and ammonium nitrate, as prescribed by the regulations issued under the act, or from any other obligation imposed upon them by the act or the regulations. It expires at the close of business on December 31, 1943, unless sooner terminated.

R. R. SAYERS,
Director.

The foregoing license as amended is approved, and all regulations inconsistent therewith are waived.

MICHAEL W. STRAUS,
First Assistant Secretary,
Department of the Interior.

JUNE 30, 1943.

[F. R. Doc. 43-10783; Filed, July 5, 1943;
9:57 a. m.]

Chapter VI—Selective Service System

[Amtd. 160, 2d Ed.]

PART 623—CLASSIFICATION PROCEDURE

WAIVER OF PHYSICAL EXAMINATION

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

1. Amend § 623.35 to read as follows:

§ 623.35 Waiver of physical examination by local board examining physician. (a) The Director of Selective Service, as to such registrants as he designates or describes, may waive the requirement that such registrants be physically examined by a local board examining physician under the provisions of this part.

(b) The State Director of Selective Service may waive the requirement that an individual registrant be physically examined by a local board examining physician under the provisions of this part when it is not practicable to give such examination to such registrant.

(c) When the requirement that a registrant be physically examined by a local board examining physician is waived by the Director of Selective Service or the State Director of Selective Service, classification of such registrant shall be completed in the manner provided in paragraph (f) of § 623.51.

2. The foregoing amendment to the Selective Service Regulations shall be

effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JULY 3, 1943.

[F. R. Doc. 43-10741; Filed, July 3, 1943;
3:22 p. 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 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Regulation 19, as Amended
June 30, 1943¹]

FARM SUPPLIES

§ 944.40 Priorities Regulation No. 19—(a) *What this regulation does.* This regulation tells how a farmer gets a priority to buy farm supplies from a dealer and how a dealer gets a priority to maintain his stock of farm supplies. The kinds of farm supplies which are covered by this regulation are only those listed in paragraph (j) of this regulation.

(b) *How a farmer gets farm supplies from his dealer.* Whenever a farmer orders farm supplies on the list from a dealer who has them in stock, the dealer must fill the order if the farmer gives him a signed certificate as follows:

I certify to the War Production Board that I am a farmer and that the supplies covered by this order are needed now and will be used for the operation of a farm.

The dealer may sell the supplies to the farmer without a certificate, but the dealer must get a certificate at the time he sells if he wants to use it to get a priority for replacing the supplies in his inventory, as explained in paragraph (d) below.

(c) *Farmers' certificates must be approved by rationing committees in the case of large purchases.* If a farmer wants to use a certificate to buy more than \$25 worth at one time of any item on the list, he must first get his certificate approved in writing by the County Farm Rationing Committee.

(d) *How the dealer gets his stock of farm supplies.* (1) A dealer can use the farmers' certificates which he has received to get priority on his own orders for listed farm supplies. For each dollar's worth of supplies sold against certificates at retail prices, the dealer can get a priority on 75 cents' worth of replacement supplies ordered by him at wholesale prices. He does not have to use the certificates to get the same kind of supplies as those he has sold, but can use them to get any kind of farm sup-

¹This document is a restatement of Amendment 1 to Priorities Regulation 19 which appeared in the FEDERAL REGISTER of July 1, 1943, page 8998, and reflects the order in its completed form as of June 30, 1943.

plies on the list, except the special items mentioned in paragraph (e) below.

(2) To get the priority, the dealer signs the following statement on the purchase order which he places with his supplier:

I certify, subject to criminal penalties for misrepresentation, that the dollar amount of this order is not more than 75% of the sales price of farm supplies which I have sold under Priorities Regulation No. 19 against farmers' certificates now in my possession, and that I have not used the same certificates as the basis for getting a priority on any other order.

(3) In the special case of a dealer, such as a farmers' cooperative, all of whose sales of listed farm supplies are made at cost or at a mark-up not exceeding 3% of cost, the provisions of paragraph (d) (1) apply except that such a dealer can get priority on replacement supplies on a dollar-for-dollar basis using the following certificate in place of that provided in paragraph (d) (2):

I certify, subject to criminal penalties for misrepresentation, that the dollar amount of this order is not more than the sales price of farm supplies which I have sold at cost or within 3% of cost under Priorities Regulation No. 19 against farmers' certificates now in my possession and that I have not used the same certificates as the basis for getting a priority on any other order.

NOTE: Following paragraphs (4), (5), (6) redesignated June 30, 1943.

(4) Each dealer must keep for at least two years all farmers' certificates which he receives, and whenever he uses a certificate as a basis for a priority he must mark the certificate to show which of his own orders he has used it for.

(5) Up to July 17, 1943, a dealer who expects to receive farmers' certificates but has not yet received enough of them to place an order with his supplier, may get priority on farm supplies on the list in an amount which will bring his inventory up to a normal one month's supply by signing the following written statement on his purchase order to his supplier:

I certify, subject to criminal penalties for misrepresentation, that I expect to sell the goods covered by this order as farm supplies under Priorities Regulation No. 19. The receipt of these goods, together with others on hand or on order, will not give me more than a one month's supply.

(6) Orders placed by dealers bearing one of the above certifications are rated AA-5, and the suppliers with whom they are placed must fill them accordingly.

(e) *Dealers use different methods in getting certain items.* (1) A dealer cannot use farmers' certificates as a basis for getting the following steel mill or wire mill products: bale ties, cable, corrugated roofing, fencing, nails, netting, pipe, poultry flooring, staples and wire; and he cannot use certificates received for these items as a basis for getting any other farm supplies on the list. He will get his supply of these items under other War Production Board regulations or or-

ders, which his supplier should explain to him. Since a certificate for one of these items cannot be used by the dealer to replace his stock, he should not ask the farmer to sign a certificate for them unless he is not willing to sell because he thinks the farmer's order calls for too large a part of his stock. In that case, he can refuse to sell unless the farmer gives him a certificate and, if the sale covers more than \$25 worth of one of these items, the farmer must get the certificate approved as explained in paragraph (c) above.

(2) The War Production Board may issue orders or regulations making priorities inapplicable to certain items. If any items on the list become subject to these special rules, the dealer's supplier cannot recognize the dealer's certificate as giving him a priority on them. Farmers' certificates can still be used to buy such items from the dealer and the dealer can use the certificates as a basis for a priority for buying other items on the list under paragraph (d) above.

(f) *Penalty for violations.* Any person who makes a false statement in a certificate to get a priority on farm supplies is guilty of a crime and may be punished by a fine or imprisonment.

(g) *What is meant by "farmer".* As used in this regulation, "farmer" means a person who engages in farming as a business, by raising crops, livestock, bees or poultry. It also includes a custom operator who uses farm supplies in performing services for farmers. It does not include a person who just has a "victory garden" or raises food or other agricultural products entirely for his own use.

(h) *What is meant by "dealer".* "Dealer" means any person engaged in the business of selling farm supplies directly to farmers, including a mail order house.

(i) *Effective date.* This regulation becomes effective June 7, 1943. It does not apply to purchases and sales made before that date.

(j) *What farm supplies are covered.* This regulation covers only the following farm supplies and does not include second hand items:

NOTE: "Copper wire" and "Pipe of the following kinds" amended; "Drawn wire" and "Poultry flooring" added, June 8, 1943.

Auger bits.
Axes.
Bale ties.
Barbed wire.
Baskets.
Batteries for the following purposes:
Flashlights.
Radios.
Fences.
Telephones.
Ignition.
Belt fasteners, metal.
Bit braces.
Blacksmith's pincers.
Blacksmith's hoof knives.
Blow torches.
Blowers and forges.
Bolts and nuts.
Boxes.
Brooder thermometers.
Brushes for motor repair.

Bull rings.
Burlap bags.
BX or non-metallic sheath cable up to 75 ft. in length.
Calf weaners.
Cans, five gallon kerosene and gasoline.
Chains of the following kinds:
Halter and cow tie chains.
Tie out chains.
Harness chains.
Log chains.
Tractor tire chains.
Welded coil under $\frac{1}{2}$ ".
Repair links.
Clevises and swivels.
Cold chisels, standard.
Copper wire, insulated, up to 75 ft. in length, but not for household use.
Crates.
Curry combs.
Drawn wire
Drills of the following kinds:
Breast drills.
Hand drills.
Post drills.
Carbon steel blacksmith drills.
Carbon steel bit stock drills.
Carbon steel straight shank drills.
Eave troughs and conductors.
Egg cases.
Feed troughs.
Fencing.
Files.
Food choppers.
Forks, agricultural.
Grain scoops.
Grease fittings and oil cups.
Grease guns, hand operated, including hose and adapter.
Grind stones, mounted.
Grinders for sharpening tools.
Hacksaw blades.
Hacksaw frames.
Hames.
Hammers.
Hampers.
Hand cultivators.
Hand sprayers.
Handles for small tools.
Handles for steel goods.
Harness, leather.
Harness hardware.
Hoes.
Hog rings.
Hoof rasps.
Hoof snippers.
Horsecollars.
Horseshoe nails and calks.
Horseshoes.
Horseshoe tongs.
Husking pins and hooks.
Jacks for farm tractors.
Knives of the following kinds:
Butcher knives.
Corn knives.
Grafting knives.
Hay knives.
Hoof knives.
Stockmen's knives.
Lanterns.
Mattocks.
Mauls.
Meat choppers.
Milk pails.
Milk strainers.
Motors, fractional under 1 HP.
Motor starters under 1 HP.
Mule shoes.
Nails.
Oilers.
Padlocks.
Pails, galvanized.
Picks.
Pipe of the following kinds:
Standard black or galvanized merchant pipe, $3\frac{1}{2}$ " O. D. and under
Well casing

Pipe fittings.
Pliers of the following kinds:
Fence pliers.
Slip joint pliers.
Plow bolts.
Plow shares.
Post hole diggers.
Potato forks.
Potato hooks.
Poultry flooring.
Poultry hardware.
Poultry netting.
Pump cylinders.
Pump rods and couplings.
Punches of the following kinds:
Machine punches.
Pin punches.
Rakes, hand.
Ridge roll.
Rivets and burrs.
Roofing, corrugated.
Rope (1" and under).
Safety switches.
Saws and saw blades.
Screw drivers.
Shovels.
Staples.
Stock watering tanks.
Tackle blocks, wood.
Tin snips.
Tire gauges, low pressure.
Tire pumps, hand operated.
Tubs, galvanized.
Valley tin.
Valves.
Vises.
Wagon hardware.
Wagon wood stock.
Wedges.
Welding rods and electrodes.
Well points.
Wheelbarrows.
Wire screen.
Wiring fittings.
Wrenches.

Issued this 30th day of June 1943.

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

[F. R. Doc. 43-10728; Filed, July 3, 1943;
11:01 a. m.]

PART 962—IRON AND STEEL
[Revocation of Supplementary Order M-21-c]

PLATES

Supplementary Order M-21-c (§ 962.4) is hereby revoked, effective July 1, 1943.
Issued this 3d day of July 1943.

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

[F. R. Doc. 43-10723; Filed, July 3, 1943;
11:00 a. m.]

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

[Supplement 2 as Amended July 3, 1943 to General Preference Order M-330]

The following supplemental order is issued pursuant to paragraph (c) of General Preference Order M-330.

§ 1029.32 (a) *Distributors to maintain temporary farm supplies reserves.*
(1) As to each item on the attached List A, each distributor who regularly supplies farm distribution outlets must segregate as a farm supplies reserve the percentage of his inventory of that item

which is indicated after it on the list. The percentage is to be calculated against the physical quantity of the item in inventory as of June 22, 1943, or, if that is not practicable, the latest date before then for which inventory figures are available. The reserve must be segregated either physically or by book record.

(2) Every such distributor must segregate in the same proportion all supplies received after June 22, 1943.

(b) *Restrictions on sale from reserve.* After June 22, 1943, and before September 1, 1943, no distributor shall make any delivery from the reserve referred to in paragraph (a) above except to farm distribution outlets or to fill orders rated AAA. Orders for listed farm supplies in excess of this reserve shall be treated in accord with War Production Board regulations.

(c) *Equitable distribution from reserve.* If a distributor's orders from farm distribution outlets for any item on List A call for deliveries in excess of the reserve provided for, he may pro-rate deliveries under such orders up to the amount of his reserve on the basis of normal shipments regardless of preference ratings (other than AAA).

NOTE: Following paragraph (d) redesignated July 3, 1943.

(d) *Appeals.* If any distributor is of the opinion that he will not be able to sell his total reserve to farm distribution outlets within a reasonable time he may appeal for a modification of the requirements of this supplemental order. The appeal should be filed as provided in paragraph (i) of order M-330.

Issued this 3d day of July 1943.

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

LIST A

Item	Percentage
Auger bits	25
Batteries:	
Flashlight	25
Farm radio	75
Individual or multiple for	60
Telephone	
Ignition for power operating machinery	
Fence	
Belt fasteners, metal	25
Chains:	
Halter, cow tie and tie out	95
Harness, trace, breast, heel and butt	95
Log	75
Tractor tire	90
Welded coil under $\frac{1}{2}$ "	85
Repair links (other than drop forge)	75
Cold chisels, standard	25
Drills, carbon steel:	
Blacksmith	50
Bit stock	25
Straight shank	25
Grain scoops	85
Grease fittings and oil cups	50
Grease guns, hand operated, including hose and adapters	50
Handles:	
Small tool (hickory and oak)	50
Steel goods (ash)	85
Harness made from leather	90
Harness hardware	95
Hoes (field and garden)	85
Motors, fractional under 1 HP	50

Item	Percentage
Oilers (farm machinery)	75
Pails, galvanized	60
Pipe fittings (cast or malleable iron in sizes up to and including 2 inch)	80
Pliers:	
Fence	95
Slip joint	25
Plow bolts	60
Punches:	
Machine	25
Pin	25
Screwdrivers, regular pattern, wood handle	25
Shovels:	
Round pointed #2 regular	60
Round pointed #2 irrigating	85
Square point #2 regular	60
Tire gauge, low pressure	50
Tire pumps, hand operated	50
Tubs, galvanized	75
Valves (brass, bronze or iron body gate, globe, angle or check in sizes up to and including 2 inch)	6
Wagon wood stock	95
Wrenches:	
Adjustable	25
General Purpose	25
Pipe Wrenches	25

[F. R. Doc. 43-10725; Filed, July 3, 1943;
11:00 a. m.]

(b) *General exceptions.* The prohibitions and restrictions of this order shall not apply to:

(1) Sales and deliveries by, to or for the account of the ultimate consumers by any person who does not put cloth into process for the manufacture of work clothing.

(2) Men's work clothing put into process or manufactured prior to August 15, 1942.

(3) Drills, twills, or jeans used for pocketing or waistbanding in the inventory of the manufacturer on August 15, 1942.

(4) Men's work clothing to fill purchase orders placed by 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 Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development and the Defense Supplies Corporation.

(5) Men's work clothing made and sold to conform with state, county or municipal safety laws, codes or regulations: *Provided*, That such laws, codes or regulations were in existence on August 15, 1942, and specifically required the use of work clothing not made in conformity with the provisions of this order.

(6) Garments manufactured in the home except when made for sale or for a contractor or jobber or other person who sells such garments.

(c) *General curtailments.* No person shall, after August 15, 1942, put into process, or cause to be put into process by others for his account, any material for the manufacture of, and no person shall, after the said date, sell or deliver any men's work clothing, the material for which was put into process after August 15, 1942, with:

(1) False or more than double stitching:

(2) [Revoked July 3, 1943]

(3) Pockets of more than single thickness.

(d) *Additional curtailments.* No person shall after August 8, 1942, put into process, or cause to be put into process by others for his account, any material for the manufacture of, and no person shall sell or deliver any of the following men's work clothing, the cloth for which was put into process after August 15, 1942.

(1) *Waistband overalls or dungarees* with:

(i) More than two front or swing pockets, two hip pockets, one rule pocket and one watch pocket.

(ii) Suspender buttons or with more than four fly buttons and one button or snap fastener on waistband.

(iii) Back buckle or strap.

(iv) More than nine bartacks or rivets exclusive of those needed on belt loops.

(v) Sizes other than 26 to 50 waist and 27 to 36 inseam.

(vi) More than 33 $\frac{1}{2}$ yards or less than 31 yards to the dozen of 28/29 inch material: *Provided, however*, That for the sole purpose of allowing such garments when made for miners (and each miner's

PART 3024—MEN'S WORK CLOTHING

[Limitation Order L-181 as Amended July 3, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of men's work clothing 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:

§ 3024.1 General Limitation Order L-181—(a) Definitions. For the purpose of this order:

(1) "Men's work clothing" means any of the following garments, customarily graded as men's:

Waistband overalls or dungarees.

Bib overalls.

Overall jumpers or coats.

One-piece work suits.

Work pants.

Work shirts, (whether separate or in ensembles, but excluding uniform shirts).

(2) "Put into process" means the first cutting operation of material in the manufacture of any men's work clothing.

(3) Pro rata widths—where a certain width material is specified—narrower or wider width material shall be figured in pro rata yardages allowed or restricted.

(4) Measurements set forth refer to finished measurements after all manufacturing operations have been completed and the garment is ready for shipment.

(5) Yards specified "to the dozen" shall mean the average yardage, over any 90 day period after August 15, 1942, consumed in the cutting of each type of garment.

(6) Yards specified "to the dozen" may be exceeded proportionately in the manufacture of sizes larger than specified herein to meet the needs of oversize persons.

(7) All terms used in this order shall have their usual and customary trade meanings unless stated otherwise.

garment shall be designated as such by label or other marking thereon) to include not more than two front leg patch reinforcements, one double seat and one additional leg pocket, the yardage per dozen for such garments shall be not more than 45 yards or less than 37 yards to the dozen of 28/29 inch material, the extra yardage to be used, however, only for such purpose.

(2) *Bib overalls* with:

(i) More than one large or two small bib pockets, two front swing or patch pockets, two hip patch pockets, one rule pocket and one hammer loop.

(ii) More than one button on each side opening, two bib suspender buttons, one button or one snap fastener on bib, two buttons on fly through size 38 or three buttons on fly on size 40 and up.

(iii) More than fifteen bartacks.

(iv) Sizes other than 26 to 50 waist and 27 to 36 inseam;

(v) More than an average of 46 yards or less than 39 yards to the dozen of 28/29 inch material for both the bib overall and the overall jacket.

Provided, however, For the sole purpose of allowing:

(a) *Bib overalls for carpenters* to include not more than two double knee or leg patch reinforcements, two side leg pockets, an apron with necessary divisions, one hand axe loop, the yardage per dozen for such garments shall be not more than 66½ yards or less than 60½ yards to the dozen of 28/29 inch material, and such garments may have 15 additional bartacks.

(b) *Bib overalls for painters or paper-hangers* to include one brush loop and one leg pocket, the yardage per dozen for such garments shall be not more than 47½ yards or less than 41½ yards to the dozen of 28/29 inch material.

(c) *Bib overalls for steel workers* to include not more than two knee patch reinforcements, two leg pockets, one additional hammer loop, the yardage per dozen for such garments shall be not more than 57 yards or less than 51 yards to the dozen of 28/29 inch material, and such garments may have six additional bartacks.

Each such garment shall be designated as such by label or other marking thereon and the additional yardages shall only be used for the respective purposes specified above.

(3) *Overall jumpers or coats* with:

(i) More than two patch pockets.

(ii) More than four buttons on front and one button on each cuff.

(iii) Sizes other than 34 to 50.

(iv) Blanket-lining heavier than 16 ounce, 54 to 56 inch width, of cotton or of cotton and reused wool.

(4) *One-piece work suits* with:

(i) More than two front swing or patch pockets, two breast pockets, two-patch or swing hip pockets, one rule pocket and one hammer loop.

(ii) More than four front buttons, one breast pocket button, three fly buttons and one button on each cuff.

(iii) More than 17 bartacks, exclusive of those needed on belt loops.

(iv) Sizes other than 34 to 50.

(v) More than 72 yards or less than 66 yards to the dozen of 28/29 inch material.

(5) *Work pants* with:

(i) More than two front swing pockets, two hip patch or swing pockets and one watch pocket.

(ii) Tunnel loops.

(iii) Suspender buttons on sizes other than 38 and up.

(iv) More than 11 bartacks exclusive of those needed on belt loops.

(v) Side buckle and straps.

(vi) Self belt or extension waistband.

(vii) Pleats.

(viii) More than five fly buttons, including waistband, on sizes through 38 and more than six fly buttons, including waistband, on sizes 40 and up, and with more than one hip pocket button.

(ix) Cuffs where 30 inch 2.50 gray width and weight basis material and heavier is used.

(x) More than 1½ inch hem.

(xi) More than 1½ inch cuff on material lighter than 30 inch 2.50 gray width and weight basis.

(xii) Sizes other than 26 to 50 waist and 27 to 36 inseam.

(xiii) (a) More than 27½ yards or less than 24½ yards to the dozen of 36 inch material weighing less than 8 ounces per yard of 36 inch width material, or

(b) More than 28 yards or less than 25 yards to the dozen of any heavier material.

(6) *Work shirts* with:

(i) Other than one or two plain patch pockets but only button through or open.

(ii) More than single thickness lining in collar.

(iii) More than six buttons on front, one button each cuff and one button on each pocket.

(iv) Lined cuffs.

(v) More than four bartacks.

(vi) Eyelets or vents.

(vii) Reinforced elbow, shoulder, back or front.

(viii) [Revoked May 8, 1943]

(ix) [Revoked May 8, 1943]

(x) Sizes other than 13 to 19 or sizes small, medium and large.

(xi) More than 29½ yards or less than 26 yards to the dozen of 36-inch material on long sleeve models, or more than 24 yards or less than 23 yards to the dozen of 36-inch material on half-sleeve models. On regular or mill finish material or on 36-inch 2.85 material and heavier a total of a half yard to the dozen additional yardage may be used.

(e) *Certification*. No person, who has before August 8, 1942, or shall after August 8, 1942, put into process or cause to be put into process by others for his account any men's work clothing, shall after August 8, 1942, sell such work clothing without furnishing to his purchaser (when other than an ultimate consumer) a certification, signed by an individual duly authorized to sign for such person, in substantially the following form:

The undersigned hereby certifies to his purchaser and the War Production Board that the men's work clothing covered by his invoice No. _____ dated _____ (or the annexed invoice) has been manu-

factured or sold in accordance with the curtailment and/or exceptions of General Limitation Order L-181.

(f) *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 men's work clothing conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board, Reference L-181, 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.

(g) *Records and inspections*. (1) Each person affected by the order shall keep and preserve for a period of not less than two years accurate and complete records of his applicable inventories, certifications, production, sales and transactions. (2) All records required to be kept by the order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(h) *Reports and communications*. (1) Each person affected by the order shall execute and file with the War Production Board such reports and questionnaires as may be requested by the Board from time to time. (2) All reports required hereunder, and all communications concerning the order, shall be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference: L-181.

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

Issued this 3d day of July 1943.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 43-10727; Filed, July 3, 1943; 11:00 a.m.]

PART 3045—COTTON TEXTILES FOR WORK APPAREL

[Schedule I to General Preference Order M-207 as Amended July 3, 1943]

MALE WORK CLOTHING

§ 3045.2 General Preference Order M-207—(a) Definitions. For the purposes of this schedule:

(1) "Male work clothing" shall mean any garments designed for male workers' wear while engaged in their occupations

Overall jumpers or coats.
One-piece work suits.
Work pants other than of cotton moleskin or cotton corduroy.
Work breeches.
Work shirts other than of cotton flannel or cotton suede.
Work aprons.
Doctors', dentists', internes' or orderlies' gowns, suits or coats.
Druggists' coats.
Slaughter house workers' coats.
Butchers', fish handlers' or dairy workers' coats or apron sets.
Cooks' coats.
Safety garments as defined in paragraph (a) (1).

shall after August 22, 1942 hold in his inventory a total quantity of work clothing textiles for such garments, such textiles in process of manufacture into such garments and such completed garments in excess of such a total quantity as will be delivered out of his inventory within 150 days after the receipt of any delivery of such textiles to his inventory.

(2) No manufacturer of waistbands or trouser curtains and no converter or finisher of work clothing textiles shall after August 22, 1942, hold in his inventory any work clothing textiles, except cotton suèdes, cotton corduroys and cotton moleskins, in excess of the total quantity of such textiles, including such textiles in process, which will be delivered out of his inventory within 90 days.

Issued this 3d day of July 1943.

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

[F. R. Doc. 43-10726; Filed, July 3, 1943;
11:00 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN
(Amdt. 1 to CMP Reg. 1 as Amended May 28, 1943]

Section 3175.1 *CMP Regulation No. 1* is hereby amended in the following respects:

(1) By striking the second sentence of paragraph (t) (8) of said section and inserting in lieu thereof the following:

If a controlled materials producer requires delivery of controlled materials from other controlled materials producers, to be processed by him and sold to his customers in another form or shape constituting a controlled material, such delivery may be made or accepted only pursuant to a specific direction as provided in subparagraph (3) (iii) of this paragraph (t) or by an allotment as provided in *CMP Regulation No. 8*. Specific instructions will inform a controlled materials producer whether to apply for a direction by letter or for an allotment pursuant to *CMP Regulation No. 8*.

(2) By striking the period appearing at the end of the item "Powder (copper and copper base alloy)" appearing in Schedule I of said section and adding the following: "(After September 30, 1943)"

NOTE.—This amendment means that copper and copper base alloy powder is not a controlled material during the third quarter

of 1943, but will become a controlled material for the fourth and subsequent quarters.

Issued this 3d day of July 1943.

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

[F. R. Doc. 43-10724; Filed, July 3, 1943;
11:00 a. m.]

PART 3240—MATERIAL FOR FARMSTEAD WIRING

[Preference Rating Order P-144 as Amended June 30, 1943¹]

§ 3240.1 Preference Rating Order P-144. For the construction of farmstead wiring on approved farms, a preference rating of AA-3 is hereby assigned to deliveries of farmstead wiring material to builders upon the following terms:

(a) *Definitions.* (1) "Farmstead wiring material" means electrical wiring, including not more than 75 pounds of non-ferrous metal in conductor as well as necessary fixtures and accessories, required to carry electrical energy from the terminal of the utility's facilities to the point or points of use on an approved farm, not including wiring which would be exclusively used to furnish electricity for household lighting.

(2) "Approved farm" means a farm to which a utility has been authorized to furnish electric service under the terms of Supplementary Utilities Order U-1-c, as amended.

(3) "Builder" means the person named as eligible for electric service in the USDA County War Board's certification under Supplementary Utilities Order U-1-c, as amended.

(b) *Application and extension of preference ratings.* (1) Notwithstanding any provision of Priorities Regulation 3, as amended, the ratings assigned by this order shall be applied by a builder only by his endorsing on, or attaching to, each contract or purchase order placed by him a certification in substantially the following form:

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply the preference rating of AA-3 to the items shown on this purchase order. In addition, the undersigned certifies that he is the person named as eligible for electric service in the USDA County War Board's certification under Supplementary Utilities Order U-1-c, a copy of which certification is attached to this contract or purchase order for farmstead wiring material.

(Name of purchaser) (Address)

(Date)

(2) No supplier may sell farmstead wiring to a builder, notwithstanding a certification as above, if he knows or has reason to believe that such certification is false. In the absence of such knowledge or belief, however, a supplier may rely on such certification.

¹ This document is a restatement of Amendment 1 and Extension 1 of P-144 which appeared in the FEDERAL REGISTER of July 2, 1943, page 9047, and reflects the order in its completed form as of June 30, 1943.

(3) The ratings assigned by this order may be extended to the extent permitted by Priorities Regulation 3.

(c) *Records.* (1) Except as provided in paragraph (c) (2) hereof, each supplier shall forward to the U. S. D. A. County War Board which certified the purchaser's eligibility, a copy, endorsed by such supplier, of each purchase order or contract to which the rating assigned hereby has been applied or extended. The U. S. D. A. County War Board shall retain such copy for a period of two years for inspection by representatives of the War Production Board. This requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) No supplier is required to forward such copy in the case of sales made to other suppliers.

(d) *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 process or use of, material under priority control, and may be deprived of priorities assistance.

(e) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to War Food Administration, Washington, D. C., Ref.: P-144.

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

(g) *Expiration date.* This order shall expire July 31, 1943.

Issued this 30th day of June 1943.

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

[F. R. Doc. 43-10729; Filed, July 3, 1943;
11:01 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Interpretation 4 of Priorities Regulation 1 as Amended]

The following official interpretation is hereby issued with respect to §§ 944.2 and 944.7 of Priorities Regulation No. 1, as amended May 15, 1943:

Section 944.2 provides for the compulsory acceptance of defense and other preference rated orders for the use of facilities, and § 944.7 provides for the sequence of deliveries on such orders. With respect to all such orders placed with producers of controlled materials, the provisions of these sections are applicable only to the extent that they do not interfere with the acceptance, production and delivery of orders for controlled materials in accordance with production directives issued

under paragraph (t) (1) of CMP Regulation No. 1.

Issued this 5th day of July 1943.

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

[F. R. Doc. 43-10825; Filed, July 5, 1943;
10:59 a. m.]

PART 962—IRON AND STEEL

[Supplementary Order M-21-d, as Amended July 5, 1943]

CORROSION AND HEAT RESISTANT CHROME STEEL

§ 962.5 Supplementary Order M-21-d—(a) Restrictions on deliveries, use, etc. Except pursuant to specific authorization or direction of the War Production Board, no person shall consume, use, process, fabricate, or deliver corrosion or heat resistant alloy iron or alloy steel containing 4 per cent or more of chromium except in accordance with the following:

(1) The above prohibition shall not apply to material to be delivered by the holder on a preference rating of AA-5 or higher or on an authorized controlled material order, or to material acquired on a preference rating of AA-5 or higher or on an authorized controlled material order.

(2) The above prohibition shall not apply to material acquired prior to November 18, 1942 on a preference rating of A-1-k or higher.

(3) The above prohibition shall not apply to fully fabricated articles. It shall apply to raw steel stock in the form received, or cut to size for further processing or fabrication.

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

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

(d) **Communications.** All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Steel Division, Washington, D. C. Ref.: M-21-d.

Issued this 5th day of July 1943.

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

INTERPRETATION 1

Paragraph (a) (3) of the order (§ 962.5) provides that its prohibitions shall not apply to fully fabricated articles. For the purposes

of this order, formed molding is considered to be a fully fabricated article. (Issued September 9, 1942.)

INTERPRETATION 2

Paragraph (a) of Supplementary Order M-21-d (§ 962.5) places certain restrictions on the use and delivery of corrosion and heat resistant chrome steel except where specific authorization or direction has been given by the War Production Board. For the purposes of this order, the approval of an order for melting or delivery on form PD-391 constitutes specific authorization or direction by the War Production Board. Therefore, an order for such steel rated lower than AA-5 can be melted, processed and shipped, if approved on form PD-391, and the purchaser can use such steel in his own operations or processes or complete fabrication of articles from such steel and ship to his customer. (Issued Dec. 11, 1942.)

INTERPRETATION 3

Paragraph (a) of Supplementary Order M-21-d (§ 962.5) places certain restrictions on the use and delivery of corrosion and heat resistant chrome steel except where specific authorization or direction has been given by the War Production Board. For the purposes of this order, the approval of an order for melting or delivery on forms PD-391 or PD-707 constitutes specific authorization or direction by the War Production Board. Therefore, an order for such steel rated lower than AA-5 can be melted, processed and shipped, if approved on forms PD-391 or PD-707, and the purchaser can use such steel in his own operations or processes or complete fabrication of articles from such steel and ship to his customer. (Issued Jan. 9, 1943.)

[F. R. Doc. 43-10826; Filed, July 5, 1943;
10:58 a. m.]

PART 1062—METALLIC LICENSE PLATES

[Supplementary Limitation Order L-32-a]

§ 1062.2 Supplementary Limitation Order L-32-a—(a) Definitions. For the purpose of this order:

(1) "1942 license plate" means any metallic license plate for motor vehicles designed to be used for the licensing year which began after June 30, 1941, and before July 1, 1942.

(2) "1944 license plate" means any metallic license plate for motor vehicles designed to be used for the licensing year which begins after June 30, 1943, and before July 1, 1944.

(b) **Permitted use of 1944 license plates.** Any governmental unit may manufacture or cause to be manufactured, and issue 1944 license plates only subject to the following conditions:

(1) Such license plates shall not exceed, in area or dimension, the 1942 license plates issued by such governmental unit.

(2) Only one 1944 license plate shall be issued for the same motor vehicle except in replacement of a plate which has been lost, stolen or so damaged as to be no longer serviceable.

(3) The total quantity of 1944 license plates manufactured by or for any governmental unit shall not exceed fifty per cent in number of the license plates issued by such governmental unit for the licensing year 1942, except that any governmental unit which, for such license year, issued only one 1942 license plate for each motor vehicle, may manufac-

ture as many 1944 license plates as such governmental unit issued for the license year 1942.

(4) 1944 license plates shall be manufactured only, (i) from metal owned by such governmental unit on July 5, 1943; or, (ii) from sheet or strip metal not heavier than 22 gauge and which has been reported as idle or excess inventory to the War Production Board, through the Steel Recovery Corporation, Pittsburgh, Pennsylvania, and which has been acquired by such governmental unit pursuant to specific authorization by the War Production Board. Application for such authorization shall be made by letter addressed to the Government Division, War Production Board, Washington, D. C. Ref: L-32-a, stating the following information:

(i) The size and gauge of metal used
Bonds, Series A, 3 1/4% due August 1, issued by such governmental unit.

(ii) The total quantity of metal, by weight, used in the manufacture of 1942 license plates issued by such governmental unit.

(iii) The number of 1942 license plates issued by such governmental unit.

(iv) The dimensions of such license plates.

(v) The quantity, by weight, of metal now on hand.

(vi) The number of 1944 license plates which can be manufactured from metal now on hand.

(vii) The quantity of metal, by weight, needed for the manufacture of 1944 license plates as permitted in this order exclusive of metal on hand.

(viii) A description of the kind of metal suitable for the manufacture of 1944 license plates. Give gauge and size of strips or sheets.

NOTE: The foregoing requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order does not constitute an authorization to purchase or accept delivery of metal for the manufacture of 1944 license plates, but specific authorization from the War Production Board must be obtained.

Issued this 5th day of July 1943.

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

[F. R. Doc. 43-10827; Filed, July 5, 1943;
10:58 a. m.]

PART 1162—DYESTUFFS AND ORGANIC PIGMENTS

[Conservation Order M-103, as Amended July 5, 1943]

Section 1162.1 Conservation Order M-103, as amended May 24, 1943 is amended as follows:

§ 1162.1 Conservation Order M-103—(a) Definitions. For the purposes of this order:

(1) "Dyestuffs" means any organic or partially organic coloring matter. The term does not include inorganic pigments extended or otherwise processed

with resins, dispersing agents, or other substantially colorless organic material.

(2) "Class A dyestuffs" means the anthraquinone vat dyes appearing on List A attached hereto.

(3) "Class B dyestuffs" means all anthraquinone vat dyes other than those appearing on said List A. The term includes Fast Red A. L. Salt, which shall be considered an anthraquinone vat dye of single strength.

(4) "Class C dyestuffs" means all anthraquinone dyes other than anthraquinone vat dyes.

(5) "Class D dyestuffs" means all other dyestuffs, except—

(i) Those derived from vegetable or animal sources;

(ii) Lithol Red CI 189, Azo Bordeaux CI 88, Alphanaphthylamine Maroon CI 82 or Pigment Green B; or

(iii) Dyestuffs certified under the provisions of the Federal Food, Drug and Cosmetic Act (Ch. 9, Title 21, U. S. Code)

and sold and used exclusively for use in food, drugs and cosmetics, as defined in said Act.

(6) "Value" means the dollar value computed from the domestic consumer's contract sales price as of January 1, 1943.

(7) "United States" means the 48 States, the District of Columbia and the Territory of Alaska.

(b) *Restrictions on delivery*—(1) *Class A*. No person shall deliver or accept delivery of any Class A dyestuffs, except for export within the limitations prescribed in paragraph (c) (*Restrictions on export*) and except as provided in paragraph (d) (*General exceptions*).

(2) *Class B, C and D quotas*. Except as provided in paragraph (d) (*General exceptions*), no person shall, in any calendar quarter, deliver or accept delivery of any Class B, C or D dyestuffs for use in the United States or Canada, in excess of the quantities specified in the following schedule:

May deliver

Class B 15% of combined amount of Class A and B dyestuffs delivered to all persons in 1941.

(For the purpose of Class B quota, calculate in pounds of equivalent single strength Anthraquinone vat dyes. The poundage may be increased to equal 25 or a multiple thereof.)

Class C 15% of value of Class C dyestuffs delivered to all persons in 1941.

Class D 15% of value of Class D dyestuffs delivered to all persons in 1941.

May accept delivery

15% of combined amount of Class A and B dyestuffs received from all sources in 1941.

\$100, or 15% of value of Class C dyestuffs received from all sources in 1941, whichever is higher.

\$100, or 15% of value of Class D dyestuffs received from all sources in 1941, whichever is higher.

(For the purpose of Class D quota, in determining the value of dry and wet dispersions of organic pigments, only the organic pigment content for such dispersions shall be considered and it shall be based on the value of a comparable dry pigment.)

(3) *Quota adjustments*. For the purpose of the Class B, C and D quotas, referred to in the above schedule—

(i) *Use by producer*. Amounts of dyestuffs which are or have been used by a producer in any calendar quarter or in 1941, shall be considered as having been delivered to such person in such quarter or in 1941, as the case may be.

(ii) *Credit for returned dyestuffs*. Amounts of dyestuffs returned to a vendor prior to the 22nd day after the end of the calendar quarter in which they were delivered, shall not be charged as delivered or accepted.

(iii) *Carry-over of undelivered quota*. Amounts of dyestuffs which a person may deliver or accept which have not been delivered or accepted in any calendar quarter, may be delivered or accepted prior to the 22nd day after the end of such quarter.

(c) *Restrictions on export*.—(1) *General restrictions*. No producer shall export or deliver for export from the United States to any place other than Canada any dyestuffs produced by him, except either upon orders accompanied by individual export licenses issued by the Board of Economic Warfare (the applications for which show thereon the corresponding current domestic sales price of such dyestuffs), or upon orders authorized by general export licenses issued by the Board of Economic Warfare. The total value, exclusive of the exceptions provided in paragraph (d), of dyestuffs so expected or delivered in any quarter shall not exceed:

(1) 3% of 1% of the total value of all dyestuffs delivered by him in 1941 plus

and sold and used exclusively for use in food, drugs and cosmetics, as defined in said Act.

(2) For ultimate delivery to any of the agencies mentioned in subparagraph (1) of this paragraph (d), or for use, to the extent specified in the prime contract, in the manufacture of any item which is being produced for any of said agencies;

(3) For use in the manufacture of officers' uniform materials for officers' uniforms as defined in Preference Rating Order P-131, as amended from time to time;

(4) Between or among producers and exclusive sales agents of producers;

(5) For coloring gasoline and tractor fuels;

(6) For chemical indicators or bacteriological stains;

(7) For medicinal, therapeutic or diagnostic uses;

(8) For redeyeing used apparel or used household furnishings;

(9) For ultimate delivery to or by a retailer (who for this purpose means one who sells dyestuffs and other merchandise directly to the general public for its consumption. E. g. a general store, a drug store, etc.) of dyestuffs in containers not exceeding 8 ounces in content; or

(10) To replace in inventory amounts which, although not acquired for any of the uses referred to in any of the subparagraphs of this paragraph (d), were nevertheless used for one or more of such purposes.

Provided, That all deliveries of dyestuffs exempted from the restrictions of said paragraphs (b) and (c) by subparagraphs (2), (3), (4), (5), (6), (7), (8) or (10) of this paragraph (d) shall be made only upon the receipt by the vendor from the purchaser of a certificate signed by such purchaser, or by a person authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that the dyestuffs to be delivered on the annexed purchase order will be used for one or more of the purposes specified in paragraph (d) of Conservation Order M-103, or will replace inventory so used.

(e) *Treatment of mixtures*. In the case of physical mixtures of different classes of dyestuffs containing a component or components of one class to the extent of at least 90% of the value of such mixture, such mixtures shall be considered as belonging to the class to which said component or components belong. In the case of all other physical mixtures of dyestuffs, the classes of components shall be considered separately.

(f) *Restrictions on use of specific dyestuffs*. No person shall use any:

(1) Meta-toluylene diamine (including Amanil Developer B, Pontamine Developer TN, Developer D, Developer DB, Developer MT, Developer MTD or Developer TD) in the developing of diazotized dyes already present on textile fibers. This provision shall not prohibit the use of such Meta-toluylene diamine in the manufacture of dyestuffs.

(2) Anthraquinone in any physical form in discharging (including color and white discharge), stripping or destroying naphthol (azolic), vat or other dyes already present on textile fibers. This provision shall not prohibit the use of Anthraquinone in the manufacture of dyestuffs.

(3) Annato or annato extracts for coloring any materials other than food products.

(g) *Restrictions on inventory.* In addition to the restrictions on inventory contained in Priorities Regulation No. 1 (§ 944.14), no person shall accept delivery of any Class A dyestuffs which will increase his inventory thereof beyond an amount which, to the best of his knowledge and belief, will be used by him in the next 45 days.

(h) *General prohibitions.* No person shall deliver or accept delivery of any dyestuffs, if he knows, or has reason to believe, such material is to be used or is to be delivered or accepted in violation of the terms of this order.

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

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

(k) *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.

(l) *Communications to the War Production Board.* All communications concerning this order, shall, unless otherwise directed in writing, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference: M-103.

Issued this 5th day of July 1943.

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

LIST A

PART I—TECHNICAL NAMES

1. Brown R CI 1151.
2. Brown G CI 1152.
3. Olive R CI 1150.
4. Golden orange R CI 1097
5. Khaki 2G Pr 122.
6. Olive T.
7. Olive GGL.
8. Olive green B.
9. Yellow 3RD.

PART II—TRADE NAMES

Amanthrene olive R CI 1150.
Amanthrene olive green B.
Calcoloid golden orange RRTD CI 1097.
Calcosol brown G CI 1152.
Calcosol brown R CI 1151.
Calcosol golden orange RRTD CI 1097.
Calcosol golden orange RRTF CI 1097.
Calcosol khaki G Pr 122.
Calcosol olive R CI 1150.
Carbanthrene brown AR CI 1151.
Carbanthrene brown AG CI 1152.
Carbanthrene golden orange RRT CI 1097.
Carbanthrene prtg. golden orange RRT CI 1097.
Carbanthrene khaki 2G Pr 122.
Carbanthrene olive R CI 1150.

Cibanone brown BG CI 1152.
Cibanone brown GR CI 1151.
Cibanone golden orange 2R CI 1097.
Cibanone olive 2R CI 1150.
Indanthrene brown FRA CI 1151.
Indanthrene brown GA CI 1152.
Indanthrene brown GAF CI 1152.
Indanthrene brown GAP CI 1152.
Indanthrene brown GWF CI 1152.
Indanthrene brown GWP CI 1152.
Indanthrene brown RA CI 1151.
Indanthrene brown RAP CI 1151.
Indanthrene brown RWP CI 1151.
Indanthrene khaki 2GA Pr 122.
Indanthrene khaki 2GF Pr 122.
Indanthrene khaki 2GWP Pr 122.
Indanthrene olive green EA.
Indanthrene olive RA CI 1150.
Indanthrene olive RAP CI 1150.
Indanthrene olive RW CI 1150.
Indanthrene olive RWF CI 1150.
Indanthrene orange RRTA CI 1097.
Indanthrene orange RRTF CI 1097.
Indanthrene orange RRTP CI 1097.
Indanthrene orange RRTW CI 1097.
Indanthrene yellow 3RD.
Indanthrene olive T.
Ponsol brown AG CI 1152.
Ponsol brown AR CI 1151.
Ponsol brown ARS CI 1151.
Ponsol green 2BL.
Ponsol golden orange RRT CI 1097.
Ponsol golden orange RRTS CI 1097.
Ponsol khaki 2G Pr 122.
Ponsol olive AR CI 1150.
Ponsol olive ARS CI 1150.
Ponsol olive GGL.

[F. R. Doc. 43-10828; Filed, July 5, 1943;
10:59 a. m.]

PART 1295—ANILINE

[Allocation Order M-184, as Amended July 5, 1943]

The order title "Conservation Order M-184" is hereby amended to read "Allocation Order M-184".

Section 1295.1 is hereby amended to read as follows:

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

§ 1295.1 *Allocation Order M-184—(a)*
Definitions. (1) "Aniline" means aniline, aniline oil, and the salts of aniline.
(2) "Supplier" means any person who produces or imports aniline, or who buys aniline for resale as aniline.

(b) *Restrictions on delivery and acceptance of delivery of aniline.* (1) No supplier shall deliver aniline to any person except as specifically authorized in writing by the War Production Board, upon application pursuant to Exhibit A annexed.

(2) No person shall accept delivery of 5,000 pounds or more of aniline in the aggregate from all suppliers during August 1943, or during any calendar month thereafter, except as specifically authorized in writing by the War Production Board, upon application pursuant to Exhibit B annexed.

(3) No person shall accept delivery of between 500 and 5,000 pounds of aniline in the aggregate from all sup-

pliers during August 1943, or during any calendar month thereafter, or place any purchase order for such delivery, unless and until he shall have furnished each supplier with a use certificate pursuant to Exhibit C annexed.

(c) *Restrictions on use of aniline.* No person (including any supplier) shall use any aniline except as follows:

(1) As specifically authorized in writing by the War Production Board, upon application pursuant to Exhibit B annexed; or

(2) For the purpose stated in a use certificate furnished with the purchase order for such aniline, pursuant to Exhibit C annexed; or

(3) Without restriction, by any person using 500 pounds or less in the aggregate during any calendar month.

(d) *Special directions.* The War Production Board, at its discretion, may at any time issue special directions to any person with respect to:

(1) Use, delivery or acceptance of delivery of aniline; or

(2) Production of aniline; or

(3) Preparation and filing of forms and certificates required by Exhibits A, B and C annexed.

(e) *Use of stocks of aniline.* (1) All stocks of aniline are subject to the use restrictions of this order.

(2) Aniline in inventory may be used for an authorized use pending acceptance of delivery of the aniline allocated for such use (which shall be used to replace the inventory).

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

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

(2) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of aniline shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(3) *Approval of reporting requirements.* The reporting requirements of Exhibits A, B, and C annexed to this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(4) *Confirmation of previous allocations.* The amendment to this order on July 5, 1943, does not affect authorizations issued under this order prior to said date.

(5) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction

may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priority assistance.

(6) *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., Reference M-184.

Issued this 5th day of July 1943.

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

EXHIBIT A

INSTRUCTIONS FOR FILING APPLICATIONS FOR
SPECIFIC AUTHORIZATION TO MAKE DELIVERY
OF ANILINE

Each supplier seeking authorization to make delivery of aniline, may file application on Form WPB 2947 (formerly PD-602) in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form. Copies of Form WPB 2947 (formerly PD-602) may be obtained at local field offices of the War Production Board.

Time of filing. Applications on Form WPB 2947 (formerly PD-602) shall be filed in time to ensure that copies will have reached the War Production Board on or before the 20th day of the month preceding the month for which authorization to make delivery is sought.

Number of copies. Four copies shall be prepared, of which one may be retained by the applicant, and three copies (one certified) shall be sent to the War Production Board, Chemicals Division, Washington, D. C., Reference M-184.

Number of sets. Each supplier shall file a separate set of WPB 2947 (formerly PD-602) applications for each of his plants and for each different grade or type of aniline.

Heading. Under name of material, specify aniline; under War Production Board order number, specify M-184; specify the grade or type; specify pounds as unit of measure; and otherwise fill in as indicated.

Table I. In Column 1, first list customers who have filed WPB 2945 (formerly PD-600) forms with the applicant, and in Column 1-a specify "WPB-2945"; second, list customers who have filed use certificates with the applicant, and in Column 1-a enter the end uses stated in such certificates; third, specify in Column 1, "aggregate uncertified small orders (500 lbs. or less)", and leave Column 1-a blank. Fill in other columns as indicated.

Rolling stock. Fill in as indicated.

Table II. Fill in as indicated. In Columns 8 and 11 enter only those stocks of aniline not authorized for use or delivery on the dates specified.

Special instructions for small distributors. Any distributor may deliver aniline on uncertified small orders of 500 pounds or less without application to, or authorization from, the War Production Board, if he himself acquired such aniline on an uncertified small order of 500 pounds or less, or if he acquired it pursuant to specific authorization or certification for the purpose of filling uncertified small orders of 500 pounds or less.

EXHIBIT B

INSTRUCTIONS FOR FILING APPLICATIONS FOR
SPECIFIC AUTHORIZATION TO USE OR ACCEPT
DELIVERY OF ANILINE

Specific authorization by the War Production Board is required:

(1) For use of any quantity of aniline, except the use of aniline for the purpose for which it was allocated on a certified purchase order pursuant to Exhibit C, or the use of aniline by a person using not more than 500 pounds per month, and

(2) For acceptance of delivery of 5,000 pounds or more of aniline from all suppliers in any calendar month.

Application for such specific authorization may be made on Form WPB 2945 (formerly PD-600), in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form. Copies of Form WPB 2945 (formerly PD-600) may be obtained at local field offices of the War Production Board.

Time of filing. Applications shall be made in time to ensure that copies will have reached the supplier and the War Production Board on or before the tenth day of the month preceding the month for which authorization for use or acceptance of delivery is sought.

Number of copies. Five copies shall be prepared, of which one copy may be retained by the applicant, one copy shall be forwarded to the supplier, and three copies (one certified) shall be forwarded to the War Production Board, Chemicals Division, Washington, D. C., Reference M-184.

Number of sets. A separate set of applications on Form WPB 2945 (formerly PD-600) shall be submitted for each supplier and for each delivery destination or plant of the applicant, and separate sets shall be submitted for aniline and for aniline salts.

Heading. Under name of chemical, specify aniline or aniline salts, as the case may be; under War Production Board order number, specify M-184; under unit of measure, specify pounds; and otherwise fill in as indicated.

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

Column 1. Specify technical, water-white, or other specified grade.

Column 2. Specify separately the quantities (in pounds) required for each primary product and product use specified in Columns 3 and 4.

Column 3. Specify primary products in terms of the following:

Diphenylamine.
Dimethylaniline.
Monoethylaniline.
Hydroquinone.
Acetanilide.
Chemical Warfare.
Dyes, colors and intermediates.
Resins and plastics.
Petroleum additives (identify).
Aniline salts.
Inks (laundry, printing, writing, etc.).
Other products (specify).
Export (as aniline).
Resale (as aniline).
Inventory (as aniline).

Column 4. Opposite any primary product in Column 3 which is subject to allocation, specify in Column 4 only the allocation order number (for example, in the case of diphenylamine, Order M-75).

Opposite any primary product in Column 3 which is not under allocation, specify end use in as detailed and complete a manner as possible, giving Army or Navy or Lend-Lease specification or contract numbers when available.

Opposite "Export" in Column 3, specify in Column 4 the name of the individual, company or governmental agency to whom or for whose account the materials will be ex-

ported, the country of destination, and the governing export license or contract number, unless Lend-Lease, in which case merely specify the Lend-Lease contract or serial number.

Opposite "Resale" in Column 3, suppliers shall write into Column 4 "upon further authorization" or "for uncertified small orders of 500 pounds or less."

Opposite "Inventory" in Column 3, leave Column 4 blank.

Columns 9 and 10. Leave blank, except for remarks, if any, in Column 10.

Table II. Fill in as indicated for the type of aniline referred to in the heading of the application and for each grade referred to in Column 1 of the application.

Suppliers shall report only quantities of aniline which have been allocated to them for their own use.

Table III. Fill in as indicated.

Table IV. Leave blank.

EXHIBIT C

INSTRUCTIONS FOR FILING CERTIFICATES OF USE
WITH PURCHASE ORDERS FOR ANILINE, FOR PER-
SONS ORDERING BETWEEN 500 AND 5000 POUNDS
PER MONTH FROM ALL SUPPLIERS

(1) Each person seeking delivery of between 500 and 5000 pounds of aniline during August, 1943, or during any calendar month thereafter, shall, when placing any purchase order for such delivery, furnish the supplier with a certificate specifying the end use of such aniline. Such certificate shall be endorsed on, or attached to, the purchase order and shall be substantially in the following form, signed by an authorized official, either manually, or as provided in Priorities Regulation No. 7:

(List of quantities of aniline ordered for each intended end use—see instructions in Exhibit B for Columns 3 and 4)

Pursuant to the War Production Board Order M-184, the Undersigned Hereby Certifies That the Aniline Covered by the Accompanying Purchase Order Will Be Used Solely as Specified Above.

(Name of purchaser) (Address)

By _____
(Signature and title of
duly authorized officer) (Date)

The above certificate shall constitute a representation to, but shall not be filed with, the War Production Board.

(2) In the event that two or more end uses are involved in a single purchase order, the amount of aniline required for each use shall be listed as a separate item. Each item shall bear an identifying number so that it will be possible for the supplier to advise his customers, by purchase order number and item number, as to the action taken on the supplier's application for authorization to make delivery.

(3) Each supplier shall notify his customers as soon as possible of denial in whole or in part by the War Production Board of any item or items for which certified purchase orders have been tendered by such customers.

(4) A written purchase order placed by any department or agency of the United States Government pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act), provided such purchase order specifies the Lend-Lease contract or requisition number, shall constitute a use certificate for the purpose of this order.

[F. R. Doc. 43-10829; Filed, July 5, 1943;
10:59 a. m.]

FEDERAL REGISTER, Tuesday, July 6, 1943

PART 3133—PRINTING AND PUBLISHING
[Limitation Order L-240 as Amended July 5, 1943]

Section 3133.6 *Limitation Order L-240* is hereby amended to read as follows:

§ 3133.6 *Limitation Order L-240*—(a) **Definitions.** For the purpose of this order:

(1) "Newspaper" shall include any publication usually recognized as a newspaper in the newspaper industry regardless of the frequency of issuance.

(2) "Printing" means the act or process of impressing or otherwise transferring onto print paper any ink, color, pigment, mark, character or delineation.

(3) "Publisher" shall include, but not by way of limitation, any person issuing a newspaper.

(4) "Print paper" means any grade or quality of paper used in the printing of a newspaper, or used in the printing of material physically incorporated into a newspaper.

(5) "Net paid circulation" means the sales of a publisher's newspapers audited, or otherwise verified, in accordance with the standards of the Audit Bureau of Circulations of January 1, 1942.

(b) **General restrictions.** (1) No publisher, and no person for the account of any publisher, shall purchase, acquire or in any manner accept delivery of print paper except for the printing of the publisher's newspapers.

(2) In each calendar quarter commencing July 1, 1943, no publisher shall use or cause to be used for his account print paper for the publication of his newspapers in excess of his quarterly quota, which shall be determined as follows:

(i) Ascertain the gross weight of print paper which was used in printing the net paid circulation of the publisher's newspapers during the corresponding calendar quarter of 1941.

(ii) Add 3% to compensate for print paper used as wrappers and paper lost through damage in transit or printing spoilage.

(iii) If this figure is 500 tons or more, deduct 5%; if it is less than 500 tons, deduct 5% of the amount in excess of 25 tons.

(c) **Exceptions.** The provisions of paragraph (b) (1) and (2) hereof shall not apply to:

(1) Any newspaper which shall use 25 tons or less of print paper in any calendar quarter. The publisher of any such newspaper is authorized, in addition, to deduct from the tonnage of print paper used by him in any calendar quarter the amount of print paper used in copies of the said newspaper which he shall furnish to the armed services of the United States.

(2) Any newspaper of eight pages or less which is authorized to be admitted to the mails as second class matter under the provisions of section 521 of the Postal Laws and Regulations of 1940 (Title 39 U.S.C. sec. 229), pertaining to the publications of benevolent, fraternal, tradesunion, professional, literary, historical, and scientific organizations or societies.

(d) **Loans of print paper.** Any loan of print paper made by a publisher shall be reported by addressing a letter in triplicate to the War Production Board on or before the 30th day following the date of the loan. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

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

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

(3) **Communications to the 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, Printing and Publishing Division, Washington, D. C. Ref.: L-240.

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

Issued this 5th day of July 1943.

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

[F. R. Doc. 43-10830; Filed, July 5, 1943;
10:58 a. m.]

The foregoing does not apply to producer-owned stocks of steel products held on consignment by a distributor (as defined in CMP Regulation No. 4). Such stocks are subject to the rules governing warehouses and dealers set forth in CMP Regulation No. 4 and in General Preference Orders M-21-b-1 and M-21-b-2.

Issued this 5th day of July 1943.

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

[F. R. Doc. 43-10831; Filed, July 5, 1943;
10:59 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Direction 20 to CMP Regulation 1]

BOARD OF ECONOMIC WARFARE AND LEND-LEASE ORDERS

The following direction is issued to all steel producers pursuant to paragraph (t) of CMP Regulation No. 1 (§ 3175.1):

A steel producer may accept orders for steel bearing allotment numbers of the Board of Economic Warfare or the Office of Lend-Lease Administration, provided such orders are complete in all details except date of delivery and point of delivery and provided the orders are validated with allotment numbers for the quarter in which the material is to be produced. In such event the producer may hold such material in mill stock for the account of his customer and may make delivery to him from this stock at such time and place as he may later request.

Issued this 5th day of July 1943.

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

[F. R. Doc. 43-10832; Filed, July 5, 1943;
10:59 a. m.]

PART 3209—PUBLIC SANITARY SEWERAGE FACILITIES—MAINTENANCE, REPAIR AND OPERATING SUPPLIES

[Preference Rating Order P-141, as amended July 5, 1943]

Part 3209 is hereby amended by changing the title to read "Public Sanitary Sewerage Facilities—Maintenance, Repair and Operating Supplies".

Section 3209.1 is hereby amended to read as follows:

§ 3209.1 *Preference Rating Order P-141—(a) Definitions.* For the purpose of this order:

(1) "Operator" means any individual, partnership, association, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, located in the United States, its territories, or possessions, engaged in or constructing facilities for the purpose of engaging in, the operation of a public sanitary sewerage system or a public sanitary sewerage system combined with a storm sewerage system, whether or not such operator has applied the preference ratings herein assigned.

(2) "Controlled material" means steel—both carbon (including wrought iron) and alloy—copper (including copper base alloys) and aluminum, in each

case only in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

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

(4) "Maintenance" means the minimum upkeep necessary to continue an operator's property and equipment in sound working condition.

(5) "Repair" means the restoration of an operator's property and equipment to sound working condition after wear and tear, damage, destruction of parts or the like, have made such property or equipment unfit or unsafe for service.

(6) "Operating supplies" means:

(i) Material which is essential to the operation of the system specified in paragraph (a) (1) and which is generally charged to operating expense account.

(ii) Material for an addition to or an expansion of sewerage system or works, other than buildings, provided that such an addition or expansion shall not include any work order, job, or project, in which the cost of material shall exceed \$1,500 in the case of underground sewer or pipeline addition or extension, and \$500 in the case of any other addition or expansion and provided that no single construction project shall be subdivided into parts in order to come below these limits.

(7) Material for "maintenance", "repair" and "operating supplies" includes any material which is essential to minimum service standards, and does not include material for the improvement of an operator's property or equipment through the replacement of material which is still usable.

(8) "Supplier" means any person with whom a purchase order or contract has been placed for delivery of material to an operator, or to another supplier.

(9) "Calendar quarterly period" means the several three months of the year commencing January 1, April 1, July 1, and October 1, or the operator's customary accounting period closest to such period.

(10) "Inventory" means all new or salvaged material in the operator's possession, unless physically incorporated in plant, without regard to its accounting classification, excluding, however, material which is segregated for use in additions and expansions specifically authorized under paragraph (e) (2) of this order or by an operative preference rating order or certificate issued by the War Production Board.

(b) *Preference ratings.* (1) A preference rating of AA-1 is hereby assigned to orders to be placed by an operator for material to be used for maintenance or repair, and for operating supplies.

(2) To orders to be placed by an operator for material required for construction of sewer pipelines, manhole structures and pumping stations and equipment and appurtenant works (but not including sewage disposal or treatment plants or plant equipment) to serve a rated project, the lowest rating assigned to such project is hereby assigned, subject to the provisions of paragraph (e) (2) hereof.

(c) *Controlled materials.* (1) *Steel and copper.* Subject to the quantity restrictions contained in paragraph (f) of this order, any operator requiring delivery of any controlled material, except aluminum, for maintenance, repair or operating supplies, may obtain the same by placing on his delivery order the certification required in paragraph (e) (1) (i) hereof. An order bearing such certification shall constitute an authorized controlled material order.

(2) *Aluminum.* (i) Any operator requiring aluminum in any of the forms or shapes constituting a controlled material, for essential maintenance, repair or operating supplies, where the use of other materials for the purpose is impracticable, may obtain the same from a controlled materials producer or from a distributor specifically authorized by the War Production Board to engage in the business of receiving aluminum for sale or resale, in an amount not to exceed 100 pounds from all sources during any one calendar quarterly period by placing on his delivery order the certification required in paragraph (e) (1) (i) hereof. An order bearing such certification shall constitute an authorized controlled material order.

(ii) Any operator who requires aluminum in any of the forms or shapes constituting a controlled material, in amounts aggregating more than 100 pounds from all sources during any one calendar quarterly period for use as essential maintenance, repair or operating supplies where the use of other material for such purpose is not practicable, may apply for an allotment of the amount thereof in excess of 100 pounds during any one calendar quarterly period by letter addressed to the Aluminum and Magnesium Division, War Production Board, Washington, D. C., Ref: P-141. The letter should contain substantially the information called for by paragraphs (d) (1) to (6) of Supplementary Order M-1-i, as amended March 10, 1943. If the application is granted, the applicant will receive an allotment number or symbol and may place an authorized controlled material order by endorsing an order with such allotment number or symbol and the certification prescribed in paragraph (e) (1) (i) hereof.

(d) *Restrictions on use of symbol and ratings.* (1) The allotment symbol and preference ratings hereby assigned shall not be used by an operator or supplier to obtain deliveries of scarce material, the use of which could be eliminated without serious loss of efficiency by substitution of less scarce material or by change of design.

(2) The preference ratings assigned by paragraph (b) (1) hereof for maintenance, repair and operating supplies shall not be used to obtain any item included in Lists A, B, or C of Priorities Regulation No. 3.

(e) *Application and extension of ratings; application of CMP allotment symbol.* (1) *Certification.* (i) The AA-1 rating assigned by paragraph (b) (1) of this order and the CMP allotment symbol MRO-P-141 may be applied by an operator to deliveries of material for use in

maintenance, or repair, or as operating supplies only by use of a certification in substantially the following form:

Preference Rating AA-1, CMP Allotment Symbol MRO-P-141. The undersigned purchaser certifies, subject to the penalties of Section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that to the best of his knowledge and belief the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

Name of operator

Signature of designated official

Such certification shall be signed manually or as provided in Priorities Regulation No. 7.

(ii) The ratings assigned by paragraph (b) (2) of this order may be applied by an operator to deliveries of material for use in construction of sewer pipelines, manhole structures and pumping stations and equipment and appurtenant works (but not including sewage disposal or treatment plants or plant equipment) to serve rated projects, by use of the certification provided in Priorities Regulation No. 3 as amended (or the alternative standard form of certification provided in CMP Regulation No. 7): *Provided*, That approval of the construction of such facilities has been granted pursuant to paragraph (e) (2) hereof.

(2) In addition to the requirements of paragraph (e) (1), no operator shall apply the preference ratings assigned in paragraph (b) (2), or segregate material from inventory for the uses described in such paragraph, or accept delivery of material for such uses, until he has first obtained authorization by the War Production Board after filing application at the place prescribed for filing application for authorization to construct the project. If the rated project to be served is or will be owned by Federal Public Housing Authority or if such project is constructed pursuant to an order in the P-55 series, or by an order in the P-19-h series issued to Federal Public Housing Authority as builder, such application for authorization shall be made on Form PD-545. In all other cases, such application, unless otherwise directed, shall be made on Form WPB-617 (formerly PD-200).

(3) The ratings assigned by this order may be extended by a supplier in the manner provided in Priorities Regulation No. 3, and CMP Regulation No. 3.

(4) An order for material other than controlled material, bearing a rating assigned or extended in accordance with this paragraph (e) and a CMP allotment number or symbol shall have the same status as a rated order bearing a CMP allotment number under all applicable CMP regulations. Such number or symbol shall constitute an "allotment number or symbol" for the purposes of CMP Regulation No. 3.

(f) *Restrictions on deliveries, inventory and withdrawals.* (1) *Deliveries*

and withdrawals. No operator shall, during any calendar quarterly period, accept delivery of any material or withdraw from inventory any material, to be used for maintenance or repair or as operating supplies or for any other purpose (except material to be segregated for use in additions and expansions specifically authorized under paragraph (e) (2) of this order or by an operative preference rating order or certificate issued by the War Production Board), the aggregate dollar value of which shall exceed the aggregate dollar value of materials used for maintenance or repair or as operating supplies, during the corresponding calendar quarterly period of the year 1942, or at the operator's option, twenty-five per cent of the aggregate dollar value of materials used for said purpose during the operator's fiscal year ending closest to December 31, 1942.

(2) *Inventory.* No operator shall at any time, accept delivery of any material if the operator's inventory will, by virtue of such acceptance, be in excess of a practical working minimum.

(3) *Exceptions.* The provisions of paragraph (f) (1) of this order are subject to the following exceptions:

(i) An operator who, during the calendar year 1942 (or fiscal year ending closest to December 31, 1942), used for maintenance, repair, and as operating supplies, materials of the aggregate value of not exceeding \$1,000 and whose estimated requirements for materials to be used for maintenance, repair and as operating supplies during any calendar year (or corresponding fiscal year) do not exceed \$1,000 may, during such year, exceed the quantity restrictions prescribed by paragraph (f) (1) of this order. If the actual requirements of material for maintenance, repair and operating supplies for such year should prove to be in excess of \$1,000, such operator shall not accept any deliveries of material or withdraw from inventory any material to be used for maintenance, repair or as operating supplies if such deliveries or withdrawals, when taken together with other deliveries or withdrawals within such year, would, in the aggregate, exceed \$1,000. In such case the operator may apply for specific authorization to exceed such quantity restrictions pursuant to the provisions of paragraph (f) (4) hereof.

(ii) An operator may, in any calendar quarterly period, increase scheduled deliveries, and withdrawals of material required for maintenance or repair or as operating supplies over the limits prescribed in paragraph (f) (1) of this order, in proportion to the increase in the load on the system during the preceding calendar quarterly period of the year 1942 corresponding to the calendar quarterly period in question, determined by a measurement of the average daily flow for the two comparative periods: *Provided*, That in determining the average daily flow of sewage, any flow of surface storm water which enters the system shall not be taken into account.

(iii) An operator may, in any calendar quarterly period, accept deliveries of material or make withdrawals from in-

ventory of material, necessary for the maintenance or repair of the operator's property or equipment which is damaged by acts of the public enemy, sabotage, explosion, or fire or by flood, storm or other similar climatic conditions: *Provided*, That if the restrictions of paragraph (f) (1) are exceeded because of such deliveries or use, a full report thereof shall be made within thirty days after such delivery or withdrawal, to the War Production Board.

(iv) An operator may, in any calendar quarterly period, accept delivery of material, having in the aggregate, a dollar value of not more than the dollar value of material of the same class taken from the operator's inventory for delivery to other persons authorized to accept delivery under applicable regulations of the War Production Board but only if, and to the extent that such taking has reduced the operator's inventory of material below a practical working minimum.

(v) An operator may, during any calendar year (or his fiscal year), withdraw from inventory, material, having in the aggregate, a dollar value of not more than the dollar value of usable material of the same class salvaged from plant during such year.

(vi) The provisions of paragraph (f) (1) and (f) (2) shall not apply to fuel or to chemicals for sewage treatment.

(4) The War Production Board, on its own initiative, or on application of any operator by letter, in triplicate, addressed to the Government Division, War Production Board, Washington, D. C., Ref: P-141, may modify the limitations on practical working minimum inventory, and on scheduling or accepting deliveries, or on use or withdrawals, set forth in this paragraph (f).

(g) *Restrictions on construction of sewerage facilities.* No operator shall construct any sewerage facilities, including but not limited to sewer pipelines, manhole structures, pumping stations, sewage disposal or treatment plants and connections, and no operator shall, in case of contract construction, accept deliveries of material for such purposes except as follows:

(1) An operator may construct an addition to or an expansion of, sewerage system or works, other than buildings: *Provided*, That such addition or expansion shall not include any work order, job or project in which the cost of material shall exceed \$1,500 in the case of underground sewer pipeline addition or extension, and \$500 in the case of any other addition or expansion: *And provided*, That no single construction project shall be subdivided into parts in order to come below these limits: *And further provided*, That in making house connections or extension of line to serve premises, no iron or steel pipe shall be used except the minimum quantities required in making necessary connections.

(2) An operator may construct sewer pipe lines, manhole structures and pumping stations and equipment, and appurtenant works, (but not including sewage disposal or treatment plants or plant equipment) to serve rated projects

in which the cost of material is in excess of the dollar limits prescribed in paragraph (g) (1) hereof, if, but only if, the construction of such facilities is authorized by the War Production Board pursuant to the provisions of paragraph (e) (2) hereof.

(3) An operator may construct sewage disposal or treatment plants and any sewerage facilities other than those referred to in paragraphs (1) and (2) of this paragraph (g), only pursuant to specific authorization by the War Production Board, by the issuance of an order in the P-19 series or other applicable order, pursuant to application on form WPB-617, (formerly PD-200), or in such other form as may be prescribed.

(h) *Sales of material from inventory.* Any operator may sell to another operator, material from seller's inventory in excess of a practical minimum working inventory: *Provided*, That (1) a preference rating of AA-5 or higher assigned by this order or by any preference rating certificate, or (2) a specific direction issued by the War Production Board, is applied or extended to the operator selling such material.

(i) *Audits and reports.* (1) Each operator and each supplier who applies the preference ratings or allotment symbol hereby assigned, and each person who accepts a purchase order or contract for material to which a preference rating or symbol is applied, shall submit from time to time to an audit and inspection by duly authorized representatives of the War Production Board.

(2) Each operator and each such supplier shall execute and file with the War Production Board, such reports and questionnaires as said Board shall from time to time request, subject to approval by the Bureau of the Budget as required under the Federal Reports Act.

(3) Each operator shall maintain a continuing record of inventory and of segregated material in his possession and all material used by him for maintenance, repair or as operating supplies.

(j) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed by the War Production Board be addressed to the War Production Board, Government Division, Washington, D. C., Ref: P-141.

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

(l) *Revocation or amendment.* This order may be revoked or amended at any time as to any operator or any supplier. In the event of revocation, deliveries already rated pursuant to this order

shall be completed in accordance with said rating, unless the rating has been specifically revoked with respect thereto. No additional applications of the ratings to any other deliveries shall thereafter be made by the operator or supplier affected by such revocation.

(m) *Applicability of regulations.* (1) Preference Rating Order P-141 is issued in lieu of Preference Rating Order P-46 in so far as it affects public sanitary sewerage systems as defined in paragraph (a) (1) hereof and any reference in any order or regulation of the War Production Board to said Preference Rating Order P-46 shall constitute a reference to orders in the P-141 series.

(2) This order and all transactions affected hereby, except as herein otherwise provided, are subject to all applicable regulations of the War Production Board as amended from time to time. *Provided*, That none of the provisions of CMP Regulations No. 5 or No. 5A shall apply to operators as defined in paragraph (a) (1) hereof, and no such operator shall obtain any material under the provisions of either of said regulations.

Issued this 5th day of July 1943.

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

[F. R. Doc. 43-10833; Filed, July 5, 1943;
10:59 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES¹

[General Preference Order E-1-b, as Amended July 5, 1943]

PRODUCTION AND DELIVERY OF MACHINE TOOLS

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

§ 3274¹ General Preference Order E-1-b—(a) Definitions. For the purposes of this order:

(1) "Machine tool" means any non-portable, power driven metal working machine listed on Exhibit A hereto attached, excluding any light power driven tool defined in Limitation Order L-237, having a list price on October 15, 1942, of \$350 or less.

The term "machine" as used in this order means a machine tool. Each machine tool includes not only the basic machine but also all fixtures, equipment and tooling covered by the original purchase order which are required to be delivered with the machine to make it usable in production for the purposes intended, but does not include any re-

placements, or spare parts or equipment, or extra tooling, ordered by the purchaser.

(2) "Producer" means any individual, partnership, association, corporation or other form of enterprise engaged in producing machine tools.

(3) "Service purchasers" means those whose preference rating certificates show that the preference rating applied to such delivery was assigned thereto by an original Preference Rating Certificate PD-3, PD-3A, or PD-4, by a Preference Rating Order P-19-h, and also those whose purchase orders show that they are direct purchase orders for machine tools placed by the Bureau of Supplies and Accounts (Navy), Coast Guard, or other Supply Arm or Bureau, rated in accordance with procedures authorized for them to use in place and stead of using Form PD-3A: *Provided*, That such purchase orders call for delivery to a Supply Arm or Bureau of the Army or Navy or to the United States Maritime Commission, or to one of their prime contractors, or to a subcontractor of such a prime contractor.

(4) "Foreign purchasers" means those whose purchase orders show that the machine is to be delivered to or for the account of a foreign country, other than Canada, or a subdivision, agency, or instrumentality thereof.

(5) "Other purchasers" means all purchasers other than service purchasers and foreign purchasers, whose purchase orders have been assigned a preference rating of A-10 or higher. Other purchasers include Canadian purchasers except those who are service purchasers by reason of their purchasing machines for use on direct United States prime contracts or subcontracts.

(6) "Class" when used herein means one of the foregoing three classes of purchasers: namely, service purchasers, foreign purchasers, or other purchasers.

(7) "Size" may include all of those dimensions or variations of a particular type of machine which can be used interchangeably for production purposes. Size classification shall remain the same as heretofore used by each producer unless he is specifically permitted or directed to use a different classification by the War Production Board. Producers may apply for such permission by writing to the Tools Division, War Production Board, Ref: E-1-b.

(b) *Delivery of machine tools until May 1, 1943.* Notwithstanding any other provisions of this order, schedules of production and delivery of machine tools to be delivered prior to May 1, 1943, shall be maintained as now established subject only to schedule changes hereafter ordered by diversion orders or by other specific direction from the War Production Board. After May 1, 1943 the preferences heretofore accorded to the Air Services and other Preferred Customers by Amendment 3 to General Preference Order E-1-b, issued Novem-

ber 5, 1942, shall no longer remain in effect but every producer shall schedule his production and deliveries according to the provisions of this order.

(c) *Allocation of production to service purchasers and to foreign purchasers and other purchasers.* (1) Except as provided in subparagraphs (2), (3) and (4) of this paragraph (c), each producer shall schedule his production for each calendar month so as to deliver 75 percent of his production of each size of each type of machine which he produces in that month to service purchasers, and each producer shall schedule his production for each calendar month so as to deliver 25 percent of his production of each size of each type of machine which he produces in that month, in the aggregate, to foreign purchasers and other purchasers.

(2) A producer may schedule for delivery to service purchasers more than 75 percent of his production of any size of a type of machine in the months of May, June or July to the extent that he has failed to receive purchase orders from foreign purchasers and from other purchasers for machines of such size and type prior to March 1, 1943.

(3) A producer may likewise schedule for delivery to foreign purchasers and other purchasers more than 25 percent of such production of any size of a type of machine in the months of May, June or July to the extent that he has failed to receive purchase orders from service purchasers for machines of such size and type prior to March 1, 1943.

(4) Similarly, a producer may schedule deliveries to service purchasers in excess of 75 percent of his production in the months of August, September or October 1943 to the extent that he has failed to receive purchase orders from foreign purchasers and other purchasers prior to June 1, 1943, and he may schedule deliveries to foreign purchasers and other purchasers in excess of 25 percent of his production in the months of August, September or October 1943 to the extent that he has failed to receive purchase orders from service purchasers prior to June 1, 1943.

(5) In preparing his schedules of deliveries for a given month a producer shall fix the dates of his deliveries to service purchasers, to foreign purchasers, and to other purchasers within such month so that each class will receive its quota of machines equitably in point of time within the month.

(d) *Distribution of 75 percent of production among service purchasers.* Deliveries of 75 percent of each producer's production shall be scheduled among service purchasers as follows:

(1) Service purchasers are hereby subdivided into seven groups, consisting of the following, and their respective prime contractors and subcontractors: Bureau of Ships (Navy), Bureau of Ordnance (Navy), Ordnance Department (Army), Air Services, Miscellaneous Branches and

¹ Formerly Part 997, § 997.2.

Bureaus, the Maritime Commission, and the Signal Corps. The fourth group, designated "Air Services," includes the Army Air Forces and the Navy Bureau of Aeronautics and their respective prime contractors and subcontractors. The fifth group, designated "Miscellaneous Branches and Bureaus," includes the Quartermaster Corps, the Corps of Engineers, the Army Medical Department, the Chemical Warfare Service, the Bureau of Yards and Docks, the Marine Corps, and the Transportation Service of the Services of Supply, together with any other corps, department, bureau or service of the Army or Navy not heretofore specifically designated as a separate group, and their respective prime contractors and subcontractors.

(2) (i) Each producer shall determine the number of purchase orders on his books for each size of a given type of machine from each of the seven service purchaser groups as of March 1, 1943 or, at the producer's option, the nearest date within ten days prior or subsequent to March 1, 1943 on which the producer may have compiled his record of orders.

No order shall be deemed a purchase order placed on a producer's book unless the purchaser has placed a firm order accompanied by specifications or other description of the machine in sufficient detail to enable the producer to place the machine in his production schedule, together with such priority information as is required for scheduling by paragraph (g) of this order.

(ii) He shall then deduct from such respective numbers for each service group the number of machines of such size and type which he estimates he will deliver to purchasers in such service group during the month of March 1943. He shall not deduct deliveries scheduled to be made during April 1943. The figure resulting from such deduction shall be termed the "net backlog" of each such service group.

(iii) He shall then distribute the number of machines of such size and type allocated in each of the months of May, June and July 1943 to all service purchasers pursuant to paragraph (c) (1) among each of the seven service purchaser groups according to each group's quota. The quota for each service group of such size and type shall be the ratio of

(a) Net backlog of such service group of such size and type to

(b) The total of all net backlog of such size and type of all the service groups,

multiplied by the total number of machines of such size and type allocated for that month to all service purchasers. An example of the calculation required by this paragraph (d) (2) is attached to this order, marked "Illustration of paragraph (d) (2)."

(3) Quotas for each service group for August, September and October 1943 shall be determined in the same manner

as prescribed by paragraph (d) (2), based, however, on purchase orders on the producer's books as of June 1, 1943 after deducting therefrom the number of machines which the producer estimates he will deliver to service purchasers in each group during both the months of June and July 1943.

Similarly, quotas for each service group for November and December 1943 and January 1944 shall be determined in the same manner as prescribed by paragraph (d) (2), based, however, on purchase orders on the producer's books as of September 1, 1943 after deducting therefrom the number of machines which the producer estimates he will deliver to service purchasers in each group during both the months of September and October 1943.

(4) Commencing with May 1943, and each month thereafter, the producer shall deliver to each service group the number of machines of that size and type equal to its quota for that month, to the extent that he has orders from purchasers in such group requiring delivery in the month being scheduled.

(5) No producer shall schedule delivery of any machine tool manufactured by him earlier than the date on which the purchaser requires delivery thereof, unless all required delivery dates on other purchase orders are being met.

If a producer does not have on hand on March 1, 1943 rated purchase orders from a particular service group requiring delivery in any of the months of May, June or July 1943 equal to its quota for that month, such "unabsorbed quota" shall be scheduled for delivery to the service group having the lowest number of unfilled orders on the producer's books.

Similarity, if a producer does not have on hand on June 1, 1943 rated purchase orders from a particular service group calling for delivery in any of the months of August, September or October 1943 equal to its quota for that month, such "unabsorbed quota" shall be scheduled for delivery to the service group having the lowest number of unfilled orders on the producer's books.

(6) A purchase order which has been scheduled as provided in paragraph (d) (5) of this order shall represent an addition to the quota of the group of which the purchaser in question is a member and such purchase order shall not thereafter be affected by receipt of a purchase order from a member of any other group, irrespective of the urgency standing of the latter.

(7) In preparing his schedules of deliveries for a given month for service purchasers, a producer shall fix the dates of his deliveries to the different groups so that each group will receive its quota of machines equitably in point of time within the month.

(e) *Distribution of 25 percent of machine tools among foreign purchasers and other purchasers.* Foreign purchas-

ers and other purchasers shall be treated as one group, and each producer shall schedule his orders for each size of each type for delivery each month within such group's aggregate 25 percent of production for that month, in accordance with the sequence of deliveries determined as hereinafter specified in paragraph (h), subject, however, to the order of the War Production Board freezing delivery schedules to foreign and other purchasers until July 1, 1943, contained in letter of January 30, 1943, which order remains in full force and effect.

(f) *Treatment of fractions.* Where the number of machines which results from any computation required by this order contains a fraction of more than one-half, the fraction shall be counted as a whole machine. A fraction under one-half shall be disregarded, except that where the computation results in a fraction only (less than one whole machine) for any one month, and such fraction is less than one-half, it shall be counted in computing the next month's quota. Where each of the computations of two or more different quotas for the same month shows a fraction of one-half, and there is only one remaining machine to which such fractions can apply, such machine shall be allotted to the group having the largest quota, and the other fractions of one-half shall be disregarded for that month, but shall be counted in computing the other quota or quotas for the next month.

(g) *Necessity for preference ratings.* (1) No purchase order for any machine tool shall be placed in production schedules, and no machine tool shall be sold or delivered, whether by a producer or distributor, unless a preference rating of A-10 or higher has been assigned thereto by a Preference Rating Certificate PD-1A, by a Preference Rating Certificate PD-3 or PD-3A, by a Preference Rating Certificate in the PD-408 or PD-311 series, by a Preference Rating Order P-19-h, or by a direct purchase order of the Bureau of Supplies and Accounts (Navy), Coast Guard, or other Supply Arm or Bureau, endorsed according to procedures authorized for them to use in place and instead of using Form PD-3A. In placing the endorsement required by Priorities Regulation No. 3 on the purchase order there must also be included therein or set forth in a separate endorsement on the purchase order:

(i) The urgency standing of the purchaser, if any;

(ii) The required delivery date of the machine;

(iii) A statement as to whether the purchaser is a "service purchaser," a "foreign purchaser," or an "other purchaser," and

(iv) In the case of service purchasers, the Supply Arm or Bureau of the Army or Navy, or the Maritime Commission, which placed the prime contract, the number of the prime contract, the name of the prime contractor;

(v) In the case of foreign purchasers, the foreign country for which the machine is purchased; and

(vi) In the case of other purchasers, a statement as to the product or production program for which the machine is to be used.

In addition to making the endorsement upon his purchase order as required, any person placing such an order shall furnish to the producer a photostatic copy (or another copy accompanied by his signed statement that it is a true copy) of the preference Rating Certificate PD-1A, PD-3, PD-3A, PD-408, PD-311 or Preference Rating Order P-19-h: *Provided*, That where the Bureau of Supplies and Accounts (Navy), Coast Guard, or other Supply Arm or Bureau has issued its direct purchase order for a machine tool and rated the same in accordance with procedures authorized for them to use in place and instead of issuing Form PD-3A, no copy of any preference rating certificate shall be required.

Reproduction of any of the foregoing preference rating certificates or orders for the foregoing purposes is hereby permitted.

(h) *Operation of Numerical Master Preference List, and preference ratings.* (1) The Numerical Master Preference List, Exhibit B attached to this order, herein called "the list," shall determine the sequence of deliveries as between service purchasers as hereinafter set forth, but shall have no effect upon foreign purchasers or other purchasers.

(2) The sequence of deliveries among each group of service purchasers within its respective quota shall be determined without regard to preference ratings as follows:

(i) Deliveries to service purchasers who are either on the list or are subcontractors of persons on the list shall be preferred to and shall take precedence over deliveries to service purchasers who are not on the list.

(ii) As between deliveries which have conflicting required delivery dates to be made to two or more service purchasers, both on the list, deliveries shall be made according to their respective urgency standings specified on such list. The highest urgency standing in each group is No. 1.

(iii) As between deliveries which have conflicting required delivery dates to be made to two or more service purchasers, neither of whom is on the list, the sequence of deliveries shall be determined by the respective dates on which the producer receives the photostatic or certified copy of the preference rating certificate, or if a direct purchase order of the Bureau of Supplies and Accounts (Navy), Coast Guard, or other Supply Arm or Bureau rated by them in accordance with procedures authorized for them to use instead and in place of using Form PD-3A, the order properly endorsed under such procedure.

The delivery for which such copy of the certificate or properly endorsed order was first received takes precedence.

(iv) A delivery to a subcontractor who is not specifically named on the list shall take the urgency standing of his prime contractor; the urgency standing of the prime contractor must be endorsed in writing on the subcontractor's preference rating certificate by an officer designated for such purpose by the supply arm or bureau concerned.

(v) In the event that the urgency standing shown on the copy of the preference rating certificate differs from the urgency standing shown for the contract in question on the Numerical Master Preference List, Revision No. 5, the latter shall govern.

(3) The sequence of deliveries among foreign purchasers and other purchasers within the portion of production allocated to such purchasers shall be determined as follows:

(i) All orders placed by foreign and other purchasers bearing a rating of A-1-a or higher shall be scheduled according to their required delivery dates and without regard to the preference ratings assigned. As between deliveries which have conflicting required delivery dates, the sequence of deliveries shall be determined by the respective dates on which the producer received the photostatic or certified copy of the preference rating certificate. The delivery for which the preference rating certificate was first received takes precedence.

(ii) Where all required delivery dates cannot be met, orders bearing a rating of A-1-b or lower shall be delivered only after fulfillment of all orders rated A-1-a or higher; the sequence of deliveries among orders rated A-1-b or lower shall be determined in accordance with Priorities Regulation No. 1.

(i) *Additions to list.* Additions to, withdrawals from, and other changes may be made in the Numerical Master Preference List from time to time by the War Production Board or such official as may be specifically authorized by it. Where it is desired to assign an urgency standing between existing urgency standings, the new urgency standing will consist of a number including a decimal. Such an urgency standing will take a position in the sequence of deliveries as indicated by the following example: Urgency Standing 792.1 will be scheduled after 792 and before 793.

(j) *Revision of schedules for May and subsequent months.* On or before April 1, 1943 each producer shall determine the May, June and July 1943 quotas for the various groups of purchasers in accordance with the provisions of this order, and shall also revise his schedules of deliveries for each type of machine to

the extent that he can do so without seriously interrupting his production line. In revising such schedules he shall give full effect to all WPBL-1588's, diversion orders, and other specific directions heretofore issued by the War Production Board which have scheduled specific machines during May or any subsequent month. On or before July 1, 1943 he shall determine the August, September and October 1943 quotas and revise his schedules accordingly; and on or before October 1, 1943 he shall do likewise with respect to November and December 1943 and January 1944 schedules.

The rescheduling of orders necessitated by E-1-b as amended March 8, 1943 shall be reported on Form PD-670, which shall be identified under "Remarks" as follows: "E-1-b amendment of March 8, 1943" (or on Form PD-671 which shall be identified on line 22 in an identical manner). Upon filing the last Form PD-670 (or PD-671) affecting deliveries scheduled for May, June and July 1943 which result from the initial rescheduling required to be done by April 1, 1943, the producer shall certify to the Tools Division, War Production Board, Ref: E-1-b, in writing, that the rescheduling required thereby and the reporting thereof have been completed.

After May 1, 1943 each producer shall make delivery of machines in accordance with his revised schedules.

(k) *Postponement of new purchase orders.* Unless the War Production Board specifically orders otherwise, and notwithstanding any other provisions of this order, no higher preference rating or urgency standing shall operate to postpone or in any way affect any delivery under a purchase order already scheduled where such delivery is to be made within sixty days of receipt of such higher preference rating or urgency standing.

(l) *Replacement parts.* Nothing in this order shall be construed to prohibit the delivery by any producer of repair and replacement parts for machine tools in accordance with applicable regulations and orders of the War Production Board concerning maintenance, repair and replacement items.

(m) *Deliveries to distributors for stock.* No producer shall knowingly deliver any machine tool to any distributor for such distributor's stock or inventory and no distributor shall accept delivery of any machine tool for his stock or inventory, regardless of whether such delivery would be made to the distributor on a consignment or similar basis, or pursuant to an outright sale.

(n) *Changes in schedules.* Notwithstanding any other provision of this order, the War Production Board may direct or change any schedule of production or delivery of machine tools, allocate any order for machine tools to any other producer, divert or otherwise direct the

FEDERAL REGISTER, Tuesday, July 6, 1943

delivery of any machine tool to any other person.

(o) *Reports.* Every producer shall file reports on Form PD-669, PD-670 and PD-671, and WPB-417 or WPB-1440, in accordance with the instructions on such forms and such supplemental instructions as may be given in respect thereto.

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

(q) *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.

(r) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Tools Division, Washington, D. C., Ref.: E-1-b.

Issued this 5th day of July 1943.

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

EXHIBIT A

All types of the following:
Ammunition machinery.
Bending machines.
Bending rolls.

All types of the following—Continued.
Boring machines.
Brakes.
Broaching machines.
Buffing machines.
Centering machines.
Chamfering machines.
Cut-off machines.
Die sinkers.
Draw benches.
Drilling machines.
Duplicators.
Extruding machines.
Filing machines.
Forging machines.
Forging rolls.
Gear cutting machines.
Gear finishing machines.
Grinding machines.
Hammers.
Headers.
Honing machines.
Keyseaters.
Lapping machines.
Lathes.
Levelers.
Marking machines.
Milling machines.
Nibbling machines.
Oil grooving machines.
Pipe flanging-expanding machines.
Planers.
Polishers.
Presses.
Profilers.
Punching machines.
Reaming machines.
Rifle and gun working machines.
Riveting machines.
Sawing machines.
Screw and bar machines.
Shapers.
Shearing machines.
Slotters.
Swagers.
Tapping machines.
Thread rollers.
Threading machines.
Tube reducers.
Upsetters.

Illustration of Paragraph (d) (2) of E-1-b

ILLUSTRATION OF PRODUCER'S WORK SHEET FOR DETERMINING SERVICE GROUP QUOTAS FOR MAY, JUNE AND JULY

Producer's name _____
(a) Production scheduled:
May—100
June—52
July—156
Type and size of machine _____

(b) Service quota (75 percent of production except as changed by (c) (2) and (c) (3) of E-1-b):
May—75
June—39
July—117

Item	Total service	Bureau of Ships	Bureau of Ordnance	Ordnance Department	Air Forces	Miscellaneous branches and Bureaus	Mari-time Commission	Signal Corps
1. Firm orders March 1.....	400	40	45	100	185	10	15	5
2. Expected deliveries in March.....	75	0	4	0	65	0	6	0
3. Net backlog (line 1 minus line 2).....	225	40	41	100	120	10	9	5
4. Proportion of total services' deliveries (net backlog of individual services divided by total net backlog for all services, line 3).....	325/325	40/325	41/325	100/325	120/325	10/325	9/325	5/325
t. Service quotas (total service, (b), times line 4):								
May.....	(b) 75	9	10	23	28	2	2	1
June.....	(b) 39	5	5	12	15	1	1	0
July.....	(b) 117	14	15	36	43	4	3	2

NOTE: This is illustrative only; a separate computation for each type and size of machine to be scheduled must be made. The producer may mail copies of such work sheets to Control Records Branch, Tools Division, War Production Board, for comment or assistance.

Chapter XI—Office of Price Administration
 PART 1341—CANNED AND PRESERVED FOODS
 [MPR 226;¹ Amdt. 7]

FRUIT PRESERVES, JAMS AND JELLIES

A statement of the considerations involved in the issuance of Amendment 7 to Maximum Price Regulation 226 has been issued and filed with the Division of the Federal Register.*

Maximum Price Regulation 226 is amended in the following respects:

1. Section 1341.302 is amended by adding the following new paragraph:

(j) *Elective pricing method.* If the packer's maximum price for any item covered by this regulation cannot be determined under the applicable pricing method, the packer may, at his election, figure his maximum price under the pricing method of this paragraph. Under this paragraph, his maximum price shall be:

(1) His total "direct cost" per dozen or other unit of the item, figured by adding:

(i) The total cost per unit of all ingredients and packaging materials subject to maximum prices established by the Office of Price Administration, at the current maximum prices applying to the class of purchasers to which he belongs, plus

(ii) The cost per unit of every ingredient and packaging material for which no maximum price has been prescribed by the Office of Price Administration, figured at the current market price of the ingredient or packaging material in question, plus

(iii) The direct labor cost per unit figured at the October 3, 1942, wage rates or as adjusted and approved by the War Labor Board, executive order, or other official legal action applying to each class of direct labor employed in the production of the item, plus

(iv) Transportation charges by the usual mode of transportation, if the cost factors used in subdivision (i) and (ii) above are not delivered costs and if these charges are customarily incurred from his customary supply point to his customary receiving point.

(2) Multiplied by a markup percentage, figured by dividing:

(i) The maximum price established under the maximum price regulation in effect at the time of the calculation for the most closely comparable commodity produced by him with a cost structure similar to that of the item being priced, by

(ii) His current cost of ingredients, packaging materials and direct labor of that commodity.

As used in this paragraph, "most closely comparable commodity" means a food commodity which is most nearly similar and whose "direct cost" is closest to and in no event less than two-thirds of the "direct cost" of the item being priced, and where similar methods are

employed in its sale and merchandising to those which will be used in the sale and merchandising of the item being priced.

As used in this paragraph, "current" means at the time of figuring the price.

(3) The maximum price figured under this paragraph for any item shall not exceed 150% of the cost of ingredients, packaging materials and direct labor.

(4) In deciding whether items of labor cost are to be applied as separate items in figuring the price or are to be treated as overhead, the seller shall follow his customary practice. Thus, if a packer treated cleaning labor as an item of overhead in March 1942, he must continue to treat it in this way when figuring the maximum price.

(5) The packer shall employ no cost factors in addition to those which he used with respect to the comparable commodity by which he determined his percentage markup under paragraph (b) and shall make no changes in the method of application of those factors which would result in a higher price.

2. Section 1341.309 is amended by adding the following new paragraph:

(b) Within 10 days after a packer has determined a maximum price pursuant to the provisions of paragraph (j) of § 1341.302, he shall report the price to the Office of Price Administration, Washington, D. C. This report shall set forth, in addition to the price, (1) a description and identification of the food item for which the price was determined, and (2) a statement of the facts which differentiate the food item from other food commodities sold by him and by other competitive sellers of the same class during the first 60 days of the 1941 pack, and (3) a statement that the maximum price reported was determined in accordance with this paragraph, and the facts which support this statement. The packer, in this connection, shall submit a statement breaking down the price reported showing all the calculations entering into the determination of "direct cost" and maximum price of both the item being priced and the most closely comparable commodity used, including statements from customary suppliers of any packaging materials for which no maximum price exists showing their purchase price.

Effective Date

This amendment shall become effective July 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

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

Issued this 2d day of July 1943.

PRENTISS M. BROWN,
 Administrator.

[F. R. Doc. 43-10683; Filed, July 2, 1943;
 3:38 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 262;¹ Amdt. 7]

SEASONAL AND MISCELLANEOUS FOOD COMMODITIES

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

Maximum Price Regulation No. 262 is amended in the following respects:

1. Section 1351.954 (a) (4) is amended to read as follows:

(4) Where the following commodity is not subject to maximum prices prescribed by the Office of Price Administration and constitutes an ingredient of the commodity to be priced, the producer shall not include the same in such costs at higher than the price hereinafter set forth opposite such ingredient commodity.

Per pound
 Fresh strawberries..... \$0.08

2. Section 1351.955 (a) (4) is amended to read as follows:

(4) Where one of the following commodities is not subject to maximum prices prescribed by the Office of Price Administration and constitutes an ingredient of the commodity to be priced, the producer shall include the same in such costs at the prices hereinafter set forth opposite each ingredient commodity.

Per pound
 Fresh strawberries..... \$0.08
 Pet cut.

Soy flour, high fat..... \$6.25
 Soy flour, medium and low fat..... 4.75

3. Section 1351.955b is added to read as follows:

§ 1351.955b *Maximum prices for peanut candy.* (a) Any producer who has heretofore calculated a maximum price for peanut candy under this regulation shall be permitted to recalculate and any producer who shall hereafter calculate his maximum price for peanut candy under this regulation shall calculate such price, file a report and notify wholesalers and retailers, as though peanut candy were being included for the first time in this regulation by this amendment, except as provided in paragraph (b) of this section.

(b) All producers of peanut candy shall be subject to and governed by the provisions of this regulation as it existed prior to this amendment until such time as they calculate or recalculate and report their maximum prices as provided in paragraph (a) of this section, and thenceforth they shall be subject to the provisions of this regulation.

4. Section 1351.956 is amended to read as follows:

§ 1351.956 *Maximum prices for new container types and sizes.* The maximum price per dozen or other unit to

¹ 7 F.R. 9244, 10844; 8 F.R. 262, 273, 437, 973, 2285.

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

¹ 8 F.R. 2981.

any class of purchasers for any item packed in any container type or size which the producer did not sell during the applicable base period (March 1942 for items listed in Appendix B) shall be figured as follows: He shall

(a) *Determine the base container.* If the producer sold the same commodity (that is, the same variety or kind and same brand, if any) during the base period, but only in other container types and sizes, he shall first determine the most similar container type in which he is able to calculate the maximum price to that class of purchasers for the commodity under this regulation (even though he no longer sells that container type). From that container type he shall choose the nearest size which is 50% or less larger, or if there is no such size, 50% or less smaller (even though he no longer sells those sizes). This will be the "base container." If there is no such smaller size, he shall go to the next most similar container type and proceed in the same manner to find the base container.

NOTE: In most cases "the most similar container type" will be merely the container type which the producer is adding to or replacing, like the tin he may be replacing with glass. Where there has been only a size change, "the most similar container type" will, of course, be the same container type. This is also true in the reverse situation; where there has been a change only in container type, the "nearest size" will be the same size.

(b) *Find the base price.* The producer shall take as the "base price" the maximum price which he may charge that class of purchasers for the commodity in the base container. However, if this maximum price is a price delivered to the purchaser or to any point other than the producer's shipping point, the producer shall first convert it to a base price f. o. b. producer's shipping point simply by deducting whatever transportation charges were included in it.

(c) *Deduct the container cost.* Taking the base price f. o. b. shipping point, the producer shall then subtract the direct cost of the base container. "Direct cost of the container" means the net cost, at the producer's plant, of the container, cap, label and proportionate part of the outgoing shipping carton, but it does not include cost of filling, closing, labeling or packing.

(d) *Adjust for any difference in contents.* The figure obtained by this deduction shall then be adjusted, in the case of a size change, by dividing it by the number of ounces or other units in the base container and multiplying the result by the number of the same units in the new container.

(e) *Add the new container cost to get the price f. o. b. shipping point.* Next, the producer shall add to the adjusted figure the "direct cost of the container" in the new type and size. If his maximum price for the commodity in the base container is an f. o. b. shipping point price, the resulting figure is the producer's maximum price to that class of purchasers, f. o. b. shipping point.

(f) *Convert to a maximum delivered price, if the maximum price for the base container is on a delivered basis.* If the producer's maximum price for the commodity in the base container is a delivered price, he shall figure transportation charges to be added, as follows: the producer shall take the transportation charges which he first deducted to get his base price and adjust them in exact proportion in the difference in shipping weight. However, if for any reason the commodity in the new container will move under a different freight tariff classification, he shall figure his transportation charges (by the same means of transportation and to the same destination) on the basis of the new shipping weight, but at the rate in effect for that freight tariff classification during March 1942. Increases in tariff rates or transportation taxes made since March 31, 1942, shall not be taken into account. (Similar principles shall apply where shipping volume is the measure of the transportation charge.) The producer shall then add these transportation charges to his f. o. b. shipping point price for the commodity in the new container. The resulting figure is the producer's maximum delivered price to that class of purchasers.

5. Section 1351.965 (a) (17), (18), (19) and (20) are added to read as follows:

(17) "Soy milk" means any colloidal mixture made from the soluble and semi-soluble parts of soy beans with water and in which soy bean derivatives are the principal and most costly ingredient, with or without the addition of homogenized vegetable oil, soluble carbohydrates, vitamins or minerals and salt or flavoring, prepared as a liquid resembling dairy milk in color and general characteristics, or the same product as described herein, but in dehydrated powdered form.

(18) "Vegetarian dietary sandwich spreads" means spreads or pastes made principally from combinations of soy beans, peanuts, lentils, garbanzos, wheat gluten, wheat germ, and with or without the addition of tomato products, olives, salt flavoring, vitamins or minerals, but excluding all ingredients of animal origin and packed in hermetically sealed containers.

(19) "Vegetarian dietary meat" means any vegetarian meat loaf in which the soy bean products, ground peanuts, and wheat gluten content is not less than 60% of the total weight or volume, with or without the addition of tomato products, wheat germ, vitamins or minerals and flavorings, but excluding all ingredients of animal origin, and packed in hermetically sealed containers; or any vegetarian meat in the form of slices or cutlets or minced, containing not less than 50% by volume of wheat gluten, with salt and flavorings and with or without the addition of soy bean products, ground peanuts, vitamins or minerals, but excluding all products of animal origin, and packed in sauce in hermetically sealed containers.

(20) "Rice farina cereal" means granulated rice, with or without powdered milk, seasoning or salt, in packages of less than 2 pounds net weight.

6. Section 1351.969 Appendix B is amended by adding the following commodities to the list appearing therein:

Special dietary health food products, limited to the following: soy milk, vegetarian dietary sandwich spread and vegetarian dietary meats.

Rice farina cereal.

Sandwiches made of crackers and peanut butter.

Macaroni dinners.

Spaghetti dinners.

Chow mein noodles.

This amendment shall become effective July 9, 1943.

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

Issued this 2d day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10682; Filed, July 2, 1943;
3:37 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5 C, Amdt. 60]

MILEAGE RATIONING: GASOLINE REGULATIONS

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

Section 1394.8211 is amended to read as follows:

§ 1394.8211 *Preservation of coupons: coupon sheets.* Each dealer and distributor shall affix all coupons received by him in exchange for transfers or returns of gasoline to coupon sheets (Form OPA R-120). Only coupons which are of the same class or type and which were received at the same unit value shall be affixed to a single sheet. Prior to deposit in a bank or any transfer of such coupons, the dealer or distributor who first accepted such coupons from a consumer shall write, stamp or print upon the coupon sheet the business or firm name and the business address, as registered at the Board, of the place of business at which the coupons were first accepted, the unit value of the coupons, the number of coupons attached, the total value of the coupons attached, the date on which such coupon sheet is surrendered by him to a dealer or distributor for replenishment or, when it has never been so surrendered, the date on which such coupon sheet is deposited for credit in a ration bank account. Each

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

¹ 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1262, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2780, 2720, 3096, 3261, 3253, 3255, 3254, 3315, 3616, 4189, 4341, 4850, 4976, 5267, 5268, 5486, 5564, 5756, 6261, 6179, 6441.

dealer or distributor in a State which lies partly within and partly outside the gasoline shortage area shall also write, stamp or print on such coupon sheet the name of the county where his place of business is located.

This amendment shall become effective July 8, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. 1, Supp. Dir. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 2d day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10684; Filed, July 2, 1943;
3:38 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,¹ Amdt. 11 to Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point value set forth in the Official Table of Point Values (No. 5) which is made a part hereof.²

This amendment shall become effective 12:01 a. m., July 4, 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 2d day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10685; Filed, July 2, 1943;
3:38 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Supp. 1 to RO 16,³ Amdt. 10]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by this order shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (No. 4) (OPA Forms R-1313, 1611 and 1612) which are made a part hereof.⁴

This amendment shall become effective at 12:01 a. m., July 4, 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 Dir. 1, 7 F.R. 562,

¹ 8 F.R. 2677, 3179, 3949, 4892, 5318, 5341, 5757, 6138, 6964, 7589, 8069.

² Filed with the Division of the Federal Register as part of the original document. Copies may be obtained from the Office of Price Administration.

³ 8 F.R. 3591, 3714, 4892, 5408, 5758, 6840, 7264, 7456, 7492.

⁴ Filed with the Division of the Federal Register as part of the original document.

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 2d day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10686; Filed, July 2, 1943;
3:39 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 67 Under SP 15 to GMPR]

GULF COAST TOWING CO., INC.

Order No. 67 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation; Docket No. GF3-3145.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1367 *Adjustment of maximum prices for contract carrier services furnished by Gulf Coast Towing Company, Inc.* (a) Gulf Coast Towing Company, Inc., Slidell, Louisiana may charge the Lone Star Cement Corporation, New Orleans, Louisiana, as its maximum price for the services of the tug "Bessemer" and crew in connection with the towing of filled and unfilled material barges, not more than \$168.50 per day.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 67 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 67 (§ 1499.1367) is hereby incorporated as a Section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 67 (§ 1499.1367) shall become effective July 3, 1943.

(Pub. Laws Nos. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10687; Filed, July 2, 1943;
3:38 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 300¹ Incl. Amdt. 9]

MAXIMUM MANUFACTURERS' PRICES FOR RUBBER DRUG SUNDRIES

Sections 1315.1761a, 1315.1754 (c) (2) and (d) (2), 1315.1772 (a) and (b) are amended by Amendment 9, effective July 9, 1943, so that Maximum Price Regulation 300 shall read as follows:

In the judgment of the Price Administrator the prices of rubber drug sundries have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of rubber drug sundries pre-

vailing between October 1 and October 15, 1941, and has made adjustment for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of considerations² involved in the issuance of this Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1,³ issued by the Office of Price Administration, Maximum Price Regulation No. 300 is hereby issued.

Sec.	1315.1751	Applicability of this Maximum Price Regulation No. 300.
	1315.1752	Maximum manufacturers' prices for victory line rubber drug sundries.
	1315.1753	Maximum manufacturers' prices for rubber drug sundries, other than victory line, which have not been changed substantially since December 1, 1941.
	1315.1754	Maximum manufacturers' prices for rubber drug sundries, other than victory line, which are not covered by § 1315.1753.
	1315.1755	Maximum prices—Specific authorization.
	1315.1755a	Maximum distributors' prices for rubber drug sundries, other than victory line.
	1315.1775b	Maximum distributors' prices for rubber drug sundries, other than victory line, which cannot be priced under § 1315.1755a.
	1315.1755c	Maximum prices for neoprene bulbs and bulb goods and neoprene catheters.
	1315.1756	Term. and conditions of sale.
	1315.1757	Sales for export.
	1315.1758	Federal and state taxes.
	1315.1759	Transfers of business or stock in trade.
	1315.1760	Less than maximum prices.
	1315.1761	Evasion.
	1315.1761a	Adjustable pricing.
	1315.1762	Records.
	1315.1763	Reports.
	1315.1764	Notification.
	1315.1765	Marking of rubber drug sundries by the manufacturer.
	1315.1766	Enforcement.
	1315.1767	Petitions for amendment.
	1315.1768	Applicability of the General Maximum Price Regulation.
	1315.1769	Definitions.
	1315.1770	Effective date.
	1315.1771	Appendix A: Definition of rubber drug sundries.

¹ Copies may be obtained from the Office of Price Administration.

² Statements of considerations are also issued simultaneously with the issuance of amendments. Copies may be obtained from the Office of Price Administration.

³ 7 F.R. 8961; 8 F.R. 3313, 3333.

Sec.

1315.1772 Appendix B: Maximum manufacturers' prices for victory line rubber drug sundries.

AUTHORITY: §§ 1315.1751 to 1315.1772, inclusive, issued pursuant to Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

§ 1315.1751 *Applicability of this Maximum Price Regulation 300*—(a) *What commodities must be priced under this regulation.* This regulation applies to the commodities listed in paragraphs (a) to (j), inclusive, of Appendix A (§ 1315.1771) which will be called "rubber drug sundries" in this regulation. However, this regulation is applicable to those commodities only if they are produced in the continental United States or the District of Columbia on or after February 1, 1943. This regulation does not apply to rubber drug sundries produced before February 1, 1943, the maximum prices of which are established by the General Maximum Price Regulation.

[Paragraph (a) as amended by Amendment 1, 8 F.R. 1369, effective 2-1-43]

(b) *To what types of sellers this regulation applies.* This regulation applies to all manufacturers of rubber drug sundries.

(c) *Geographical applicability of this regulation.* This regulation applies to the continental United States and the District of Columbia, but not to the territories and possessions of the United States.

(d) *Effect of this regulation.* This regulation establishes maximum manufacturers' prices for rubber drug sundries. On and after February 1, 1943, the date this regulation takes effect, regardless of any contract or other obligation, no manufacturer is permitted to sell or deliver any rubber drug sundries produced on or after February 1, 1943, at a price which is higher than the maximum price fixed by this regulation, and no person is permitted to buy or receive any rubber drug sundries produced on or after February 1, 1943, from a manufacturer in the course of trade or business at a price which is higher than the maximum price.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that War Procurement Agencies and Governments Whose Defense is Vital to the Defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

§ 1315.1752 *Maximum manufacturers' prices for victory line rubber drug sundries.* The maximum manufacturers' prices for victory line rubber drug sundries are set forth in Appendix B, incorporated herein as § 1315.1772. The term "victory line rubber drug sundries" is defined in that section.

§ 1315.1753 *Maximum manufacturers' prices for rubber drug sundries, other than victory line, which have not been changed substantially since December 1, 1941*—(a) *Applicability of this section.*

*8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511.

Except as provided in § 1315.1755c this section is applicable to all manufacturers of rubber drug sundries, except distributors of rubber drug sundries. This section is applicable to any type of rubber drug sundry, other than victory line, which the manufacturer was producing on December 1, 1941, or which has not been modified sufficiently since that date to result in a change of more than 5 percent in its factory costs. Factory costs shall be determined in accordance with the provisions of paragraph (d) of the next section (§ 1315.1754).

[Paragraph (a) as amended by Amendment 3, 8 F.R. 2667, effective 3-1-43, and Amendment 7, 8 F.R. 7016, effective 5-25-43]

(b) *Maximum prices for all rubber drug sundries except those made in whole or in part of neoprene GN.* The maximum price for a sale by a manufacturer of any rubber drug sundry covered by this section, except one made in whole or in part of neoprene GN, shall be the first applicable among the following prices, less the deduction required by paragraph (d) of this section, wherever applicable, and all discounts, allowances, and other deductions which the manufacturer had in effect for a purchaser of the same class on December 1, 1941:

[Paragraph (b) as amended by Amendment 6, 8 F.R. 5986, effective 5-12-43]

(1) The price stated in the published price list of the manufacturer in effect on December 1, 1941, for a rubber drug sundry which is the same as the rubber drug sundry being priced.

(2) The price the manufacturer regularly quoted, other than through the medium of published price lists, to a purchaser of the same class on December 1, 1941, for a rubber drug sundry which is the same as the rubber drug sundry being priced.

(3) The highest price at which the manufacturer during the period October 1 to December 1, 1941, inclusive, delivered, or if no delivery was made, at which he offered to deliver a rubber drug sundry, which is the same as the rubber drug sundry being priced, to a purchaser of the same class.

(4) For the purposes of this paragraph (b) a rubber drug sundry formerly produced by the manufacturer will be deemed to be "the same as" the rubber drug sundry being priced if it is of the same type as the rubber drug sundry being priced and if its factory costs do not differ from the factory costs of the rubber drug sundry being priced by more than 5 percent. Factory costs shall be determined in accordance with the provisions of paragraph (d) of the next section (§ 1315.1754).

(c) *Maximum prices for rubber drug sundries made in whole or in part of neoprene GN.* The maximum price for a sale by a manufacturer of any rubber drug sundry made in whole or in part of neoprene GN, covered by this section, shall be the price determined in accordance with the provisions of the preceding paragraph (paragraph (b)) less a certain amount. This amount shall be determined by multiplying the number of pounds of neoprene GN required to

produce the rubber drug sundry by the difference between the price in effect for neoprene on December 1, 1941, and \$0.45.

[Paragraph (c) added by Amendment 6, 8 F.R. 5986, effective 5-12-43. Former paragraph (c) redesignated (d)]

(d) *Deduction of amount of the federal excise tax.* If, on December 1, 1941, the manufacturer did not bill the federal excise tax on rubber products separately, he shall deduct the amount of such tax from the price determined in accordance with the provisions of paragraph (b) of this section.

§ 1315.1754 *Maximum manufacturers' prices for rubber drug sundries, other than victory line, which are not covered by § 1315.1753*—(a) *Applicability of this section.* This section is applicable to all manufacturers of rubber drug sundries, except distributors of rubber drug sundries.

[Paragraph (a) added by Amendment 3, 8 F.R. 2667, effective 3-1-43. Former paragraphs (a) through (d) redesignated (b) through (e), respectively]

(b) *How the seller calculates his maximum price.* Except as provided in § 1315.1755c the seller is required to calculate each maximum price for a rubber drug sundry, other than victory line, which is not covered by § 1315.1753 or which is of a type produced by the manufacturer for the first time after December 1, 1941, as follows:

[Above sentence as amended by Amendment 7, 8 F.R. 7016, effective 5-25-43]

(1) The manufacturer should first find the rubber drug sundry he must use in determining the maximum price of the rubber drug sundry being priced. The method for selecting this rubber drug sundry is explained in paragraph (c) of this section. The manufacturer should then find the maximum price for each class of purchaser (in accordance with the provisions of paragraph (b) of § 1315.1753) of that rubber drug sundry.

(2) The manufacturer should then determine the "factory costs" of the rubber drug sundry being priced and of the rubber drug sundry he must use as a basis for determining the maximum price of the rubber drug sundry being priced. The method for computing "factory costs" is explained in paragraph (d) of this section.

(3) The manufacturer will then find the maximum price of the rubber drug sundry being priced by adding to or subtracting from the maximum price to each class of purchaser (as determined by paragraph (b) of § 1315.1753) of the rubber drug sundry used as a basis for determining the maximum price, the amount by which the "factory costs" of the rubber drug sundry being priced is greater or less than the "factory costs" of the rubber drug sundry used as a basis for determining the maximum price.

(4) Once the manufacturer has determined his maximum price for a rubber drug sundry under this section, that price is his maximum thereafter so long as the article is not modified sufficiently to result in a change of more than 5 per-

cent in factory costs. If the article is modified to this extent, its maximum price must be recomputed in accordance with the provisions of this section. Factory costs must be determined in accordance with the provisions of paragraph (d) of this section.

(c) *Method of selecting the rubber drug sundry used in determining the maximum price.* The manufacturer shall use the first applicable of the following rubber drug sundries, which he offered for sale on December 1, 1941, in determining the maximum price of the rubber drug sundry being priced:

(1) The rubber drug sundry which would be the same as the rubber drug sundry being priced but for changes in specifications that have taken place since December 1, 1941.

(2) The rubber drug sundry manufactured by the same processes as the rubber drug sundry being priced. If there is more than one rubber drug sundry which is manufactured by the same processes as the rubber drug sundry being priced, the manufacturer shall use that one of those rubber drug sundries whose direct labor costs are nearest to the direct labor costs of the rubber drug sundry being priced. Direct labor costs shall be determined in accordance with the provisions of paragraph (d) (1) of this section.

[Paragraph (2) as amended by Amendment 9, effective 7-9-43]

(3) The rubber drug sundry having the same use as the rubber drug sundry being priced. If there is more than one rubber drug sundry which has the same use as the rubber drug sundry being priced, the manufacturer shall use that one of those rubber drug sundries whose direct labor costs are nearest to the direct labor costs of the rubber drug sundry being priced. Direct labor costs shall be determined in accordance with the provisions of paragraph (d) (1) of this section.

(4) The rubber drug sundry whose direct labor costs are nearest to the direct labor costs of the rubber drug sundry being priced. Direct labor costs shall be determined in accordance with the provisions of paragraph (d) (1) of this section.

(d) *Computation of factory costs.* The factory costs of a rubber drug sundry shall be the sum total of direct labor costs, direct materials costs including waste, and factory overhead costs. The direct labor costs shall be determined by multiplying the estimated number of hours of each type of labor required in the manufacture of the rubber drug sundry by the wage rates determined in accordance with subparagraph (1) of this paragraph. The direct materials costs shall be determined by multiplying the estimated quantity of each type of material required in the manufacture of the rubber drug sundry by the materials prices determined in accordance with subparagraph (2) of this paragraph. Waste shall be determined by applying the same methods as were used or would

have been used by the manufacturer in similar production on December 1, 1941, adjusted to reflect the actual quantity of waste in the production of the rubber drug sundry being priced. Factory overhead costs shall be determined in the manner set forth in subparagraph (3) of this paragraph.

(1) *Wage rates.* The wage rates applicable to any rubber drug sundry shall be the basic wage rates in effect in the manufacturer's plant on December 1, 1941, for each class of labor involved in the production of the rubber drug sundry. If the manufacturer did not employ a given class of labor on December 1, 1941, he shall use the wage rate paid on December 1, 1941, by the nearest employer operating under comparable conditions who employed that class of labor on that date, if that information is available.

(2) *Materials prices.* The price of neoprene GN used in bulb and bulb goods, catheters, glass molded tubing, gloves, and stoppers shall be \$0.45 a pound. The price of any other materials used in the rubber drug sundries just named and the price of any materials used in any other rubber drug sundry shall be the highest price charged on December 1, 1941, by the manufacturer's supplier; except that if the Office of Price Administration has established a lower maximum price for the sale of that material to the manufacturer by his supplier, such lower price shall govern. If the material was not delivered or offered for delivery by the manufacturer's supplier on December 1, 1941, the material price shall be the first price at which the manufacturer's supplier offered to sell the material to a purchaser of the same class as the manufacturer after December 1, 1941, or the maximum price for the material established by the Office of Price Administration, whichever is the lower. The manufacturer's supplier shall be (i) his December 1941 supplier of the material, or (ii) lacking a December 1941 supplier of the material, his most recent supplier of the material. If neither of these exists, it shall be his potential supplier. For the purposes of this subparagraph (2) if the manufacturer shall receive a written statement from the seller that the material is being sold at a price which is not in excess of the maximum price established by the Office of Price Administration, and if the manufacturer shall have no cause to doubt the accuracy of the statement, the price as stated by the seller shall be deemed not to be in excess of the maximum price established by the Office of Price Administration for that material.

[Paragraph (2) amended by Amendment 6, 8 F.R. 5986, effective 5-12-43, and Amendment 9, effective 7-9-43]

(i) When used in this subparagraph (2), the phrase "highest price charged on December 1, 1941," means:

(a) The highest price at which the seller delivered, or if he did not deliver, at which he offered the commodity for delivery, on December 1, 1941, to the same manufacturer in a quantity normal for that manufacturer;

(b) If the seller made no such delivery or offer for delivery on December 1, 1941, to the same manufacturer, the highest price at which the seller delivered, or if he did not deliver, at which he offered the commodity for delivery, on December 1, 1941, to a purchaser of the same class as the manufacturer in a quantity normal for that purchaser;

(c) If the seller made no such delivery or offer for delivery on December 1, 1941, to the same manufacturer or to a purchaser of the same class, the highest price at which the seller delivered, or, if he did not deliver, at which he offered the commodity for delivery, on December 1, 1941, to a purchaser of a different class, in a quantity normal for that purchaser, adjusted to reflect the seller's customary differential between the two classes of purchasers.

(3) *Factory overhead costs.* Factory overhead costs shall be determined by using the same methods and the same rates that the manufacturer used on December 1, 1941, in determining the factory overhead costs of the rubber drug sundry that he is required by paragraph (c) of this section to use as a basis for determining the maximum price of the rubber drug sundry being priced. It shall include only those costs which the manufacturer on December 1, 1941, used in calculating the factory overhead.

(e) *Reports of maximum prices.* If a manufacturer produces after January 31, 1943, a rubber drug sundry for which a maximum price must be determined under this section (§ 1315.1754), he shall report to the Office of Price Administration, Washington, D. C., within five days after a purchaser first agrees to buy such goods, the maximum price as computed by him and his selling prices. The report shall contain a full description of the rubber drug sundry being priced and of any innovation in manufacturing processes involved and a detailed explanation of the computation of factory costs and of the maximum price. It shall also contain a description of the rubber drug sundry used in determining the maximum price of the rubber drug sundry being priced and the maximum price, factory costs and an explanation of the reasons for the selection of that rubber drug sundry. The manufacturer may not accept payment for the rubber drug sundry, mark the maximum retail price on the rubber drug sundry or the unit of sale container, or notify any person of the maximum wholesale or retail price until the price so reported is approved in writing by the Office of Price Administration or fifteen days have elapsed after the mailing of the report. Within this fifteen day period the price so reported shall be subject to adjustment by the Office of Price Administration. Subsequent to this fifteen day

period, such price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

§ 1315.1755 Maximum prices — Specific authorization. Except as provided in § 1315.1755c the maximum manufacturers' price for any rubber drug sundry, other than victory line, which it is either impossible or impracticable to price under § 1315.1753 or § 1315.1754, shall be a price, in line with the level of prices established by this regulation, determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provisions of this section shall file with the Office of Price Administration in Washington, D. C., an application setting forth:

(a) A description in detail of the rubber drug sundry for which a maximum price is sought (including the manufacturing process); (b) a statement of the facts which make it impossible or impracticable for him to use the methods for determining a maximum price set forth in §§ 1315.1753 and 1315.1754; (c) his proposed pricing method; and (d) a statement of the reasons why he believes that the use of this method will result in prices which are in line with the level of prices established by this regulation. Such authorization will be in writing and will prescribe a method of determining the maximum price for some or all of the rubber drug sundries, other than victory line, manufactured by the applicant which it is impossible or impracticable to price under either § 1315.1753 or § 1315.1754.

This section is applicable to all manufacturers of rubber drug sundries, except distributors of rubber drug sundries.

[§ 1315.1755 as amended by Amendment 4, 8 F.R. 3840, effective 3-26-43, and Amendment 7, 8 F.R. 7016, effective 5-25-43]

§ 1315.1755a Maximum distributors' prices for rubber drug sundries, other than victory line. This section is applicable only to distributors, as defined in paragraph (a) (1) of § 1315.1769. Except as provided in § 1315.1755c the maximum prices for sales by such persons of rubber drug sundries, other than victory line, shall be determined as follows: The distributor shall multiply the maximum price for the sale of the rubber drug sundry being priced to him by a certain percentage. This percentage shall be determined as follows:

[Above paragraph as amended by Amendment 7, 8 F.R. 7016, effective 5-25-43]

(a) The distributor shall use the first applicable of the following rubber drug sundries, which he offered for sale on December 1, 1941, in determining this percentage.

(1) The rubber drug sundry which is the same as the rubber drug sundry being priced.

(2) The rubber drug sundry which is the same as the rubber drug sundry being priced, except for differences which do not result in a change in the price at which the distributor purchases the article.

(3) The rubber drug sundry which has the same use as the rubber drug sundry being priced. If there is more than one rubber drug sundry which has the same use as the rubber drug sundry being priced, the distributor shall use that one of those rubber drug sundries which is most like the rubber drug sundry being priced in design, construction and the price line in which it is sold.

(b) The distributor shall then determine the price at which on December 1, 1941, he was offering to sell that rubber drug sundry to a purchaser of the same class as the person to whom he is selling the rubber drug sundry being priced.

(c) The distributor should then determine the percentage by dividing this selling price by the price in effect to him on December 1, 1941, for the rubber drug sundry selected in accordance with the provisions of paragraph (a). If there was no price in effect to the distributor for that rubber drug sundry on December 1, 1941, the selling price shall be divided by the last price in effect to the distributor for that rubber drug sundry before December 1, 1941.

[§ 1315.1755a added by Amendment 3, 8 F.R. 2667, effective 3-1-43]

(d) This paragraph (d) is applicable to any rubber drug sundry listed in paragraph (h) of Appendix A which is the same as a rubber drug sundry offered for sale by the distributor on January 1, 1941. Notwithstanding any other provisions of this section, if the price the distributor had in effect on January 1, 1941, for such rubber drug sundry was higher than the price determined in accordance with the preceding provisions of this section, the maximum price for that rubber drug sundry shall be the price the distributor had in effect to a purchaser of the same class on January 1, 1941.

[Paragraph (d) added by Amendment 8, effective 6-30-43]

§ 1315.1755b Maximum distributors' prices for rubber drug sundries, other than victory line, which cannot be priced under § 1315.1755a. Except as provided in § 1315.1755c, the maximum distributors' price for any rubber drug sundry, other than victory line, which cannot be priced under § 1315.1755a shall be a price in line with the level of prices established by this regulation determined by the seller after specific authorization from the Office of Price Administration. A seller who seeks an authorization to determine a maximum price under the provisions of this section shall file with the Office of Price Administration in Washington, D. C., an application setting forth: (a) A description of the rubber drug sundry for which a maximum price is sought, including the brand name and the producer; (b) a statement of the facts which make it impossible for him to use the method for determining the maximum price set forth in § 1315.1755a; (c) his proposed percentage mark-up; and (d) a statement of the reasons why he believes the use of this mark-up will result in prices in line with the level of maximum prices established by this regulation. Such authorization will be

in writing and will prescribe a method of determining the maximum price for some or all of the rubber drug sundries, other than victory line, offered for sale by the applicant which cannot be priced under § 1315.1755a.

[§ 1315.1755b added by Amendment 3, 8 F.R. 2667, effective 3-1-43, and amended by Amendment 7, 8 F.R. 7016, effective 5-25-43]

§ 1315.1755c Maximum prices for neoprene bulbs and bulb goods and neoprene catheters—(a) Neoprene bulbs and bulb goods—(1) Applicability of this paragraph. This paragraph is applicable to neoprene bulbs and bulb goods which are sold, offered for sale, delivered or transferred by the manufacturer during the period May 25, 1943, to September 30, 1943, inclusive. Since the term "manufacturer" is defined in the regulation as including distributors, this paragraph is also applicable to distributors.

(2) **Maximum prices.** The maximum price of neoprene bulbs and bulb goods covered by this paragraph shall be determined as follows: The manufacturer shall first determine the maximum price of the rubber bulb or bulb goods of the same type and size in accordance with the applicable provisions of §§ 1315.1753 to 1315.1755b, inclusive. The manufacturer shall then determine his maximum price by adding a differential to that price. That differential shall be \$0.05 for ear and ulcer syringes, double-end bulbs and breast pump bulbs and for bulb goods containing one of the types of bulbs just enumerated. For other neoprene bulbs and bulb goods containing neoprene bulbs the differential shall be determined by reference to the following table:

Size of bulbs (in ounces):	Price differential
Less than 3	\$0.05
3	.06
4	.07
5	.08
6	.09
7	.10
8	.11
9	.12
10	.15

(b) **Glass molded neoprene surgical tubing—(1) Applicability of this paragraph.** This paragraph is applicable to neoprene glass molded surgical tubing which can meet Federal Specifications E-ZZ-C-101 and is made in one of the sizes listed in the table contained in subparagraph (2) of this paragraph. However, this paragraph is applicable to that tubing only if it is sold, offered for sale, delivered or transferred by the manufacturer during the period May 25, 1943, to September 30, 1943, inclusive. Since the term "manufacturer" is defined in the regulation as including distributors, this paragraph is also applicable to distributors.

(2) **Sales by manufacturers to a wholesaler.** (i) When the manufacturer sells one gross or more of the tubing covered by this paragraph and when that tubing is packaged, the manufacturer shall determine his maximum price by deducting the cash discount that he had in effect for a purchaser of the same class on December 1, 1941, from the price stated in the following table:

Item	French size	Manufacturers' maximum prices per dozen
Catheters, 16" long, funnel, solid tip, one velvet eye.....	10 to 22	\$2.20
Female catheters, 7" long, funnel, solid tip, one velvet eye.....	24 to 30	2.50
Robinson catheters, 16" long, funnel, hollow tip, two eyes.....	10 to 22	2.20
Whistle tip catheters, 16" long, funnel, open end, one eye.....	24 to 30	2.50
Rectal tubes, 20" long, funnel, open end, one eye.....	8 to 22	2.84
Colon tubes, 30" long, funnel, open end, one eye.....	8 to 22	2.84
Colonic irrigator tubes, 82" long, funnel, one depressed eye, one cut eye, solid bullet tip.....	22 to 28	3.35
Stomach tubes, 60" long, funnel, open end, one eye.....	30 to 32	3.75
Nasal feeding tubes, with funnel, open end only.....	22 or 28	4.05
Malecot catheters, funnel, self-retaining, four-wing.....	30 or 32	4.50
Coude catheters (Tiemann type).....	36 or 40	8.82
Glass finished tubing, 5' lengths, for stethoscope.....	44 or 48	10.70
Levine tubes, 48" long, 4 side eyes, 4 ring markings, tube only, no fittings.....	22	6.19
Rehuss tubes, 48" long, marking: 1 ring 19", 2 rings 26", 3 rings 31" from end of tube, tube only—no fittings.....	28	7.29
Black tip Levine tube (Wangensteen type), weighted tip, 4 rings, 9 eyes, tube only—no fittings.....	30	8.00
Small funnels—1½ oz., for use with sizes 16 to 26, stomach tubes—with hard rubber connections.....	32	8.32
Large funnels—3½ oz., for use with sizes 27 to 40, stomach tubes—with hard rubber connections.....	16-20"	7.29
Stomach tubes, 60" long, with funnel only, open end, one eye.....	22-30"	9.13
Stomach tubes, 60" long, with bulb and funnel, open end, one eye.....	12 to 20	6.70
	22 to 30	7.40
	32 to 40	8.65
	12 to 20	4.05
	22 to 30	4.72
	26	6.90
	10 to 16	5.44
	12 to 16	4.32
	14 or 16	12.96
	Each	
	22	\$0.72
	28	.92
	30	.98
	32	1.05
	22	1.14
	28	1.35
	30	1.42
	32	1.48

(ii) When the tubing is packed in bulk, the manufacturer shall determine the maximum price by deducting the price differential he had in effect on December 1, 1941, for bulk packing from the price stated in the table just set forth. When the manufacturer sells less than one gross, the maximum price shall be determined as follows: The manufacturer shall add the percentage differential that he had in effect on December 1, 1941, for sales of less than one gross of the type of article to the prices listed in the table and then shall deduct from the resultant price the cash discount that he had in effect for purchasers of the same class on December 1, 1941.

(3) *Sales by a manufacturer to a distributor or other manufacturer.* The maximum price for a sale by a manufacturer to a distributor or another manufacturer of any tubing covered by this paragraph shall be 75 percent of the price listed in the table set forth in the preceding subparagraph (subparagraph (2) of this paragraph (b)) for tubing of the same size.

(4) *Sales by a manufacturer to a retailer.* The maximum price for a sale by a manufacturer to a retailer of any of the tubing covered by this section shall be 133½ percent of the price listed in the table set forth in subparagraph (2) of this paragraph (b) for tubing of the same size.

[§ 1315.1755c added by Amendment 7, 8 F.R. 7016, effective 5-25-43]

§ 1315.1756 *Terms and conditions of sale.* (a) The maximum prices estab-

lished by this regulation shall not be increased by any charges for the extension of credit, unless (1) the manufacturer during December, 1941, required payment of a separately stated additional charge for the extension of credit by purchasers of the same class on sales of the same or similar types of commodities, and (2) the amount charged for the extension of credit is not in excess of the charge the manufacturer had in effect during December, 1941, for extension of credit involving the same amount and term.

[Paragraph (a) as amended by Amendment 3, 8 F.R. 2667, effective 3-1-43]

(b) No manufacturer shall require any purchaser, and no purchaser shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of rubber drug sundries, than the seller required purchasers of the same class to pay during December 1941 on deliveries of the same or similar types of commodities.

§ 1315.1757 *Sales for export.* The maximum price at which a person may export any rubber drug sundry shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation.

§ 1315.1758 *Federal and state taxes.* Any tax upon, or incident to, the sale, delivery or processing of rubber drug sundries 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: If 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.

[*Note:* Supplementary Order No. 31 (7 F.R. 9894, 8 F.R. 1312, 3702, provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."

§ 1315.1759 *Transfers of business or stock in trade.* If the business, assets or stock in trade are sold or otherwise transferred after January 31, 1943, and the transferee carries on the business, or continues to deal in the same type of commodities, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee 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 sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

§ 1315.1760 *Less than maximum prices.* Lower prices than those established by this Maximum Price Regulation No. 300 may be charged, demanded, paid or offered.

§ 1315.1761 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 300 shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase of or relating to rubber drug sundries, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1315.1761a *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.

[§ 1315.1761a added by Amendment 5, 8 F.R. 3942, effective 4-1-43 and amended by Amendment 9, effective 7-9-43]

§ 1315.1762 *Records.* To aid in the enforcement of this regulation every manufacturer is required to keep certain records for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect. These records are described in three paragraphs as follows:

(a) *Records of sales.* Every person engaged in the business of selling rubber drug sundries shall keep for inspection by the Office of Price Administration complete and accurate records of every sale of rubber drug sundries, including:

(1) the date thereof; (2) the name and address of the buyer; (3) the quantity of each class, kind, type, condition and grade of rubber drug sundries sold; and (4) the price per unit received.

(b) *Records of the bases on which maximum prices are determined.* Every manufacturer subject to the provisions of this Maximum Price Regulation No. 300 shall keep for inspection by the Office of Price Administration, in addition to the records required by paragraph (a) of this section, complete and accurate records of the following:

(1) Published price lists, discount sheets and all other regularly quoted prices in effect on December 1, 1941.

(2) For those rubber drug sundries for which there were no published price lists or other regularly quoted prices in effect on December 1, 1941, the highest price at which he delivered, or if he did not deliver, at which he offered to deliver, each of those rubber drug sundries during the period October 1 to December 1, 1941, inclusive.

(3) Labor rates, materials prices and waste and factory overhead-rates in effect to him on December 1, 1941.

(4) Detailed cost estimate sheets and other data showing the calculations of prices of all rubber drug sundries sold or delivered after January 31, 1943, for which the maximum price must be determined in accordance with the provisions of §§ 1315.1754 or 1315.1755 of this regulation.

(c) *Records of notifications of maximum prices given to wholesalers and retailers.* Every manufacturer subject to the provisions of this Maximum Price Regulation No. 300 shall keep for inspection by the Office of Price Administration, in addition to the records required by paragraphs (a) and (b) of this section, exact copies of all notifications of maximum prices given to wholesalers and retailers.

§ 1315.1763 *Reports.* (a) Every manufacturer subject to the provisions of this Maximum Price Regulation No. 300 shall file with the Office of Price Administration, Washington, D. C., on or before March 1, 1943, a report stating the maximum prices established by this Maximum Price Regulation No. 300 for all rubber drug sundries, other than victory line, he was producing on February 1, 1943, the method by which he determined those maximum prices, and the discounts, allowances, and other price differentials in effect therefor on December 1, 1941.

(b) Every manufacturer who produces victory line hot water bottles shall report to the Office of Price Administration, Washington, D. C., each brand name which he uses for colored and black victory line hot water bottles, respectively, within fifteen days after he starts production of a bottle bearing that brand name. Colored and black victory line hot water bottles are distinguished in footnotes five and six to Table I in § 1315.1772.

(c) Every manufacturer subject to this Maximum Price Regulation No. 300 shall submit such other reports to the Office of Price Administration in addition to or in place of the reports required in paragraphs (a) and (b) of this section as the Office of Price Administration may from time to time require or permit.

§ 1315.1764 *Notification—(a) Notification of price charged.* Every manufacturer shall give each person purchasing rubber drug sundries from him an invoice showing the date of the transaction and the price charged for each type, brand and grade of rubber drug sundries sold.

(b) *Notification of maximum retail and wholesale prices of rubber drug sundries other than victory line.* This paragraph requires notification by the manufacturer of maximum retail and wholesale prices for rubber drug sundries, other than victory line. This requirement is not applicable to sales of rubber drug sundries to a distributor or to a manufacturer who only finishes, assembles or packages rubber drug sundries or does any combination of these functions. In such case, the distributor or the manufacturer who only finishes, assembles or packages rubber drug sundries or does any combination of these functions, is required to give the notification and calculate the maximum wholesale and retail price.

(1) *Notification to wholesalers.* Before or at the time of the first delivery of any rubber drug sundry, other than victory line, to a wholesaler, other than a dental, surgical or hospital supply house, after January 31, 1943, the manufacturer shall notify the wholesaler of the maximum wholesale price of that article. This notification shall include the brand and the type or description of the rubber drug sundry and the maximum wholesale price applicable thereto. For those rubber drug sundries, other than victory line, of a type that are sold at retail this notification shall include also the maximum retail price and a statement that the wholesaler is required by Maximum Price Reg-

ulation No. 301 to notify any retailer to whom he sells that rubber drug sundry of that price unless the manufacturer has marked the rubber drug sundry or the unit of sale container in which it is sold at retail with the maximum retail price.

[Paragraph (b) as amended by Amendment 3, 8 F.R. 2667, effective 3-1-43 and Amendment 4, 8 F.R. 3840, effective 3-26-43.]

(i) *Method by which the manufacturer calculates the maximum retail and wholesale price for notification to wholesalers.* The manufacturer shall calculate the maximum retail and wholesale price as follows:

The manufacturer shall first calculate the base price. This price is his maximum price for the sale of the rubber drug sundry in question to that class of wholesalers to which he sold the largest volume of rubber drug sundries during the calendar year 1942. The manufacturer will then calculate the maximum retail and wholesale price by multiplying the base price by a percentage which varies with the kind of seller. These percentages are shown in the following table:

Kind of seller:	Percentage by which the manufacturer's base price is to be multiplied—	Percent
Seller at wholesale, other than a dental, surgical or hospital supply house		13 1/3
Dental, surgical or hospital supply house		14 2/3
Seller at retail, except a mail order house		23 1/3

* a. Whenever the retail price, calculated in this manner, results in a price which is less than 5 cents, the maximum retail price shall be 5 cents. This rule shall not be used for those multiples of a commodity which are normally sold by retailers at a price which, when figured on a unit basis, is lower than the price per unit charged by them when they sell the commodity singly. For example, if the retail price for a particular nipple, calculated in the manner set forth in the text, is 3 1/3 cents each and retailers normally sell that nipple at 5 cents each and three for 10 cents, the maximum retail price would be 5 cents each and three for 10 cents.

b. Whenever the retail price, calculated in the manner set forth in the text, results in a price which is 5 cents or over and involves a fractional cent, the maximum retail price shall be the nearest cent.

[Footnote added by Amendment 3, 8 F.R. 2667, effective 3-1-43]

(2) *Notification to retailers, other than mail order houses.* Before or at the time of the first delivery of any rubber drug sundry, other than victory line, by a manufacturer to a retailer after January 31, 1943, the manufacturer shall notify the retailer of the maximum retail price of that article unless the manufacturer has marked the maximum retail price on the rubber drug sundry or on the unit of sale container in which it is sold at retail. This notification shall include the brand and the type or description of the rubber drug sundry and the maximum retail price applicable thereto. The notification required by this subparagraph shall also be given to dental, surgical and hospital supply houses for those types of rubber drug

sundries, other than victory line, that are customarily sold at retail.

[Paragraph (2) as amended by Amendment 4, 8 F.R. 3840, effective 3-26-43]

(1) *Method by which the manufacturer calculates the maximum retail price for notification to retailers.* The manufacturer shall calculate the maximum retail price as follows:

(a) *Rubber drug sundries for which the manufacturer can calculate a maximum wholesale price.* The manufacturer shall calculate the maximum retail prices of those rubber drug sundries for which he can calculate a maximum wholesale price in accordance with the provisions of § 1315.1753 or § 1315.1754 of this regulation as follows:

The manufacturer shall first calculate the base price. This price is his maximum price for the sale of the rubber drug sundry in question to that class of wholesalers to which he sold the largest volume of rubber drug sundries during the calendar year 1942. The manufacturer will then calculate the maximum retail price by multiplying the base price by 233 1/3 percent.

(b) *Rubber drug sundries for which the manufacturer can not calculate a maximum wholesale price.* The manufacturer shall calculate the maximum retail prices of those rubber drug sundries for which he can not determine a maximum wholesale price in accordance with the provisions of § 1315.1753 or 1315.1754 of this regulation as follows:

The manufacturer shall first calculate the base price. This price is his maximum price for the sale of the rubber drug sundry in question to that class of retailers to which he sold the largest volume of rubber drug sundries during the calendar year 1942. The manufacturer will then calculate the maximum retail price by multiplying the base price by 210 percent.

(3) *Rubber drug sundries to which this paragraph is not applicable.* Anything in this paragraph (b) to the contrary notwithstanding, this paragraph (b) is not applicable to the types of rubber drug sundries listed in paragraph (h) of Appendix A (§ 1315.1771).

(c) *Notification to mail order houses of the price to be used by the mail order house as a basis for determining its maximum prices for rubber drug sundries, other than victory line.* This paragraph (c) is applicable to all rubber drug sundries, other than victory line, except those listed in paragraph (h) of Appendix A (§ 1315.1771). Before or at the time of the first delivery after January 31, 1943, of any such rubber drug sundry to a mail order house, the manufacturer shall notify the purchaser of the price that the purchaser must use as a basis for determining his maximum price. This figure is the manufacturer's maximum price for a sale of the particular rubber drug sundry to the class of sellers at wholesale which during the calendar year 1942 purchased the largest quantity of rubber drug sundries from the manufacturer.

⁷ Footnote (6) in this paragraph is applicable here.

⁸ Footnote (6) in this paragraph is applicable here.

If the manufacturer can not calculate the maximum wholesale price of the rubber drug sundry in question in accordance with the provisions of § 1315.1753 or 1315.1754 of this regulation, the manufacturer shall notify the mail order house of the manufacturer's maximum price to the class of sellers at retail which during the calendar year 1942 purchased the largest quantity of rubber drug sundries from the manufacturer.

§ 1315.1765 *Marking of rubber drug sundries by the manufacturer.* This section requires that the manufacturer mark rubber drug sundries sold by him in a certain manner. This requirement is not applicable to sales of rubber drug sundries to a distributor or to a manufacturer who only finishes, assembles or packages rubber drug sundries, or does any combination of these functions. In such case, the distributor or the manufacturer, who only finishes, assembles or packages, or does any combination of these functions, is required to mark or cause the rubber drug sundry to be marked in the manner set forth in this section. On or after February 1, 1943, before delivery of any rubber drug sundries the manufacturer shall mark them or have them marked as follows:

[Paragraph as amended by Amendment 3, 8 F.R. 2667, effective 3-1-43]

(a) *Victory line rubber drug sundries sold to any person, except a mail order house.* Victory line rubber drug sundries which are sold to any person, except a mail order house, shall be marked as follows:

(1) *Victory line rubber drug sundries, other than the hospital grade of hot water bottle.* Victory line rubber drug sundries, other than the hospital grade of hot water bottle, shall be marked with the maximum retail price thereof, set forth in Maximum Price Regulation No. 301. The maximum retail price shall be marked as follows: "Retail Ceiling \$_____."

(2) *Victory line hospital grade of hot water bottles.* The hospital grade of victory line hot water bottles shall be marked with the maximum price thereof for sale to a consumer set forth in Maximum Price Regulation No. 301. This maximum price shall be marked as follows: "Hospital Ceiling \$_____."

(b) *Victory line rubber drug sundries sold to mail order houses.* Victory line rubber drug sundries which are sold to mail order houses shall be marked with a "V."

(c) *Rubber drug sundries, other than victory line.* Rubber drug sundries, other than victory line, shall be marked with either an "R" or the maximum retail price, calculated in the manner set forth in paragraph (b) of § 1315.1764 of this regulation.

(d) *Method of marking.* The marking required by paragraphs (a), (b), or (c) of this section shall be done in a manner so as to make it plainly visible to the purchasing public. The marking shall be placed on the rubber drug sundry itself, on the unit of sale container in which the rubber drug sundry is sold at retail, on a tag which is firmly affixed to the rubber drug sundry or in some

other manner approved by the Office of Price Administration in writing.

§ 1315.1766 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 300 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.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 300 or any price schedule, regulation, or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field, district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1315.1767 *Petitions for amendment.* Any person seeking a modification of any provision of this Maximum Price Regulation No. 300 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[Note: Procedural Regulation No. 6 (7 F.R. 5087, 5665; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or sub-contracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[Note: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1315.1768 *Applicability of the General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 300 supersede the provisions of the General Maximum Price Regulation, including §§ 1499.11, 1499.12, 1499.13, 1499.14 and 1499.25 thereof, with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1315.1769 *Definitions.* (a) When used in this Maximum Price Regulation No. 300 the term:

(1) "Distributor" means a person who purchases rubber drug sundries, which are not finished, packaged or assembled by him, from a manufacturer and who either resells them primarily to wholesalers or resells them primarily other than at retail under his own brand: *Provided*, that such person sells rubber drug sundries which the producer thereof does not sell directly to wholesalers or retailers.

[Paragraph (1) added by Amendment 3, 8 F.R. 2667, effective 3-1-43 and amended by Amendment 6, 8 F.R. 5986, effective 5-12-43. Former paragraphs (1) through (7) re-designated (2) through (8) respectively.]

(2) "Manufacturer" means any of the following:

(i) Any person engaged in the production of rubber drug sundries;

(ii) Any person who sells rubber drug sundries primarily other than at retail

and who finishes, assembles or packages the rubber drug sundries sold by him; or

(iii) Any distributor of rubber drug sundries.

[Paragraph (2) as amended by Amendment 6, 8 F.R. 5986, effective 5-12-43]

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

(4) "Purchaser of the same class" and "class of purchaser" refer to the practice adopted by the seller in setting different prices for commodities for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantities or grades or under different conditions of sale.

(5) "Rubber drug sundries" means the articles set forth in Appendix A.

(6) "Rubber" means substitute rubber and all forms and types of rubber, including synthetic and reclaimed rubber.

(7) "Synthetic rubber" means a material obtained by chemical synthesis, possessing the approximate physical properties of natural rubber, when compared in either the vulcanized or unvulcanized condition, which can be vulcanized with sulphur or other chemicals with the application of heat, and which, when vulcanized, is capable of rapid elastic recovery after being stretched to at least twice its length at temperatures ranging from 0° F. to 150° F. at any humidity.

(8) "Substitute rubber" means a substance made in whole or part by a chemical process or from natural gums, resins or oils which in physical properties sufficiently resembles natural or synthetic rubber to replace either of them for particular uses, including uses where only some and not all of the physical characteristics of natural or synthetic rubber are needed, and which serves the same use as natural or synthetic rubber in the particular application in which it is applied.

(b) Unless the context otherwise requires, the definitions set forth in the General Maximum Price Regulation shall apply to other terms used herein.

§ 1315.1770 *Effective date.* This maximum Price Regulation No. 300 (§§ 1315.1751 to 1315.1772, inclusive) shall become effective February 1, 1943.

[§ 1315.1770 as amended by Amendment 3, 8 F.R. 2667, effective 3-1-43]

[Issued January 16, 1943]

§ 1315.1771 *Appendix A: Definition of rubber drug sundries.* When used in this Maximum Price Regulation No. 300 the term "rubber drug sundries" means the articles listed in paragraphs (a) to (j), inclusive, of this section, when made in whole or in part of rubber, but does

not include the articles listed in paragraph (k) of this section.

[Paragraph as amended by Amendment 1, 8 F.R. 1369, effective 2-1-43]

NOTE: Many of the items included in list are not permitted to be produced out of crude, latex, synthetic, reclaimed or scrap rubber by the War Production Board.

(a) Water bottles, ice bags, syringes and other flat goods, including, but not limited to:

Air cushions
Bedpans
Combination syringes
Face and baby bottles
Fountain syringes
Hot water bottles
Ice bags and caps
Invalid rings and cushions

(b) The following baby supplies:

Breast pumps.
Breast shields.
Feeding nipples.
Infant bottle combinations.
Nipple shields.
Nursery bottle caps.
Pacifiers.
Teething rings.

[Paragraph (b) as amended by Amendment 3, 8 F.R. 2667, effective 3-1-43]

(c) Rubber tubing, stopples and irrigators for medical, surgical, dental, mortuary, veterinary and laboratory purposes, including, but not limited to:

Catheters
Irrigators
Rubber policemen
Stopples
Tubes and tubing

(d) The following rubber dental supplies:

Dental dams.
Dental separating strips and mouth props.
Orthodontia bands.
Plaster bowls.
Rubber denture, denture suction and model formers.

[Paragraph (d) as amended by Amendment 6, 8 F.R. 5986, effective 5-12-43]

(e) Bulb and bulb goods for medical, surgical, dental, mortuary, veterinary and laboratory purposes, including, but not limited to:

Atomizers
Bulb syringes
Cautery bulb sets
Chip blower bulbs
Household bulb syringes
Politzer syringes
Sinus bulb sets
Spray douches

(f) Rubber gloves and finger cots, including, but not limited to:

Autopsy and mortuary gloves
Household gloves and cots
Industrial gloves and cots
Medical and surgical gloves and cots
Obstetrical gloves and sleeves

(g) The following hospital and surgical supplies:

Air mattresses and pillows.
Obstetricians' aprons.
Operating cushions.
Patients' bibs and throws.
Surgeons' aprons.
Urologists' aprons.

[Paragraph (g) as amended by Amendment 3, 8 F.R. 2667, effective 3-1-43]

(h) Prophylactics and other devices for the prevention of disease, including, but not limited to:

Diaphragms
Fitting rings
Pessaries
Prophylactics
Vaginal applicators

(i) Hard rubber for medical, surgical, dental, veterinary, mortuary and laboratory equipment and parts, including, but not limited to:

Stoppers
Syringes
Tubes, pipes, connections and accessories

(j) The following miscellaneous rubber articles and rubber parts:

Acid bottles, rubber
Blood pressure bags, bulbs and tubing
Blood transfusion connectors
Brain surgery caps
Caps and closures
Colonic bags
Colostomy outfits
Crutch parts
Dilators
Cushions—ear, elbow and heel
Evacuators
Foot appliances and parts—corrective, rubber
Funnels, rubber
Hagner bags
Inhalation bags and face pieces (medical, surgical, dental, veterinary and laboratory).
Insufflators.
Intravenous connectors.
Medicine droppers and bulbs.
Microscope covers.
Orsas bags.
Orthopedic pads and parts, rubber.
Parts for medical, surgical, veterinary and mortuary instruments.
Parts for acoustic aids.
Prostatic bags.
Prosthetic devices and parts, rubber.
Rubber bands and cushions for artificial limbs.
Rubber suppositories.
Sinus pads and bags.
Spatulas, rubber.
Splint cushions.
Thermapeutic applicators.
Thermometer cases, rubber.
Tourniquets.
Truss parts.
Umbilical belts.
Urinals, individual wear.
Veterinary sleeves.
X-ray sheets, gloves, aprons and cooling hose.

All other rubber articles and parts for medical, surgical, orthopedic, pharmaceutical and laboratory purposes, provided that rubber is the component material of chief weight.

[Paragraph (j) as amended by Amendment 3, 8 F.R. 2667, effective 3-1-43]

(k) The term "rubber drug sundries" does not include the following articles:

Adhesive tape.
Medicated footpads and plasters.
Sanitary belts.
Supporters (men's athletic).
Surgical elastic bandages.
Surgical elastic supports.
Surgical stockings.
Surgical tape.
Suspensories.
Trusses.

[Paragraph (k) added by Amendment 1, 8 F.R. 1369, effective 2-1-43]

§ 1315.1772 *Appendix B: Maximum manufacturers' prices for victory line rubber drug sundries.* (a) The maxi-

mum manufacturers' prices for victory line rubber drug sundries shall be the prices listed in Table I. The specifica- tions of the items priced in Table I will be found in paragraph (b) of this section.

TABLE I—MAXIMUM MANUFACTURERS' PRICES FOR VICTORY LINE RUBBER DRUG SUNDRIES¹

Item	Maximum prices for sales by manufacturers		
	To whole- salers ²	To mass retail distribu- tors ³	To other retailers ⁴ and ultimate consumers
Hot water bottles:			
Hospital Grade (cloth inserted 2 quart).....	\$1.13		\$1.51
Hospital Grade (molded).....	.55		.74
Consumer Grade I ⁵ (colored—molded).....	.42	\$0.47	.57
Consumer Grade II ⁶ (colored & black—molded).....	.32	.36	.43
Fountain syringes (civilian-molded) equipped with 4' 8" regular flow tubing, stopper, shut-off, & screw socket:			
Consumer Grade I ⁷ (colored):			
Group I—2 slip pipes, adult rectal and vaginal.....	.44	.49	.59
Group II—2 screw pipes, adult rectal and vaginal plus screw pipe connections.....	.49	.55	.65
Group III—3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connection, and rapid flow accessories.....	.68	.76	.91
Consumer Grade II ⁷ (colored and black):			
Group I—2 slip pipes, adult rectal and vaginal.....	.34	.38	.45
Group II—2 screw pipes, adult rectal and vaginal plus screw pipe connections.....	.39	.46	.52
Group III—3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connection, and rapid flow accessories.....	.58	.65	.77
Combination syringes (molded) equipped with 4'8" regular flow tubing, stopper, shut-off, and screw socket:			
Consumer Grade I ⁸ (colored):			
Group I—2 slip pipes, adult rectal and vaginal.....	.56	.68	.75
Group II—2 screw pipes, adult rectal and vaginal plus screw pipe connections.....	.61	.69	.82
Group III—3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connection, and rapid flow accessories.....	.80	.90	1.07
Consumer Grade II ⁸ (colored & black):			
Group I—2 slip pipes, adult rectal and vaginal.....	.46	.51	.62
Group II—2 screw pipes, adult rectal and vaginal plus screw pipe connections.....	.51	.56	.68
Group III—3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connection, and rapid flow accessories.....	.70	.77	.94
Combination syringe attachment sets—to include 4'8" regular flow tubing, stopper, shut-off, and screw sockets:			
Group I—2 slip pipes, adult rectal and vaginal.....	.15	.17	.20
Group II—2 screw pipes, adult rectal and vaginal plus screw pipe connections.....	.20	.22	.27
Group III—3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connection, and rapid flow accessories.....	.40	.44	.54
Ice caps (molded):			
Invalid rings and cushions (molded—all rubber):			
Size 12 inches.....	1.08	1.20	1.44
14 inches.....	1.17	1.30	1.56
16 inches.....	1.30	1.44	1.74
18 inches.....	1.55	1.72	2.07
Invalid rings and cushions (cloth inserted):			
Size 12 inches.....	1.26	1.40	1.69
14 inches.....	1.32	1.47	1.76
16 inches.....	1.45	1.61	1.94
18 inches.....	1.71	1.90	2.28

¹ These maximum prices are subject to the terms and conditions of sale set forth in § 1315.1756.

² "Wholesaler" means any seller at wholesale and includes dental, surgical, and hospital supply houses.

³ "Mass retail distributor" means (a) a seller at retail who during 1942 purchased any of the types of rubber drug sundries listed in Table I at a discount of 25 percent or more from the manufacturer's list price; (b) a seller at retail who purchased during 1942 any private brand rubber drug sundries listed in Table I; or (c) any seller at retail who in the future buys in the same quantities, manner, and conditions as those which during 1942 qualified purchasers who sell at retail to receive a discount of 25 percent or more from the manufacturer's list price or to obtain private branded merchandise.

⁴ "Other retailer" means any seller at retail who is not a mass retail distributor.

⁵ A Consumer Grade I hot-water bottle is one made in any color but black. In addition, such a bottle may only bear a brand name, which the manufacturer placed on bottles that he sold on December 1, 1941, at a net price of \$0.36 or more and which the manufacturer has not reported for use on Consumer Grade II bottles. Also, a Consumer Grade I hot-water bottle must not bear a brand name which was placed on it by a mold, which either bore a different brand name on January 16, 1943, or which was not used by the manufacturer on December 1, 1941, without written permission from the Office of Price Administration. "Net price" as used in this footnote, means the lowest price arrived at after deducting the federal excise tax on rubber products and all discounts except cash discount. The term "Consumer Grade II hot-water bottle" is defined in footnote 6. The manufacturer is required to report the brand names he uses for Consumer Grade I hot-water bottles in accordance with the provisions of paragraph (b) of § 1315.1763.

⁶ A Consumer Grade II hot-water bottle is one which is made in any color. The manufacturer is required to report the brand name he uses for Consumer Grade II bottles in accordance with the provisions of paragraph (b) of § 1315.1763. Once a brand name has been reported for use on a Consumer Grade II bottle, it may not be used on a Consumer Grade I bottle.

⁷ Whether a fountain syringe shall be priced as Consumer Grade I or Consumer Grade II depends upon whether a hot-water bottle bearing the same brand would be priced as a Consumer Grade I or a Consumer Grade II.

⁸ Whether a combination syringe shall be priced as Consumer Grade I or Consumer Grade II depends upon whether the hot-water bottle, which is part of the combination syringe, would be priced as Consumer Grade I or Consumer Grade II if sold separately.

⁹ If a combination syringe or combination syringe attachment set includes an accessory which is not listed in the table, the maximum price of that combination syringe or combination syringe attachment set shall be determined by adding to the maximum price listed for the combination syringe or combination syringe attachment set, as the case may be, without that accessory, the maximum price of the unlisted accessory. The maximum price of the unlisted accessory shall be determined in the same manner that the maximum prices for rubber drug sundries, other than victory line, are determined, and marked separately on the unit of sale container in which the combination syringe or combination syringe attachment set is sold at retail.

(b) "Victory line rubber drug sundries" means the items listed in Table II, manufactured after January 31, 1943, which can meet the minimum physical specifications set forth in that table.

TABLE II—MINIMUM PHYSICAL SPECIFICATIONS FOR VICTORY LINE RUBBER DRUG SUNDRIES¹

	Minimum tensile strength (per sq. inch)	Minimum ultimate elongation (%)	Resistance to boiling water ² (%)	Resistance to heat ³ (%)	Minimum wall thickness (in.)
Hot water bottles:					
Hospital Grade (cloth inserted 2 quart) ⁴	1650	500	40	80	.020
Hospital Grade (molded)	1250	400	40	75	.028
Consumer Grade I or II (molded)					.025
Combination syringes (molded): Consumer Grade I or II	1250	400	40	75	.025
Fountain syringes (molded): Consumer Grade I or II	800	350		75	.025
Ice caps and bags (molded): Consumer Grade	1250	400		75	.025
Invalid rings (molded): (All sizes)	1650	500		80	.030
Cloth inserted (all sizes)					.030
Tubing for combination syringe (4' 8" lengths)	700	300			

¹ Testing and sampling shall be done by the methods provided by Federal Specifications ZZ-R-601, ZZ-B-581, ZZ-B-582a, ZZ-I-121, ZZ-C-706, and ZZ-C-791 and all emergency specifications.

² Percent of original tensile strength and ultimate elongation retained after 6 days in boiling water and 24 hours after removal in the case of the hospital grade bottles, or percent retained after 4 days in boiling water and 24 hours after removal in the case of the consumer grade bottles, and combination syringes.

³ Percent of original tensile strength and ultimate elongation after 7 days, except in the case of fountain syringes, 4 days in air at 158° F. and 24 hours after removal.

⁴ The article shall withstand a compressed oxygen test ("bomb" test) for 10 days at 48 to 52 pounds pressure per square inch and at a temperature of 70° C without becoming significantly softer or stiffer than the original, shall not be tacky, and shall show no other change which might adversely affect its serviceability.

⁵ After boiling in water for 6 continuous days the bottle shall be free from blisters and other defects which might affect its serviceability.

[Table II as amended by Amendment 9, effective 7-6-43]

(c) If after January 31, 1943, a manufacturer produces a factory second or rubber drug sundry listed in Table II which does not meet the minimum specifications set forth in that table, the maximum price for that rubber drug sundry shall be 75 percent of the price set forth in Table I for a sale of the same type of rubber drug sundry to the same class of purchasers.

Issued this 2d day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10704; Filed, July 2, 1943; 4:51 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[IMPR 301¹ Incl. Amdt. 7]

RETAIL AND WHOLESALE PRICES FOR RUBBER DRUG SUNDRIES

Section 1315.1784a is added; §§ 1315.1795 (j), 1315.1796 (a), Table I and footnote 1 are amended by Amendment 7, effective July 9, 1943, so that Maximum Price Regulation No. 301 shall read as follows:

In the judgment of the Price Administrator the prices of rubber drug sundries have risen to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of rubber drug sundries prevailing between October 1 and October 15, 1941, and has made adjustment for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with

representative members of the industry which will be affected by this Regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of considerations² involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedure Regulation No. 1³ issued by the Office of Price Administration, Maximum Price Regulation No. 301 is hereby issued.

Sec.

1315.1776 Applicability of this Maximum Price Regulation No. 301.
 1315.1777 Maximum retail and wholesale prices for victory line rubber drug sundries.
 1315.1778 Maximum prices for sales at wholesale of rubber drug sundries, other than victory line.
 1315.1779 Maximum prices for sales at retail of rubber drug sundries, other than victory line.
 1315.1780 Terms and conditions of sale.
 1315.1781 Sales for export.
 1315.1782 Federal and state taxes.
 1315.1783 Transfers of business or stock in trade.
 1315.1784 Less than maximum prices.
 1315.1784a Adjustable pricing.
 1315.1785 Evasion.
 1315.1786 Records.
 1315.1787 Notification of maximum prices for sales at retail.
 1315.1788 Sales slips and receipts.

² Statements of considerations are also issued simultaneously with the issuance of amendments. Copies may be obtained from the Office of Price Administration.

³ 7 F.R. 8961; 8 F.R. 3313, 3533, 6173.

Sec.	
1315.1789	Enforcement.
1315.1790	Petitions for amendment.
1315.1791	Licensing: Applicability of the registration and licensing provisions of the General Maximum Price Regulation.
1315.1792	Applicability of the General Maximum Price Regulation.
1315.1793	Definitions.
1315.1794	Effective date.
1315.1795	Appendix A: Definition of rubber drug sundries.
1315.1796	Appendix B: Maximum retail and wholesale prices for victory line rubber drug sundries.

AUTHORITY: §§ 1315.1776 to 1315.1796, inclusive, issued pursuant to Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681.

§ 1315.1776 Applicability of this Maximum Price Regulation 301—(a) *What commodities must be priced under this regulation.* This regulation applies to the commodities listed in paragraphs (a) to (i), inclusive, of Appendix A (§ 1315.1795). These commodities will be called "rubber drug sundries" in this regulation. However, this regulation applies to these commodities only if they are produced in the continental United States or the District of Columbia on or after February 1, 1943. This regulation does not apply to rubber drug sundries produced before February 1, 1943, the maximum prices of which are established by the General Maximum Price Regulation.⁴ In order that you may know what rubber drug sundries are covered by this regulation all manufacturers of rubber drug sundries are required by Maximum Price Regulation No. 300 to mark the container of a rubber drug sundry produced after January 31, 1943, or the rubber drug sundry itself with either its maximum retail price or an "R" or a "V".

[Paragraph (a) as amended by Amendment 1, 8 F.R. 1369, effective 2-1-43]

(b) *To what types of sellers this regulation applies.* This regulation applies to all sellers who sell at retail or at wholesale; except that it shall not apply until September 30, 1943, to sales by dental, surgical or hospital supply houses of rubber drug sundries, other than victory line, to physicians, dentists, morticians, veterinarians, laboratories, hospitals, industrial or commercial users, the United States, any other government or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, library or to any agency of any of the foregoing.

[Paragraph (b) amended by Amendment 4, 8 F.R. 3841, effective 3-26-43 and Amendment 6, 8 F.R. 7017, effective 5-25-43]

(c) *Geographical applicability of this regulation.* This regulation applies to the continental United States and the District of Columbia, but not to the territories and possessions of the United States.

(d) *Effect of this regulation.* This regulation establishes maximum prices for rubber drug sundries produced after

⁴ 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511.

January 31, 1943. On and after February 1, 1943, the date this regulation takes effect, regardless of any contract or other obligation, no person is permitted to sell or deliver at retail or wholesale any rubber drug sundries produced after January 31, 1943, at a price which is higher than the maximum price fixed by this regulation, and no person is permitted to buy or receive any rubber drug sundries produced after January 31, 1943, in the course of trade or business at a price which is higher than the maximum price.

§ 1315.1777 Maximum retail and wholesale prices for victory line rubber drug sundries—(a) Maximum wholesale prices. The maximum prices for sales at wholesale of victory line rubber drug sundries are set forth in Appendix B, incorporated herein as § 1315.1796.

(b) Maximum retail prices. The maximum retail price for a victory line rubber drug sundry is the price placed on the rubber drug sundry or the unit of sale container by the manufacturer. If there is no maximum retail price on the rubber drug sundry or the unit of sale container, the maximum retail price is the price set forth in Appendix B (§ 1315.1796). This price is the same price that the manufacturer is required to place on the rubber drug sundry or the unit of sale container.

(c) Identification of victory line rubber drug sundries. In order that you may know what rubber drug sundries are "victory line rubber drug sundries" they or their unit of sale container will be marked either with the maximum retail price or with a "V".

§ 1315.1778 Maximum prices for sales at wholesale of rubber drug sundries, other than victory line. This section is applicable to rubber drug sundries, other than victory line. The maximum price for sales at wholesale of such articles is the maximum price for the particular type of sale, furnished the wholesaler by the manufacturer. This maximum price must be furnished by the manufacturer in accordance with the provisions of paragraph (b) of § 1315.1764 of Maximum Price Regulation No. 300. If the manufacturer has not notified the wholesaler of the maximum price, the wholesaler shall not deliver the article until he has obtained the maximum price from the manufacturer.

§ 1315.1779 Maximum prices for sales at retail of rubber drug sundries, other than victory line—(a) Sales by persons other than mail order houses. This paragraph (a) is applicable to all sales at retail of rubber drug sundries, other than victory line, except those made by mail order houses. The maximum price for such sales shall be determined as follows:

(1) Where the maximum retail price has been placed on the rubber drug sundry or the unit of sale container. The maximum retail price shall be the price the manufacturer has placed on the rubber drug sundry or the unit of sale container. This maximum price must be

determined by the manufacturer in accordance with the provisions of Maximum Price Regulation No. 300.

(2) Where the maximum retail price has not been placed on the rubber drug sundry or the unit of sale container. If the manufacturer has not placed the maximum retail price on the rubber drug sundry or the unit of sale container, the maximum retail price of that rubber drug sundry shall be determined as follows: The maximum price shall be the maximum retail price furnished the retailer by the person from whom he purchased the rubber drug sundry. If that person is a wholesaler, he must furnish that maximum price in accordance with the provisions of this Maximum Price Regulation No. 301. If that person is a manufacturer, he must furnish that maximum price in accordance with the provisions of Maximum Price Regulation No. 300. If the retailer has not been notified of the maximum retail price, he may not sell the rubber drug sundry until he has obtained the maximum retail price from the person who sold it to him.

(b) Sales by mail order houses of rubber drug sundries purchased from manufacturers. This paragraph (b) is applicable to rubber drug sundries, other than victory line, which have been purchased from a manufacturer. The maximum price for sales by mail order houses of such rubber drug sundries shall be determined as follows: If the mail order house is notified by the manufacturer of the manufacturer's maximum price for the sale of the rubber drug sundry being priced to the class of sellers at wholesale which purchased the largest quantity of rubber drug sundries from the manufacturer during the calendar year 1942, the mail order house shall determine its maximum price by multiplying this figure by 200 percent for sales by mail and by 233 1/3 percent for all other sales. If the mail order house is notified by the manufacturer of the manufacturer's maximum price for the sale of the rubber drug sundry being priced to the class of sellers at retail which purchased the largest quantity of rubber drug sundries from the manufacturer during the calendar year 1942, the mail order house shall determine its maximum price by multiplying this figure by 180 percent for sales by mail and by 210 percent for all other sales.

(c) Sales of baby feeding nipples. Notwithstanding any other provisions of this section (§ 1315.1779), the maximum price for sales at retail of baby feeding nipples shall be determined in accordance with the applicable provisions of paragraphs (a), (b), or (c) of this section (§ 1315.1779), but in no case shall the price for baby feeding nipples other than specially constructed baby feeding nipples exceed three for \$0.25 or \$0.10 each whenever the purchaser requests less than three. As used in this paragraph (c) the term "specially constructed baby feeding nipples" includes the following types: breast, semi-breast, valve, screw-on and cleft palate.

[Paragraph (c) as amended by Amendment 4, 8 F.R. 3841, effective 3-26-43]

§ 1315.1780 Terms and conditions of sale. (a) The maximum prices established by this regulation shall not be increased by any charges for the extension of credit, unless (1) the seller during December 1941, required payment of a separately stated additional charge for the extension of credit by purchasers of the same class on sales of the same or similar types of commodities, and (2) the amount charged for the extension of credit is not in excess of the charge in effect during December 1941, for extensions of credit involving the same amount and term.

[Paragraph (a) as amended by Amendment 3, 8 F.R. 2669, effective 3-1-43]

(b) No seller shall require any purchaser, and no purchaser shall be permitted to pay a larger proportion of transportation costs incurred in the delivery of rubber drug sundries, than the seller required purchasers of the same class to pay during December 1941 on deliveries of the same or similar types of commodities.

§ 1315.1781 Sales for export. The maximum price at which a person may export any rubber drug sundry shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation.*

§ 1315.1782 Federal and state taxes. Any tax upon, or incident to, the sale, delivery, or processing of rubber drug sundries 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: If 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.

[Note: Supplementary Order No. 31 (7 F.R. 984; 8 F.R. 1312, 3702) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for the purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

§ 1315.1783 Transfers of business or stock in trade. If the business, assets or stock in trade are sold or otherwise transferred after January 31, 1943, and the transferee carries on the business, or continues to deal in the same type of commodities, in an establishment separate from any other establishment pre-

viously owned or operated by him, the maximum prices of the transferee 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 sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this Maximum Price Regulation No. 301.

§ 1315.1784 Less than maximum prices. Lower prices than those established by this Maximum Price Regulation No. 301 may be charged, demanded, paid or offered.

§ 1315.1784a 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.

§ 1315.1785 Evasion. The price limitations set forth in this Maximum Price Regulation No. 301 shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase of or relating to rubber drug sundries, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

§ 1315.1786 Records. To aid in the enforcement of this regulation every seller is required to keep certain records for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect. These records are described in three paragraphs as follows:

(a) *Records of purchases.* The seller must preserve all invoices showing purchases by him of rubber drug sundries produced after January 31, 1943.

[Paragraph (a), as amended by Amendment 3, 8 F.R. 2669, effective 3-1-43]

(b) *Customary records of prices charged.* The seller must continue to keep records of the same kind as he has customarily kept showing the prices actually charged by him after the effective date of this regulation for rubber drug sundries produced after January 31, 1943.

(c) *Notifications of maximum prices of rubber drug sundries, other than victory line.* The seller must preserve all notifications of the maximum prices of rubber drug sundries, other than victory line, received by him. These notifications shall be kept for inspection by any person during ordinary business hours.

§ 1315.1787 Notification of maximum prices for sales at retail—(a) Notification of maximum retail price of rubber drug sundries, other than victory line, to be given by wholesaler. Before or at the time of the first delivery after January 31, 1943, of any rubber drug sundry, other than victory line, by a wholesaler to a retailer, the wholesaler shall notify the retailer of the maximum retail price of that article, unless the maximum retail price has been marked on the rubber drug sundry or the unit of sale container in which it is sold at retail. This notification shall include the brand and the type or description of the rubber drug sundry and the maximum retail price applicable thereto. The wholesaler will be furnished this maximum retail price by the manufacturer in accordance with the provisions of paragraph (b) of § 1315.1764 of Maximum Price Regulation No. 300. If the manufacturer has not notified the wholesaler of the maximum retail price, the wholesaler shall not deliver the article until he has obtained the maximum retail price from the manufacturer.

(b) *Marking of maximum retail price by mail order houses.* On or after February 1, 1943, before delivery of any victory line rubber drug sundries every mail order house selling any victory line rubber drug sundries at retail shall mark or cause to have marked the maximum price established by this Maximum Price Regulation No. 301 for the sale of that rubber drug sundry on the rubber drug sundry itself, on the unit of sale container in which the rubber drug sundry is sold at retail, on a tag which is firmly affixed to the rubber drug sundry, or in some other manner approved by the Office of Price Administration in writing. The maximum price shall be marked as follows: "Retail Ceiling \$ _____. The marking shall be large enough to make it plainly visible to the purchasing public.

§ 1315.1788 Sales slips and receipts. Any person who has regularly furnished customers with invoices, sales slips, receipts or similar documents shall continue to do so. Every person shall, regardless of previous custom, upon request of the customer, give such customer a signed receipt showing the date of the transaction, the type, brand and grade of the rubber drug sundries sold and the price charged therefor.

§ 1315.1789 Enforcement. (a) Persons violating any provisions of this Maximum Price Regulation No. 301 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 301 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field, district, state or regional office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1315.1790 Petitions for amendment. Any person seeking a modification of any provision of this Maximum Price Regulation No. 301 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

§ 1315.1791 Licensing: Applicability of the registration and licensing provisions of the General Maximum Price Regulation. The registration and licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation are applicable to every person subject to this Maximum Price Regulation No. 301 selling rubber drug sundries at wholesale or retail. When used in this section the terms "selling at wholesale" and "selling at retail" have the definitions given to them by §§ 1499.20 (p) and 1499.20 (o), respectively, of the General Maximum Price Regulation.

§ 1315.1792 Applicability of the General Maximum Price Regulation. Except as provided in § 1315.1791, the provisions of this Maximum Price Regulation No. 301 supersede the provisions of the General Maximum Price Regulation, including §§ 1499.11, 1499.12, 1499.13, 1499.14 and 1499.25 thereof, with respect to sales and deliveries for which maximum prices are established by this Maximum Price Regulation No. 301.

§ 1315.1793 Definitions. (a) When used in this Maximum Price Regulation No. 301 the term:

(1) "Rubber drug sundries" means the articles set forth in Appendix A (§ 1315.1795).

(2) "Rubber" means substitute rubber and all forms and types of rubber, including synthetic, reclaimed and balata rubber.

(3) "Sale at retail" or "selling at retail" means a sale or selling to an ultimate consumer other than an industrial or commercial user, except that (i) a "sale at retail" shall not include any sale by a producer, manufacturer, or fabricator of any commodity produced, manufactured, or fabricated by him, and (ii) a "sale at retail" shall not include any sale to the United States, any other government or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library, or any agency of any of the foregoing.

(4) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than the ultimate consumer, except that a sale at wholesale shall include any sale by such person to an industrial or commercial user, the United States, any other government or any of its political subdivisions, any religious, educational or charitable institution, any institution for the sick, deaf, blind, disabled, aged or insane, or any school, hospital, library or any agency of any of the foregoing.

(b) Unless the context otherwise requires, the definitions set forth in the General Maximum Price Regulation shall apply to other terms used herein.

§ 1315.1794 *Effective date.* This Maximum Price Regulation No. 301 (§§ 1315-1776 to 1315.1796, inclusive) shall become effective February 1, 1943.

[§ 1315.1794 as amended by Amendment 3, 8 F.R. 2669, effective 3-1-43]

[Issued January 16, 1943]

§ 1315.1795 *Appendix A: Definition of rubber drug sundries.* When used in this Maximum Price Regulation No. 301 the term "rubber drug sundries" means the articles listed in paragraphs (a) to (l), inclusive, of this section, when made in whole or in part of rubber, but does not include the articles listed in paragraph (j) of this section.

[Paragraph as amended by Amendment 1, 8 F.R. 1369, effective 2-1-43]

[NOTE: Many of the items included in this list are not permitted to be produced out of crude, latex, synthetic, reclaimed or scrap rubber by the War Production Board.]

(a) Water bottles, ice bags, syringes and other flat goods, including, but not limited to:

Air cushions,
Bedpans.
Combination syringes.
Face and baby bottles.
Fountain syringes.
Hot water bottles.
Ice bags and caps.
Invalid rings and cushions.

(b) The following baby supplies:

Breast pumps.
Breast shields.
Feeding nipples.
Infant bottle combinations.
Nipple shields.
Nursery bottle caps.
Pacifiers.
Teething rings.

[Paragraph (b) as amended by Amendment 3, 8 F.R. 2669, effective 3-1-43]

(c) Rubber tubing, stopples and irrigators for medical, surgical, dental, mortuary, veterinary and laboratory purposes, including, but not limited to:

Catheters.
Irrigators.
Rubber policemen.
Stopples.
Tubes and tubing.

(d) The following rubber dental supplies:

Dental dams.
Dental separating strips and mouth props.
Orthodontia bands.
Plaster bowls.
Rubber denture, denture suction and model formers.

[Paragraph (d) as amended by Amendment 5, 8 F.R. 5986, effective 5-12-43]

(e) Bulb and bulb goods for medical, surgical, dental, mortuary, veterinary and laboratory purposes, including, but not limited to:

Atomizers.
Bulb syringes.
Cautery bulb sets.
Chip blower bulbs.
Household bulb syringes.
Politzed syringes.
Sinus bulb sets.
Spray douches.

(f) Rubber gloves and finger cots, including, but not limited to:

Autopsy and mortuary gloves.
Household gloves and cots.
Industrial gloves and cots.
Medical and surgical gloves and cots.
Obstetrical gloves and sleeves.

(g) The following hospital and surgical supplies:

Air mattresses and pillows.
Obstetricians' aprons.
Operating cushions.
Patients' bibs and throws.
Surgeons' aprons.
Urologists' aprons.

[Paragraph (g) as amended by Amendment 3, 8 F.R. 2669, effective 3-1-43]

(h) Hard rubber for medical, surgical, dental, veterinary, mortuary and laboratory equipment and parts, including, but not limited to:

Stoppers.*
Syringes.
Tubes, pipes, connections and accessories.

(i) The following miscellaneous rubber articles and rubber parts:

Acid bottles, rubber.
Blood pressure bags, bulbs and tubing.
Blood transfusion connectors.
Brain surgery caps.
Caps and closures.
Colonic bags.
Colostomy outfits.
Crutch parts.
Dilators.
Cushions—ear, elbow and heel.
Evacuators.
Foot appliances and parts—corrective, rubber.
Funnels, rubber.
Hagner bags.
Inhalation bags and face pieces (medical, surgical, dental, veterinary and laboratory).
Insufflators.
Intravenous connectors.
Medicine droppers and bulbs.
Microscope covers.
Orsat bags.
Orthopedic pads and parts, rubber.
Parts for medical, surgical, veterinary and mortuary instruments.
Parts for acoustic aids.
Prostatic bags.
Prosthetic devices and parts, rubber.
Rubber bands and cushions for artificial limbs.
Rubber suppositories.
Sinus pads and bags.
Spatulas, rubber.
Splint cushions.
Thermapeutic applicators.
Thermometer cases, rubber.
Tourniquets.
Truss parts.
Umbilical belts.
Urinals, individual wear.
Veterinary sleeves.
X-ray sheets, gloves, aprons and cooling hose.

All other rubber articles and parts for medical, surgical, orthopedic, pharmaceutical and laboratory purposes, provided that rubber is the component material of chief weight.

[Paragraph (i) as amended by Amendment 3, 8 F.R. 2669, effective 3-1-43]

(j) The term "rubber drug sundries" does not include the following articles:

Adhesive tape.
Medicated footpads and plasters.
Prophylactics and other devices for the prevention of disease.
Sanitary belts.
Supporters (men's athletic).
Surgical elastic bandages.
Surgical elastic supports.
Surgical stockings.
Surgical tape.
Suspensories.
Trusses.

[Paragraph (j) added by Amendment 1, 8 F.R. 1369, effective 2-1-43 and amended by Amendment 7, effective 7-9-43]

§ 1315.1796 *Appendix B: Maximum wholesalers' and retailers' prices for victory line rubber drug sundries.* (a) The maximum prices for sales at wholesale and retail (except sales by mail by mail order houses) of victory line rubber drug sundries shall be the prices listed in Table I.

FEDERAL REGISTER, Tuesday, July 6, 1943

TABLE I—MAXIMUM WHOLESALERS' AND RETAILERS' PRICES FOR VICTORY LINE RUBBER DRUG SUNDRIES*

Items	Maximum price for sales at wholesale	Maximum price for sales at retail
Hot water bottles:		
Hospital Grade (cloth inserted 2 quart)	\$1.51	
Hospital Grade (molded)	.74	
Consumer Grade I (colored—molded)	.57	\$1.00
Consumer Grade II (colored and black—molded)	.43	.75
Fountain syringes (civilian—molded) equipped with 4'8" regular flow tubing, stopper, shut-off, and screw socket:		
Consumer Grade I (colored):		
Group I—2 slip pipes, adult rectal and vaginal	.59	1.05
Group II—2 screw pipes, adult rectal and vaginal plus screw pipe connections	.65	1.15
Group III—3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connections, and rapid flow accessories	.01	1.00
Consumer Grade II (colored and black):		
Group I—2 slip pipes, adult rectal and vaginal	.45	.80
Group II—2 screw pipes, adult rectal and vaginal plus screw pipe connections	.52	.95
Group III—3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connections and rapid flow accessories	.77	1.35
Combination syringes (molded) equipped with 4'8" regular flow tubing, stopper, shut-off, and screw socket:		
Consumer Grade I (colored):		
Group I—2 slip pipes, adult rectal and vaginal	.75	1.35
Group II—2 screw pipes, adult rectal and vaginal plus screw pipe connections	.82	1.45
Group III—3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connections and rapid flow accessories	1.07	1.90
Consumer Grade II (colored & black):		
Group I—2 slip pipes, adult rectal and vaginal	.62	1.10
Group II—2 screw pipes, adult rectal and vaginal plus screw pipe connections	.68	1.20
Group III—3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connections and rapid flow accessories	.94	1.65
Combination syringe attachment sets—to include 4'8" regular flow tubing, stopper, shut-off, and screw sockets:		
Group I—2 slip pipes, adult rectal and vaginal	.20	.35
Group II—2 screw pipes, adult rectal and vaginal plus screw pipe connections	.27	.50
Group III—3 screw pipes, infant rectal, adult rectal, and balloon vaginal plus screw pipe connections and rapid flow accessories	.54	.95
Ice caps (molded)	.60	1.05
Invalid rings and cushions (molded—all rubber):		
Size 12 inches:		
14 inches	1.44	2.50
16 inches	1.56	2.75
18 inches	1.74	3.05
	2.07	3.60
Invalid rings and cushions (cloth inserted):		
Size 12 inches:		
14 inches	1.68	2.95
16 inches	1.76	3.10
18 inches	1.94	3.40
	2.28	4.00

* These prices are subject to the terms and conditions of sale set forth in § 1315.1780.

When used in this table I the designations "Consumer Grade I" and "Consumer Grade II" have the meanings given to them by table I in Maximum Price Regulation 300—Maximum Manufacturers' Prices for Rubber Drug Sundries.

[Table I as amended by Amendment 7, effective 7-9-43]

[Footnote (1) as amended by Amendment 3, 8 F.R. 2669, effective 3-1-43 and Amendment 7, effective 7-9-43]

(b) The maximum price for sales by mail, by mail order houses, of any victory line rubber drug sundry shall be the lower of the following: (1) the price stated in Table I for sales at retail of the rubber drug sundry in question; or (2) a price obtained by multiplying by 180 percent the manufacturer's maximum price (as established by Maximum Price Regulation No. 300) for the sale of the rubber drug sundry in question to mass distributors at retail.

Issued this 2d day of July, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10705; Filed, July 2, 1943;
4:50 p. m.]

2. Section 21.1 (a) (10) (ii) is amended by adding the word "peaches" between the words "olympicberries" and "plums."

This amendment shall become effective July 4, 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 2d day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10702; Filed, July 2, 1943;
4:45 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,¹ Amdt. 44]

PROCESSED FOODS

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

The last sentence of section 2.5 (a) of Ration Order 13 is amended to read as follows:

(a) * * * His application (on OPA Form R-315) must contain a written statement signed by a person licensed by the laws of the State in which the certification is made to prescribe for human medication all internal drugs which may be prescribed within that State. The statement must show why the applicant must have more processed foods, the amounts and types he needs during the next two months, and why he cannot use unrationed foods instead.

This amendment shall become effective July 8, 1943.

(Pub. Law 671, 75th 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)

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

Issued this 2d day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10703; Filed, July 2, 1943;
4:49 p. m.]

¹ 8 F.R. 1840, 2288, 2677, 2681, 2684, 2943, 3179, 3949, 4342, 4525, 4726, 4784, 4892, 4921, 5318, 5341, 5842, 5480, 5568, 5757, 5758, 5818, 5819, 5847, 6046, 6137, 6138, 6181, 6838, 6839, 7267, 7268, 7380, 7353, 7490, 7589, 8357, 8276.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS
 [RO 16, Amdt. 44]

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 last sentence of section 2.4 (a) of Ration Order 16 is amended to read as follows:

(a) * * * His application (on OPA Form R-315) must contain a written statement signed by a person licensed by the laws of the State in which the certification is made to prescribe for human medication all internal drugs which may be prescribed within that State. The statement must show why the applicant must have more foods covered by this order, the amounts and types he needs during the next two months, and why he cannot use unrationed foods instead.

This amendment shall become effective July 8, 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 and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 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)

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

Issued this 2d day of July 1943.

PRENTISS M. BROWN,
 Administrator.

[F. R. Doc. 43-10706; Filed, July 2, 1943;
 4:53 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16, Amdt. 45]

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.*

Ration Order 16 is amended in the following respects:

1. The definition of "butter" in section 2.1 (a) is amended to read as follows:

"Butter" means edible "fat" extracted from cow's milk, cream, or whey, or such fat mixed with any cheeses, if the cheese

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

¹ 8 F.R. 3591, 3715, 3949, 4137, 4350, 4423, 4721, 4784, 4893, 4967, 5172, 5318, 5567, 5679, 5739, 5819, 5847, 6046, 6138, 6181, 6446, 6614, 6620, 6687, 6840, 6960, 6981, 7115, 7268, 7281, 7455, 7492, 7825.

is less than twenty-five per cent by weight of the mixture. It includes any substance the manufacture of which is taxable as the manufacture of process (renovated) or adulterated butter as defined by Chapter 840, section 1, Act of August 2, 1886 (24 Stat. 209), as amended by Chapter 784, section 4, Act of May 9, 1902 (32 Stat. 193).

2. Section 24.1 (a) is amended by inserting the following as an additional definition between the definitions of "primary distributor establishment" and "rationed cheeses":

"Process butter" means process or renovated butter as defined by Chapter 840, section 1, Act of August 2, 1886 (24 Stat. 209), as amended by Chapter 784, section 4, Act of May 9, 1902 (32 Stat. 195).

This amendment shall become effective July 4, 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; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 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 2d day of July 1943.

PRENTISS M. BROWN,
 Administrator.

[F. R. Doc. 43-10706; Filed, July 2, 1943;
 4:52 p. m.]

[Order 68 Under SR 15 to GMPR]

PART 1499—COMMODITIES AND SERVICES

JORDAN'S TRUCK LINE

Order No. 68 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, Docket No. GF3-3335.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.1368 *Adjustment of maximum prices for contract carrier services by Carroll T. Jordan, doing business as Jordan's Truck Line, of Hartsville, South Carolina.* (a) Carroll T. Jordan, doing business as Jordan's Truck Line, of Hartsville, South Carolina, may sell and deliver contract carrier services to Sonoco Products Company of Hartsville, South Carolina at the rates set forth in a certain contract dated July 27, 1942 between the Jordan's Truck Line and Sonoco Products Company, a copy of which is attached to and made a part of the application for adjustment and marked Exhibit (b) thereof.

(b) All requests of the application not granted herein are denied.

(c) This Order No. 68 (§ 1499.1368) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 68 (§ 1499.1368) may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 68 (§ 1499.1368) shall become effective as of April 15, 1943.

(Pub. Laws Nos. 421, and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of July 1943.

PRENTISS M. BROWN,
 Administrator.

[F. R. Doc. 43-10689; Filed, July 2, 1943;
 4:44 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 568 Under § 1499.3 (b) of GMPR]

N. D. Q. SPECIALTY CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.2106 *Authorization of maximum prices governing sales of "Cereal Coated Marshmallow Chicks", a confectionery item, manufactured by N. D. Q. Specialty Corporation, Brooklyn, New York.* (a) That on and after the 3d day of July 1943, the N. D. Q. Specialty Corporation of Brooklyn, New York, may sell its "Cereal Coated Marshmallow Chicks" in boxes containing 120 items and having a minimum net weight of 3 lbs. 3 ounces to the following classes of customers at the indicated maximum delivered prices:

Per box

(1) To jobbers.....	\$.68
(2) To syndicate and chain stores.....	.70
(3) To variety stores, department stores and retail confectioners.....	.72

(b) That jobbers of N. D. Q. Specialty Corporation's "Cereal Coated Marshmallow Chicks" shall establish a maximum delivered price not in excess of 85 cents per box of 120 items.

(c) That retailers of N. D. Q. Specialty Corporation's "Cereal Coated Marshmallow Chicks" shall establish a maximum price not in excess of 1 cent per item.

(d) That N. D. Q. Specialty Corporation shall mail or otherwise supply to its purchasers at the time of or prior to the first delivery to such purchasers, the applicable written notice as follows:

(1) *To jobbers.*

The Office of Price Administration has authorized us to sell our "Cereal Coated Marshmallow Chicks" packed 120 to a box at a minimum net weight of 3 pounds and 3 ounces per box to jobbers at the maximum delivered price of 68¢ per box. Jobbers are authorized to establish a maximum delivered price not in excess of 85¢ per box.

(2) *To syndicate and chain stores.*

The Office of Price Administration has authorized us to sell our "Cereal Coated Marshmallow Chicks" packed 120 to a box at a minimum net weight of 3 pounds and 3 ounces per box to syndicate and chain stores at the maximum delivered price of 70¢ per box. Retailers are authorized to establish a price not in excess of 1¢ per item.

(3) *To variety stores, department stores and retail confectioners.*

The Office of Price Administration has authorized us to sell our "Cereal Coated Marshmallow Chicks" packed 120 to a box at a minimum net weight of 3 pounds and 3 ounces per box to variety stores, department stores and retail confectioners at a maximum delivered price of 72¢ per box. Retailers are authorized to establish a price not in excess of 1¢ per item.

(e) That N. D. Q. Specialty Corporation for a period of at least ninety days, shall place in or on each 120 item box distributed through a jobber a notice as follows:

The Office of Price Administration has authorized jobbers to sell this 120 item box having a minimum net weight of 3 pounds and 3 ounces to retailers at a maximum delivered price of 85¢ per box. Retailers are authorized to establish a price not in excess of 1¢ per item.

(f) This order may be revoked or amended at any time by the Office of Price Administration.

(g) This Order No. 568 shall become effective July 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10700; Filed, July 2, 1943; 4:44 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 569 Under § 1499.3 (b) of GMPR]

LYNN STEWART COMPANY

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, *It is ordered:*

§ 1499.2107 Approval of maximum prices for sales of a new model radio assembled by Lynn Stewart Company.
(a) This Order No. 569 establishes maximum prices for sales of a new radio model using a Midwest Radio Corporation chassis, consisting of 16 tubes and a 14" dynamic speaker, assembled by Lynn Stewart Company, 3900 Sheridan Road, Chicago, Illinois.

(1) For a sale by the assembler, the maximum price is \$122.55, f. o. b. Chicago, Illinois, exclusive of federal excise tax.

(2) For a sale at retail, the maximum price is \$204.25, exclusive of federal excise tax.

(b) To every radio set shipped to a purchaser for resale, the assembler shall attach a tag or label which plainly states the retail ceiling price.

(c) At or before the time of first delivery after the effective date of this Order No. 569 the manufacturer shall notify in writing every person who buys from it of the maximum price set by this Order No. 569 for resale by the purchaser. This written notice may be given in any convenient form; for example, it may be shown on or attached to the invoice, or packed with the merchandise.

(d) This Order No. 569 may be revoked or amended by the Price Administrator at any time.

This Order No. 569 shall become effective on the 3d day of July 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10711; Filed, July 2, 1943; 4:52 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 570 Under § 1499.3 (b) of GMPR]

VIRGIN ISLANDS COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

§ 1499.2108 Authorization of maximum price for bulk sales of distillate of 188° proof by The Virgin Islands Company. (a) On and after July 3, 1943 the maximum selling price for bulk sales of distillate of 188° proof by The Virgin Islands Company, Christiansted, St. Croix, Virgin Islands, to processors of such distillate for beverage purposes only, shall be \$1.50 per gallon, f. o. b. plant.

(b) The Virgin Islands Company shall apply to the maximum selling price established by this order the same discounts, allowances and price differentials which it customarily applied to sales of rum between April 10 and May 10, 1942, unless a change in these discounts, allowances and price differentials results in a lower selling price.

(c) This Order No. 570 may be revoked or amended at any time by the Price Administrator.

(d) This Order No. 570 (§ 1499.2108) shall become effective July 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10701; Filed, July 2, 1943; 4:44 p. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,¹ Amdt. 37]

TIRES, TUBES, RECAPPING AND CAMELBACK

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

Ration Order No. 1A is amended in the following respect:

Section 1315.151 is amended to read as follows:

§ 1315.151 Territorial limitations. Ration Order No. 1A shall apply to the forty-eight states of the United States and the District of Columbia, and shall apply to all transactions between the continental United States and the territories and possessions of the United States.

This amendment shall become effective July 10, 1943.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 3d day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10735; Filed, July 3, 1943; 11:30 a. m.]

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

¹7 F.R. 9160, 9392, 9724.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 275,¹ Correction to Amdt. 5]

EXTRACTED HONEY

The phrase "§ 1351.1519 (h)" appearing in the last sentence of section 1351-1313 (b) is corrected to read "§ 1351.1319 (h)".

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

Issued this 3d day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10736; Filed, July 3, 1943; 11:30 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1² to GMPR,³ Amdt. 18]

EXCEPTION OF COMMODITY TRANSACTIONS FROM THE GENERAL MAXIMUM PRICE REGULATION; COREBINDER

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.*

Subparagraph (4) is added to section 2.3 (p) to read as follows:

(4) Corebinder.

This amendment shall become effective July 10, 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10737; Filed, July 3, 1943; 11:30 a. m.]

PART 1356—DOMESTIC AND COMMERCIAL COOKING AND HEATING STOVES AND RANGES

[RPS 64,⁴ Amdt. 8]

DOMESTIC COOKING AND HEATING STOVES

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

Section 1356.1 (f) is amended to read as set forth below:

(f) *Exemption of certain Army stoves.* Prior to October 1, 1943, nothing in this Revised Price Schedule No. 64 shall apply to the sale or delivery to the United States Government 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

¹7 F.R. 9955; 8 F.R. 542, 1228, 2337, 3947, 8502.

²8 F.R. 4978, 6055, 6363, 6547, 6615, 6852, 6964, 7261, 7270, 7349, 7592, 7600, 7668, 8710, 8754.

³8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047.

⁴7 F.R. 1329, 2000, 2132, 4404, 5072, 6221, 8948; 8 F.R. 1974, 4640, 4930, 5633.

of the United States," or any agency of such government of the following commodities which will be delivered directly by the manufacturer or indirectly by some other person:

(1) Field range Model 1937 (Quartermaster Corps).

(2) Stove, cooking (gasoline, one burner) M-1942.

(3) Deliveries of stoves, cooking (gasoline, one burner) M-1941 pursuant to contracts entered into prior to July 1, 1943.

This amendment shall become effective as of July 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10709; Filed, July 2, 1943;
4:53 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,¹ Amdt. 63]

MILEAGE RATIONING: GASOLINE REGULATIONS

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

Ration Order 5C is amended in the following respects:

In § 1394.8227 the head-note is amended as set forth below, the present text of the section is designated paragraph (a) and a new paragraph (b) is added as set forth below:

§ 1394.8227 *Inspection of records, facilities, coupon books and other evidences.* *

(b) All tire inspection records and gasoline deposit certificates and all coupon books, coupons, and other evidences are, and when issued shall remain, the property of the Office of Price Administration. Upon demand made by any investigator of the Office of Price Administration or by any police officer, constable, or other law enforcement officer of the United States or of any state, county, or local government, every person shall produce for inspection any tire inspection record and gasoline deposit certificate and any gasoline coupon books, coupons, and other evidences in his possession or control, whether valid, invalid, void or expired, and whether or not issued or acquired in accordance with Ration Order 5C. Investigators of the Office of Price Administration and all police officers, constables and other law enforcement officers of the United States, or of any state, county or local government are authorized to make such inquiries of any person as may be pertinent to determine whether a violation

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

¹ 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1368, 1318, 1588, 1813, 1895, 2098, 2213, 2288, 2353, 2431, 2595, 2780, 2720, 3096, 3261, 3253, 3255, 3254, 3315, 3616, 4189, 4341, 4850, 4976, 5267, 5268, 5486, 5564, 5756, 6261, 6179, 6441, 6846, 6687, 7390, 7455, 8009, 8180.

of Ration Order 5C has been or is being committed, and are authorized to receive the surrender of all gasoline deposit certificates, gasoline coupon books, coupons and other evidences acquired by any person otherwise than in accordance with Ration Order 5C, whether valid, invalid, void or expired.

This amendment shall become effective July 2, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 2d day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10710; Filed, July 2, 1943;
4:53 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 20]

EXCEPTIONS OF CERTAIN MILITARY FIELD EQUIPMENT

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 Supplementary Regulation No. 1 is amended in the following respects:

Section 4.3 (k) is amended to read as follows:

(k) The following commodities—but this exception shall expire October 1, 1943:

(1) The following ski troop equipment: carabiners, ice axes, pitons, ski bindings, ski poles, ski wax, mountain and ski goggles;

(2) Stoves, cooking (gasoline, one burner) M-1942;

(3) Field ranges, Model-1937 (quartermaster corps); spare parts thereof, Class A;

(4) Deliveries of the following commodities pursuant to contracts entered into prior to January 1, 1943:

(i) Accessories for field range Model-1937 (quartermaster corps), Parts 222, 223, 224, 225, 226, 227, 228, 229, 230, as listed in Instructions for Operation and Care of Gasoline Field Range, Model-1937 (quartermaster corps);

(ii) Wire cutters, Model M-1938 (quartermaster corps);

(iii) Identification tags, Model M-1940 (quartermaster corps);

(iv) Metal insignia, cap and collar (for enlisted men).

(5) Deliveries of canteens Model M-1910 (quartermaster corps) pursuant to contracts entered into prior to December 20, 1942.

(6) Deliveries of the following commodities pursuant to contracts entered into prior to April 1, 1943:

(i) Canteen cups and meat cans, Model M-1942;

(ii) Helmet liners, Model M-1 (quartermaster corps);

(iii) Paratroop knives.

(7) Deliveries of canteens, Model M-1942 (quartermaster corps) and cooking stoves (gasoline, one burner) M-1941 pursuant to contracts entered into prior to July 1, 1943.

This amendment shall become effective as of July 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 2d day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10707; Filed, July 2, 1943;
4:52 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 11,¹ Amdt. 69]

FUEL OIL RATIONING REGULATIONS

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

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

1. An undesignated center headnote is added preceding § 1394.5280, to read as follows: "Renewal of Heat and Hot Water Rations for 1943-44 Heating Year."

2. Sections 1394.5280 to 1394.5291 are added, as follows:

§ 1394.5280 *Who may apply for a renewal.* An application to renew a ration for heat or hot water, or both, for the 1943-44 heating year (that is, from October 1, 1943 to September 30, 1944, inclusive) may be made by the person to whom the ration was issued, or by any member of the family, or by someone acting for either of them. The application must be made on Form OPA R-1167. However, a ration which has expired for any of the reasons specified in § 1394.5502 may not be renewed.

§ 1394.5281 *How the renewed ration for a private dwelling is figured.* The renewed ration for heat or hot water, or both, for a private dwelling (other than a house trailer) shall be the amount of fuel oil which the applicant was entitled to use for such purpose (excluding auxiliary and supplemental rations) for the 1942-43 heating year, figured according to §§ 1394.5256 (heat) and 1394.5259 (hot water), except that:

(a) The maximum and minimum of the range for heating the dwelling shall be figured according to Table IC (instead of Table I) in § 1394.5851 (a) (3); and

(b) The total floor area which may be included under § 1394.5258 (determination of range) for central heating equipment shall not exceed 3,000 square feet (instead of 2,000 square feet) for the first person, plus 600 square feet for the second person and 300 square feet for each additional person, regularly occupying the dwelling.

(c) This section is subject to the provisions of § 1394.5284.

¹ 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9427, 9430, 9621, 9478, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 1466, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977, 1204, 1235, 1282, 1681, 1686, 1859, 2194, 2432, 2598, 2781, 2730, 2887, 2942, 2993, 2887, 3105, 3621, 3628, 3734, 3843, 3948, 4255, 4137, 4350, 4784, 4450, 5678, 6064, 6262.

§ 1394.5282 How the renewed ration for a house trailer is figured. (a) The renewed ration for heating a house trailer by use of a space heater shall be the amount of fuel oil which the applicant was entitled to use for such purpose (including supplemental but excluding auxiliary rations) for the 1942-43 heating year, figured according to § 1394.5256 (d). In no event shall the renewed ration be more than twice the maximum of the range. However, in determining the range by using subcolumn (b) of column (2) of Table I, the figures for subzone 18 shall apply to subzone 19; those for subzone 19 to subzone 20; those for subzone 20 to subzone 21; and those for subzone 21 to subzone 22.

(b) This section is subject to the provisions of § 1394.5284.

§ 1394.5283 How the renewed ration for premises other than a private dwelling is figured. (a) The renewed ration for heat or hot water, or both, for premises other than a private dwelling shall be the amount of fuel oil which the applicant was entitled to use for such purpose (excluding auxiliary and supplemental rations) for the 1942-43 heating year, figured according to paragraphs (a) to (d), inclusive, of § 1394.5261

(b) If heat or hot water, or both, is furnished by means of a space heater, and if, because the applicant showed good cause for not obtaining a certificate of past consumption, his ration was figured in the same way as though he used a space heater for the purpose in a private dwelling (that is, according to § 1394.5256 for heat or § 1394.5259 for hot water), the renewed ration shall be figured according to § 1394.5281.

(c) This section is subject to the provisions of § 1394.5284.

§ 1394.5284 How the renewed ration is figured when a smaller amount is requested. If the applicant states on his application that he will accept, as his renewed ration, an amount less than he was entitled to use (excluding auxiliary rations in house trailers and excluding auxiliary and supplemental rations in all other cases) for the entire 1942-43 heating year, the renewed ration shall be the reduced amount indicated. However, if as a result of the correction of any errors which may have been made in figuring the ration for the 1942-43 heating year, that ration is less than the amount which the applicant states he will accept, the renewed ration shall be the lesser of the following:

(a) The reduced amount indicated by the applicant; or

(b) The amount the applicant would be entitled to receive under whichever of the last three sections is applicable.

§ 1394.5285 The renewed ration will be issued in coupon sheets or fuel oil deposit certificates. (a) Class 3, 4, 5 and 6 coupon sheets (Forms OPA R-1107 to OPA R-1110, and OPA R-1137 to OPA R-1166, inclusive) or fuel oil deposit certificate (Form OPA R-1170) will be issued as renewed rations for heat or both heat and hot water. (The issuance of fuel oil deposit certificates is explained in § 1394.5288.)

(b) Class 3 coupon sheets or fuel oil deposit certificates will be issued as renewed rations for hot water only.

(c) Any ration for less than 300 gallons will be issued only in class 3 coupon sheets.

§ 1394.5286 Class 4, 5 and 6 coupon sheets—(a) *They have both unit and fixed value coupons.* Class 4, 5 and 6 coupon sheets have coupons with a value of 1, 5 and 25 units, respectively, as well as coupons of definite gallonage value.

(b) *When and where unit value coupons may be used by consumers.* A unit value coupon may be used by a consumer only during the validity period and in the zone printed on the coupon. (For the 1943-44 heating year the area where fuel oil is rationed is divided into ten (10) zones. The zones are described in § 1394.5290). The periods for each zone, during which these coupons may be used, are as follows:

(1) In Zones A-1, A-3, B-1, B-3, C-1 and C-3:

Validity period

Coupons numbered:

- 1----- July 1, 1943 to January 3, 1944, inclusive.
- 2----- November 30, 1943 to February 7, 1944, inclusive.
- 3----- January 4, 1944 to March 13, 1944, inclusive.
- 4----- February 8, 1944 to September 30, 1944, inclusive.
- 5----- March 14, 1944 to September 30, 1944, inclusive.

(2) In Zone D-1:

Validity period

Coupons numbered:

- 1----- July 1, 1943 to January 3, 1944, inclusive.
- 2----- November 30, 1943 to January 24, 1944, inclusive.
- 3----- November 30, 1943 to February 21, 1944, inclusive.
- 4----- January 25, 1944 to September 30, 1944, inclusive.
- 5----- January 25, 1944 to September 30, 1944, inclusive.

(3) In Zones A-2, B-2 and C-2:

Validity period

Coupons numbered:

- 1----- July 1, 1943 to January 3, 1944, inclusive.
- 2----- November 30, 1943 to February 7, 1944, inclusive.
- 3----- November 30, 1943 to March 13, 1944, inclusive.
- 4----- February 8, 1944 to September 30, 1944, inclusive.
- 5----- February 8, 1944 to September 30, 1944, inclusive.

(c) *When unit value coupons may be used by dealers and primary suppliers.* A unit value coupon may be used by dealers and primary suppliers on and after the first date when the coupon may be used by a consumer. The coupon may not be used in any zone for any purpose (as for example, for obtaining an exchange certificate or for deposit in a ration bank account) after the following dates:

Coupons numbered:

Void after

- 1----- February 2, 1944.
- 2----- March 8, 1944.
- 3----- April 13, 1944.
- 4----- October 30, 1944.
- 5----- October 30, 1944.

§ 1394.5287 Issuance of Class 4, 5 and 6 coupon sheets. Class 4, 5 or 6 coupon sheets will be issued by the Board in accordance with the following provisions:

(a) All unit value coupons will be issued on the basis of ten (10) gallons per unit:

(b) If the gallonage for which coupons are to be used is not a multiple of the value (at 10 gallons per unit) of the unit value coupons of the coupon sheets to be issued, coupons may be issued to the next highest multiple of the value of such unit value coupons.

§ 1394.5288 Issuance of fuel oil deposit certificates. (a) If the amount of fuel oil which the applicant may acquire for heat or hot water, or both, for the 1943-44 heating year is between 20,000 gallons and 50,000 gallons, inclusive, fuel oil deposit certificates will be issued upon request of the applicant. If the amount is more than 50,000 gallons, fuel oil deposit certificates only will be issued.

(b) If the ration is for heat or both heat and hot water, the first fuel oil deposit certificate issued to the applicant will equal one-third of the amount of the fuel oil the applicant may acquire and will include the first validity period. A certificate, representing a part of the ration, for each subsequent validity period will be issued after the value of the unit value coupons for the period and zone has been fixed. If the value of the Class 4, 5 and 6 unit value coupons for any validity period is changed from ten (10) gallons, proportionate adjustment will be made in the amount of the fuel oil deposit certificate issued for the period.

(c) If an exemption is granted to a consumer under § 1394.5282 (d) because a bank is not accessible, he will receive coupons instead of fuel oil deposit certificates.

§ 1394.5289 What deductions will be made from the renewed ration. (a) The Board shall deduct from the renewed ration:

(1) The amount of the fuel oil on hand, as stated in the application for the ration for the 1942-43 heating year, which exceeded the amount the applicant was entitled to use (excluding auxiliary and supplemental rations) for that year.

(2) The gallonage value of any coupons or delivery receipts issued to the applicant as a ration for ballast purposes.

(b) No deduction will be made for the fuel oil on hand at the date application is made for the renewed ration.

§ 1394.5290 The limitation area is divided into zones. For the 1943-44 heating year the limitation area is divided into ten (10) zones, as follows:

(a) Zone A-1 consists of the States of Maine, New Hampshire, Vermont and that part of the State of New York north of, and including, the counties of Washington, Saratoga, Montgomery, Otsego, Herkimer, Oneida, Lewis and Jefferson.

(b) Zone A-2 consists of the States of Michigan, Minnesota, North Dakota, South Dakota, Wisconsin and that part of the State of Iowa north of, and including, the counties of Allamakee, Winneshiek, Chicasaw, Floyd, Cerro

Gordo, Hancock, Kossuth, Palo Alto, Clay, O'Brien and Sioux.

(c) Zone A-3 consists of that part of the State of Idaho including the counties of Adah, Adams, Benewah, Boise, Bonner, Boundary, Canyon, Clearwater, Elmore, Gem, Idaho, Kootenai, Latah, Lewis, Nez Perce, Owyhee, Payette, Shoshone, Valley and Washington; that part of the State of Oregon including the counties of Hood River, Wasco, Sherman, Gilliam, Morrow, Umatilla, Union, Walla Walla, Jefferson, Wheeler, Grant, Baker, Deschutes, Crook, Klamath, Lake, Harney, and Malheur; and that part of the State of Washington including the counties of Okanogan, Ferry, Stevens, Pend Oreille, Chelan, Douglas, Lincoln, Spokane, Kittitas, Grant, Adams, Whitman, Yakima, Franklin, Benton, Walla Walla, Columbia, Garfield, Asotin, and Klickitat.

(d) Zone B-1 consists of the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania and that part of the State of New York south of, and including, the counties of Rensselaer, Albany, Schenectady, Schoharie, Delaware, Chenango, Madison, Onondaga, Oswego, Cayuga, Wayne, Monroe, Orleans, and Niagara.

(e) Zone B-2 consists of the State of Nebraska, that part of the State of Ohio north of, and including, the counties of Columbiana, Jefferson, Belmont, Noble, Morgan, Perry, Hocking, Pickaway, Fayette, Clinton, Greene, Montgomery and Preble; that part of the State of Indiana north of, and including, the counties of Union, Fayette, Rush, Hancock, Marion, Hendricks, Putnam, Parke and Vermillion; that part of the State of Illinois north of, and including, the counties of Edgar, Coles, Shelby, Christian, Sangamon, Morgan, Scott and Pike; that part of the State of Missouri north of, and including, the counties of Pike, Ralls, Monroe, Randolph, Chariton, Livingston, Caldwell, Clinton and Buchanan; that part of the State of Iowa south of, and including, the counties of Clayton, Fayette, Bremer, Butler, Franklin, Wright, Humboldt, Pocahontas, Buena Vista, Cherokee and Plymouth; that part of the State of Kansas north of, and including, the counties of Atchison, Jackson, Shawnee, Pottawatomie, Riley, Clay, Cloud, Mitchell, Osborne, Rooks, Ellis, Trego, Gove, Lane, Scott, Wichita and Greeley.

(f) Zone B-3 consists of that part of the State of Washington including the counties of San Juan, Island, Kitsap, Whatcom, Skagit, Snohomish, King, Pierce, Thurston, Lewis, Cowlitz, Clark, Skamania, Clallam, Jefferson, Mason, Grays Harbor, Pacific and Wahkiakum.

(g) Zone C-1 consists of the States of Delaware, Maryland, Virginia, West Virginia and the District of Columbia.

(h) Zone C-2 consists of the State of Kentucky; that part of the State of Ohio south of, and including, the counties of Monroe, Washington, Athens, Vinton, Ross, Highland, Brown, Clermont, Warren and Butler; that part of the State of Indiana south of, and including, the counties of Franklin, Decatur, Shelby, Johnson, Morgan, Owen, Clay and Vigo; that part of the State of Illinois south of, and including, the counties of Clark,

Cumberland, Effingham, Fayette, Montgomery, Macoupin, Greene and Calhoun; that part of the State of Missouri south of, and including, the counties of Lincoln, Montgomery, Audrain, Boone, Howard, Saline, Carroll, Ray, Clay and Platte; and that part of the State of Kansas south of, and including, the counties of Wyandotte, Leavenworth, Jefferson, Douglas, Osage, Wabaunsee, Geary, Dickinson, Ottawa, Lincoln, Barton, Russell, Hodgeman, Rush, Ness, Finney, Kearny and Hamilton.

(i) Zone C-3 consists of that part of the State of Oregon comprising the counties of Clatsop, Columbia, Washington, Multnomah, Tillamook, Yamhill, Clackamas, Marion, Polk, Lincoln, Benton,

Linn, Lane, Douglass, Coos, Curry, Josephine and Jackson.

(j) Zone D-1 consists of the States of North Carolina, South Carolina, Georgia and that part of the State of Florida lying east of the Apalachicola River.

§ 1394.5291 Washington, Oregon and Idaho not included. Sections 1394.5280 to 1394.5289, inclusive, do not apply to Areas A and B.

3. Section 1394.5851 (a) (3) is added to read as follows:

(3) Table IC—Percentage adjustment to obtain normal consumption and maximum and minimum rations by heated floor area and by subzones:

Sub-zones (By State and counties)	(1) Percent- age of 1941-42 consump- tion to obtain normal consump- tion	(2) Floor area in square feet	Maximum and minimum rations			
			Central heating equipment		Space heaters	
			(3) Maxi- mum	(4) Min- imum	(5) Maxi- mum	(6) Min- imum
Sub-zone 1						
North Dakota.—Bottineau, Cavalier, Renville, Rolette, Towner.	III	100 to 149.....	383	293	383	293
		150 to 199.....	530	406	530	406
		200 to 249.....	667	519	667	519
		250 to 299.....	824	632	824	632
		300 to 349.....	867	666	867	666
		350 to 399.....	911	699	911	699
		400 to 425.....	956	734	956	734
					Gal. per Sq. Ft.	Gal. per Sq. Ft.
		426 to 449.....	956	734	2,250	1,726
		450 to 499.....	1,005	771	2,250	1,726
		500 to 549.....	1,068	818	2,250	1,726
		550 to 599.....	1,124	863	2,250	1,726
					Gal. per Sq. Ft.	Gal. per Sq. Ft.
		600 and over...	1,875	1,438	2,250	1,726
					Gallons	Gallons
Sub-Zone 2						
Minnesota.—Beltrami, Clearwater, Cook, Itasca, Kittson, Koochiching, Lake of the Woods, Mahnomen, Marshall, Norman, Pennington, Polk, Red Lake, Roseau, St. Louis.	III	100 to 149.....	364	280	364	280
North Dakota.—Benson, Burke, Divide, Eddy, Grand Forks, McHenry, Mountrail, Nelson, Pembina, Pierce, Ramsey, Walsh, Ward, Wells.		150 to 199.....	504	387	504	387
		200 to 249.....	645	495	645	495
		250 to 299.....	785	603	785	603
		300 to 349.....	827	634	827	634
		350 to 399.....	870	667	870	667
		400 to 425.....	911	699	911	699
					Gal. per Sq. Ft.	Gal. per Sq. Ft.
		426 to 449.....	911	699	2,143	1,644
		450 to 499.....	960	736	2,143	1,644
		500 to 549.....	1,018	779	2,143	1,644
		550 to 599.....	1,071	822	2,143	1,644
					Gal. per Sq. Ft.	Gal. per Sq. Ft.
		600 and over...	1,786	1,370	2,143	1,644
					Gallons	Gallons
Sub-Zone 3						
Maine.—Aroostook.	III	100 to 149.....	346	266	346	266
Minnesota.—Aitkin, Becker, Carlton, Cass, Clay, Crew Wing, Hubbard, Otter Tail, Wadena, Wilkin.		150 to 199.....	480	368	480	368
North Dakota.—Barnes, Cass, Foster, Griggs, Steele, Stutsman, Traill.		200 to 249.....	612	470	612	470
Wisconsin.—Bayfield, Douglas.		250 to 299.....	745	572	745	572
		300 to 349.....	785	604	785	604
		350 to 399.....	826	635	826	635
		400 to 425.....	865	664	865	664
					Gal. per Sq. Ft.	Gal. per Sq. Ft.
		426 to 449.....	865	664	2,035	1,561
		450 to 499.....	911	700	2,035	1,561
		500 to 549.....	964	742	2,035	1,561
		550 to 599.....	1,017	781	2,035	1,561
					Gal. per Sq. Ft.	Gal. per Sq. Ft.
		600 and over...	1,690	1,301	2,035	1,561
					Gallons	Gallons
Sub-Zone 4						
Maine.—Piscataquis, Somerset.	III	100 to 149.....	327	251	327	251
Michigan.—Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, Schoolcraft.		150 to 199.....	452	347	452	347
Minnesota.—Benton, Douglas, Grant, Kanabec, Mille Lacs, Morrison, Pine, Todd, Traverse.		200 to 249.....	579	445	579	445
		250 to 299.....	705	541	705	541
		300 to 349.....	743	570	743	570
		350 to 399.....	781	599	781	599
		400 to 425.....	820	629	820	629
					Gal. per Sq. Ft.	Gal. per Sq. Ft.
		426 to 449.....	820	629	1,928	1,480
		450 to 499.....	862	663	1,928	1,480
		500 to 549.....	913	702	1,928	1,480
		550 to 599.....	964	740	1,928	1,480
					Gal. per Sq. Ft.	Gal. per Sq. Ft.
		600 and over...	1,607	1,233	1,928	1,480
					Gallons	Gallons

FEDERAL REGISTER, Tuesday, July 6, 1943

Sub-zones (By State and counties)	Percent- age of 1941-42 consump- tion to obtain normal consump- tion	Floor area in square feet	Maximum and minimum ratios			
			Central heating equipment		Space heaters	
			(3) Maxi- mum	(4) Min- imum	(5) Maxi- mum	(6) Min- imum
Sub-Zone 5						
Maine.—Franklin, Oxford, Penobscot, Washington.	111	100 to 149	Gallons	Gallons	Gallons	Gallons
Minnesota.—Big Stone, Chisago, Isanti, Pepe, Sherburne, Stearns, Stevens.		150 to 199	308	237	308	237
New Hampshire.—Carroll, Grafton.		200 to 249	429	329	429	329
New York.—Franklin, Hamilton.		250 to 299	546	419	546	419
North Dakota.—Adams, Bowman, Sioux.		300 to 349	666	511	666	511
South Dakota.—Corson, Day, Edmunds, Faulk, Grant, Harding, Perkins, Spink, Walworth.		350 to 399	702	540	702	540
Vermont.—Caledonia, Lamoille, Orange, Washington.		400 to 425	738	568	738	568
Wisconsin.—Barron, Langlade, Lincoln, Oconto, Polk, Rusk, Taylor.			774	594	774	594
Sub-Zone 6					Gal. per Sq. Ft.	Gal. per Sq. Ft.
Michigan.—Alcona, Alpena, Antrim, Arenac, Charlevoix, Cheboygan, Clare, Crawford, Emmet, Gladwin, Iosco, Kalkaska, Lake, Missaukee, Montmorency, Ogemaw, Osceola, Oscoda, Ossego, Presque Isle, Roscommon, Wexford.	110	426 to 449	774	594	1.322	1.397
Minnesota.—Anoka, Blue Earth, Brown, Carver, Chippewa, Cottonwood, Dakota, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Hennepin, Jackson, Kandiyohi, Lac Qui Parle, Le Sueur, Lincoln, Lyon, McLeod, Martin, Meeker, Mower, Murray, Nicollet, Nobles, Olmsted, Pipestone, Ramsey, Redwood, Renville, Rice, Rock, Scott, Sibley, Steele, Swift, Wabasha, Waseca, Washington, Watonwan, Winona, Wright, Yellow Medicine.		450 to 499	815	627	1.322	1.397
New York.—Clinton, Essex, Herkimer, Lewis, St. Lawrence.		500 to 549	863	644	1.322	1.397
South Dakota.—Beadle, Brookings, Clark, Codington, Dewey, Dewey, Hamlin, Hand, Hyde, Kingsbury, Lake, Miner, Moody, Potter, Sanborn.		550 to 599	911	699	1.322	1.397
Wisconsin.—Brown, Buffalo, Chippewa, Clark, Door, Dunn, Au Claire, Jackson, Kewaunee, Marathon, Outagamie, Pepin, Pierce, Portage, St. Croix, Shawano, Trempealeau, Waupaca, Wood.		600 and over	1.518	1.104	1.322	1.397
Sub-Zone 6A					Gallons	Gallons
Maine.—Androscoggin, Hancock, Kennebec, Waldo.	108	100 to 149	291	223	291	223
Vermont.—Chittenden, Franklin, Grand Isle.		150 to 199	403	309	403	309
Wisconsin.—Brown, Buffalo, Chippewa, Clark, Door, Dunn, Au Claire, Jackson, Kewaunee, Marathon, Outagamie, Pepin, Pierce, Portage, St. Croix, Shawano, Trempealeau, Waupaca, Wood.		200 to 249	515	395	515	395
Sub-Zone 7					250 to 299	627
Iowa.—Allamakee, Cerro Gordo, Chickasaw, Clay, Dickinson, Emmet, Floyd, Hancock, Howard, Kossuth, Lyon, Mitchell, O'Brien, Osceola, Palo Alto, Sioux, Winneshiek, Worth.	111	300 to 349	662	508	627	481
Michigan.—Bay, Benzie, Grand Traverse, Huron, Isabella, Leelanau, Manistee, Mason, Mecosta, Midland, Newaygo, Tuscola.		350 to 399	695	533	662	508
Minnesota.—Houston.		400 to 425	729	559	695	533
New York.—Chenango, Delaware, Fulton, Jefferson, Madison, Montgomery, Oneida, Otsego, Saratoga, Schenectady, Schoharie, Sullivan, Warren.		426 to 449	729	559	729	559
South Dakota.—Armstrong, Aurora, Brule, Buffalo, Butte, Clay, Davison, Douglas, Haskon, Hanson, Hughes, Hutchinson, Jerauld, Lincoln, Lyman, McCook, Meade, Minnehaha, Stanley, Sully, Turner, Union, Ziebach.		450 to 499	766	589	715	1.315
Wisconsin.—Adams, Calumet, Columbia, Crawford, Dane, Dodge, Fond du Lac, Green Lake, Juneau, La Crosse, Manitowoc, Marquette, Monroe, Richland, Sauk, Sheboygan, Vernon, Waushara, Winnebago.		500 to 549	813	624	715	1.315
		550 to 599	856	658	715	1.315
		600 and over	1.429	1.096	1.715	1.315

Sub-zones (By State and counties)	Percentage of 1941-42 consump- tion to obtain normal consump- tion	Floor area in square feet	Maximum and minimum ratios			
			Central heating equipment		Space heaters	
			Maxi- mum	Min- imum	Maxi- mum	Min- imum
Sub-Zone 7A	106	100 to 149	273	209	273	209
<i>Maine</i> .—Cumberland, Knox, Lincoln, Sagadahoc, York.		150 to 199	378	290	378	290
<i>New Hampshire</i> .—Belknap, Merrimack, Sullivan.		200 to 249	483	371	483	371
<i>Vermont</i> .—Addison, Rutland, Windsor.		250 to 299	588	452	588	452
		300 to 349	619	477	619	477
		350 to 399	651	501	651	501
		400 to 425	683	524	683	524
					Gal. per Sq. Ft.	Gal. per Sq. Ft.
		426 to 449	683	524	1.607	1.232
		450 to 499	719	553	1.607	1.232
		500 to 549	760	585	1.607	1.232
		550 to 599	804	616	1.607	1.232
					Gal. per Sq. Ft.	Gal. per Sq. Ft.
Sub-Zone 8	107	600 and over	1.329	1.027	1.607	1.232
<i>Illinois</i> .—Boone, Carroll, De Kalb, Jo Daviess, Kane, Lake, McHenry, Ogle, Stephenson, Winnebago.		Gallons	Gallons	Gallons	Gallons	
<i>Massachusetts</i> .—Berkshire, Franklin, Hampshire.		100 to 149	255	195	255	195
<i>Nebraska</i> .—Antelope, Banner, Blaine, Box Butte, Boyd, Brown, Burt, Cedar, Cherry, Cheyenne, Cuming, Dakota, Dawes, Deuel, Dixon, Garden, Garfield, Grant, Holt, Hooker, Keya Paha, Kimball, Knox, Loup, Madison, Morrill, Pierce, Rock, Scotts Bluff, Sheridan, Sioux, Stanton, Thomas, Thurston, Wayne, Wheeler.		150 to 199	353	271	353	271
<i>New Hampshire</i> .—Cheshire, Hillsborough, Rockingham, Strafford.		200 to 249	450	346	450	346
<i>New York</i> .—Albany, Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Columbia, Cortland, Erie, Genesee, Greene, Livingston, Monroe, Niagara, Onondaga, Ontario, Orleans, Oswego, Rensselaer, Schuyler, Seneca, Steuben, Tioga, Tompkins, Ulster, Washington, Wayne, Wyoming, Yates.		250 to 299	549	421	549	421
<i>Pennsylvania</i> .—Erie, McKean, Potter, Tioga, Warren.		300 to 349	580	445	580	445
<i>South Dakota</i> .—Bennett, Bon Homme, Charles Mix, Custer, Fall River, Gregory, Jackson, Jones, Lawrence, Mellette, Pennington, Shannon, Todd, Tripp, Washabaugh, Washington, Yankton.		350 to 399	609	467	609	467
<i>Vermont</i> .—Bennington, Windham.		400 to 425	638	489	638	489
					Gal. per Sq. Ft.	Gal. per Sq. Ft.
		426 to 449	638	489	1.500	1.151
		450 to 499	671	515	1.500	1.151
		500 to 549	713	547	1.500	1.151
		550 to 599	750	576	1.500	1.151
					Gal. per Sq. Ft.	Gal. per Sq. Ft.
Sub-Zone 8A	112	600 and over	1.250	0.959	1.500	1.151
<i>Iowa</i> .—Benton, Black Hawk, Boone, Bremer, Buchanan, Buena Vista, Butler, Calhoun, Carroll, Cherokee, Clayton, Crawford, Delaware, Dubuque, Fayette, Franklin, Greene, Grundy, Hamilton, Hardin, Humboldt, Ida, Jackson, Jones, Linn, Marshall, Monona, Plymouth, Pocahontas, Sac, Story, Tama, Webster, Woodbury, Wright.		Gallons	Gallons	Gallons	Gallons	
<i>Michigan</i> .—Allegan, Barry, Clinton, Eaton, Genesee, Gratiot, Ingham, Ionia, Kent, Lapeer, Livingston, Macomb, Montcalm, Muskegon, Oakland, Oceana, Ottawa, Saginaw, St. Clair, Sanilac, Shiawasee.		100 to 149	255	195	255	195
<i>Wisconsin</i> .—Grant, Green, Iowa, Jefferson, Kenosha, Lafayette, Milwaukee, Ozaukee, Racine, Rock, Walworth, Washington, Waukesha.		150 to 199	353	271	353	271
		200 to 249	450	346	450	346
		250 to 299	549	421	549	421
		300 to 349	580	445	580	445
		350 to 399	609	467	609	467
		400 to 425	638	489	638	489
					Gal. per Sq. Ft.	Gal. per Sq. Ft.
		426 to 449	638	489	1.500	1.151
		450 to 499	671	515	1.500	1.151
		500 to 549	713	547	1.500	1.151
		550 to 599	750	576	1.500	1.151
					Gal. per Sq. Ft.	Gal. per Sq. Ft.
Sub-Zone 9	110	600 and over	1.250	0.959	1.500	1.151
<i>Illinois</i> .—Bureau, Cook, Du Page, Grundy, Henry, Kendall, La Salle, Lee, Mercer, Putnam, Rock Island, Whiteside, Will.		Gallons	Gallons	Gallons	Gallons	
<i>Indiana</i> .—De Kalb, Elkhart, Lagrange, Lake, La Porte, Noble, Porter, St. Joseph, Steuben.		100 to 149	247	189	247	189
<i>Iowa</i> .—Adair, Adams, Audubon, Cass, Cedar, Clarke, Clinton, Dallas, Guthrie, Harrison, Iowa, Jasper, Jefferson, Johnson, Keokuk, Louisa, Lucas, Madison, Mahaska, Marion, Mills, Monroe, Montgomery, Muscatine, Polk, Pottawattamie, Poweshiek, Scott, Shelby, Union, Wapello, Warren, Washington.		150 to 199	342	262	342	262
<i>Michigan</i> .—Berrien, Branch, Calhoun, Cass, Hillsdale, Jackson, Kalamazoo, Lenawee, Monroe, St. Joseph, Van Buren, Washtenaw, Wayne.		200 to 249	437	355	437	355
<i>New York</i> .—Dutchess, Orange.		250 to 299	531	407	531	407
		300 to 349	564	433	564	433
		350 to 399	598	459	598	459
		400 to 449	631	484	631	484
		450 to 475	662	508	662	508
					Gal. per Sq. Ft.	Gal. per Sq. Ft.
		476 to 499	662	508	1.393	1.068
		500 to 549	698	536	1.393	1.068
		550 to 599	732	562	1.393	1.068
		600 to 649	771	592	1.393	1.068
		650 to 699	812	623	1.393	1.068
					Gal. per Sq. Ft.	Gal. per Sq. Ft.
		700 and over	1.161	0.800	1.393	1.068

Sub-zones (By State and counties)	Percentage of 1941-42 consump- tion to obtain normal consump- tion	Floor area in square feet	Maximum and minimum ratios			
			Central heating equipment		Space heaters	
			(3) Maxi- mum	Min- imum	(5) Maxi- mum	(6) Min- imum
Sub-Zone 9A						
Connecticut.—Litchfield.	107	100 to 149	Gallons	Gallons	Gallons	Gallons
Massachusetts.—Essex, Hampden, Middlesex, Worcester.		150 to 199	247	189	247	189
Nebraska.—Arthur, Boone, Butler, Cass, Colfax, Custer, Dawson, Dodge, Douglas, Greeley, Howard, Keith, Lincoln, Logan, McPherson, Merrick, Nance, Perkins, Platte, Polk, Sarpy, Saunders, Sherman, Valley, Washington.		200 to 249	342	262	342	262
		250 to 299	437	335	437	335
		300 to 349	531	407	531	407
		350 to 399	564	433	564	433
		400 to 449	598	459	598	459
		450 to 475	621	484	631	484
			662	503	662	503
					Gal. per Sq. ft.	Gal. per Sq. ft.
		476 to 499	662	508	1.393	1.068
		500 to 549	698	536	1.393	1.068
		550 to 599	732	562	1.393	1.068
		600 to 649	771	592	1.393	1.068
		650 to 699	812	623	1.393	1.068
					Gal. per Sq. ft.	Gal. per Sq. ft.
		700 and over	1.161	0.890	1.393	1.068
Sub-Zone 10						
Illinois.—Champaign, De Witt, Ford, Fulton, Hancock, Henderson, Iroquois, Kankakee, Knox, Livingston, Logan, McDonough, McLean, Marshall, Mason, Peoria, Piatt, Schuyler, Stark, Tazewell, Warren, Woodford.	110	100 to 149	Gallons	Gallons	Gallons	Gallons
Indiana.—Adams, Allen, Benton, Blackford, Carroll, Cass, Fulton, Grant, Howard, Huntington, Jasper, Jay, Kosciusko, Marshall, Miami, Newton, Putnam, Starke, Tippecanoe, Wabash, Wells, White, Whitley.		150 to 199	227	175	227	175
Iowa.—Appanoose, Davis, Decatur, Des Moines, Fremont, Henry, Lee, Page, Ringgold, Taylor, Van Buren, Wayne.		200 to 249	314	241	314	241
Maryland.—Garrett.		250 to 299	408	309	403	309
Massachusetts.—Barnstable, Bristol, Dukes, Nantucket, Norfolk, Plymouth, Suffolk.		300 to 349	490	376	490	376
Missouri.—Adair, Atchison, Clark, Gentry, Grundy, Harrison, Knox, Mercer, Nodaway, Putnam, Schuyler, Scotland, Sullivan, Worth.		350 to 399	521	400	521	400
New Jersey.—Bergen, Essex, Morris, Passaic, Sussex, Warren.		400 to 449	552	424	552	424
New York.—Putnam, Rockland, Westchester.		450 to 475	583	447	583	447
Ohio.—Allen, Ashland, Auglaize, Carroll, Champaign, Columbiana, Coshocton, Crawford, Darke, Delaware, Hancock, Hardin, Harrison, Holmes, Huron, Jefferson, Knox, Logan, Mahoning, Marion, Medina, Mercer, Morrow, Paulding, Putnam, Richland, Shelby, Stark, Summit, Tuscarawas, Union, Van Wert, Wayne, Wyandot.			611	469	611	469
Pennsylvania.—Adams, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Carbon, Columbia, Cumberland, Franklin, Fulton, Huntingdon, Indiana, Juniata, Lackawanna, Lawrence, Luzerne, Lycoming, Mifflin, Monroe, Montour, Northampton, Northumberland, Perry, Schuylkill, Snyder, Somerset, Sullivan, Union, Westmoreland, Wyoming.					Gal. per Sq. ft.	Gal. per Sq. ft.
West Virginia.—Grant, Mineral.					1.071	0.822
Sub-Zone 10A						
Connecticut.—Fairfield, Hartford, Middlesex, New Haven, New London, Tolland, Windham.	107	100 to 149	Gallons	Gallons	Gallons	Gallons
Nebraska.—Adams, Buffalo, Chase, Clay, Dundy, Fillmore, Franklin, Frontier, Furnas, Gage, Gosper, Hall, Hamilton, Harlan, Hayes, Hitchcock, Jefferson, Johnson, Kearney, Lancaster, Nemaha, Nuckolls, Otoe, Pawnee, Phelps, Red Willow, Richardson, Saline, Seward, Thayer, Webster, York.		150 to 199	314	241	314	241
Rhode Island.—Bristol, Kent, Newport, Providence, Washington.		200 to 249	403	309	403	309
		250 to 299	490	376	490	376
		300 to 349	521	400	521	400
		350 to 399	552	424	552	424
		400 to 449	583	447	583	447
		450 to 475	611	469	611	469
					Gal. per Sq. ft.	Gal. per Sq. ft.
		476 to 499	611	469	1.285	0.986
		500 to 549	645	495	1.285	0.986
		550 to 599	675	518	1.285	0.986
		600 to 649	713	547	1.285	0.986
		650 to 699	750	576	1.285	0.986
					Gal. per Sq. ft.	Gal. per Sq. ft.
		700 and over	1.071	0.822	1.285	0.986

Sub-zones (By State and counties)	Percent- age of 1941-42 consump- tion to obtain normal consump- tion	Floor area in square feet	Maximum and minimum rations			
			Central heating equipment		Space heaters	
			(3) Maxi- mum	(4) Min- imum	(5) Maxi- mum	(6) Min- imum
Sub-Zone 11						
<i>Illinois</i> .—Adams, Brown, Cass, Christian, Coles, Douglas, Edgar, Macon, Menard, Morgan, Moultrie, Pike, Sangamon, Scott, Shelby, Vermilion.	111	100 to 149.....	215	165	215	165
		150 to 199.....	297	228	297	228
		200 to 249.....	380	292	380	292
		250 to 299.....	464	356	464	356
		300 to 349.....	494	379	494	379
		350 to 399.....	525	403	525	403
		400 to 449.....	556	427	556	427
		450 to 499.....	589	452	589	452
<i>Maryland</i> .—Allegany, Washington.			<i>Gal. per sq. ft.</i>			
<i>Missouri</i> .—Andrew, Buchanan, Caldwell, Chariton, Clinton, Daviess, De Kalb, Holt, Lewis, Linn, Livingston, Macon, Marion, Monroe, Pike, Ralls, Randolph, Shelby.		500 to 549.....	618	474	1.178	.904
		550 to 599.....	649	498	1.178	.904
		600 to 649.....	680	522	1.178	.904
		650 to 699.....	710	545	1.178	.904
		700 to 749.....	748	574	1.178	.904
		750 to 799.....	785	603	1.178	.904
<i>New Jersey</i> .—Hudson, Hunterdon, Mercer, Middlesex, Somerset, Union.			<i>Gal. per sq. ft.</i>			
<i>New York</i> .—Bronx, Kings, Manhattan, Nassau, Queens, Richmond, Suffolk.			800 and over.....	0.982	0.753	1.178
<i>Ohio</i> .—Belmont, Clark, Clinton, Fairfield, Fayette, Franklin, Greene, Guernsey, Hocking, Licking, Madison, Miami, Montgomery, Morgan, Muskingum, Noble, Perry, Pickaway, Preble.						.904
<i>Pennsylvania</i> .—Allegheny, Berks, Bucks, Chester, Dauphin, Fayette, Greene, Lancaster, Lebanon, Lehigh, Washington, York.						
<i>West Virginia</i> .—Barbour, Berkeley, Hampshire, Hardy, Harrison, Jefferson, Lewis, Marion, Monongalia, Morgan, Pocahontas, Preston, Randolph, Taylor, Tucker, Upshur, Webster.						
Sub-Zone 11A						
<i>Kansas</i> .—Atchison, Brown, Cheyenne, Clay, Cloud, Decatur, Doniphan, Ellis, Gove, Graham, Greeley, Jackson, Jewell, Lane, Logan, Marshall, Mitchell, Nemaha, Norton, Osborne, Phillips, Pottawatomie, Rawlins, Republic, Riley, Rooks, Scott, Shawnee, Sheridan, Sherman, Smith, Thomas, Trego, Wallace, Washington, Wichita.	108	100 to 149.....	215	165	215	165
		150 to 199.....	297	228	297	228
		200 to 249.....	380	292	380	292
		250 to 299.....	464	356	464	356
		300 to 349.....	494	379	494	379
		350 to 399.....	525	403	525	403
		400 to 449.....	556	427	556	427
		450 to 499.....	589	452	589	452
			<i>Gal. per sq. ft.</i>			
		500 to 549.....	618	474	1.178	.904
		550 to 599.....	649	498	1.178	.904
		600 to 649.....	680	522	1.178	.904
		650 to 699.....	710	545	1.178	.904
		700 to 749.....	748	574	1.178	.904
		750 to 799.....	786	603	1.178	.904
			<i>Gal. per sq. ft.</i>			
		800 and over.....	0.982	0.753	1.178	.904
Sub-Zone 12						
<i>Illinois</i> .—Bond, Calhoun, Clark, Clay, Clinton, Crawford, Cumberland, Edwards, Effingham, Fayette, Greene, Jasper, Jefferson, Jersey, Lawrence, Macoupin, Madison, Marion, Montgomery, Richland, St. Clair, Wabash, Washington, Wayne.	110	100 to 149.....	196	150	196	150
		150 to 199.....	271	208	271	208
		200 to 249.....	346	266	346	266
		250 to 299.....	422	324	422	324
		300 to 349.....	450	346	450	346
		350 to 399.....	477	366	477	366
		400 to 449.....	506	388	506	388
		450 to 499.....	536	411	536	411
			<i>Gal. per sq. ft.</i>			
		500 to 549.....	562	431	1.072	.822
		550 to 599.....	590	453	1.072	.822
		600 to 649.....	618	474	1.072	.822
		650 to 699.....	646	496	1.072	.822
		700 to 749.....	680	522	1.072	.822
		750 to 799.....	714	548	1.072	.822
			<i>Gal. per sq. ft.</i>			
		800 and over.....	0.893	0.685	1.072	.822

Sub-zones (By State and counties)	Percentage of 1941-42 consump- tion to obtain normal consump- tion	Floor area in square feet	Maximum and minimum rations			
			Central heating equipment		Space heaters	
			Maxi- mum	Min- imum	Maxi- mum	Min- imum
Sub-Zone 12A						
<i>Delaware</i> .—New Castle.	114	100 to 149	Gallons	Gallons	Gallons	Gallons
<i>Maryland</i> .—Carroll, Frederick, Howard, Montgomery, Prince Georges.		150 to 199	196	150	196	150
<i>Pennsylvania</i> .—Delaware, Montgomery, Philadelphia.		200 to 249	271	208	271	208
		250 to 299	346	266	346	266
		300 to 349	422	324	422	324
		350 to 399	450	346	450	346
		400 to 449	477	366	477	366
		450 to 499	506	388	506	388
			536	411	536	411
					Gal. per sq. ft.	Gal. per sq. ft.
		500 to 549	562	431	1,072	.822
		550 to 599	590	453	1,072	.822
		600 to 649	618	474	1,072	.822
		650 to 699	646	496	1,072	.822
		700 to 749	680	522	1,072	.822
		750 to 799	714	548	1,072	.822
					Gal. per sq. ft.	Gal. per sq. ft.
Sub-Zone 13		800 and over	0.833	0.685	1,072	.822
<i>District of Columbia</i> .—(No Counties).	116	100 to 149	Gallons	Gallons	Gallons	Gallons
<i>Maryland</i> .—Anne Arundel, Baltimore, Baltimore City, Calvert, Caroline, Cecil, Charles, Dorchester, Harford, Kent, Queen Anne's, St. Marys, Somerset, Talbot, Wicomico, Worcester.		150 to 199	181	139	181	139
<i>Virginia</i> .—Accomac, Arlington, Augusta, Bute, Bute, Buchanan, Carroll, Clarke, Culpeper, Dickenson, Fairfax, Fauquier, Floyd, Grayson, Greene, Lee, Loudoun, Madison, Northumberland, Orange, Page, Rappahannock, Roanoke, Rockbridge, Rockingham, Russell, Scott, Smyth, Spotsylvania, Stafford, Tazewell, Warren, Washington, Wise.		200 to 249	251	193	251	193
		250 to 299	320	246	320	246
		300 to 349	390	300	390	300
		350 to 399	416	319	416	319
		400 to 449	443	340	443	340
		450 to 499	471	361	471	361
		500 to 549	498	382	498	382
			531	407	531	407
					Gal. per sq. ft.	Gal. per sq. ft.
		550 to 599	551	423	0.965	0.739
		600 to 649	578	444	0.965	0.739
		650 to 699	604	464	0.965	0.739
		700 to 749	631	484	0.965	0.739
		750 to 799	658	505	0.965	0.739
		800 to 849	690	530	0.965	0.739
		850 to 899	723	555	0.965	0.739
					Gal. per sq. ft.	Gal. per sq. ft.
Sub-Zone 13A		900 and over	0.804	0.616	0.965	0.739
<i>Delaware</i> .—Kent, Sussex.	112	100 to 149	Gallons	Gallons	Gallons	Gallons
<i>Illinois</i> .—Franklin, Hamilton, Jackson, Monroe, Perry, Randolph, White, Williamson.		150 to 199	251	193	251	193
<i>Indiana</i> .—Clark, Crawford, Dubois, Floyd, Harrison, Jefferson, Ohio, Orange, Perry, Posey, Scott, Spencer, Switzerland, Vanderburgh, Warrick, Washington.		200 to 249	320	246	320	246
<i>Missouri</i> .—Barton, Bates, Benton, Bollinger, Camden, Cape Girardeau, Carter, Cedar, Christian, Crawford, Dade, Dallas, Dent, Douglas, Greene, Henry, Hickory, Howell, Iron, Jefferson, Laclede, Madison, Maries, Miller, Morgan, Oregon, Perry, Phelps, Polk, Pulaski, Reynolds, St. Clair, St. Francois, Ste. Genevieve, Shannon, Texas, Vernon, Washington, Wayne, Webster, Wright.		250 to 299	390	300	390	300
<i>North Carolina</i> .—Alleghany, Ashe, Avery, Watauga.		300 to 349	416	319	416	319
		350 to 399	443	340	443	340
		400 to 449	471	361	471	361
		450 to 499	498	382	498	382
		500 to 549	531	407	531	407
					Gal. per sq. ft.	Gal. per sq. ft.
		550 to 599	551	423	0.965	0.739
		600 to 649	578	444	0.965	0.739
		650 to 699	604	464	0.965	0.739
		700 to 749	631	484	0.965	0.739
		750 to 799	658	505	0.965	0.739
		800 to 849	690	530	0.965	0.739
		850 to 899	723	555	0.965	0.739
					Gal. per sq. ft.	Gal. per sq. ft.
Sub-Zone 13B		900 and over	0.804	0.616	.965	.739
<i>Kansas</i> .—Barber, Bourbon, Chautauqua, Cherokee, Clark, Comanche, Cowley, Crawford, Elk, Harper, Labette, Linn, Meade, Montgomery, Norton, Neosho, Seward, Stevens, Sumner, Wilson.	107	100 to 149	Gallons	Gallons	Gallons	Gallons
<i>Kentucky</i> .—Anderson, Bath, Boone, Bourbon, Boyd, Bracken, Bullitt, Campbell, Carroll, Carter, Clark, Elliott, Fayette, Fleming, Franklin, Gallatin, Grant, Greenup, Harrison, Henry, Jefferson, Jessamine, Kenton, Lawrence, Lewis, Mason, Menifee, Mercer, Montgomery, Nicholas, Oldham, Owen, Pendleton, Robertson, Rowan, Scott, Shelby, Spencer, Trimble, Woodford.		150 to 199	251	193	251	193
<i>Ohio</i> .— Gallia, Lawrence, Scioto.		200 to 249	320	246	320	246
<i>West Virginia</i> .—Boone, Cabell, Jackson, Kanawha, Lincoln, Logan, McDowell, Mason, Mingo, Putnam, Wayne, Wyoming.		250 to 299	390	300	390	300
		300 to 349	416	319	416	319
		350 to 399	443	340	443	340
		400 to 449	471	361	471	361
		450 to 499	498	382	498	382
		500 to 549	531	407	531	407
					Gal. per sq. ft.	Gal. per sq. ft.
		550 to 599	551	423	0.965	0.739
		600 to 649	578	444	0.965	0.739
		650 to 699	604	464	0.965	0.739
		700 to 749	631	484	0.965	0.739
		750 to 799	658	505	0.965	0.739
		800 to 849	690	530	0.965	0.739
		850 to 899	723	555	0.965	0.739
					Gal. per sq. ft.	Gal. per sq. ft.
900 and over		900 and over	0.804	0.616	.965	.739

Sub-zones (By State and counties)	Percent- age of 1941-42 consump- tion to obtain normal consump- tion	Floor area in square feet	Maximum and minimum ratios			
			Central heating equipment		Space heaters	
			(3) Maxi- mum	(4) Min- imum	(5) Maxi- mum	(6) Min- imum
Sub-Zone 14.						
Virginia.—Albemarle, Amherst, Appomattox, Bedford, Buckingham, Campbell, Caroline, Cumberland, Essex, Fluvanna, Franklin, Goochland, Hanover, Henrico, Henry, King and Queen, King George, King William, Lancaster, Louisa, Middlesex, Nelson, Northampton, Patrick, Powhatan, Richmond, Westmoreland.	112	100 to 149	161	123	161	123
		150 to 199	222	170	222	170
		200 to 249	284	218	284	218
		250 to 299	346	266	346	266
		300 to 349	370	284	370	284
		350 to 399	394	302	394	302
		400 to 449	417	320	417	320
		450 to 499	443	341	443	341
		500 to 549	471	362	471	362
			Gallons	Gallons	Gallons	Gallons
Sub-Zone 14A.		550 to 599	492	378	0.857	0.658
		600 to 649	513	394	.857	.658
		650 to 699	537	412	.857	.658
		700 to 749	561	431	.857	.658
		750 to 799	585	449	.857	.658
		800 to 849	613	471	.857	.658
		850 to 899	643	493	.857	.658
			Gal. per sq. ft.	Gal. per sq. ft.	Gal. per sq. ft.	Gal. per sq. ft.
		900 and over	0.714	0.548	.857	.658
			Gallons	Gallons	Gallons	Gallons
Sub-Zone 14B.	110	100 to 149	161	123	161	123
		150 to 199	222	170	222	170
		200 to 249	284	218	284	218
		250 to 299	346	266	346	266
		300 to 349	370	284	370	284
		350 to 399	394	302	394	302
		400 to 449	417	320	417	320
		450 to 499	443	341	443	341
		500 to 549	471	362	471	362
			Gal. per sq. ft.	Gal. per sq. ft.	Gal. per sq. ft.	Gal. per sq. ft.
Sub-Zone 15.		550 to 599	492	378	0.857	0.658
		600 to 649	513	394	.857	.658
		650 to 699	537	412	.857	.658
		700 to 749	561	431	.857	.658
		750 to 799	585	449	.857	.658
		800 to 849	613	471	.857	.658
		850 to 899	643	493	.857	.658
			Gal. per sq. ft.	Gal. per sq. ft.	Gal. per sq. ft.	Gal. per sq. ft.
		900 and over	0.714	0.548	.857	.658
			Gallons	Gallons	Gallons	Gallons
Sub-Zone 15.	106	100 to 149	161	123	161	123
		150 to 199	222	170	222	170
		200 to 249	284	218	284	218
		250 to 299	346	266	346	266
		300 to 349	370	284	370	284
		350 to 399	394	302	394	302
		400 to 449	417	320	417	320
		450 to 499	443	341	443	341
		500 to 549	471	362	471	362
			Gal. per sq. ft.	Gal. per sq. ft.	Gal. per sq. ft.	Gal. per sq. ft.
Sub-Zone 15.		550 to 599	492	378	0.857	0.658
		600 to 649	513	394	.857	.658
		650 to 699	537	412	.857	.658
		700 to 749	561	431	.857	.658
		750 to 799	585	449	.857	.658
		800 to 849	613	471	.857	.658
		850 to 899	643	493	.857	.658
			Gal. per sq. ft.	Gal. per sq. ft.	Gal. per sq. ft.	Gal. per sq. ft.
		900 and over	0.714	0.548	.857	.658
			Gallons	Gallons	Gallons	Gallons
Sub-Zone 15.	110	100 to 149	144	110	144	110
		150 to 199	198	152	198	152
		200 to 249	253	194	253	194
		250 to 299	309	237	309	237
		300 to 349	331	264	331	254
		350 to 399	353	271	353	271
		400 to 449	374	287	374	287
		450 to 499	395	303	395	303
		500 to 549	413	316	413	316
			Gal. per Sq. Ft.	Gal. per Sq. Ft.	Gal. per Sq. Ft.	Gal. per Sq. Ft.
Sub-Zone 15.		550 to 599	438	349	0.750	0.575
		600 to 649	463	355	.750	.575
		650 to 699	484	372	.750	.575
		700 to 749	506	388	.750	.575
		750 to 799	528	405	.750	.575
		800 to 849	550	422	.750	.575
		850 to 899	571	438	.750	.575
		900 to 949	593	459	.750	.575
		950 to 999	625	479	.750	.575
			Gal. per Sq. Ft.	Gal. per Sq. Ft.	Gal. per Sq. Ft.	Gal. per Sq. Ft.
Sub-Zone 15.		1000 and over	0.625	0.479	.750	.575

Sub-zones (By State and counties)	Percentage of 1941-42 consump- tion to obtain normal consump- tion	Floor area in square feet	Maximum and minimum ratios			
			Central heating equipment		Space heaters	
			Maxi- mum	Min- imum	Maxi- mum	Min- imum
Sub-Zone 15A						
Georgia.—Fannin, Gilmer, Habersham, Hall, Lumpkin, Murray, Rabun, Stephens, Towns, Union, White.	106	100 to 149	144	110	144	110
Kentucky.—Allen, Ballard, Calloway, Carlisle, Christian, Clinton, Cumberland, Fulton, Graves, Hickman, Logan, McCracken, McCreary, Marshall, Monroe, Simpson, Todd, Trigg, Wayne.		150 to 199	198	152	198	152
Missouri.—Dunklin, Mississippi, New Madrid, Pemiscot.		200 to 249	253	194	253	194
Virginia.—Amelia, Brunswick, Charles City, Charlotte, Chesterfield, Dinwiddie, Elizabeth City, Gloucester, Greensville, Halifax, Isle of Wight, James City, Lunenburg, Mathews, Mecklenburg, Nansemond, New Kent, Norfolk, Nottoway, Pittsylvania, Prince Edward, Prince George, Princess Anne, Southampton, Surry, Sussex, Warwick, York.		250 to 299	309	237	309	237
		300 to 349	331	254	331	254
		350 to 399	353	271	353	271
		400 to 449	374	287	374	287
		450 to 499	395	303	395	303
		500 to 549	413	316	413	316
			<i>Gallons</i>	<i>Gallons</i>	<i>Gallons</i>	<i>Gallons</i>
			<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>
Sub-Zone 16.						
Georgia.—Banks, Barrow, Bartow, Catoosa, Chattooga, Cherokee, Clayton, Clarke, Cobb, Dade, Dawson, DeKalb, Douglas, Floyd, Forsyth, Franklin, Fulton, Gordon, Gwinnett, Hart, Jackson, Madison, Newton, Oconee, Paulding, Pickens, Polk, Rockdale, Walker, Walton, Whitfield.	107	550 to 599	438	349	0.750	0.575
		600 to 649	463	355	.750	.575
		650 to 699	484	372	.750	.575
		700 to 749	506	388	.750	.575
		750 to 799	528	405	.750	.575
		800 to 849	550	422	.750	.575
		850 to 899	571	438	.750	.575
		900 to 949	593	459	.750	.575
		950 to 999	625	479	.750	.575
			<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>
		1,000 and over	0.625	0.479	.750	.575
			<i>Gallons</i>	<i>Gallons</i>	<i>Gallons</i>	<i>Gallons</i>
Sub-Zone 16.						
Georgia.—Banks, Barrow, Bartow, Catoosa, Chattooga, Cherokee, Clayton, Clarke, Cobb, Dade, Dawson, DeKalb, Douglas, Floyd, Forsyth, Franklin, Fulton, Gordon, Gwinnett, Hart, Jackson, Madison, Newton, Oconee, Paulding, Pickens, Polk, Rockdale, Walker, Walton, Whitfield.	107	100 to 149	123	95	123	95
		150 to 199	171	131	171	131
		200 to 249	218	168	218	168
		250 to 299	266	204	266	204
		300 to 349	284	218	284	218
		350 to 399	303	233	303	233
		400 to 449	321	247	321	247
		450 to 499	338	259	338	259
		500 to 549	354	271	354	271
			<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>
		1,000 and over	0.536	0.411	.643	.493
			<i>Gallons</i>	<i>Gallons</i>	<i>Gallons</i>	<i>Gallons</i>
Sub-Zone 17.						
Georgia.—Baldwin, Butts, Carroll, Columbia, Coweta, Elbert, Fayette, Glascock, Greene, Hancock, Haralson, Heard, Henry, Jasper, Jones, Lamar, Lincoln, McDuffle, Meriwether, Monroe, Morgan, Oglethorpe, Pike, Putnam, Richmond, Spalding, Taliaferro, Troup, Upson, Warren, Wilkes.	107	550 to 599	376	288	0.643	0.493
		600 to 649	396	304	.643	.493
		650 to 699	415	319	.643	.493
		700 to 749	434	333	.643	.493
		750 to 799	452	347	.643	.493
		800 to 849	472	362	.643	.493
		850 to 899	490	376	.643	.493
		900 to 949	512	393	.643	.493
		950 to 999	536	411	.643	.493
			<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>
		1,000 and over	0.536	0.411	.643	.493
			<i>Gallons</i>	<i>Gallons</i>	<i>Gallons</i>	<i>Gallons</i>
Sub-Zone 17.						
Georgia.—Baldwin, Butts, Carroll, Columbia, Coweta, Elbert, Fayette, Glascock, Greene, Hancock, Haralson, Heard, Henry, Jasper, Jones, Lamar, Lincoln, McDuffle, Meriwether, Monroe, Morgan, Oglethorpe, Pike, Putnam, Richmond, Spalding, Taliaferro, Troup, Upson, Warren, Wilkes.	107	100 to 149	103	103	103	103
		150 to 199	142	109	142	109
		200 to 249	182	140	182	140
		250 to 299	222	170	222	170
		300 to 349	238	182	238	182
		350 to 399	252	194	252	194
		400 to 449	268	206	268	206
		450 to 499	282	216	282	216
		500 to 549	295	226	295	226
		550 to 599	314	240	314	240
			<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>
		1,000 and over	0.536	0.411	.643	.493
			<i>Gallons</i>	<i>Gallons</i>	<i>Gallons</i>	<i>Gallons</i>
Sub-Zone 18.						
Georgia.—Bibb, Bleckley, Burke, Chattahoochee, Crawford, Crisp, Dodge, Dooly, Emanuel, Harris, Houston, Jefferson, Jenkins, Johnson, Laurens, Macon, Marion, Muscogee, Peach, Pulaski, Quitman, Schley, Stewart, Sumter, Talbot, Taylor, Treutlen, Twiggs, Washington, Webster, Wilcox, Wilkinson.	107	600 to 649	230	253	0.535	0.410
		650 to 699	346	266	0.535	0.410
		700 to 749	362	278	0.535	0.410
		750 to 799	377	289	0.535	0.410
		800 to 849	392	301	0.535	0.410
		850 to 899	408	313	0.535	0.410
		900 to 949	426	327	0.535	0.410
		950 to 999	446	342	0.535	0.410
		1,000 and over	0.446	0.342	0.535	0.410
			<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>
		1,000 and over	0.446	0.342	0.535	0.410
			<i>Gallons</i>	<i>Gallons</i>	<i>Gallons</i>	<i>Gallons</i>
Sub-Zone 18.						
Georgia.—Bibb, Bleckley, Burke, Chattahoochee, Crawford, Crisp, Dodge, Dooly, Emanuel, Harris, Houston, Jefferson, Jenkins, Johnson, Laurens, Macon, Marion, Muscogee, Peach, Pulaski, Quitman, Schley, Stewart, Sumter, Talbot, Taylor, Treutlen, Twiggs, Washington, Webster, Wilcox, Wilkinson.	107	100 to 149	79	61	79	61
		150 to 199	109	83	109	83
		200 to 249	139	107	139	107
		250 to 299	170	130	170	130
		300 to 349	183	141	183	141
		350 to 399	198	150	198	150
		400 to 449	209	161	209	161
		450 to 499	222	170	222	170
		500 to 549	236	181	236	181
			<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>
		1,000 and over	0.446	0.342	0.535	0.410
			<i>Gallons</i>	<i>Gallons</i>	<i>Gallons</i>	<i>Gallons</i>
South Carolina.—Allendale, Bamberg, Barnwell, Berkeley, Charleston, Clarendon, Colleton, Dorchester, Florence, Georgetown, Hampton, Horry, Marion, Orangeburg, Williamsburg.	107	550 to 599	248	190	0.428	0.329
		600 to 649	261	201	0.428	0.329
		650 to 699	274	210	0.428	0.329
		700 to 749	287	221	0.428	0.329
		750 to 799	300	230	0.428	0.329
		800 to 849	313	240	0.428	0.329
		850 to 899	326	250	0.428	0.329
		900 to 949	342	262	0.428	0.329
		950 to 999	357	274	0.428	0.329
			<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>	<i>Gal. per sq. ft.</i>
		1,000 and over	0.357	0.274	0.428	0.329

Sub-Zones (By State and county)	Per- cent- age adjust- ment to normal	Floor area in square feet		Maximum and minimum ratios			
		Central heating plants	Space heating equipment	Central heating plants		Space heating equipment	
				Maxi- mum	Min- imum	Maxi- mum	Min- imum
Sub-Zone 19	100	100 to 149	100 to 149	73	56	73	56
Georgia.—Appling, Atkinson, Bacon, Baker, Ben Hill, Berrien, Brantley, Bryan, Bulloch, Calhoun, Candler, Chatman, Clay, Coffee, Colquitt, Cook, Decatur, Dougherty, Early, Eufaula, Evans, Grady, Irwin, Jeff Davis, Lee, Liberty, Long, Miller, Mitchell, Montgomery, Pierce, Randolph, Seminole, Tift, Terrell, Thomas, Tift, Toombs, Turner, Ware, Wayne, Wheeler, Worth.		150 to 199	150 to 199	102	78	102	78
South Carolina.—Beaufort, Jasper.		200 to 249	200 to 249	130	100	130	100
		250 to 299	250 to 299	158	121	158	121
		300 to 349	300 to 349	171	132	171	132
		350 to 399	350 to 399	185	143	185	143
		400 to 449	400 to 449	199	153	199	153
		450 to 499	450 to 499	213	164	213	164
		500 to 549	500 to 549	227	174	227	174
		550 to 599	550 to 577	241	185	241	185
		600 to 649	578 to 609	255	196	255	196
		650 to 699	610 to 641	268	206	268	206
		700 to 749	642 to 673	282	217	282	217
		750 to 799	674 to 705	296	227	296	227
		800 to 849	706 to 737	310	238	310	238
		850 to 899	738 to 769	324	249	324	249
		900 to 949	770 to 801	338	259	338	259
		950 to 999	802 to 832	351	269	351	269
Sub-Zone 20	100	100 to 149	100 to 149	56	43	56	43
Florida.—Alachua, Baker, Bradford, Citrus, Clay, Columbia, Dixie, Duval, Flagler, Franklin, Gadsden, Gilchrist, Hamilton, Hernando, Jefferson, Lafayette, Lake, Leon, Levy, Liberty, Madison, Marion, Nassau, Putnam, St. Johns, Sumter, Suwannee, Taylor, Union, Volusia, Wakulla.		150 to 199	150 to 199	77	59	77	59
Georgia.—Brooks, Camden, Charlton, Clinch, Echols, Glynn, Lanier, Lowndes, McIntosh.		200 to 249	200 to 249	99	76	99	76
		250 to 299	250 to 299	120	92	120	92
		300 to 349	300 to 349	130	100	130	100
		350 to 399	350 to 399	140	108	140	108
		400 to 449	400 to 449	151	116	151	116
		450 to 499	450 to 499	161	124	161	124
		500 to 549	500 to 549	171	132	171	132
		550 to 599	550 to 577	181	140	181	140
		600 to 649	578 to 609	192	148	192	148
		650 to 699	610 to 641	202	155	202	155
		700 to 749	642 to 673	212	163	212	163
		750 to 799	674 to 705	223	171	223	171
		800 to 849	706 to 737	233	179	233	179
		850 to 899	738 to 769	243	187	243	187
		900 to 949	770 to 801	254	195	254	195
		950 to 999	802 to 832	264	203	264	203
Sub-Zone 21	100	100 to 149	100 to 149	37	28	37	28
Florida.—Brevard, Broward, Charlotte, Collier, De Soto, Glades, Hardee, Hendry, Highlands, Hillsborough, Indian River, Lee, Manatee, Martin, Okeechobee, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, St. Lucie, Sarasota, Seminole.		150 to 199	150 to 199	51	39	51	39
		200 to 249	200 to 249	65	49	65	49
		250 to 299	250 to 299	79	60	79	60
		300 to 349	300 to 349	86	65	86	65
		350 to 399	350 to 399	92	70	92	70
		400 to 449	400 to 449	99	76	99	76
		450 to 499	450 to 499	106	81	106	81
		500 to 549	500 to 549	113	86	113	86
		550 to 599	550 to 577	120	91	120	91
		600 to 649	578 to 609	127	97	127	97
		650 to 699	610 to 641	134	102	134	102
		700 to 749	642 to 673	141	107	141	107
		750 to 799	674 to 705	148	113	148	113
		800 to 849	706 to 737	155	118	155	118
		850 to 899	738 to 769	161	123	161	123
		900 to 949	770 to 801	168	129	168	129
		950 to 999	802 to 832	175	134	175	134
Sub-Zone 22	100	100 to 149	100 to 149	19	14	19	14
		150 to 199	150 to 199	26	20	26	20
		200 to 249	200 to 249	33	25	33	25
		250 to 299	250 to 299	40	30	40	30
		300 to 349	300 to 349	43	33	43	33
		350 to 399	350 to 399	46	35	46	35
		400 to 449	400 to 449	50	38	50	38
		450 to 499	450 to 499	53	41	53	41
		500 to 549	500 to 549	57	43	57	43
		550 to 599	550 to 577	60	46	60	46
		600 to 649	578 to 609	64	49	64	49
		650 to 699	610 to 641	67	51	67	51
		700 to 749	642 to 673	71	54	71	54
		750 to 799	674 to 705	74	57	74	57
		800 to 849	706 to 737	78	59	78	59
		850 to 899	738 to 769	81	62	81	62
		900 to 949	770 to 801	84	65	84	65
		950 to 999	802 to 832	88	67	88	67
Sub-Zone 22	1000 and over	833 and over	833 and over	Gal. per sq. ft.	Gal. per sq. ft.	Gal. per sq. ft.	Gal. per sq. ft.
				0.179	0.137	0.215	0.164
				Gallons	Gallons	Gallons	Gallons

This amendment shall become effective on July 1, 1943.

(Pub. Law 471, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; WPB Directive 1, 7 F.R. 562; Supp. Directive 1-0, as amended, 7 F.R. 8416; E.O. 9125, 7 F.R. 2719)

Issued this 30th day of June 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10603; Filed, July 1, 1943;
11:38 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 571 Under § 1499.3 (b) of GMPR]

BIGELOW-SANFORD CARPET COMPANY, INC.

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

§ 1499.2109 Maximum prices for the sale of certain outside cotton fabric by Bigelow-Sanford Carpet Company, Inc. (a) Bigelow-Sanford Carpet Company, Inc., 140 Madison Avenue, New York, New York, herein called the applicant, may sell and deliver its Type A cotton fabric, woven around wire and impregnated with synthetic resins, to be used as outside material at a price no higher than \$6.05 per square yard.

(b) All requests of the applicant not granted herein are denied.

(c) This Order No. 571 may be revoked or amended at any time by the Office of Price Administration.

(d) This Order No. 571 shall become effective July 6, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10742; Filed, July 3, 1943;
4:02 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 289; Amdt. 18]

DAIRY PRODUCTS

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

Maximum Price Regulation 289 is amended in the following respects:

1. Section 1351.1520 (a) (3) (i) is amended to read as follows:

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

¹ 7 F.R. 10996; 8 F.R. 490, 1458, 1885, 1972, 3252, 3252, 3327, 4335, 4513, 4337, 4338, 4913, 6440, 7566, 7593, 8276.

(3) *Sales by a primary distributor*—
(i) *Definition.* A "primary distributor" is a person who customarily receives butter from a creamery or manufacturer of butter and who sells to other primary distributors, to jobbers, retailer distributing warehouses, non-federal governmental users, or to commercial, institutional, or industrial users. A branch warehouse of a creamery or manufacturer of butter shall be deemed a primary distributor if such branch warehouse is located in a town or city other than the town or city in which the butter sold by it is manufactured.

2. Section 1351.1520 (b) (3) is amended to read as follows:

(3) The maximum price in any place for the sale, for shipment beyond the shores of the continental United States, of any particular score or grade of butter in the form of one pound prints or rolls parchment wrapped and immersed in salt brine in parafined barrels lined with a cotton bag, shall be the maximum price for that score or grade established by paragraph (a) of this section for that particular sale, plus the appropriate following sum:

Barrels containing:	Cents per Pound
Not over 30 lbs.	8
Over 30 lbs. but not over 50 lbs.	7½
Over 50 lbs. but not over 60 lbs.	6¾
Over 60 lbs. but not over 100 lbs.	6½
Over 100 lbs. but not over 112.	6
Over 112 lbs.	5¾

3. Paragraph (4) of the effective date provision of Amendment No. 15 to Maximum Price Regulation No. 289 is amended to read as follows:

(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 carload 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 6, 1943, and delivered prior to June 14, 1943 shall not be affected by the provisions of this Amendment.

4. Section 1351.1520 (o) is added to read as follows:

(o) With respect to butter manufactured prior to June 1, 1943, and contracted before June 6, 1943, to be sold in carload lots to the United States Government or any agency thereof, and delivered on and after June 14, 1943 but prior to July 1, 1943, all Regional Administrators of the Office of Price Administration are hereby authorized to investigate and determine whether the cause for the failure to make delivery prior to June 14, 1943, is attributable to the seller. In any case where in the judgment of the Regional Administrator in whose region the delivery is made, the delay in delivery is not attributable to the seller, he may authorize and approve as the maximum price for butter so sold the appropriate maximum price in effect under this regulation prior to June 4, 1943.

This amendment shall become effective July 3, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of July 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-10748; Filed, July 3, 1943;
4:02 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Service Order 119-A]

PART 95—CAR SERVICE

VACATING ORDER PROHIBITING MOVEMENT OF POTATOES FROM MAINE

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 2d day of July, A. D. 1943.

Upon further consideration of the provisions of Service Order No. 119 of April 26, 1943, and good cause appearing therefor:

It is ordered, That § 95.10 prohibiting the movement of potatoes from the State of Maine except under permit is hereby vacated and set aside.

It is further ordered, That this order shall become effective at 12:01 a. m. July 3, 1943; that copies of this order and direction shall be served upon all common carriers by railroad and all common and contract motor carriers serving the State of Maine 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. 43-10734; Filed, July 3, 1943;
11:21 a. m.]

[Service Order 123, Amdt. 2]

* PART 95—CAR SERVICE

VACATING ORDER PROHIBITING REICING OF POTATO CARS FROM ARIZONA OR CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 2nd day of July, A. D. 1943.

Upon further consideration of the provisions of Service Order No. 123 of May 14, 1943, as amended, and good cause appearing therefor:

It is ordered, That § 95.307 (a), as amended, prohibiting reicing in transit of refrigerator cars of potatoes from certain States, is hereby vacated and set aside insofar as it applies to shipments of potatoes originating at any point or points in the States of Arizona or California.

It is further ordered, That this order shall become effective at 12:01 a. m. July 5, 1943; that a copy of this order and direction shall be served upon the Association of American Railroads, Car

E. S. LAND,
Administrator.

JULY 2, 1943.

[F. R. Doc. 43-10720; Filed, July 3, 1943;
10:21 a. m.]

[General Order 29, Supp. 3]

PART 341—SHIP WARRANT RULES AND REGULATIONS

SUSPENSION OF RATE CEILINGS

General Order 29 (§ 341.75 Suspension of rate ceilings with respect to vessels of less than 1,000 gross tons), as amended, is amended by striking out the word, "July", and inserting in lieu thereof the word, "August".

(E.O. 9054, 7 F.R. 837)

E. S. LAND,
Administrator.

JULY 2, 1943.

[F. R. Doc. 43-10691; Filed, July 2, 1943;
8:52 p. m.]

Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 43-10733; Filed, July 3, 1943;
11:21 a. m.]

[Service Order 134]

PART 95—CAR SERVICE

SUSPENSION OF ORDER HOLDING CERTAIN POTATO CARS FOR DIVERSION, RECONSIGNMENT OR ORDERS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of July, A. D. 1943.

It appearing, that carload shipments of potatoes, other than sweet, moving from points in the South, and from points in the States of Delaware and Maryland (Eastern Shore) are being held for diversion, reconsignment or orders at points in those states and at Greenwich, Philadelphia, Pa., thereby delaying unduly the movement of trains; in the opinion of the Commission an emergency exists requiring immediate action to prevent shortage of railroad equipment and congestion of traffic:

It is ordered, That:

§ 95.314 Cars of potatoes, other than sweet, not to be held for diversion, reconsignment or orders. (a) The operation of The Pennsylvania Railroad Company Tariffs I. C. C. 2041 and 2391, amendments thereto or reissues thereof, is hereby suspended insofar as said tariffs authorize or permit shipments of potatoes, other than sweet, originating at points in the States of Alabama, Delaware, Florida, Georgia, Louisiana, Maryland (Eastern Shore), Mississippi, North Carolina, South Carolina, Tennessee or Virginia to be held at Greenwich, Philadelphia, Pa., or at any point or points in Delaware or Maryland (Eastern Shore) for diversion, reconsignment or orders.

(b) *Announcement of suspension.* The Pennsylvania Railroad Company shall publish, file and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17).)

It is further ordered, That this order shall become effective at 12:01 a. m. July 2, 1943, and shall remain in force until further order of the Commission; that a copy of this order and direction shall be served upon The Pennsylvania Railroad Company, and 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 that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 43-10732; Filed, July 3, 1943;
11:21 a. m.]

[Service Order 125-A]

REROUTING OF FREIGHT TRAFFIC BECAUSE OF FLOOD CONDITIONS

At a Session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3d day of July, A. D. 1943.

Upon further consideration of the provisions of Service Order No. 125, of May 23, 1943, and good cause appearing therefor: *It is ordered, That Service Order No. 125 permitting common carriers by railroad to reroute freight traffic because of flood conditions is hereby vacated and set aside.*

It is further ordered, That this order shall become effective at 6:00 p. m. July 3, 1943; that copies of this order and direction shall be served 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 that 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. 43-10821; Filed, July 5, 1943;
11:07 a. m.]

Chapter II—Office of Defense Transportation

[General Order ODT 20A]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

SUBPART L—TAXICABS AND TAXI SERVICE

Pursuant to Executive Orders 8989, 9156, 9214, and 9294, and in order to conserve and providently utilize vital transportation services, facilities, and equipment; and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, General Order ODT 20, as amended, (§ 501.80—501.87, 7 F.R. 6906, 7694), and General Permit ODT 20-1, as corrected, (7 F.R. 10347, 10795), shall be superseded; *And it is hereby ordered, That:*

Sec.

501.76 General outline of order.

501.77 Restrictions on new or additional operations.

Sec.	
501.78	Restrictions on the number of taxicabs to be operated.
501.79	Operating regulations.
501.80	Group riding required.
501.81	Elimination of waste.
501.82	Submission of conservation plans.
501.83	Special and general permits.
501.84	Records and reports.
501.85	Exemptions.
501.86	Applicability of General Order ODT 22, as amended.
501.87	Definitions.
501.88	Applicability.
501.89	Communications.

AUTHORITY: §§ 501.76 to 501.89, inclusive, issued under E.O. 8989, 9156, 9214, 9294; 6 F.R. 6725, 7 F.R. 3349, 6097, 8 F.R. 221.

§ 501.76 *General outline of order.* This order restricts the business of furnishing taxi service in any municipality or other governmental subdivision to those persons who were engaged in the taxicab business in such municipality or other governmental subdivision on September 1, 1942, and to persons who have purchased or succeeded to the business of a person so engaged. It also limits the number of taxicabs that may be operated in any municipality or other governmental subdivision by any person in the taxicab business to the number of taxicabs he or his predecessor in interest operated therein on September 1, 1942. The terms "taxicab" and "taxi service" are defined in § 501.87 of the order and are to be given the meaning as stated in the definitions irrespective of how the terms are defined in local ordinances, state laws, and other Federal laws and regulations.

Section 501.79 of the order imposes certain restrictions upon the operation, driving, and use of taxicabs. The restrictions are directed not only to a person conducting a taxicab business and his drivers, but also to persons who use taxicabs as a means of transportation. They are necessary if equipment for the transportation of essential and necessary passenger traffic is to be available. Operations when no passengers are carried must be held to a minimum, hence the restriction on cruising and the restriction on transporting a passenger to a municipality from which the operator may not lawfully transport passengers on the return trip.

The order requires that operators of taxicabs shall participate in group riding plans for taxicabs that are or hereafter may be lawfully in effect in any municipality or other governmental subdivision in which they operate. Operators are also required to eliminate waste in their operations and to conserve and efficiently utilize their equipment and facilities.

Whenever two or more operators engaged in competitive service desire to enter into an arrangement providing for joint action to eliminate waste and otherwise conserve and more efficiently utilize their equipment and facilities, they may, and upon direction of the Office of Defense Transportation shall, submit such plan to the Office of Defense Transportation for approval. If any joint action contemplated by such plan, in the judgment of the Office of Defense Transpor-

tation, will result in the elimination of wasteful operations and bring about the conservation and more efficient utilization of equipment and facilities, the Office of Defense Transportation will issue an order authorizing and directing the participants to engage in such joint action. Thereupon the participants will be granted immunity from prosecution or civil action under the Federal antitrust laws by reason of the doing of any act or thing directed by such order by a certificate issued under the provisions of Section 12, Public Law 603, 77th Congress.

It is recognized that there may be occasions when the rigid requirements of the order should be relaxed. Section 501.83 provides for the issuance of special and general permits to meet specific needs or exceptional circumstances. Section 501.85 provides for certain exemptions from the order.

§ 501.77 Restrictions on new or additional operations. No person shall engage in the business of furnishing taxi service in any municipality or other governmental subdivision unless on September 1, 1942, (a) there was in force with respect to such business a license, permit, or other grant of authority issued by competent governmental authority, authorizing such person, or his predecessor in interest, to engage in such business in such municipality or other governmental subdivision, or (b) such person, or his predecessor in interest, was engaged in good faith in the business of furnishing taxi service in such municipality or other governmental subdivision, and no such license, permit, or other grant of authority was required.

§ 501.78 Restrictions on the number of taxicabs to be operated. No person shall have in operation in taxi service, in any municipality or other governmental subdivision, a greater number of taxicabs than such person, or his predecessor in interest, had in operation in taxi service in such municipality or other governmental subdivision on September 1, 1942.

§ 501.79 Operating regulations. (a) No person shall drive or operate a taxicab:

(1) For any purpose personal to the driver, including social or recreational purposes;

(2) For the purpose of making any commercial pick-up or delivery of merchandise other than the delivery of drugs, medicines, medical supplies, and medical equipment at the request of a licensed pharmacy or pharmacist, dentist, physician, hospital, or veterinarian;

(3) For the purpose of securing passengers while cruising;

(4) For the purpose of providing transportation for a person when engaged in any unlawful undertaking;

(5) For the purpose of transporting a passenger other than in taxi service;

(6) Without such taxicab being distinctly marked as required by local ordinance or state law or, in the absence of any such requirement, with permanent lettering not less than $2\frac{1}{2}$ inches high and spaced 1 inch apart, to indicate

that it is a taxicab or engaged in taxi service;

(7) From a municipality having a population of 10,000 or more, according to the census taken by the United States in 1940, to a point more than 10 miles beyond the corporate limits thereof, except when returning to a point or place from which a passenger was transported to such municipality;

(8) For the purpose of transporting a passenger on a trip that exceeds 25 miles;

(9) For the purpose of transporting a passenger to any municipality, from which the operator by reason of local ordinances, or otherwise, may not lawfully transport other passengers when returning to the point from which the taxicab is driven;

(10) For the purpose of transporting a passenger to any point upon arrival at which, by reason of the limitations in paragraphs (7) and (8) of this § 501.79 (a), such passenger intends to or must transfer to another taxicab in order to continue to his destination.

(b) No person engaged in the business of furnishing taxi service shall permit a taxicab under his direction or control to be driven or operated in violation of this § 501.79, and no person shall use a taxicab as a means of transportation when to do so will require it to be driven or operated in violation of this § 501.79.

§ 501.80 Group riding required. Each person engaged in the business of furnishing taxi service shall participate in any group riding plan for taxicabs which is or hereafter may be lawfully in effect within the municipality or other governmental subdivision within which he does business.

§ 501.81 Elimination of waste. Each person engaged in furnishing taxi service shall eliminate waste in operations and conserve and efficiently utilize the equipment and facilities under his control.

§ 501.82 Submission of conservation plans. (a) Any two or more persons engaged in furnishing competitive taxi service may, and upon direction from the Office of Defense Transportation shall, submit to the Office of Defense Transportation a plan of joint action formulated so as to eliminate waste and bring about the maximum utilization of their equipment and facilities by one or more of the following methods:

(1) Pooling or joint use of concessions, equipment, or other facilities;

(2) Pooling or division of traffic, service, or revenues;

(3) Alternation, staggering or suspension of service;

(4) Elimination of duplicating dispatching service.

(b) Nothing in this § 501.82 shall be construed to authorize any person to engage in joint action by any of the methods described in this section unless directed so to do by specific order of the Office of Defense Transportation.

§ 501.83 Special and general permits. The provisions of this order shall be subject to any special or general permit

issued by the Office of Defense Transportation to meet specific needs or exceptional circumstances, or to prevent undue hardships.

Special permits heretofore issued by the Office of Defense Transportation pursuant to § 501.84 of General Order ODT 20, as amended, shall remain in effect according to the terms thereof and shall alike be applicable to this order.

§ 501.84 Records and reports. (a) Each person engaged in the business of furnishing taxi service shall keep a daily record of the number of miles and hours each taxicab used in such service is operated, the number of passengers carried, and the gallons of fuel transferred to its fuel tank, and shall keep such other records and make such reports as the Office of Defense Transportation may hereafter require. All such records shall be kept available and open for inspection at all reasonable times by authorized representatives of the Office of Defense Transportation.

(b) The recording and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Specific recording or reporting requirements subsequently prescribed will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 501.85 Exemptions. The provisions of this order shall not apply:

(a) To the transportation of passengers between their homes and their places of work by a person driving a private passenger automobile between his or her home and place of work;

(b) To the use of a taxicab for the delivery of telegraphic, cable, and radio communications in emergencies when another medium of delivery cannot be obtained or is not available to effect delivery in time for such communications to serve their purposes;

(c) To the operation of a taxicab for the purpose of transporting mail at the request of the Post Office Department of the United States;

(d) To the transportation of passengers incidental to an emergency arising from an accident, sickness, death, public calamity, or military necessity: *Provided, however, That with respect to all such transportation the person driving or operating the taxicab shall within 48 hours make a report in writing to the nearest office of the Office of Defense Transportation explaining in full the emergency necessitating the transportation.*

§ 501.86 Applicability of General Order ODT 22, as amended. General Order ODT 22, as amended, shall continue to be applicable in New York, New York.

§ 501.87 Definitions. As used in this order (§§ 501.76-501.89), or in any order, direction or permit issued hereunder, the term:

(a) "Person" means any individual, partnership, corporation, association, joint stock company, business trust, or other organized group of persons, or any

trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity;

(b) "Taxicab" means any rubber-tired vehicle (1) propelled or drawn by mechanical power, (2) having a seating capacity of less than ten (10) passengers (including driver), and (3) used in the business of accepting, soliciting, and transporting passengers on call or demand to, from, or between points as may be directed by the passenger or passengers transported or to be transported for compensation;

(c) "Taxi service" means the transportation of passengers by taxicab;

(d) "Trip" means the operation of a taxicab during the period between the time a passenger first enters the taxicab and the time such passenger last leaves it and releases it for the use of another person;

(e) "Continental United States" means the 48 States and the District of Columbia.

§ 501.88 *Applicability.* The provisions of this order shall be applicable within the continental United States and the territories and possessions of the United States except Puerto Rico and the Virgin Islands.

§ 501.89 *Communications.* Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., Boston, Massachusetts, New York, New York, Atlanta, Georgia, Chicago, Illinois, Cleveland, Ohio, Kansas City, Missouri, Dallas, Texas, San Francisco, California, Los Angeles, California, or Seattle, Washington, and should refer to "General Order ODT 20A".

Subparagraph (9) of paragraph (a) of § 501.79 of this General Order ODT 20A shall become effective October 1, 1943. All other paragraphs, sections and provisions shall become effective July 1, 1943, and shall thereupon supersede General Order ODT 20, as amended, and General Permit ODT 20-1, as corrected.

Issued at Washington, D. C., this 1st day of July 1943.

JOSEPH B. EASTMAN,
Director, Office of Defense
Transportation.

[F. R. Doc. 43-10835; Filed, July 5, 1943;
11:20 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service Subchapter Q—Alaska Commercial Fisheries

SALMON

PART 205—ALASKA PENINSULA AREA FISHERIES

Effective only through December 31, 1943, § 205.17 *Areas open to Salmon traps* is hereby amended as follows:

Paragraph (a) is hereby amended to read as follows:

(a) Unimak Island: Along the coast on the west and south sides of Ikatan Bay (1) from a point on False Pass (Isanotski Strait) at 54 degrees 48 minutes 54 seconds north latitude, 163 degrees 22 minutes 18 seconds west longitude, to a point at 54 degrees 46 minutes 44 seconds north latitude, 163 degrees 21 minutes 32 seconds west longitude, (2) from a point at 54 degrees 45 minutes 18 seconds north latitude, 163 degrees 17 minutes 30 seconds west longitude, to a point at 54 degrees 45 minutes 15 seconds north latitude, 163 degrees 16 minutes west longitude (3) from a point at 54 degrees 46 minutes 6 seconds north latitude, 163 degrees 11 minutes 42 seconds west longitude to a point on Louisiana Cove at 54 degrees 45 minutes 58 seconds north latitude, 163 degrees 8 minutes 52 seconds west longitude.

PART 207—CHIGNIK AREA FISHERIES

Effective only through December 31, 1943, § 207.16 *Areas open to salmon traps* is hereby amended as follows:

Paragraphs (e), (f), (g), and (h) are hereby suspended.

PART 208—KODIAK AREA FISHERIES

Salmon Fishery

Section 208.22 (k) *Areas open to salmon traps*, is hereby suspended through December 31, 1943.

PART 211—PRINCE WILLIAM SOUND AREA FISHERIES

Salmon Fishery

Effective only through December 31, 1943, § 211.12 *Areas open to salmon traps* is hereby amended as follows:

Paragraph (aa) is hereby suspended, and paragraph (z) is hereby amended to read as follows:

(z) Western coast of Montague Island (1) from Point Bazil on the north side of the entrance to Hanning Bay northeasterly to 59 degrees 59 minutes 56 seconds north latitude, and (2) from 60 degrees 8 minutes 30 seconds north latitude northeasterly to 60 degrees 9 minutes 45 seconds north latitude (as shown on U. S. Coast and Geodetic Survey Chart No. 8551).

PART 223—SOUTHEASTERN ALASKA AREA, WESTERN DISTRICT, SALMON FISHERIES

Effective only through December 31, 1943, § 223.19 *Areas open to salmon traps* is hereby amended as follows:

Paragraph (j) is hereby amended to read as follows:

(j) Admiralty Island: West coast (1) from 57 degrees 40 minutes 47 seconds north latitude to 57 degrees 41 minutes 30 seconds north latitude, (2) from 57 degrees 43 minutes north latitude to 57 degrees 43 minutes 45 seconds north latitude, (3) from 57 degrees 50 minutes 2 seconds north latitude to 57 degrees 51 minutes 7 seconds north latitude, (4) from 57 degrees 54 minutes 30 seconds north latitude to 57 degrees 55 minutes 30 seconds north latitude, and (5) from 57 degrees 58 minutes north latitude to

58 degrees 2 minutes 7 seconds north latitude.

PART 227—SOUTHEASTERN ALASKA AREA, CLARENCE STRAIT DISTRICT, SALMON FISHERIES

Effective only through December 31, 1943, § 227.15 *Areas open to salmon traps* is hereby amended as follows:

Paragraph (i) is hereby suspended, and paragraph (t) is hereby amended to read as follows:

(t) Prince of Wales Island: East coast from 55 degrees 20 minutes 15 seconds north latitude to 55 degrees 20 minutes 56 seconds north latitude, 132 degrees 9 minutes 38 seconds west longitude.

(Sec. 1, 44 Stat. 752, 48 U.S.C. 221)

OSCAR L. CHAPMAN,
Assistant Secretary.

JUNE 25, 1943.

[F. R. Doc. 43-10692; Filed, July 2, 1943;
4:01 p. m.]

Chapter IV—Office of the Coordinator of Fisheries

[Order 1838]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

COORDINATED PILCHARD PRODUCTION PLAN

By virtue of the authority conferred upon me by Food Directive No. 2 of February 8, 1943 (8 F.R. 1777), as amended on March 16, 1943 (8 F.R. 3280), issued pursuant to Executive Order No. 9280 of December 8, 1942 (7 F.R. 10179), and in order to facilitate the production of an adequate supply of pilchards to meet war essential civilian needs with a minimum utilization of critical material, manpower and fishing vessels, *It is hereby ordered*, As follows:

§ 401.2 *Coordinated pilchard production plant*—(a) *Jurisdiction.* Complete control and authority over the catching and delivery of pilchards on the West Coast of the United States solely for the purposes herein specified shall be vested in the Fishery Coordinator, and subject to his supervision and direction shall be administered by the Office of Fishery Coordination.

(b) *Statement of policy.* Shrinkage of the fishing fleet through military requisition, restriction on the movements of fishing vessels imposed by security requirements, limitations of manpower, and other war connected stringencies, coupled with increased National requirements for proteins and fats, have created a condition calling for Government supervision to insure the maximum effectiveness of existing fishing and processing facilities for the production of pilchard products. It is the purpose and intent of the Fishery Coordinator in administering and enforcing the provisions of this order to restore as nearly as possible a normal flow of raw material and as continuous an operation at processing plants as possible and to insure the production of the quantities of each category of finished products re-

quired for the maintenance of the Nation's war economy with the least possible interference with the freedom of activity of persons in the pilchard fishery and the pilchard processing industry. In the interest of effective mobilization of material resources necessary to the successful prosecution of the war, it is expected that persons affected by this order will cooperate with the United States Government in the attainment of the objectives which prompt the issuance of this order.

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

(1) "Person" means any individual, partnership, association, corporation, or any other business entity.

(2) "Pilchard" means raw, unprocessed pilchard (*Sardinia caerulea*), by whatever name known, including sardines.

(3) "Delivery" means the transfer of pilchards to a processing plant, for canning or reduction, to a transporting facility, or to a place of storage, whether or not the same person owns or controls the vessel from which it is transferred, the plant, or the fish.

(4) "Port" means a single harbor or group of contiguous or nearly contiguous harbors at which pilchards are landed. For the purpose of this order San Pedro shall mean the ports of San Pedro, Wilmington and Long Beach. Monterey shall mean the ports of Monterey and Moss Landing. San Francisco shall mean the harbors on San Francisco Bay, and the tributaries thereof. Ports may be added or regrouped in the discretion of the Fishery Coordinator, or his representative.

(5) "Registration port" means the port where the permanent document of the vessel issues.

(6) "Home port" means the port at which the Captain and the operating owner or holder of the charter of the vessel have had residence for a substantial portion of the period since June 1, 1940, and from which they have practiced pilchard fishing operations during at least half of the time in all seasons of active fishing since June 1, 1940; or, in case these criteria are conflicting, the port designated by the Fishery Coordinator, or his representative, as the home port of the vessel.

(7) "Fishing port" means a port from which the vessel operates for the purpose of pilchard fishing.

(8) "Fishery Coordinator" means the Secretary of the Interior.

(9) "Representative" means any person or persons duly designated by the Fishery Coordinator to perform any of the functions authorized by this order.

(d) *Catching or delivering pilchards without a permit prohibited.* No person owning or controlling a vessel of 20 net tons or over shall fish for and deliver pilchards to any cannery, reduction plant, or other establishment at any port on the Pacific Coast of the United States, except as otherwise provided in paragraph (m) below, unless expressly authorized by a permit issued by the Fishery Coordinator, or his representative.

(e) *Clearance of pilchard vessels from ports without a permit prohibited.*

(1) No vessel of 20 net tons or over which at any time subsequent to May 31, 1940, was used in fishing for pilchards or which first engages in fishing for pilchards in 1943 shall be cleared from any port on the Pacific Coast of the United States for the purpose of catching pilchards or any other fish or return to any port for delivering such fish except in accordance with the terms of a permit issued by the Fishery Coordinator, or his representative, to the person owning or controlling the vessel; but this provision shall not apply in any case where there has been an emergency modification of the permit as provided in paragraph (m) below.

(2) Clearance from a port will not be permitted unless the Captain of the vessel shall have in his possession a permit issued by the Fishery Coordinator, or his representative.

(f) *Terms and conditions of permits.* (1) Any permit to fish for and deliver pilchards which is issued by the Fishery Coordinator, or his representative, may provide specifically the period for which it is issued; the port or ports from which clearance is authorized; and such other reasonable terms and conditions as may be deemed necessary to accomplish the purpose of this order.

(2) Permits may be amended at any time or new permits issued when deemed necessary by the Fishery Coordinator, or his representative, to provide an adequate number of fishing vessels at any given port and to assure an even flow of pilchards to canning or reduction plants in order to facilitate the maximum production of sardine products commensurate with available manpower and plant facilities.

(3) The terms of a permit may be modified by the Fishery Coordinator, or his representative, on request of the holder of such permit when conditions are shown to exist which warrant such modification.

(g) *Application for permits.* Applications for permits to fish for and deliver pilchards shall be filed with the Fishery Coordinator, or his representative, not later than 10 days after the effective date of this order for the fishing season of 1943-1944 and not later than June 1 of each year thereafter, except for vessels built or acquired for pilchard fishing during the course of the season, in which case applications shall be filed not less than 10 days prior to the time fishing for pilchards is contemplated. Applications shall contain the following information:

(1) The name of the vessel, the registration port and number, the state license number, if any, the names of the owner and operating owner or holder of the charter, and the Captain.

(2) The permanent residence or place of business of the owner, of the operating owner or holder of the charter, and of the Captain during the period since June 1, 1940.

(3) The fishing ports of the operating owner or holder of the charter, and of the Captain during the period since June 1, 1940.

(4) The home port.

(5) The fishing port or ports from which a permit to fish is desired and the

period of time during which fishing operations are to be conducted at each of the fishing ports.

(6) Any other information deemed necessary by the Fishery Coordinator, or his representative, to accomplish the purpose of this order, including the submission of copies of contracts bearing on the determination of the home port or of the fishing ports or affecting the delivery of pilchards.

(h) *Action on applications.* (1) The Fishery Coordinator, or his representative, shall consider each application on the basis of (i) military and essential civilian requirements for canned sardines, sardine meal and oil; (ii) the necessity of maintaining an even flow of pilchards to available canneries or reduction plants; and (iii) the condition of fishing in the waters adjacent to each port.

(2) In granting permits based upon applications filed therefor, preference shall be given to applicants desiring to fish for and deliver pilchards at home ports. So far as possible, assignment of vessels to fishing ports other than the home port, when deemed necessary to secure the maximum production of pilchards, will be given to persons applying for permits to fish for and deliver pilchards away from the home port.

(3) Permits may be granted on applications filed after the dates specified in paragraph (g) hereof but the rules stated in subparagraph (2) above as to the preferential assignment of fishing ports shall not apply to such late applications.

(i) *Deliveries to particular persons.* The Fishery Coordinator, or his representative, may direct the delivery of pilchards to particular persons whenever deemed necessary to promote an even flow of material to canning or reduction plants or to assure the maximum production of sardine products commensurate with available manpower and plant facilities. The delivery of fish or the receiving of fish in violation of direction shall be a violation of this order.

(j) *Designation of particular uses.* The Fishery Coordinator, or his representative, may direct or prohibit the use of pilchards for canning or for reduction into meal and oil or may direct the use of any specified percentage for each particular purpose when deemed necessary in order to meet the requirement for military and essential civilian supply.

(k) *Agreements to limit production prohibited.* No contract or agreement, written or verbal, shall be entered into or carried out and no action shall be taken which directly or indirectly operates to limit the amount of pilchards which may be caught or delivered by any fishing vessel or the frequency with which any pilchard fishing vessel shall leave port for or return from the fishing grounds except as may be ordered by the Fishery Coordinator, or his representative.

(l) *Records and reports.* (1) All persons engaged in processing pilchards and who are affected by this order shall keep and preserve, for not less than two years, accurate records concerning purchases and production of pilchards and

pilchard products, and such other material information as may be required by the Fishery Coordinator, or his representative.

(2) All records required to be kept by this order or by any order of the Fishery Coordinator, or his representative, shall be made available for inspection and audit by the Fishery Coordinator, or his representative, upon request.

(3) The Fishery Coordinator, or his representative, may require from persons affected by this order periodic reports with respect to amounts of pilchards received, production capacity, quantities of each product produced, and such other material information as may be deemed necessary by the Fishery Coordinator, or his representative, for effectuation of the purposes of this order. These record keeping requirements have been approved by the Bureau of the Budget and specific recording and reporting requirements subsequently prescribed will be subject to the approval of the Bureau of the Budget, all pursuant to the Federal Reports Act of 1942.

(m) *Emergencies.* (1) In unusual circumstances, when deemed necessary to meet the exigencies of the occasion, the Fishery Coordinator, or his representative, may, verbally or by radio telephone, modify the terms of a permit, subject to confirmation in writing within a reasonable period of time thereafter.

(2) Modification of the terms of a permit may include assigning fishing vessels to ports other than those specifically authorized in the permit.

(n) *Orders and directions; Deputy Fishery Coordinator.* The Fishery Coordinator, or his representative, may issue such orders and directions as he may deem necessary to accomplish the purposes of this order, and violation of any such order or direction shall be considered a violation of this order. For the purposes of this order the functions, duties, and powers of the Fishery Coordinator may, in his absence, be exercised by the Deputy Fishery Coordinator.

(o) *Violation; revocation.* Any person who violates this order or any order, direction, or prohibition of the Fishery Coordinator, or his representative, or any term or condition of any permit issued by him, or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order, may, by a decision of the Area Coordinator based upon findings of fact made after reasonable notice and hearing, be prohibited from fishing by suspension or revocation of any permit issued or prohibited from receiving fish, for a specified period of time. If the Area Coordinator shall have reasonable grounds to believe that such violation has occurred and if the circumstances are such that he shall deem such action reasonably necessary to effectuate the purposes of this order, he may immediately suspend the permit or privilege of receiving fish pending such hearing. Such further action may be taken against the violator as the Fishery Coordinator deems appropriate, including recommendations for prosecutions under Section 35a of the Criminal Code (18 U.S.C. sec. 80), under paragraph 5 of

section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(p) *Appeals and petitions for relief.* Any person who finds that compliance with this order or any order, direction, or permit issued pursuant thereto would tend to impose an unreasonable burden upon him or would not facilitate the production of pilchards, or who is aggrieved by any decision of the Area Coordinator may, after the hearing or other presentation of the matter before the Area Coordinator, appeal to, or petition the Fishery Coordinator for appropriate relief. Such petition must include a full showing of pertinent facts. The Fishery Coordinator shall thereupon make findings of fact and take such action on the petition as the circumstances may warrant.

(q) *Surrender of permits; applications; communications.* Permits which have been superseded by amended permits, or which have been revoked, shall be surrendered at once to the Area Coordinator; and all applications, petitions, and communications referred to herein shall, unless otherwise directed, be addressed to and filed with the Area Coordinator, Area II, Office of the Coordinator of Fisheries, 901 Alexander Building, 155 Montgomery Street, San Francisco 4, California.

(r) *Designated representative.* The Area Coordinator in Area II is hereby designated as the representative of the Fishery Coordinator to perform any of the functions authorized in this order. In the performance of these functions, he may designate any members of his staff to carry out any specific functions that may be assigned.

(s) *Previous order superseded.* The provisions of this order shall supersede Conservation Order M-206, as amended September 30, 1942 (7 F.R. 8274) issued by the War Production Board.

(t) *Separability; effective date.* The various clauses and provisions herein are intended to be separable and the invalidity of any one shall not affect any other provision. This order shall become effective immediately, except that paragraphs (d) and (e) shall not apply prior to August 1, 1943.

Issued this 30th day of June 1943.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 43-10695; Filed, July 2, 1943;
4:01 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1932]

MORRISDALE COAL CO.

ORDER DISMISSING PETITION

In the matter of the petition of Morrisdale Coal Company, for permission to mix coals of certain mines in District No. 1.

A motion for leave to discontinue the proceedings and for the termination of

the temporary relief granted by an Order dated April 13, 1943, in the above-entitled matter having been filed by the original petitioner; and

It appearing that good cause for the granting of said petition has been shown;

Now, therefore, *It is ordered*, That the relief granted in Docket No. A-1932 by the Order dated April 13, 1943 be and the same hereby is terminated.

It is further ordered, That the hearing herein scheduled to commence on July 2, 1943, be and the same hereby is cancelled.

It is further ordered, That the original petition in Docket No. A-1932 be and the same hereby is dismissed.

Dated: July 1, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-10806; Filed, July 5, 1943;
10:41 a. m.]

[Docket No. B-71]

A. H. ENGLAND

ORDER DIRECTING CODE MEMBER TO CEASE AND DESIST

Upon the basis of findings of fact and conclusions of law set forth in the opinion of the Director, filed simultaneously herewith, wherein it appears that code member wilfully violated the order of the Director in General Docket No. 19, dated October 9, 1940, and pursuant to sections 4 II (j), 5 (b) and other provisions of the Bituminous Coal Act of 1937;

It is ordered, That A. H. England, operating the A. H. England Mine (Mine Index No. 2747), in Bell County, Kentucky, in District 8, his agents, representatives, employees, successors or assigns, and any persons acting or claiming to act for or on his behalf, cease and desist from violating the order of the Director in General Docket No. 19, dated October 9, 1940, or from otherwise violating the provisions of the Act, the code and the rules and regulations thereunder.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a circuit court of appeals for the enforcement thereof, or take other appropriate action as authorized by the Act.

Dated: July 1, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-10813; Filed, July 5, 1943;
10:41 a. m.]

[Docket Nos. A-2032, A-2032 Part II]

DISTRICT BOARD 2

MEMORANDUM OPINION, ETC.

In the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 2; Docket No. A-2032.

In the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for rail and truck shipments for

the coals produced at the Hillcrest (s) Mine; Docket No. A-2032, Part II.

Memorandum opinion and order severing Docket No. A-2032, Part II, from Docket No. A-2032, granting temporary relief and notice of and order for hearing in Docket No. A-2032, Part II.

The original petition in the above-entitled matter, filed with the Division pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, prays for the establishment of temporary and permanent price classifications and minimum prices for rail and truck shipments for the coals produced at the Hillcrest (s) Mine, Mine Index No. 2718, of Hillcrest Coal Company, Ltd. (Tony Grippo) in District No. 2. It appears, however, that the petition requests the establishment of shipping points for the coals of this mine which are located in both District No. 2 and District No. 1, and that from the facts alleged in this petition no final determination can be made at this time with regard to the establishment of these shipping points for this mine without a hearing.

In view of the foregoing, it is deemed advisable to grant only temporarily the request of petitioner to establish minimum prices and price classifications for the coals produced at the aforementioned mine.

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

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

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

Now, therefore, *It is ordered*, That the portion of Docket No. A-2032 relating to the request of petitioner to establish minimum prices and price classifications for coals to be produced at the Hillcrest (s) Mine, Mine Index No. 2718 of Hillcrest Coal Company, Ltd. (Tony Grippo) be, and it hereby is, severed from the remaining part of that Docket and designated as Docket No. A-2032, Part II.

It is further ordered, That a hearing in Docket No. A-2032, Part II under the applicable provisions of said Act and the rules of the Division be held on July 28, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That Edward J. Hayes, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties

in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 23, 1943.

All persons are hereby notified that the hearing in Docket No. A-2032, Part II and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 2 for the establishment of the price classifications and minimum prices for all shipments except truck and for truck shipments, as set forth in Supplement R and Supplement T attached hereto, and the establishment of a shipping point at Val. Section No. T-245-1 on the Baltimore & Ohio Railroad in District No. 2 and at Foxburg, Pennsylvania on the Pennsylvania Railroad in District No. 1 for the coals produced at the Hillcrest (s) Mine, Mine Index No. 2718, of Hillcrest Coal Company, Ltd. (Tony Grippo).

It is further ordered, That, pending further order of the Director, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith, the schedules of effective minimum prices for District No. 2 for all shipments except truck and for truck shipments are supplemented to include the price classifications and minimum prices appearing in Supplement R and Supplement T which are annexed hereto and made a part hereof.

It is further ordered, That pleadings in opposition to that portion of the original petition in the above-entitled matter which pertains to the Hillcrest (s) Mine, Mine Index No. 2718, of Hillcrest Coal Company, Ltd. (Tony Grippo), and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division 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: July 2, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-10810; Filed, July 5, 1943;
10:41 a. m.]

[Docket No. A-20421]

DISTRICT BOARD 23

MEMORANDUM OPINION AND ORDER GRANTING TEMPORARY RELIEF AND NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 23 for the establishment of price classifications and minimum prices for the coals of the Peacock Mine.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with this Division by the above-named party, requesting the temporary and permanent establishment of price classifications and minimum prices for the coals of the Peacock Mine, Mine Index No. 180, of code member Stanley Kepka, located in Subdistrict "B" in District No. 23.

Petitioner alleges that although the Peacock Mine is actually located in Subdistrict "B", the nature and quality of the coal produced therefrom, and the market areas to be served, indicate that the coals of this mine are similar to coals produced in Subdistrict "G", and proposes, therefore, that the same price classifications and minimum prices be established for the coals of the Peacock Mine in the respective size groups for shipment by rail and truck as are presently in effect for comparable and analogous coals produced in Subdistrict "G", except that, in Size Groups 21 and 23 for truck shipments petitioner proposes the establishment of minimum prices 25 cents per ton lower than those applicable to coals in these size groups produced in Subdistrict "G".

The original petition in this matter does not contain facts sufficient to warrant the granting of the permanent relief requested by petitioner without a hearing.

It appearing, however, that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; that no petitions of intervention have been filed with the Division in this matter; and that the following action is deemed necessary in order to effectuate the purposes of the Act;

Now, therefore, *It is ordered*, That, pending further order, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith, the schedule of effective minimum prices for District No. 23 for all shipments is amended to include the price classifications and minimum prices set forth in the schedule marked "Supplement R and T" annexed hereto and hereby made a part hereof.

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on July 31, 1943, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division at the Federal Office Bldg., Rm. 117, Seattle, Washington.

It is further ordered, That Charles O. Fowler, or any other officer or officers of the Division duly designated for that purpose, shall preside at the hearing in

such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 26, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 23 requesting that the same price classifications and minimum prices be established for the coals of the Peacock Mine, Mine Index No. 180, in Subdistrict "B" in District No. 23 in the respective size groups for shipment by rail and truck as are presently in effect for comparable and analogous coals produced in Subdistrict "G" in District No. 23, except that in Size Groups 21 and 23 for truck shipments petitioner proposes the establishment of minimum prices 25 cents per ton lower than those applicable to coals in these size groups produced in Subdistrict "G".

Dated July 2, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-10812; Filed, July 5, 1943;
10:41 a. m.]

pearing that there is no objection thereto;

Now, therefore, *It is ordered*, That the original petition in the above-entitled matter be, and it hereby is, dismissed without prejudice.

Dated: July 2, 1943.

[SEAL]

DAN H. WHEELER,
Director.

[F. R. Doc. 43-10807; Filed, July 5, 1943;
10:41 a. m.]

[Docket No. B-312]

CAMPBELL COE COAL CO.

NOTICE OF AND ORDER FOR HEARING

In the matter of Campbell Coe, doing business as Campbell Coe Coal Company, registered distributor, Registration No. 1683.

The Bituminous Coal Division (the Division) finds it necessary in the proper administration of the Bituminous Coal Act of 1937 (the Act) and the Bituminous Coal Code (the Code) promulgated pursuant thereto to determine:

A. Whether Campbell Coe, (hereinafter referred to by his trade name of Campbell Coe Coal Company) registered distributor, Registration No. 1683 (the Distributor) whose address is 16 Waverly Avenue, Newark, New Jersey, has wilfully violated any provisions of section 4 II (i) of the Act, the marketing rules and regulations, regulations for the registration of distributors and other pertinent orders of the Division and the distributor's agreement (the Agreement) filed with the Division on October 2, 1940 by said Distributor with his application for registration, and more particularly whether said Distributor:

1. During the period February 4, 1941 to October 9, 1941, inclusive, sold to various purchasers approximately 1556.60 tons of run of mine coal (Size Group 3), produced by the Reitz Coal Company, a Code Member, at its Mine #8, Mine Index No. 425, located in Somerset County, Pennsylvania, District No. 1, pursuant to a sales agency contract dated September 30, 1940 between said Code Member and the Distributor, and accepted and retained thereon sales agent's commissions in excess of the commissions specified in said sales agency contract, thereby modifying said contract, whereas a copy of the terms and conditions of such modification thereof had not been filed with the Statistical Bureau, resulting in violation of Rules 4 (A), 4 (B) and 9 (a) of section II of the marketing rules and regulations, and whether the participation of the Distributor in said violations constituted a violation by the Distributor of paragraph (e) of the Agreement.

2. (a) During the period December 18, 1940 to January 6, 1942, inclusive, sold to various purchasers approximately 623.40 net tons of 2" nut and slack coal (Size Group 4) produced by the Allegheny River Mining Company at its Ringgold Mine (Mine Index No. 433), located in Jefferson County, Pennsylvania, District No. 1, pursuant to a sales agency

contract dated September 30, 1940 for the sale of said coal entered into between the Distributor and the Pittsburgh and Shawmut Coal Company, whereby the Distributor was appointed sales agent for the Allegheny River Mining Company [by virtue of the authority vested in the Pittsburgh and Shawmut Coal Company by the terms of a contract between the Allegheny River Mining Company and the Pittsburgh and Shawmut Coal Company authorizing said Pittsburgh and Shawmut Coal Company to appoint sales agents for the Allegheny River Mining Company], and accepted and retained thereon sales agent's commissions in excess of the commissions specified in said contract, thereby modifying said contract, whereas a copy of the terms and conditions of such modification thereof had not been filed with the Statistical Bureau, resulting in violation of Rules 4 (A), 4 (B), and 9 (a) of section II of the marketing rules and regulations, and whether the participation of the Distributor in said violations constituted a violation by the Distributor of paragraph (e) of the Agreement; or

(b) During the period December 18, 1940 to January 6, 1942, inclusive, purchased and resold to various purchasers the coal referred to in paragraph 2 (a) hereof, and accepted and retained thereon Distributor's discounts in excess of the maximum allowable Distributor's discounts as prescribed by the order dated June 19, 1940 in General Docket No. 12, in violation of paragraphs (a) and (e) of the Agreement.

B. Whether the registration of said Campbell Coe Coal Company as a registered distributor should be revoked or suspended or other appropriate action taken.

It is therefore ordered, Pursuant to §§ 304.14 (now 317.14) of the rules and regulations for the registration of distributors that a hearing be held at the Post Office Building, Room 308, Newark, New Jersey, on August 5, 1943, at 10 a. m. to determine whether the said Campbell Coe Coal Company has committed violations in the respects heretofore described and whether the registration of said Distributor should be revoked or suspended or other appropriate action taken.

It is further ordered, That Travis Williams, or any other officer of the Division duly designated to preside at such hearing, is hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to such places as he may direct by announcement at said hearing or any adjourned hearing or by subsequent notice, and to prepare and submit findings of fact and conclusions and recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to said Distributor and to all persons and entities having an interest in such proceeding.

Notice is hereby given that answer setting forth the position of said Distribu-

[Docket No. A-1975]

PIKES PEAK FUEL DIVISION OF GOLDEN CYCLE CORPORATION

ORDER DISMISSING PETITION

In the matter of the petition of Pikes Peak Fuel Division of the Golden Cycle Corporation for revision of the effective price classification and minimum prices for certain coals produced from the Pikeview Mine.

The original petitioner having requested that its petition in the above-entitled matter be dismissed, and it ap-

tor with reference to the matters hereinbefore described, shall be filed within twenty (20) days after date of service hereof on said Distributor, and that failure to file an answer herein within such period, unless the presiding officer shall otherwise order, shall be deemed to be an admission by said Distributor of the commission of the violations hereinbefore described and a consent to the entry of an appropriate order thereon.

Notice is also hereby given that any application pursuant to § 301.132 of the rules of practice and procedure before the Division for the disposition of this proceeding without formal hearing must be filed not later than fifteen (15) days after receipt by said Distributor of a copy of this notice of and order for hearing.

All persons are hereby notified that the hearing in the above-entitled matter and orders entered herein may include, in addition to the matters specifically recited herein, other matters incidental and related thereto, whether raised by amendment, petition for intervention, or otherwise, and all persons are cautioned to be guided accordingly.

Dated: July 5, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 48-10817; Filed, July 5, 1943;
10:38 a. m.]

[Docket Nos. A-1913, A-1913 Part II]

DISTRICT BOARD 2

MEMORANDUM OPINION, ETC.

In the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for rail shipments and changes in shipping points for the coals of certain mines in District No. 2; Docket No. A-1913.

In the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for rail shipments from Mine Index No. 2341; Docket No. A-1913, Part II.

Memorandum opinion and order severing Docket No. A-1913 Part II from Docket No. A-1913, and notice of and order for hearing.

On April 9, 1943, an Order was issued in Docket No. A-1913 granting temporary relief, pending final disposition of the matter, for the coals of certain mines in District No. 2, including Mine Index No. 2341, and providing that the relief therein granted should become final 60 days from the date thereof, unless it should otherwise be ordered. In accordance with information furnished to the Division by District Board No. 2, the original petitioner in Docket No. A-1913, the code member operator of Mine Index No. 2341 was listed in the said order as The Highway Coal Company.

Subsequently, Hyman Weinberg, of Mt. Pleasant, Pennsylvania, advised the Division that he is the operator of this mine rather than The Highway Coal Company, and he requested that an appropriate order be issued and that he be

permitted to become an intervenor in this proceeding.

By order dated May 22, 1943, Hyman Weinberg was admitted as an intervenor in this proceeding. It was further provided in said order that the relief granted for Mine Index No. 2341 in the order dated April 9, 1943 in Docket No. A-1913 was not to become final 60 days from the date of that order, but was to remain temporary until further order; that the said order dated April 9, 1943 was, in all other respects, to remain in full force and effect, and that an order scheduling a hearing for the purpose of adducing facts upon which final relief for Mine Index No. 2341 might be based would be issued in due course. It now appears appropriate that a hearing be held in this matter insofar as it concerns Mine Index No. 2341.

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

Now, therefore, *It is ordered*, That the portion of Docket No. A-1913 relating to the coals of Mine Index No. 2341 be, and the same hereby is, severed from the said docket and docketed as Docket No. A-1913 Part II.

It is further ordered, That the relief granted for Mine Index No. 2341 in the Order dated April 9, 1943 in Docket No. A-1913 shall continue to remain temporary.

It is further ordered, That a hearing in Docket No. A-1913 Part II under the applicable provisions of the Bituminous Coal Act of 1937 and the rules of the Division be held on August 6, 1943, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section in the Office of the Division will advise as to the room where such hearing will be held.

It is further ordered, That Edward J. Hayes, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearings are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the Rules and Regulations of the Bituminous Coal Division for Proceedings Instituted Pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before August 2, 1943.

All persons are hereby notified that the hearing in Docket No. A-1913 Part II and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the determination of the code member operator of Mine Index No. 2341, located in District No. 2, and whether the minimum prices and price classifications temporarily established for Mine Index No. 2341 in the order dated April 9, 1943, in Docket No. A-1913 shall be made permanent.

Dated: July 5, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 48-10804; Filed, July 5, 1943;
10:38 a. m.]

[Docket No. B-214]

BECCARIA COAL MINING CO.

ORDER DIRECTING CODE MEMBERS TO CEASE
AND DESIST

In the matter of Beccaria Coal Mining Company, a partnership, also known as Fred DeZaiffe, Sr., and Fred DeZaiffe, Jr., individually and as copartners, trading and doing business as Beccaria Coal Mining Company, Code Members.

Upon the basis of findings of fact and conclusions of law set forth in the opinion of the Director filed simultaneously herewith, wherein it appears that code members wilfully violated section 4 II (e) of the Act, the corresponding section of the Code, Rule 13 of section II and Rule 1 of section III of the marketing rules and regulations, and Price Instruction No. 5 of the schedule of effective minimum prices for District No. 1 for all shipments except truck, and pursuant to sections 4 II (j), 5 (b) and other provisions of the Bituminous Coal Act of 1937;

It is ordered, That Fred DeZaiffe, Sr., and Fred DeZaiffe, Jr., individually and as copartners, trading and doing business as Beccaria Coal Mining Company, code members operating the Leland No. 8 Mine (Mine Index No. 273), located in Clearfield County, Pennsylvania, in District 1, their agents, representatives, employees, successors or assigns, and any persons acting or claiming to act for or on their behalf, cease and desist from violating section 4 II (e) of the Act, the corresponding section of the code, Rule 13 of section II and Rule 1 of section III of the marketing rules and regulations, and Price Instruction No. 5 of the schedule of effective minimum prices for District No. 1 for all shipments except truck, or from otherwise violating the provisions of the Act, the code, and the rules and regulations thereunder.

Notice is hereby given that upon failure or refusal to comply with this order the Division may apply to a Circuit Court of Appeals for the enforcement thereof,

or take other appropriate action as authorized by the Act.

Dated: July 5, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-10815; Filed, July 5, 1943;
10:38 a. m.]

[Docket No. A-2038]

JOHN J. CABLE

ORDER GRANTING TEMPORARY RELIEF AND
NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of John J. Cable requesting permission to mix coals produced at the Toth & Alwine Mine, Mine Index No. 3107 with coals produced at the Grazier Mine, Mine Index No. 2648 located in District No. 1.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting permission to mix coals produced at the Toth & Alwine Mine, Mine Index No. 3107 of Clarence Alwine & Steve Toth (Steve Toth) with coals produced at the Grazier Mine, Mine Index No. 2648, of John J. Cable, for rail shipment at Foustwell, Pennsylvania, on the Baltimore and Ohio Railroad; and

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

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

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

Now, therefore, *It is ordered*, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 1 for All Shipments Except Truck is supplemented to include price classifications, minimum prices and other matters set forth in the schedule marked Supplement R annexed hereto and made a part hereof.

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on July 27, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section in room 502 will advise as to the room where such hearing will be held.

It is further ordered, That W. A. Cuff, or any other officer of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

No. 132—9

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 16, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

Notice is hereby given that applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division 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.

The matter concerned herewith is in regard to a petition filed with this Division by John J. Cable requesting permission to mix coals produced at the Toth & Alwine Mine, Mine Index No. 3107 of Clarence Alwine & Steve Toth (Steve Toth) with coals produced at the Grazier Mine, Mine Index No. 2648 of John J. Cable for rail shipment at Foustwell, Pennsylvania, on the Baltimore and Ohio Railroad.

Dated: June 30, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-10818; Filed, July 5, 1943;
10:39 a. m.]

GEO. H. GREENMAN COAL CO., ET AL.

ORDER REVOKING CERTAIN REGISTRATIONS

In the matter of the revocation of registrations as distributors of Geo. H. Greenman Coal Co. (F. J. Macmackin), Thomas Joseph Kane, Vaden Lackey (Lackey Coal Company), Harry Lytton (Lytton Fuel Company), John W. Twombly (Mid-Western Fuel Co.), H. B. Stanton (H. B. Stanton Coal Co.), and Zero Ice Company.

The registered distributors, whose names are set forth in Exhibit A, attached hereto and made a part hereof, having requested revocation of registration, having discontinued or disposed of their distributor business, having been reorganized under a new name, having been otherwise succeeded in their business or for other reasons being no longer engaged in business, the registrations previously granted to them should be re-

voked and their names withdrawn from the List of Registered Distributors.

Accordingly, *It is so ordered*.

Dated: July 2, 1943.

[SEAL] DAN H. WHEELER,
Director.

EXHIBIT A

Registration

No.	Name and address:
3712	Geo. H. Greenman Coal Co. (F. J. MacMackin); 52 Genesee St., Utica, N. Y.
4924	Thomas Joseph Kane; 1815-1845 N. Ashland Ave., Chicago, Ill.
5326	Vaden Lackey (Lackey Coal Company); Green Hills Drive, Nashville, Tenn.
5795	Harry Lytton (Lytton Fuel Company); 37 W. Van Buren St., Chicago, Ill.
6441	John W. Twombly (Mid-Western Fuel Co.); Monroe, Mich.
8644	H. B. Stanton (H. B. Stanton Coal Co.); 810 Fair Oaks Ave., Oak Park, Ill.
9977	Zero Ice Company; 60 Michigan St., Joliet, Ill.

[F. R. Doc. 43-10800; Filed, July 5, 1943;
10:39 a. m.]

[Docket No. A-2036]

DISTRICT BOARD 16

MEMORANDUM OPINION AND ORDER DENYING
TEMPORARY RELIEF AND NOTICE OF AND
ORDER FOR HEARING

In the matter of the petition of District Board No. 16 for certain increases in minimum prices for coals in Size Group 9 produced at all mines in District No. 16.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with this Division by the above-named party on June 9, 1943, and amended on June 12, 1943, requesting (a) that the effective minimum price for 1 1/2" x 3/4" modified pea coal, Size Group 9, produced in all subdistricts except Subdistrict 10 of District No. 16 for rail and truck shipments into all market areas, be increased 25 cents per ton; (b) that as to coals of these dimensions produced in Subdistrict 10 the effective minimum price be increased 35 cents per ton for rail and truck shipments into all market areas, with the exception that no increase be established for such shipments to the Denver Tramway Corporation; and (c) that pending further order, a temporary order be issued granting such relief.

No reasonable showing of necessity having been made for the granting of temporary relief herein without a hearing;

Now, therefore, *It is ordered*, That the request for temporary relief be, and the same hereby is, denied without prejudice to the renewal of such request for temporary relief, upon further showing or upon the basis of the record to be made at the hearing to be held herein.

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on August 10, 1943, at 10 o'clock in the forenoon of that day, at a hearing room of

the Bituminous Coal Division at the Grand Jury Room, Post Office Bldg., Denver, Colorado.

It is further ordered. That Charles O. Fowler, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before August 5, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the amended petition of District Board No. 16, requesting that the effective minimum prices for $1\frac{1}{2}'' \times 3\frac{1}{4}''$ modified pea coal, Size Group 9, produced in all subdistricts of District No. 16 except Subdistrict 10, for rail and truck shipments into all market areas, be increased 25 cents per ton, and that in Subdistrict 10 the effective minimum prices for coals of these dimensions for such shipments be increased 35 cents per ton, with the exception that no increase be established in the minimum prices for such coals produced in Subdistrict 10 for shipment to the Denver Tramway Corporation.

Dated: July 2, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-10811; Filed, July 5, 1943;
10:39 a. m.]

[Docket No. A-1906]

DISTRICT BOARD 23

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 23 for the establishment of

price classifications and minimum prices for mines in Subdistrict "D", District No. 23.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered. That a hearing in the above-entitled matter under the applicable provisions of said Act and the Rules of the Division be held on July 30, 1943, at 2 o'clock p. m. at a hearing room of the Bituminous Coal Division, at the Federal Office Building, Room 117, Seattle, Washington.

It is further ordered. That Charles O. Fowler, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 24, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 23 requesting the establishment of minimum prices of \$3.10 per ton and \$3.60 per ton for rail shipments and for truck shipments, respectively, into all market areas for coals in Size Group 21 ($2'' \times 0$) produced at all mines in Subdistrict "D" in District No. 23.

Dated: July 2, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-10803; Filed, July 5, 1943;
10:39 a. m.]

[Docket No. 35-FD]

SUPERIOR COAL CO.

ORDER EXTENDING EFFECTIVE DATE OF DENIAL
OF APPLICATION FOR EXEMPTION

An Order was issued in this proceeding on May 25, 1943, denying an application for exemption of Superior Coal Company, Code Member in District No. 10, effective fifteen (15) days from the date thereof. Thereafter, on June 11, 1943, at the request of Superior Coal Company, the effective date of the Order denying its application for exemption was extended to July 1, 1943.

By application, dated June 28, 1943, Superior Coal Company requested that the effective date of the Order of the Director of May 25, 1943, denying its application for exemption be extended to August 1, 1943. Applicant alleges that on June 26, 1943, it requested District Board No. 10 to recommend the establishment of a minimum price for coals produced by Superior Coal Company and sold to the Chicago and Northwestern Railway Company and its subsidiary, the Chicago, St. Paul, Minneapolis, and Omaha Railway Company, the principal purchasers of Superior's coals. Applicant further alleges that District Board No. 10 advised it to request this extension since the Board would be unable to pass upon the request of Superior Coal Company prior to July 1, 1943, the present effective date of the aforementioned Order of the Director.

In these circumstances, I believe that the requested relief is appropriate and that the third paragraph of the Order denying the application of Superior Coal Company for exemption, dated May 25, 1943, should accordingly be amended to read as follows:

It is hereby further ordered. That effective August 1, 1943, the application of Superior Coal Company is denied.

It is so ordered.

Dated: July 1, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-10801; Filed, July 5, 1943;
10:40 a. m.]

[Docket No. A-1977]

W. D. CORLEY, JR.

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of W. D. Corley, Jr., Code Member in District No. 17, for a reduction in the effective minimum price for "Bone Coal" produced from the Corley No. 6 Mine.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered. That a hearing in the above-entitled matter under the applicable provisions of said Act and the Rules of the Division be held on August 9, 1943, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, at the Grand Jury Room, Post Office Building, Denver, Colorado.

It is further ordered. That Charles O. Fowler, or any other officer or officers of

the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before August 4, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of W. D. Corley, Jr., code member in District No. 17, requesting a reduction from \$2.50¹ per ton to \$1.25 per ton in the minimum price for waste bony coal resulting from washing raw coal produced from his Corley No. 6 Mine, Mine Index No. 23, located in Subdistrict 3 in District No. 17.

Dated: July 2, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-10808; Filed, July 5, 1943;
10:40 a. m.]

[Docket No. B-297]

YORK & PARK

MEMORANDUM OPINION AND ORDER TO CEASE
AND DESIST

In the matter of Dewey C. York, Dude Park and I. T. York, individually and as copartners doing business under the name and style York & Park.

On June 1, 1943, after notice and hearing, Edward J. Hayes, a duly designated Examiner of the Division, submitted a Report in which he found that code members Dewey C. York, Richard L.

¹ This price does not include the minimum price increase provided for by the Order entered in General Docket No. 21 on August 28, 1942.

Park, named herein as "Dude" Park, and I. T. York individually and as copartners doing business as York & Park, a partnership, operating the York Mine, Mine Index No. 2848, located in Bell County, Kentucky, wilfully violated the provisions of the Order in General Docket No. 19 dated October 9, 1940 by selling coal produced at their mine during April 1941 for shipment by rail, whereas prices, temporary or final, had not been established by the Division for said coal by rail shipment.

The Examiner recommended that an order be issued directing code members to cease and desist from violating the said order of the Director dated October 9, 1940, the Code and the rules and regulations thereunder.

Opportunity was afforded to all parties to file exceptions to the Examiner's Report. No exceptions have been filed.

I have considered the report of the Examiner and I find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the proposed findings of fact, proposed conclusions of law and recommendation set forth in the report and upon the entire record in this proceeding,

It is hereby ordered, That the proposed findings of fact and the proposed conclusions of law of the Examiner are approved and adopted as the findings of fact and conclusions of law of the Director.

It is further ordered, That Dewey C. York, Richard L. Park, named herein as "Dude" Park, and I. T. York, doing business under the name and style of York & Park, a partnership, operating the York Mine (Mine Index No. 2848), located in Bell County, Kentucky, their agents, employees, representatives, successors and assigns, and all persons acting or claiming to act on their behalf or interest, cease and desist from violating the Code, the rules and regulations thereunder and particularly the Order of the Director in General Docket No. 19 dated October 9, 1940.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a United States Circuit Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated: July 1, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-10816; Filed, July 5, 1943;
10:40 a. m.]

[Docket No. B-199]

GRIFFITH-CONSUMERS CO.

ORDER REINSTATING REGISTRATION AS A
DISTRIBUTOR

In the Matter of Griffith-Consumers Company, Registered Distributor, Registration No. 3737, Respondent.

The registration of the above-named respondent as a distributor having been suspended for twenty (20) days from June 6, 1943 by order of the Director in the above-entitled matter dated May 22, 1943; and

Said Order of Suspension having been duly served upon the said respondent on May 24, 1943; and

A proper affidavit in compliance with § 317.15 of the Rules and Regulations for the Registration of Distributors and the terms and provisions of said Order dated May 22, 1943 having been duly filed with the Bituminous Coal Division on June 21, 1943;

Now, therefore, *It is ordered*, That the registration of the said Griffith-Consumers Company, as a distributor be, and the same hereby is, reinstated effective as of June 27, 1943.

Dated: July 1, 1943.

[SEAL] DAN H. WHEELER,
Director.

[F. R. Doc. 43-10814; Filed, July 5, 1943;
10:40 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6524]

MODIFICATIONS OF LICENSES IN THE FIXED PUBLIC AND FIXED PUBLIC PRESS SERVICES

ORDER FOR HEARING, ETC.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 29th day of June 1943:

The Commission having under consideration the contractual arrangements for divisions of charges between licensees in the fixed public and fixed public press services and their foreign correspondents, and also having under consideration its order of May 11, 1943 proposing a modification of licenses in the fixed public and fixed public press services, effective June 30, 1943, by the inclusion therein of a condition requiring that the division of the radio-link portion of the toll for foreign or overseas radiocommunication be on a basis of 50% to the licensee and 50% to the foreign correspondent;

It appearing, That a hearing has been requested before the proposed modification of license becomes effective;

It is ordered, That each of the licensees designated in the attached list be and it is hereby afforded an opportunity to show cause at a hearing to be held beginning at 10:00 a. m. on July 19, 1943, at the offices of the Commission in Washington, D. C., why the Commission's order of May 11, 1943 should not become final;

It is further ordered, That the effective date of the Commission's aforesaid order of May 11, 1943 be and it is hereby suspended;

It is further ordered, That upon the filing by any of the licensees designated in the attached list of a statement consenting to the modification of its licenses as provided in the order of May 11,

¹ Filed as a part of the original document.

1943, said order shall become final as to such licensee.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-10784; Filed, July 5, 1943;
9:57 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-432, G-470]

THE OHIO FUEL GAS COMPANY V. PAN-HANDLE EASTERN PIPE COMPANY

ORDER ALLOWING RATE SCHEDULE TO TAKE EFFECT RETROACTIVELY AND TERMINATING PROCEEDINGS

JUNE 29, 1943.

It appearing to the Commission that:

(a) On November 13, 1942, Panhandle Eastern Pipe Line Company (hereinafter referred to as "Panhandle Eastern") filed with the Commission a schedule of rates and charges, designated as Panhandle Eastern Pipe Line Company Rate Schedule FPC No. 59, providing for the sale of natural gas at the rate of 2.5¢ per therm to The Ohio Fuel Gas Company (hereinafter referred to as "Ohio Fuel") for resale, through an established interconnection between the pipelines of said companies near the Indiana-Ohio State line between Muncie, Indiana, and Dayton, Ohio, pursuant to Directive No. 1, dated July 25, 1942, issued by the War Production Board under its Limitation Order L-31:

(b) On November 23, 1942, Ohio Fuel filed with the Commission, in Docket No. G-432, a protest (treated by the Commission as a complaint) and motion for an order striking the said Rate Schedule FPC No. 59, alleging, among other things, that the rates and charges therein are unjust, unreasonable, unduly discriminatory, unduly preferential, and unlawful;

(c) On February 1, 1943, Panhandle Eastern filed an answer to said protest and motion, generally denying the allegations contained therein and praying that its Rate Schedule FPC No. 59 be approved and made effective from and after August 1, 1942;

(d) On April 29, 1943, Panhandle Eastern filed with the Commission a schedule of rates and charges designated as Panhandle Eastern Pipe Line Company Rate Schedule FPC No. 94, providing for the sale of natural gas at the rate of 2.5¢ per therm to Ohio Fuel for resale through an interconnection between pipelines of the said companies at a point west of the Village of Maumee, Ohio, pursuant to Directive No. 10, dated March 30, 1943, issued by the War Production Board under its Limitation Order L-31:

(e) On May 14, 1943, Ohio Fuel filed with the Commission, in Docket No. G-470, a protest (treated by the Commission as a complaint), alleging in substance that the proposed rates are discriminatory and unlawful;

(f) On June 14, 1943, Panhandle Eastern filed an answer to said protest and

motion in Docket No. G-470, generally denying the allegations contained therein and praying that its Rate Schedule FPC No. 94 be approved;

(g) On May 22, 1943, the Commission consolidated the proceedings in said Docket Nos. G-432 and G-470 for the purpose of hearing, and ordered that a public hearing be held June 16, 1943, at which hearing counsel for Panhandle Eastern and Ohio Fuel stated that representatives of said companies had reached an agreement *inter sese* with respect to the said sale of natural gas at the interconnections, whereupon the Commission's Trial Examiner recessed said hearing to June 26, 1943, to enable said companies to secure the ratification of said agreement by their respective boards of directors and to file new rate schedules;

(h) On June 25, 1943, there was submitted for filing with the Commission an agreement dated June 16, 1943, between Panhandle Eastern and Ohio Fuel, designated as Panhandle Eastern Pipe Line Company Rate Schedule FPC No. 95, providing for the sale to Ohio Fuel of natural gas at the two pipeline interconnections hereinabove referred to, at the rate of 1.6¢ per therm for all gas delivered prior to May 1, 1943, and 1.9¢ per therm for gas delivered on and after May 1, 1943; accompanying said Rate Schedule were certified copies of resolutions of the boards of directors of Panhandle Eastern and Ohio Fuel authorizing the execution of said agreement;

(i) On June 25, 1943, Panhandle Eastern filed with the Commission a formal request that the proceedings herein be terminated; and on June 26, 1943, Ohio Fuel filed with the Commission a formal request to dismiss its protests (complaints) and motion heretofore filed in these proceedings:

The Commission orders, That:

(A) The Panhandle Eastern Pipe Line Company Rate Schedule FPC No. 95 be and it hereby is allowed to take effect as of August 1, 1942, superseding Panhandle Eastern Pipe Line Company Rate Schedules FPC Nos. 59 and 94;

(B) Said Panhandle Eastern Pipe Line Company Rate Schedule FPC No. 95 shall be deemed to have been filed and published in compliance with the Natural Gas Act;

(C) Nothing contained in this order shall be construed as a waiver of the requirements of Section 7 of the Natural Gas Act, as amended, nor shall it be construed as constituting approval by this Commission of any service, rate, provision, or condition contained in the contract referred to herein; nor shall this order be construed as in any manner changing or affecting the Commission's Opinion No. 80 and Order Reducing Rates entered September 23, 1942, in Docket Nos. G-200 and G-207, or in any manner relieving Panhandle Eastern from filing new rate schedules reflecting the reduction in rates in conformity therewith;

(D) This order is without prejudice to any findings or orders heretofore made, or which may hereafter be made by the Commission in any proceedings now

pending or hereafter instituted by or against Panhandle Eastern or Ohio Fuel;

(E) The proceedings in Docket Nos. G-432 and G-470 be and they hereby are terminated.

By the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-10712; Filed, July 3, 1943;
9:54 a. m.]

[Docket No. G-481]

HOPE NATURAL GAS COMPANY

NOTICE OF APPLICATION

JULY 1, 1943.

Notice is hereby given that on June 29, 1943, an application was filed with the Federal Power Commission by Hope Natural Gas Company (hereinafter called "Applicant"), a West Virginia corporation, with its principal place of business located at 445 West Main Street, Clarksburg, West Virginia, seeking a Certificate of Public Convenience and Necessity under Section 7 (c) of the Natural Gas Act, as amended, for the construction and operation of the following facilities:

(a) A 22-inch main transmission line, 1,140 miles in length, beginning at Applicant's Cornwell Compressor Station in Kanawha County, West Virginia, thence running generally west, 85 miles, more or less, through Kanawha, Putnam, Cabell and Wayne Counties, West Virginia; 327 miles, more or less, through Boyd, Lawrence, Carter, Elliott, Rowan, Manifee, Montgomery, Powell, Clark, Madison, Garrard, Boyle, Washington, Marion, Nelson, Larue, Hardin, Breckenridge, Hancock, Ohio, Daviess, Henderson and Union Counties, Kentucky; 86 miles, more or less, through Gallatin, Saline, Williamson and Jackson Counties, Illinois; 278 miles, more or less, through Perry, St. Genevieve, St. Francois, Washington, Crawford, Phelps, Pulaski, Camden, Hickory, St. Clair, Cedar and Vernon Counties, Missouri; 364 miles, more or less, through Bourbon, Allen, Woodson, Wilson, Greenwood, Butler, Sedgwick, Kingman, Pratt, Barber, Kiowa, Clark, Meade and Seward Counties and to the edge of Stevens County, Kansas, to a point in or near the Hugoton Gas Field;

(b) An 8½ inch lateral transmission line beginning at a point of connection with the 22-inch main line in Kanawha County, West Virginia, thence in a northerly direction 3.6 miles more or less to Applicant's Hunt Compressor Station, Kanawha County, West Virginia;

(c) 9 compressor stations, initially having a total of 68,000 installed horsepower;

(d) Valves, metering and regulating equipment, and appurtenances.

The application states that, initially, the said facilities will be capable of delivering, at the eastern end of the project, 180,000 M. c. f. per day, and through the installation of additional compressor stations, 240,000 M. c. f. per day; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest in reference to said application should, on or before the 21st day of July, 1943, file with the Federal Power Commission a petition or protest

in accordance with the Commission's Rules of Practice and Regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-10785; Filed, July 5, 1943;
9:57 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Special Permit 26 Under Service Order 123]

CHICAGO, MILWAUKEE, ST. PAUL AND
PACIFIC RAILROAD COMPANY

REICING OF POTATOES 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:

The Chicago, Milwaukee, St. Paul and Pacific Railroad Company (Henry A. Scandrett, Walter J. Cummings and George I. Haight, Trustees) to reice the second time in tract after the first or initial icing and one reicing SFRD 18207 containing potatoes consigned Western Fruit Co., and on hand at LaCrosse, Wisconsin.

The waybill shall show reference to this special permit.

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 1st day of July 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-10781; Filed, July 3, 1943;
11:21 a. m.]

[Special Permit 7 Under Service Order 133]

COMMON CARRIERS BY RAILROAD
ICING GREEN PEAS IN TRANSIT

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.313, 8 F.R. 8554) of Service Order No. 133 of June 19, 1943, permission is granted for:

Common carriers by railroad to ice and reice, with both bunker and top or body ice, green peas in straight shipments loaded in standard refrigerator cars RS type (without collapsible bunkers).

The bills of lading and waybills shall show reference to this special permit.

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 2d day of July 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-10820; Filed, July 5, 1943;
11:07 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Amendment of Vesting Order 185]

70% OF THE CAPITAL STOCK OF OKURA & CO. (TRADING) LTD., AND ASSETS OF OKURA & COMPANY

Whereas pursuant to Vesting Order Number 185 of September 28, 1942 (7 F.R. 9465), the undersigned vested, among other things, 140 shares of \$100 par value common capital stock of Okura & Co. (Trading) Ltd.; and

Whereas, in describing said Okura & Co. (Trading) Ltd. it was, as a result of typographical error inadvertently designated as "Okura & Company (Trading) Ltd."

Now, therefore, Vesting Order Number 185 of September 28, 1942, is hereby amended as follows and not otherwise:

By changing "Okura & Company (Trading) Ltd." to "Okura & Co. (Trading) Ltd."

wherever it may appear in said Vesting Order Number 185.

All other provisions of said Vesting Order Number 185 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10623; Filed, July 5, 1943;
9:29 a. m.]

[Amendment to Vesting Order 654]

BEATRICE GAUSEBECK

Vesting Order Number 654 of January 19, 1943 (8 F.R. 1695), is hereby amended as follows and not otherwise:

By inserting the words "and of every other national of a designated enemy country" immediately following the words "Beatrice Gausebeck" where they appear in subparagraph 3 of said vesting order.

All other provisions of such Vesting Order Number 654 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10775; Filed, July 5, 1943;
9:29 a. m.]

[Amendment of Vesting Order 853]

ESTATE OF ERIC PLACK

Whereas, Pursuant to Vesting Order No. 853 dated February 8, 1943 (8 F.R. 662), the undersigned vested the following property and interest:

All right, title, interest and claim of any kind or character whatsoever of Karl Plack, or his surviving issue and Christine Kraupar, or her surviving issue and each of them in and to the Estate of Eric Plack, also known as Erick Plack, also known as E. Plack, and also known as Eric Plack, deceased;

Whereas in subparagraph 2 of said Vesting Order No. 853 the said property and interests were found by the undersigned to be payable or deliverable to or claimed by nationals of a designated enemy country, Austria;

Whereas the last known address of the said nationals was found by the undersigned in subparagraph 2 of said Vesting Order No. 853 to be Austria;

Whereas in subparagraph 3 of said Vesting Order No. 853 the undersigned determined that if such nationals are not persons within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Austria); and

Whereas in said Vesting Order No. 853 the name of the designated enemy country was, inadvertently and through error, stated to be Austria, instead of Germany.

Now, therefore, Vesting Order No. 853 of February 8, 1943, is hereby amended by striking the word "Austria" from said order wherever it may appear and by substituting the words "Germany (Austria)" in place and stead thereof.

All other provisions of said Vesting Order No. 853 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10776; Filed, July 5, 1943;
9:29 a. m.]

[Amendment of Vesting Order 1088]

GEORGE FISCHER AND HANS FISCHER

Whereas, pursuant to Vesting Order Number 1088, dated March 22, 1943 (8 F.R. 5772), the undersigned vested, among other things a certain certificate of participation in a mortgage for \$73,350 covering a 4-story apartment house with 28 apartments; and

Whereas, in describing the said property covered by the said mortgage, it was, as a result of typographical error, inadvertently designated as being "known as 10 Martense Street, Brooklyn, New York";

Now, therefore, Vesting Order Number 1088 of March 22, 1943, is hereby amended as follows and not otherwise:

By changing "10 Martense Street" appearing in the third line of subparagraph 3-b of said Vesting Order Number 1088 to "110 Martense Street".

FEDERAL REGISTER, Tuesday, July 6, 1943

All other provisions of said Vesting Order Number 1088 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10777; Filed, July 5, 1943;
9:30 a. m.]

[Amendment to Vesting Order 1133]

HENRY C. A. HEIDMANN

Vesting Order Number 1133 of March 23, 1943 (8 F.R. 6188), is hereby amended as follows and not otherwise:

By striking from Exhibit B, attached to said order and made a part thereof, the word "southeasterly" immediately following the words "Beginning at a point on the southeasterly side of 14th Avenue, distant one hundred (100) feet" and substituting therefor the word "southwesterly".

All other provisions of such Vesting Order Number 1133 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10778; Filed, July 5, 1943;
9:30 a. m.]

[Vesting Order 1499]

THE SUMITOMO BANK OF HAWAII

Under the authority of the Trading with the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that The Sumitomo Bank of Hawaii is a corporation organized under the laws of and doing business in the Territory of Hawaii and is a business enterprise within the United States;

2. Finding that 1,970 shares of \$100 par value common capital stock of said The Sumitomo Bank of Hawaii are registered in the names of and owned by the persons in the amounts set opposite their names, respectively, as follows:

Names:	Number of shares
Shigenori Hattori	35
Yutaka Kodama	30
Hayashi Okahashi	50
Torataro Onoda	40
The Sumitomo Bank, Ltd.	1,815
Total	1,970

3. Finding that:
a. Shigenori Hattori, Yutaka Kodama and Hayashi Okahashi, the last known address of each of whom is Japan, are subjects of Japan and are nationals of a designated enemy country (Japan);

b. Torataro Onoda is a subject of Japan and has been interned by order of the Military Governor of the Territory of Hawaii and is a national of a designated enemy country (Japan), and

c. The Sumitomo Bank, Ltd. is a corporation organized under the laws of Japan with its principal place of business in Japan, and is a national of a designated enemy country (Japan);

4. Finding that said 1,970 shares constitute a substantial part (namely, 98.5%) of all outstanding capital stock of the aforementioned business enterprise and represent control thereof;

5. Determining, therefore, that such business enterprise is a national of a designated enemy country (Japan);

6. Determining that to the extent that 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 (Japan);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the 1,970 shares of capital stock hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10744; Filed, July 5, 1943;
9:21 a. m.]

[Vesting Order 1500]

PACIFIC BANK

Under the authority of the Trading with the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Pacific Bank is a corporation organized under the laws of and doing business in the Territory of Hawaii and

is a business enterprise within the United States;

2. Finding that 2,878 shares of \$50 par value common capital stock of said Pacific Bank are registered in the names of and owned by the persons in the amounts set opposite their names, respectively, as follows:

Names:	Number of shares
Isaku Fujimoto	40
Shozo Kawakami	10
Dr. Robert A. Kimura	75
Geo. T. Kojima	10
Mannosuke Komu	10
Totaro Matsui	120
Motoi Motoshige	25
Wasuke Motoshige	500
Kyoichi Nakano	50
Taichi Sato	350
Tatsuko Sayegusa (Mrs.)	10
Kichitaro Sekiya	100
Daizo Sumida	650
Koichiro Sumida	30
Shinzaburo Sumida	280
Tajiro Sumida	70
Tamaichi Tanaka	110
Seizo Yamamoto	373
Tsuneichi Yamamoto	5
Heichi Yamanaka	40
Moritaro Yamasaki	10
Yasu Yonekura (Mrs.)	10
Total	2,878

3. Finding that:

a. The following named persons, the last known address of each of whom is Japan, are subjects of Japan and are nationals of a designated enemy country (Japan);

Isaku Fujimoto.

Wasuke Motoshige.

Kyoichi Nakano.

Tatsuko Sayegusa (Mrs.).

Tajiro Sumida.

Seizo Yamamoto.

Heichi Yamanaka.

Moritaro Yamasaki.

Yasu Yonekura (Mrs.).

b. Motoi Motoshige and Koichiro Sumida, the last known address of each of whom is Japan, are citizens of the United States and are nationals of a designated enemy country (Japan).

c. The following named persons, who have either been interned by order of the Military Governor of the Territory of Hawaii or have been repatriated to Japan, are subjects of Japan and are nationals of a designated enemy country (Japan):

Shozo Kawakami.

Dr. Robert A. Kimura.

Geo. T. Kojima.

Mannosuke Komu.

Totaro Matsui.

Taichi Sato.

Kichitaro Sekiya.

Daizo Sumida.

Tamaichi Tanaka.

Tsuneichi Yamamoto.

d. Shinzaburo Sumida is a citizen of the United States and has been interned by order of the Military Governor of the Territory of Hawaii, and determining that he has been acting or purporting to act directly or indirectly for the benefit or on behalf of a designated enemy country (Japan) or a national or nationals thereof, and therefore is a national of a designated enemy country (Japan);

4. Finding that the aforesaid 2,878 shares constitute a substantial part (namely 71.95%) of all outstanding capital stock of the aforementioned business enterprise and represent control thereof;

5. Determining, therefore, that such business enterprise is a national of a designated enemy country (Japan);

6. Determining that to the extent that 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 (Japan);

7. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

8. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the 2,878 shares of capital stock hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on May 18, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. D. Doc. 43-10745: Filed, July 5, 1943;
9:21 a. m.]

[Amendment of Vesting Order 1554]

ESTATE OF AGOSTINO ALESSANDRINI

Whereas, pursuant to Vesting Order Number 1554 dated May 28, 1943 (8 F.R. 7610), the undersigned vested certain property and interests of nationals of a designated enemy country (Italy); and

Whereas, in describing said nationals they were inadvertently and through clerical error referred to as nationals of a designated enemy country (Germany);

Now, therefore, Vesting Order Number 1554 of May 28, 1943, is hereby amended by striking the word "Germany" in the third line of subparagraph 2 and in the fourth line of subparagraph 3 and substituting therefor the word "Italy" in place of and stead thereof.

All other provisions of said Vesting Order Number 1554 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the

authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on June 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10779: Filed, July 5, 1943;
9:30 a. m.]

[Vesting Order 1722]

A. W. BUHLMANN, INC.

In re: Matter of A. W. Buhlmann, Inc., bankrupt; File No. D-28-1790; E. T. sec. 1126.

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 Walter Upright, as trustee in bankruptcy, acting under the judicial supervision of the United States District Court for the Southern District of New York; 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
Jean Gusken	Germany.
Maschinenfabrik Gerber Wans-lesen	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 Jean Gusken and Maschinenfabrik Gerber Wanslesen, and each of them, in and to dividends awarded to them as general creditors of A. W. Buhlmann, Inc., Bankrupt,

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 the proceeds thereof shall be held in a special appropriate 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 Cus-

todian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The term "national" and "designated enemy country", as used herein, shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10746: Filed, July 5, 1943;
9:25 a. m.]

[Vesting Order 1723]

TRUST UNDER WILL OF AUGUSTA VON HAGEN BRAND

In re: Trust under will of Augusta von Hagen Brand, deceased; File D-28-4917; E. T. sec. 1421.

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 Florence E. Wilson, formerly known as Florence E. Siedenburg, as executrix and trustee, acting under the judicial supervision of the Surrogate's Court of the County of New York, 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
Anna Lueder and her issue	Germany.
Augusta Pulfrich and her issue	Germany.
Carla von Bocklin and her issue	Germany.
Richard Brill	Shanghai, China.

And determining that—

(3) Richard Brill, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied area, Shanghai, China, is a national of a designated enemy country, Germany;

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests;

All right, title, interest and claim of any kind or character whatsoever of Anna Lueder, Augusta Pulfrich and Carla von Bocklin, and their respective issue, and each of them, in and to the trusts created under the will of Augusta von Hagen Brand, deceased; and

All right, title, interest and claim of any kind or character whatsoever of Richard Brill in and to the estate of Augusta von Hagen Brand, 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: June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10747; Filed, July 5, 1943;
9:25 a. m.]

[Vesting Order 1724]

ESTATE OF PAUL CHAMOIS

In re: Estate of Paul Chamois, deceased; File D-38-504; E. T. sec. 5617.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Josephine Pessin, Administratrix, acting under the judicial supervision of the Superior Court of Spokane County, Washington;

(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*
Inez Chamois Italy.
Theresa Chamois Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the National interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Inez Chamois and Theresa Chamois, and each of them, in and to the Estate of Paul Chamois, 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: June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10748; Filed, July 5, 1943;
9:25 a. m.]

[Vesting Order 1725]

JOSEPH A. DEMATTEO VS. JOHN GARBO, ET AL.

In re: Joseph A. DeMatteo vs. John Garbo et al.; File D-38-484; E. T. sec. 5503.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by J. C. Dale, Jr., Custodian, acting under the judicial supervision of the Chancery Court of Davidson County, Tennessee;

(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*
Rosolina Garbo Italy.
Children of Salvatore Garbo, names Italy.
unknown.

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 Rosolina Garbo and the Children of Salvatore Garbo, deceased, and each of them, in and to cash

in the amount of \$55.00, the same being a fund held to their credit by the Clerk and Master of the Chancery Court of Davidson County, Tennessee, in the case styled Joseph A. DeMatteo vs. John Garbo et al., pursuant to a decree of the said Court entered April 12, 1920.

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: June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10749; Filed, July 5, 1943;
9:25 a. m.]

[Vesting Order 1726]

ESTATE OF FRANZ DIERICH

In re: Estate of Franz Dierich, deceased; File D-28-3755; E. T. sec. 6353.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Phil C. Katz, Public Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Francisco;

(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*
The heirs and next of kin, Germany.
names unknown, of Franz Dierich, 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 the heirs and next of kin, names unknown, of Franz Dierich, deceased, and each of them in and to the Estate of Franz Dierich, 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: June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10750; Filed, July 5, 1943;
9:26 a. m.]

[Vesting Order 1727]

ESTATE OF CHARLES FABISCH

In re: Estate of Charles Fabisch, deceased; File No. D-28-3515; E. T. sec. 5739.

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*
Augusta Digwa—Schlesien, Germany.
Paul Fabisch—Schlesien, Germany.
Louise Baumann—Schlesien, Germany.
Bertha Schnese—Schlesien, 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 Augusta Digwa in the sum of \$200.00, Paul Fabisch in the sum of \$200.00, Louise Baumann in the sum of \$200.00, and Bertha Schnese in the sum of \$200.00, which amounts were deposited with the Treasurer of Cook County, Illinois, on April 22, 1941, pursuant to order of the court of April 10, 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: June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10751; Filed, July 5, 1943;
9:26 a. m.]

[Vesting Order 1728]

TRUST UNDER WILL OF GEORGE M.
FASSNACHT

In re: Trust under the Will of George M. Fassnacht, deceased; File D-28-2487; E. T. sec. 3513.

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 Bank of Chester County and Trust Company, 17 North High Street, West Chester, Pennsylvania, Trustee, acting under the judicial supervision of the Orphans' Court of Chester County, State of Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

Nationals: *Last known address*
Elsa Anna Stumpp—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 Elsa Anna Stumpp in and to the Trust Estate created under the Last Will and Testament of George M. Fassnacht, 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: June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10752; Filed, July 5, 1943;
9:26 a. m.]

[Vesting Order 1729]

ESTATE OF VINCENZO GIGLIOTTI

In re: Estate of Vincenzo Gigliotti, deceased; File D-38-571; E. T. sec. 6139.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by John Gigliotti, Administrator of the Estate of Vincenzo Gigliotti, deceased, acting under the judicial supervision of Orphans' Court of Allegheny County, Pittsburgh, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

tionals of a designated enemy country, Italy, namely, .

Nationals: *Last known address*
 Francesco Gigliotti-----Italy.
 Antonio Gigliotti-----Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Francesco Gigliotti and Antonio Gigliotti, and each of them, in and to the estate of Vincenzo Gigliotti, 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: June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10753; Filed, July 5, 1943;
 9:26 a. m.]

[Vesting Order 1730]

ESTATE OF ROSE GOLD

In re: Estate of Rose Gold, deceased; File D-28-3841; E. T. sec. 6498.

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 hereinabove described are property which is in the process of administration by Jacob Keppler, Executor, acting under the judicial supervision of the County Court of the City and County of Denver, Colorado;

(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. Rösle Göltz and her children-----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. Rösle Göltz and her children and each of them in and to the Estate of Rose Gold, 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: June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10754; Filed, July 5, 1943;
 9:27 a. m.]

[Vesting Order 1731]

ESTATE OF PHILIPP GUTH

In re: Estate of Philipp Guth, deceased; File D-28-3753; E. T. sec. 6351.

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 hereinabove described are property which is in the

process of administration by Chicago City Bank & Trust Company, 815 West 63rd Street, Chicago, Illinois, Executor, acting under the judicial supervision of the Probate Court of Cook County, State of Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals: *Last known address*
 Children of Maria Graul, deceased, names unknown.
 Children of Peter Guth, deceased, names unknown.
 Children of Heinrich Guth, deceased, names unknown.
 Children of William Guth, deceased, names unknown.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of the children of Maria Graul, deceased, names unknown, the children of Peter Guth, deceased, names unknown, the children of Heinrich Guth, deceased, names unknown, the children of William Guth, deceased, names unknown, and each of them, in and to the estate of Philipp Guth, 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: June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10755; Filed, July 5, 1943;
 9:27 a. m.]

[Vesting Order 1732]

ESTATE OF EDWARD HAENSROTH

In re: Estate of Edward Haensroth, deceased; File No. D-28-3570; E. T. sec. 5780.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by the 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: *Last known address*
Lillie Rupphof Hanover, Munden, Germany.

Mary Rupphof Kenkel, 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 Lillie Rupphof in the sum of \$801.13, and Mary Rupphof in the sum of \$801.13, which amounts were deposited with the Treasurer of Cook County, Illinois, on February 27, 1942, pursuant to order of the court of February 6, 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: June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10756; Filed, July 5, 1943;
9:27 a. m.]

[Vesting Order 1733]

ESTATE OF AUGUST HORNEFF

In re: Estate of August Horneff, deceased; File D-28-2028; E. T. sec. 2097.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by the Treasurer of the City of New York as depositary acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	<i>Last known address</i>
Hedwig Stuhr	Germany.
Theobald Horneff	Germany.
Heinrich Horneff	Germany.
Elisa Hoffmann	Germany.
Emilia Beffert	Germany.
Karl Kurz	Germany.
Alfred Kurz	Germany.
Adolf Kurz	Germany.
Karl Elsass	Germany.
Hedwig Elsass	Germany.
Eugen Elsass	Germany.
Katherina Elsass	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 Hedwig Stuhr, Theobald Horneff, Heinrich Horneff, Elisa Hoffmann, Emilia Beffert, Karl Kurz, Alfred Kurz, Adolf Kurz, Karl Elsass, Hedwig Elsass, Eugen Elsass and Katherina Elsass and each of them in and to the Estate of August Horneff, 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: June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10757; Filed, July 5, 1943;
9:27 a. m.]

[Vesting Order 1734]

ESTATE OF TADAICHI KASAI

In re: Estate of Tadaichi Kasai, deceased; File D-39-1723; E. T. sec. 5999.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by the Old National Bank of Spokane, Administrator, acting under the judicial supervision of the Superior Court of Spokane County, Washington;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals:	<i>Last known address</i>
Takano Kasai	Japan.
Takeo Kasai	Japan.

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, Japan; 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 Takano Kasai and Takeo Kasai, and each of them, in and to the Estate of Tadaichi Kasai, 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: June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10758; Filed, July 5, 1943;
9:27 a. m.]

[Vesting Order 1735]

ESTATE OF AUGUSTE KRAUSE

In re: Estate of Auguste Krause, deceased; File No. D-28-1611; E. T. sec. 357.

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*
Helena Muehlmann... Solldin Neumark,
Germany, 23 Horst
Wessel St.
Anna Muehlmann... Solldin Neumark,
Germany, 23 Horst
Wessel St.
Minna Muehlmann... Solldin Neumark,
Germany, 23 Horst
Wessel St.
Emma Muehlmann... Solldin Neumark,
Germany, 23 Horst
Wessel St.

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 Helena Muehlmann in the sum of \$428.12, Anna Muehlmann in the sum of \$428.11, Minna Muehlmann in the sum of \$428.11, and Emma Muehlmann in the sum of \$428.11, which amounts were deposited with the Treasurer of Cook County, Illinois, on October 21, 1942, pursuant to order of the court of October 2, 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: June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10759; Filed, July 5, 1943;
9:27 a. m.]

[Vesting Order 1736]

ESTATE OF HENRY MANCI

In re: Estate of Henry Manci, deceased; File D-38-1018; E. T. sec. 2173.

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 Sabatino Manci, Executor with Will annexed, Franklin, Kansas, acting under the judicial supervision of the Probate Court of the State of Kansas, in and for the County of Crawford;

(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*
Anna Passeri... Gubbio, Province of
Perugia, Italy.
Vittorio Manci... Gubbio, Province of
Perugia, Italy.

And determining that—

(3) If such nations 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, namely;

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 Passeri and Vittorio Manci, and each of them, in and to the estate of Henry Manci, 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: June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10760; Filed, July 5, 1943;
9:28 a. m.]

[Vesting Order 1737]

ESTATE OF ERNESTO MANTOVANI

In re: Estate of Ernesto Mantovani (Ernest Faber), deceased; File D-38-381; E. T. sec. 985.

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 Floyd A. Frye, 1442 Majestic Building, Detroit, Michigan, Administrator, acting under the judicial supervision of the Probate Court of the State of Michigan, in and for the County of Wayne;

(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*
Eugenio Mantovani... Prov. of Milano, Piazza
S. Luigi 5, Italy.
Egidio Mantovani... Prov. of Milano, Piazza
S. Luigi 5, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Eugenia Mantovani and Egidio Mantovani, and each of them, in and to the estate of Ernesto Mantovani (Ernest Faber), deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10761; Filed, July 5, 1943;
9:28 a. m.]

[Vesting Order 1738]

ESTATE OF MATHILDE MORITZ

In re: Estate of Mathilde Moritz, deceased; File No. F-9-100-28-7856; E. T. sec. 4102.

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 herein-after described are property which is in the process of administration by Edward R. Peckerman, Jr., Ancillary Executor, acting under the judicial supervision of the Surrogate's Court of New York County, New York, and

(2) Such property and interests are payable or deliverable to, or claimed by, a na-

tional of a designated enemy country, Germany, namely,

National: Last known address
Otto Felbelmann... Wiesbaden, 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 Otto Flebelmann, individually and as Domiciliary Executor of the Estate of Mathilde Moritz, deceased, in and to the Estate of Mathilde Moritz, 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: June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10762; Filed, July 5, 1943;
9:28 a. m.]

[Vesting Order 1739]

ESTATE OF ANGELO DE PAOLO

In re: Guardianship of estate of Angelo de Paolo; File D-66-306; E. T. sec. 2550.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by West Branch Bank and Trust Company, Guardian of the estate of Angelo de Paolo, acting under the judicial

supervision of Orphans' Court of Lycoming 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
Angelo de Paolo... 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 property and estate of Angelo de Paolo of any nature whatever in the possession of West Branch Bank and Trust Company, as guardian of the estate of Angelo de Paolo,

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: June 21, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10763; Filed, July 5, 1943;
9:28 a. m.]

[Vesting Order 1740]

ESTATE OF CARLO PINCHETTI

In re: Estate of Carlo Pinchetti, deceased; File D-38-1147; E. T. sec. 3304.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Theresa Pin-

FEDERAL REGISTER, Tuesday, July 6, 1943

chetti, Andrea Camanni, H. C. Worth and Joseph J. Carissimi, Executors and Trustees, acting under the judicial supervision of the Hudson County Orphans' Court, Hudson County, New Jersey.

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

Nationals: *Last known address*

Amalia Camanni and her issue _____ Italy.
Domenica Zanotta and her issue _____ Italy.
Ottavia Ferrari and her issue _____ Italy.
Carla Camanni and her issue _____ Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Amalia Camanni in and to the estate of Carlo Pinchetti, deceased; and

All right, title, interest and claim of any kind or character whatsoever of Domenica Zanotta, Ottavia Ferrari, Carla Camanni, and their issue, and each of them, in and to the trust created under the will of Carlo Pinchetti, 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: June 21, 1943.

[SEAL] *LEO T. CROWLEY,
Alien Property Custodian.*

[F. R. Doc. 43-10764; Filed, July 5, 1943;
9:29 a. m.]

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 the property which is in the process of administration by William E. Johnson, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals: *Last known address*

Wilhelm Reinhardt and his surviving spouse or children. _____ Germany.
Pauline Barchet and her surviving spouse or children. _____ Germany.
Anna Fischer and her surviving spouse or children. _____ Germany.
Joseph Kucher and his surviving spouse or children. _____ Germany.
Mrs. Mathilde Remmlinger and her surviving spouse or children. _____ Germany.
Mrs. Anna Remmlinger and her surviving spouse or children. _____ Germany.
Antone Schick and his surviving spouse or children. _____ 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 Wilhelm Reinhardt and his surviving spouse or children, Pauline Barchet and her surviving spouse or children, Anna Fischer and her surviving spouse or children, Joseph Kucher and his surviving spouse or children, Mrs. Mathilde Remmlinger and her surviving spouse or children, Mrs. Anna Remmlinger and her surviving spouse or children, and Antone Schick and his surviving spouse or children and each of them in and to the Estate of Gottlieb Reinhardt, 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: June 21, 1943.

[SEAL] *LEO T. CROWLEY,
Alien Property Custodian.*

[F. R. Doc. 43-10765; Filed, July 5, 1943;
9:29 a. m.]

[Vesting Order 1742]

ESTATE OF SIEGFRIED MAX BIER

In re: Estate of Siegfried Max Bier, deceased; File F-7-1776; E.T. sec. 5681.

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 Ludwig Bier, as Administrator of the Estate of Siegfried Max Bier, deceased, acting under the judicial supervision of the Surrogate's Court of the County of New York, 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*

Gottlieb Bier _____ Germany.
Edward Bier _____ Germany.
Eric Bier _____ Denmark.

And determining that—

(3) Eric Bier, a citizen or subject of a designated enemy country, Germany, and within an enemy-occupied territory, Denmark, is a national of a designated enemy country, Germany;

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Gottlieb Bier, Edward Bier and Eric Bier, and each of them, in and to the Estate of Siegfried Max Bier, 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.

[Vesting Order 1741]

ESTATE OF GOTTLIEB REINHARDT

In re: Estate of Gottlieb Reinhardt, deceased; File D-28-3624; E. T. sec. 5862.

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: June 24, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10766; Filed, July 5, 1943;
9:29 a. m.]

[Vesting Order 1748]

ESTATE OF LENA C. HERR

In re: Estate of Lena C. Herr, deceased; File No. D-28-2287; E. T. sec. 2948.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Colonial Trust Company, as executor, acting under the judicial supervision of the Court of Probate, for the District of Waterbury, Connecticut;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Last known Nationalities:	address
Marie Maier	Germany.
The issue of Marie Maier, whose names are unknown.	Germany.
The issue of Joseph Maier, late of Triberg, Baden, Germany, deceased, whose names are 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 Marie Maier, the issue of Marie Maier, whose names are unknown, and the issue of Joseph Maier, late of Triberg, Baden, Germany, deceased, whose names are unknown, and each of them, in and to the Estate of Lena C. Herr, 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: June 25, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10767; Filed, July 5, 1943;
9:21 a. m.]

[Vesting Order 1749]

ESTATE OF SAMUEL CANDIDO

In re: Estate of Samuel Candido, deceased; File No. D-9-100-38-1016; E. T. sec. 2175.

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 herein-after described are property which is in the process of administration by Anna Candido, administratrix of the estate of Samuel Candido, deceased, acting under the judicial supervision of the Surrogate's Court of Richmond County, New York;

(2) Such property and interests are payable to or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National:	Last known address
Giuseppina Pagliaro	Maddaloni, Province of Naples, Italy.
Candido, also known as Giuseppina Pagliaro Candido, also known as Giuseppina Pagliaro Candido.	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 Giuseppina Pagliaro Candido, also known as Giuseppina Pagliaro Candido, also known as Giuseppina Pagliaro Candido in and to the estate of Samuel Candido, 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: June 25, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10768; Filed, July 5, 1943;
9:21 a. m.]

[Vesting Order 1750]

ESTATE OF HELEN FORSTER

In re: Estate of Helen Forster, also known as Helen Agnes Forster, deceased; File No. D-28-1475; E. T. sec. 196.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Paul C. Forster, Administrator, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

(2) Such property and interests are payable to or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

National:	Last known address
Maria Forster	Germany.
Anna Zietschmann	Germany.
Josef Forster	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 Maria For-

ster, Anna Zietschmann and Josef Forster, and each of them, in and to the Estate of Helen Forster, also known as Helen Agnes Forster, deceased.

to be held, used, administered, 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: June 25, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10769; Filed, July 5, 1943;
9:21 a. m.]

[Vesting Order 1751]

ESTATE OF D. GAMBINI

In re: Estate of D. Gambini, deceased; File D-38-1057; E. T. sec. 3055. Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described in subparagraphs (a) and (b) are property which is in the process of administration by Antonio Gambini, Administrator d. b. n. c. t. a., acting under the judicial supervision of the County Court of Galveston County, Texas.

(2) Such property and interests are owned by, payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

 Last known
 address
Mrs. Annunziata Gambini—Italy.
Tomazo Gambini, or Thomas Gambini, or T. Gambini.

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 interest:

(a) All right, title, interest, and claim of any kind or character whatsoever of Mrs. Annunziata Gambini and Tomazo, a. k. a. Thomas and T. Gambini and each of them, in and to the estate of D. Gambini, deceased.

(b) All right, title, interest, and claim of any kind or character whatsoever of Mrs. Annunziata Gambini and Tomazo, a. k. a. Thomas and T. Gambini and each of them, in that real property, together with all fixtures, improvements and appurtenances thereto, situated in the City and County of Galveston, Texas, particularly described as follows:

Lots Nos. 8 to 14 inclusive, Block No. 268, together with improvements thereon.

West one-half of Lot No. 13 and Lot No. 14, N. E. Block of Outlot No. 93 and improvements thereon.

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: June 25, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10770; Filed, July 5, 1943;
9:21 a. m.]

[Vesting Order 1752]

ESTATE OF LOUISE LANG

In re: Estate of Louise Lang, deceased; File No. D-9-100-28-2531; E. T. sec. 3642.

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 Walter B. Solinger, Executor of the estate of Louise Lang, deceased, acting under the judicial supervision of the Surrogate's Court of the County of New York, New York;

(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
Hermann Lang—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 Hermann Lang, in and to the estate of Louise Lang, 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: June 25, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10771; Filed, July 5, 1943;
9:22 a. m.]

[Vesting Order 1753]

PROPERTY OF ALBERT LINZ

In re: Receivership proceedings entitled ex parte in the matter of the real property of Albert Linz, deceased; File D-28-2416; E. T. sec. 3328.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interest hereinafter described in subparagraphs (a) and (b) are property which is in the process of administration by Frederick F. Schneider and Her-

bert L. Wynne, receivers, acting under the judicial supervision of the Circuit Court for Baltimore County, Maryland, in Equity;

(2) The property and interests described in sub-paragraph (a) are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Paul Linz and Emma (Elly) Linz his wife, and their heirs or devisees.	Germany.
Franz Linz and Klara Elisabeth Linz, his wife, and their heirs or devisees.	Germany.
Albert Linz, widower, and his heirs or devisees.	Germany.
Walter Linz and Martha Linz, his wife, and their heirs or devisees.	Germany.
Martha Simon (nee Linz) and Willy Simon, her husband, and their heirs or devisees.	Germany.
The unknown heirs of Albert Linz, also known as Heinrich Oskar Albert Linz, deceased.	Germany.

(3) The property and interest described in subparagraph (b) are property within the United States owned by nationals of a designated enemy country, Germany, namely,

Nationals:	Last known address
Paul Linz and Emma (Elly) Linz his wife, and their heirs or devisees.	Germany.
Franz Linz and Klara Elisabeth Linz, his wife, and their heirs or devisees.	Germany.
Albert Linz, widower, and his heirs or devisees.	Germany.
Walter Linz and Martha Linz, his wife, and their heirs or devisees.	Germany.
Martha Simon (nee Linz) and Willy Simon, her husband, and their heirs or devisees.	Germany.
The unknown heirs of Albert Linz, also known as Heinrich Oskar Albert Linz, deceased.	Germany.

And determining that—

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

(a) All right, title, interests and claim of any kind or character whatsoever of Paul Linz and Emma (Elly) Marie Linz, his wife, and their heirs or devisees, Franz Linz and Klara Elisabeth Linz, his wife, and their heirs or devisees, Albert Linz, widower, and his heirs or devisees, Walter Linz and Martha Linz, his wife, and their heirs or devisees, Martha Simon (nee Linz) and Willy Simon, her husband, and their heirs or devisees and the unknown heirs of Albert Linz, also known as Heinrich Oskar Albert Linz, deceased, and each of them in and to the Receivership Estate in the possession of Frederick F. Schneider and Herbert L. Wynne, Receivers, of the above entitled Receivership Proceedings,

(b) All that real property, together with all fixtures, improvements and appurtenances thereto, subject to recorded liens and encumbrances and other rights of record, situated in Baltimore County, State of Maryland, and particularly described as follows:

Beginning for the same at a point in the first line of that lot of ground, which by deed dated June 17th, 1867 and recorded among the Land Records of Baltimore County in Liber J. H. L. No. 54, folio 225 &c, was conveyed by George W. Lawrence and others to Joseph P. Fusting, and at the end of a line measured five hundred and forty feet, six inches Southerly along said line from the South side of Frederick Turnpike Road and running thence with and bounding on said line South fourteen and three-quarter degrees East fifty feet to Lot No. 3 as so described on a plat of division of the above recited land, thence bounding on said lot South seventy-seven and one-quarter degrees West three hundred feet to Mariposa Lane (now called Wade Avenue) at a point distant six hundred and five feet in a line drawn Southeasterly along said Lane from the aforesaid South side of the Frederick Turnpike Road; thence North eleven and one-half degrees West fifty feet and thence North seventy-seven and one-quarter degrees East two hundred and ninety-eight and one-third feet, more or less, to the place of beginning.

Being the same lot of ground and premises which by deed dated September 28, 1903 and recorded among the Land Records of Baltimore County in Liber N. B. M. 271, folio 285 &c was granted and conveyed by James S. Calwell and James Kelley, Trustees etc. to the said Albert Linz.

Beginning for the same at a stake standing in the first line of that lot of ground which by Deed dated June 17th, 1867, and recorded among the Land Records of Baltimore County in Liber J. H. L. No. 54, folio 225 &c, was conveyed by George W. Lawrence and others to Joseph P. Fusting, said point being located at the distance of five hundred and ninety feet and seven inches Southerly from the South side of the Frederick Turnpike Road, and running thence binding on Lot No. 2 South seventy-seven and a quarter degrees West, three hundred feet to Mariposa Lane (now called Wade Avenue); thence binding on the East side of said Lane, South eleven and a half degrees East, fifty feet; thence North seventy-seven and a quarter degrees East, parallel with the first line of this description, three hundred and two feet and four and one-half inches, more or less, to intersect the above referred to first line of the land conveyed as aforesaid to Joseph P. Fusting thence binding reversely on said line, North fourteen and three-quarter degrees West, fifty feet to the place of beginning.

Being the same lot of ground and premises which by deed dated June 8th, 1912 and recorded among the Land Records aforesaid in Liber W. P. C. 398, folio 82 &c was granted and conveyed by John Madden and Margaret J. Madden, his wife, to the said Albert Linz and Martha Linz, his wife, the said Martha Linz having predeceased her husband, the said Albert Linz.

Beginning for the same at a point in the first line of the lot of ground which, by deed dated June 17, 1867, and recorded among the Land Records of Baltimore County in Liber J. H. L. No. 54, folio 225 &c was conveyed by George W. Lawrence, et al, to Joseph P. Fusting, which point is supposed to be six hundred and forty feet seven inches southerly from the south side of the Frederick Turnpike Road, and which point is the end of the third line of the lot of ground which, by deed dated December 30, 1911, and recorded among the Land Records of Baltimore County in Liber W. P. C. No. 388, folio 367 etc. was granted and conveyed by Michael P. Dauber, et al to John Madden; thence reversing said third line of Madden's lot and binding thereon south seventy-seven and one-quarter degrees west three hundred and two feet four and one-half inches, more or less, to the east side of Mariposa Lane, now

called Wade Avenue; thence binding on the east side of said Lane south eleven and one-half degrees east fifty feet to the end of the second line of the whole lot conveyed by Bernard Nolan to Michael P. Dauber, et al, by deed dated April 27, 1909, and recorded among the aforesaid Land Records in Liber W. P. C. No. 342, folio 169; thence binding on the third line of said last mentioned whole lot north seventy-seven and one-quarter degrees east and parallel with the first line in this description, three hundred and four feet nine inches, more or less, to the end thereof; thence binding on the fourth line of said whole lot north fourteen and three-quarter degrees west fifty feet to the place of beginning.

Being the same lot of ground and premises which by deed dated June 30, 1919 and recorded among the Land Records aforesaid in Liber W. P. C. 512, folio 388 was granted and conveyed by John R. Warfield and Margaret P. Warfield, his wife, to the said Albert Linz and Martha Linz, his wife.

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: June 25, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10772; Filed, July 5, 1943;
9:22 a. m.]

[Vesting Order 1754]

ESTATE OF HENRY LOUIS STOCKE

In re: Estate of Henry Louis Stocke, also known as Henry L. Stocke, deceased; File D-28-3636; E. T. sec. 6017.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by Anna Marie Barthel, administratrix, acting under the judicial supervision of the Surrogate's Court, Queens County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nation-

als of designated enemy country, Germany, namely,

Nationals:	Wilhelm Stocke.....	Last known address
		Germany.
	Lena Christ.....	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 Wilhelm Stocke and Lena Christ and each of them in and to the Estate of Henry Louis Stocke, also known as Henry L. Stocke, 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: June 25, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10773; Filed, July 5, 1943;
9:22 a. m.]

[Vesting Order 1755]

ESTATE OF JOHN ZANIER

In re: Estate of John Zanier, deceased;
File D-66-511; E. T. sec. 4354.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and

pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Jo. V. Morgan, 5620 Moorland Lane, Edgemoor, Maryland, Administrator, 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:	Luigia Trevisan.....	Last known address
		Italy.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash distributable and payable to Luigia Trevisan in the sum of \$42.40

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: June 25, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-10774; Filed, July 5, 1943;
9:25 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Revised-34]

GEORGIA HIGHWAY EXPRESS, INC., AND DIXIE OHIO EXPRESS CO.

COORDINATED OPERATIONS BETWEEN ATLANTA AND LA GRANGE, GEORGIA

Upon consideration of the application for authority to coordinate operations as common carriers by motor vehicle in the transportation of property between Atlanta and La Grange, Georgia, filed with the Office of Defense Transportation by Georgia Highway Express, Inc., Atlanta, Georgia, and Dixie Ohio Express Co., Akron, Ohio, 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 prudently 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. Dixie Ohio Express Co. shall divert to Georgia Highway Express, Inc., at La Grange, all shipments originating at La Grange and routed through Atlanta, Georgia, in cases where Dixie Ohio Express Co. does not have, and Georgia Highway Express, Inc., does have, adequate equipment available at La Grange to perform such transportation.

2. Georgia Highway Express, Inc. shall accept from shippers at La Grange all shipments diverted to it pursuant to paragraph 1 hereof, and shall transport such shipments to its own terminal at Atlanta, pursuant to the lawfully applicable rates, charges, rules and regulations of Dixie Ohio Express Co.

3. Except as may be otherwise provided by agreement between the carriers, or prescribed by the Interstate Commerce Commission or by an appropriate State regulatory body, the division of revenues derived from the transportation performed pursuant hereto shall be as determined by the Office of Defense Transportation.

4. 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.

5. 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 prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

6. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operation 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.

7. Contractual arrangements made by the carriers to effectuate the terms of this order shall not extend beyond the effective period of this order.

8. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-34", and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

9. This order shall become effective July 12, 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 5th day of July 1943.

JOSEPH B. EASTMAN,

Director,

Office of Defense Transportation.

[F. R. Doc. 43-10794; FILED, July 5, 1943;
10:47 a. m.]

[Supp. Order ODT 3, Revised-35]

E. A. SCHLAIRET TRANSFER CO., AND
HAECKL'S EXPRESS, INCORPORATED

COORDINATED OPERATIONS BETWEEN POINTS
IN OHIO

Upon consideration of the application for authority to coordinate operations

as common carriers by motor vehicle in the transportation of property in less-than-truckload lots between points in Ohio, filed with the Office of Defense Transportation by E. A. Schlairet Transfer Co., a corporation, Mt. Vernon, Ohio, Haeckl's Express, Incorporated, Hamilton, Ohio, designated as Schlairet and Haeckl, 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 prudently 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. Haeckl shall:

(a) Suspend its collection and delivery service at Marion and Delaware, Ohio, and at Columbus, Ohio, in respect of shipments destined to points on its route between Columbus and Marion;

(b) Suspend the transportation of all shipments over its route between Columbus and Marion, except shipments originating at points beyond Columbus which (i) due to size and weight are not susceptible of interchange or (ii) constitute a full truckload; and

(c) Divert to Schlairet at the latter's terminal at Columbus all shipments in less-than-truckload lots originating at points beyond Columbus and destined to Marion or intermediate points between Marion and Columbus, except such shipments which due to size and weight are not susceptible of interchange.

2. Schlairet shall:

(a) Accept and transport all shipments diverted to it by Haeckl pursuant to paragraph 1 hereof; and

(b) Accept from shippers and transport between Columbus and Marion and points intermediate thereto all shipments tendered to it on bills of lading of Haeckl and originating at and moving between any of such points, and perform collection and delivery service at Columbus in respect of such shipments.

3. Whenever Haeckl has equipment available at Marion or intermediate points between Marion and Columbus, such equipment shall be loaded by Schlairet with shipments destined to or routed through Columbus.

4. 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.

5. 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.

6. 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.

7. 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 prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

8. 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 rate, 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.

9. Contractual arrangements made by the carriers to effectuate the terms of this order shall not extend beyond the effective period of this order.

10. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-35", and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

11. This order shall become effective July 12, 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

FEDERAL REGISTER, Tuesday, July 6, 1943

the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of July 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

[F. R. Doc. 43-10795; Filed, July 5, 1943;
10:47 a. m.]

[Supp. Order ODT 3, Revised-36]

SALEM NAVIGATION CO., AND REIMANN TRUCK SERVICE

JOINT FREIGHT SERVICE BETWEEN VANCOUVER, WASHINGTON, AND POINTS IN OREGON

Upon consideration of the application for authority to coordinate operations as common carriers by motor vehicle by establishing a joint freight service in the transportation of property between Vancouver, Washington, and points in Oregon filed with the Office of Defense Transportation by Salem Navigation Co., a corporation, Portland, Oregon, and Reimann Truck Service, a corporation, Salem, Oregon, herein collectively designated as "carriers", 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 prudently utilize vital equipment, materials, and supplies of the 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, the carriers shall:

(a) Discontinue the use of separate terminals and staffs of office personnel at Portland and Salem, Oregon, and use jointly the terminal now used by Salem Navigation Co. at Portland and the terminal now used by Reimann Truck Service at Salem, and consolidate such staffs at those points; and

(b) Establish a joint service, designated as Joint Freight Service, in respect of (i) collection and delivery of shipments at Portland and Salem and (ii) line-haul transportation of shipments

between Vancouver, Washington; Portland; Salem; and the site of Camp Adair, south of Monmouth, Oregon.

2. Salem Navigation Co. shall:

(a) Perform the line-haul transportation of all shipments for the Joint Freight Service;

(b) Suspend the collection and delivery of shipments at Portland and Salem and utilize the collection and delivery service performed by Reimann Truck Service at those points for the Joint Freight Service: *Provided*, That Salem Navigation Co. may perform such collection or delivery service whenever practicable in order to accomplish efficient and expeditious transportation of shipments; and

(c) In respect of shipments transported by the Joint Freight Service, be responsible for (i) rating bills of lading, (ii) preparing and abstracting freight bills, (iii) keeping necessary freight records, (iv) filing necessary reports, (v) handling and paying freight claims, (vi) settling advance and beyond charges with connecting freight carriers, (vii) collecting freight charges, and (viii) such other similar acts as are customarily required of operators of freight trucks.

3. Reimann Truck Service shall:

(a) Perform the collection and delivery of all shipments at Portland and Salem for the Joint Freight Service, except such shipments as may be collected or delivered by Salem Navigation Co. as provided in subparagraph (b) of paragraph 2 hereof;

(b) Suspend the line-haul transportation of shipments and utilize the line-haul transportation service performed by Salem Navigation Co. for the Joint Freight Service; and

(c) Constitute Salem Navigation Co. its agent for the performance of the acts specified in subparagraph (c) of paragraph 2 hereof.

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 to this order shall be as determined by the Office of Defense Transportation.

5. The 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 prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

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 between 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-36," 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 July 19, 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 5th day of July 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

[F. R. Doc. 43-10796; Filed, July 5, 1943;
10:47 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional, State and District Office Orders.

[Region I Order G-12 as Amended]

FLUID MILK IN MASSACHUSETTS

Order No. G-12 as amended (formerly Price Order 12) under § 1499.18 (c), as amended, of the General Maximum Price Regulation; special sales of fluid milk in Massachusetts.

The title and sections 1 to 4 are amended, and section 5 (a) is added, to read as set forth herein:

For reasons set forth in an opinion accompanying this order and pursuant to and under the authority vested in the Regional Office of Region I of the Office of Price Administration by § 1499.18 (c), of the General Maximum Price Regulation, as amended by Amendment 33, *It is hereby ordered:*

(1) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for fluid milk sold and delivered by contractors under contracts with the Agricultural Marketing Administration of the United States Department of Agriculture and the Commodity Distribution Division of the Department of Public Welfare of the Commonwealth of Massachusetts for distribution through retail stores in the City of Boston and its environs as relief milk are modified so that the maximum price for such standard milk, including all handling charges, in quart bottles for each such contractor shall be 10.8 cents per bottle: *Provided*, That until the effective date of any order or regulation of a Federal authority requiring a reduction in butterfat content of standard milk sold at retail in said Boston and its environs to less than 4 per cent, or permitting such a reduction without a corresponding reduction in price therefor, the maximum price of a contractor supplying such milk as aforesaid with a butterfat content of at least 4 per cent shall be 11 cents per quart bottle.

(2) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for fluid milk sold and delivered by the contractors listed below under contracts for the months of February to June 1943, inclusive, with the Agricultural Marketing Administration of the United States Department of Agriculture for distribution by the Commodity Distribution Division of the Department of Public Welfare of the Commonwealth of Massachusetts to school children in the city of Boston and its environs are modified so that the maximum price for such standard milk in one-half pint bottles for each such contractor shall be the price (per bottle) set forth below for the schools involved, as numbered in such contracts, plus one cent per one-half pint to be paid by the recipient of the milk.

Schools	Contractors	Price
1-10	Shawmut Dairy, Inc.	\$0.0215
11	Shawmut Dairy, Inc.	.0175
12-24	Shawmut Dairy, Inc.	.0215
25	Shawmut Dairy, Inc.	.025
26-46	Shawmut Dairy, Inc.	.0215
47, 48	Shawmut Dairy, Inc.	.025
49, 50	Whiting Milk Co.	.0263
51	Jos. L. Griffin	.02475
54, 55	Shawmut Dairy, Inc.	.025
56, 62-66	Shawmut Dairy, Inc.	.0215
74	Whiting Milk Co.	.0263
105-108, 111-113	Jos. L. Griffin	.02475
114	Whiting Milk Co.	.0263
117-121	Jos. L. Griffin	.02475
131	Whiting Milk Co.	.0263
134	H. P. Hood & Sons	.025
135-138	Jos. L. Griffin	.02475
139	H. P. Hood & Sons	.02225
140-145	Jos. L. Griffin	.02475
146, 147	Whiting Milk Co.	.0263
155-157, 159-161	H. P. Hood & Sons	.025
166-170	Whiting Milk Co.	.0263
171	H. P. Hood & Sons	.0225
174-177	H. P. Hood & Sons	.025
182	Whiting Milk Co.	.0263
183-185	Jos. L. Griffin	.02475
186	Shawmut Dairy, Inc.	.025
187	Whiting Milk Co.	.0263
188	Shawmut Dairy, Inc.	.025
192, 193	Whiting Milk Co.	.0263
194	Jos. L. Griffin	.02475
195-200	Lincoln Dairy	.0245
201-203	Frank Zeeba	.0245
223-224, 226-236, 241	H. P. Hood & Sons	{ .0225/02625
242, 243	Shawmut Dairy, Inc.	.02
244	H. P. Hood & Sons	.025
245-250	Shawmut Dairy, Inc.	.0215
251	Whiting Milk Co.	.0263

If, during any delivery period, the minimum price, as established by the Secretary of Agriculture, to be paid producers for Class I fluid milk delivered at a plant located not more than 40 miles from the State House in Boston and disposed of by a contractor, is above or below \$3.86 per cwt. for milk containing 3.7 per cent of butterfat, the maximum prices fixed in this order for half-pint bottles thereafter delivered shall be increased or decreased by an amount equal to the increase or decrease for a half-pint of such milk.

(3) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for fluid milk sold and delivered by contractors under contracts with the Food Distribution Administration of the United States Department of Agriculture and the Department of Public Schools of the City of Springfield, Massachusetts, for distribution to school children in said Springfield and its environs are modified so that the maximum price for such standard milk in one-half bottles for each such contractor shall be 3.16 cents per bottle. If, during any delivery period, the minimum price, as established by the Milk Control Board of the Commonwealth of Massachusetts, to be paid producers for fluid milk in said City is above or below \$4.02 per cwt. for standard milk, the maximum price fixed in this Order for half-pint bottles thereafter delivered shall be increased or decreased by an amount equal to the increase or decrease for a half-pint of such milk. In the case of any such increase or decrease, each contractor who delivers such standard school

milk shall, within ten days after the first delivery at the new price, report such new price in writing to the Regional Office of Region I of the Office of Price Administration.

(4) This Order G-12 as amended may be revoked or amended by the Regional Administrator of Region I at any time.

(5) *Effective date.* (a) This Order G-12 as amended shall become effective as of February 1, 1943, at 12:01 a.m.

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

Issued this 9th day of February 1943.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-10690; Filed, July 2, 1943;
3:36 p. m.]

[Region I Order G-14]

HARDWOOD-CORDWOOD AND FIREWOOD IN MASSACHUSETTS

Order No. G-14 under § 1499.18 (c) of the General Maximum Price Regulation; hardwood-cordwood and firewood in Massachusetts (formerly General Order No. 14).

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, as amended by Amendment 33, *It is hereby ordered:*

(a) For hardwood-cordwood and hardwood-firewood sold and delivered in the Commonwealth of Massachusetts the maximum prices established by § 1499.2 of the General Maximum Price Regulation are modified, so that the maximum prices for hardwood-cordwood and hardwood-firewood sold and delivered therein in the transactions listed below shall be the prices (in dollars and cents) specified in the applicable schedule.

(1) For purposes of this order, the localities in the Commonwealth of Massachusetts have been allocated among seven zones, as defined below, and the maximum prices for hardwood-cordwood and hardwood-firewood sold and delivered in the localities in each zone shall be as follows:

(i) Hardwood-cordwood, in 4 foot lengths;

Zone	At road-side	Delivered at retailer's yard	Delivered at buyer's premises		
			Per cord	Per cord	Per cord
1	\$10	\$12	\$12	\$6.25	\$3.50
2	11	13	15	7.75	4.25
3	13	15	17	8.75	4.75
4	14	17	19	9.75	5.25
5	15	17	20	10.25	5.50
6		20	23	11.75	6.25
7			26	13.25	7.00

(ii) Hardwood-firewood in 12 inch, 16 inch and 24 inch lengths:

Zone	Delivered at retailer's yard	Delivered at buyer's premises				
		Per cut-up cord	Per cut-up cord	One-half cut-up cord	One-quarter cut-up cord	1 to 5 cu. ft. Per cu. ft.
1.	\$14	\$14.00	\$7.25	\$4.00	\$0.40	
2.	15	17.00	8.75	4.75	.40	
3.	17	19.00	9.75	5.25	.40	
4.	19	21.00	10.75	5.75	.40	
5.	20	23.00	11.75	6.25	.40	
6.	23	26.00	13.25	7.00	.40	
7.	28.50	15.00	8.00			

(2) The terms used in the above schedules are defined as follows:

(i) "Cordwood" means any wood 4 feet in length, including half the kerf, intended for consumption as fuel, and so prepared that at least 80% consists of cleft wood or merchantable body wood in the round of desirable species.

(ii) "Firewood" means any wood cut to any lengths less than 4 feet and more than 8 inches, and prepared and intended for consumption as fuel.

(iii) "Hardwood" means any wood cut from any deciduous tree.

(iv) "Delivered" means deposited on or at the premises designated by the buyer.

(v) "Cord" means the Massachusetts statutory unit of measure consisting of 128 cubic feet or the equivalent of a pile closely stacked 8 feet in length, 4 feet in width and 4 feet in height.

(vi) "Cut-up cord" means the unit of measure consisting of the amount of firewood cut from a cord of 4 foot wood; *Provided, however, That a "cut-up cord" of 12-inch or 16-inch wood shall contain no less than 96 cubic feet, and Provided, That a "cut-up cord" of 24-inch wood shall contain no less than 104 cubic feet.*

(3) Sales and deliveries of hardwood-cordwood and hardwood-firewood shall be made only in the following units of measure:

(i) Hardwood-cordwood—one cord or any multiple thereof; one-half cord; one-quarter cord.

(ii) Hardwood-firewood—one "cut-up cord" or any multiple thereof; one-half "cut-up cord"; one-quarter "cut-up cord"; one to five cubic feet.

(iii) Fractions of the above units of measure (except cubic feet) may be sold at a directly proportionate reduction in price from the price of the next larger unit of measure for which a price is fixed in this order.

(4) A service charge may be added by the seller if, at the buyer's request, the seller shall carry the wood into the buyer's house or any of his covered out-buildings and neatly stack or pile the wood therein, as follows:

(i) A charge at the rate of \$1.25 per full cord or "cut-up cord" and proportionately for additional fractions thereof may be added.

(ii) A charge of \$1.00 per half cord or "cut-up cord" and \$.75 per quarter cord or "cut-up cord" may be added.

(iii) For other fractions of the above units of measure between one cord or "cut-up cord" and one quarter cord or "cut-up cord", a charge at a directly proportionate reduction in price from the service charge fixed for the next larger unit of measure may be added.

(iv) No service charge may be added to the maximum price for sales and deliveries of quantities of less than one quarter cord or "cut-up cord."

(5) Any seller of wood subject to this order shall cause a certificate (a sales slip or memorandum) to be issued and delivered to the purchaser or his agent at the time of delivery of the wood, which shall show:

(i) The date of the sale.
(ii) The names and addresses of the buyer and seller.

(iii) The quantity of cordwood sold, in terms of cords, or the quantity of firewood sold, in terms of "cut-up cords", or of cubic feet.

(iv) The total price of the wood.

(v) The stacking, piling and carrying charge, if such service has been requested.

(6) The price limitations set forth in this order shall not be evaded, either by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to hardwood-cordwood and hardwood-firewood in the Commonwealth of Massachusetts, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise. Specifically, the following practices are forbidden, without limiting the generality of the foregoing:

(i) No seller shall require as a condition of any sale or delivery of such wood that the buyer use the services of the seller in carrying, stacking or piling the purchased wood on the premises of the buyer.

(ii) No seller shall increase prices by any charge for the extension of credit, or by any decrease in the time customarily allowed for payment.

(b) The counties, cities and towns in the Commonwealth of Massachusetts are allocated for purposes of this order into zones as follows:

Barnstable County: Zone 3.

Berkshire County:

Zone 2: Pittsfield.

Zone 1: All other.

Bristol County:

Zone 3: Fall River and New Bedford.

Zone 2: All other.

Dukes County: Zone 3.

Essex County:

Zone 1: Amesbury, Georgetown, Groveland, Ipswich, Newbury, Newburyport, Rowley, Salisbury, and West Newbury.

Zone 2: Boxford, Merrimac, and Methuen.

Zone 3: Andover, Essex, Hamilton, Haverhill, Lawrence, North Andover, and Topsfield.

Zone 4: Danvers, Gloucester, Manchester, Middleton, Rockport, and Wenham.

Zone 5: Beverly, Lynnfield, Marblehead, Peabody, Salem, and Swampscott.

Zone 6: Lynn, Nahant, and Saugus.

Franklin County: Zone 1.

Hampden County:

Zone 2: Chicopee, Hampden, Holyoke, Ludlow, Southwick, Westfield, and Wilbraham.

Zone 3: Agawam, East Longmeadow, Longmeadow, Springfield, and West Springfield.

Zone 1: All other.

Hampshire County:

Zone 2: Easthampton, Northampton, Southampton, and South Hadley.

Zone 1: All other.

Middlesex County:

Zone 1: Ashby, Groton, Pepperell, Shirley, and Townsend.

Zone 2: Ayer, Boxborough, Dracut, Dunstable, Littleton, Tyngsborough, and Westford.

Zone 3: Ashland, Acton, Carlisle, Chelmsford, Holliston, Hopkinton, Hudson, Lowell, Marlborough, Maynard, Stow and Tewksbury.

Zone 4: Bedford, Billerica, Concord, Framingham, Natick, North Reading, Sherborn, Sudbury, Wayland, and Wilmington.

Zone 5: Burlington, Lexington, Lincoln, Reading, Weston, and Woburn.

Zone 6: Arlington, Belmont, Malden, Medford, Melrose, Newton, Stoneham, Wakefield, Waltham, Watertown, and Winchester.

Zone 7: Cambridge, Everett, and Somerville.

Nantucket County: Zone 3.

Norfolk County:

Zone 2: Bellingham, Foxborough, Franklin, Plainville, and Wrentham.

Zone 3: Avon, Holbrook, Medway, Millis, Norfolk, Sharon, and Stoughton.

Zone 4: Cohasset, Medfield, Walpole, and Weymouth.

Zone 5: Braintree, Canton, Dedham, Dover, Needham, Norwood, Randolph, Wellesley, and Westwood.

Zone 6: Milton and Quincy.

Zone 7: Brookline.

Plymouth County:

Zone 3: Abington, Brockton, Hanover, Norwell, Rockland, Scituate, and Whitman.

Zone 4: Hingham and Hull.

Zone 2: All other.

Suffolk County: Zone 7.

Worcester County:

Zone 2: Auburn, Blackstone, Boylston, Fitchburg, Grafton, Holden, Hopkinton, Leicester, Leominster, Mendon, Milford, Millbury, Millville, Paxton, Shrewsbury, Uxbridge, and West Boylston.

Zone 3: Southborough and Worcester.

Zone 1: All other.

(c) This order may be revoked, amended or corrected at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order shall supersede Massachusetts Price Order No. 1, issued October 1, 1942, as to all sales or deliveries for which maximum prices are fixed by this Order No. G-14 on and after its effective date.

This order shall become effective February 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of February 1943.

K. B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-10689; Filed, July 2, 1943;
3:36 p. m.]

[Region I Order G-14, Amdt. 1]

HARDWOOD-CORDWOOD AND FIREWOOD IN MASSACHUSETTS

Amendment No. 1 to Order No. G-14 (formerly General Order No. 14) under § 1499.18 (c), as amended, of the General Maximum Price Regulation; hardwood-cordwood and firewood in Massachusetts.

For reasons set forth in an opinion accompanying this order and pursuant to and under the authority vested in the Regional Office of Region I of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, as amended by Amendment 33, *It is hereby ordered*, That paragraph (b) be amended by deleting therefrom the words "Nantucket County—Zone 3" and substituting therefor the words "Nantucket County—Zone 6"; the statement of the effective date of Order No. G-14 be designated (f) and a new paragraph (g) be added:

(b) * * *

Nantucket County—Zone 6

(g) (1) Amendment No. 1 shall be effective March 27, 1943.

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

Issued this 19th day of March 1943.

KENNETH B. BACKMAN,
Regional Administrator.

[F. R. Doc. 43-10688; Filed, July 2, 1943;
3:36 p. m.]

RAILROAD RETIREMENT BOARD.

MUNICIPAL DOCKS RAILWAY, JACKSONVILLE, FLA.

ORDER REOPENING INITIAL DETERMINATION

Order reopening General Counsel's initial determination on status of Municipal Docks Railway of the City of Jacksonville, Florida, under the Railroad Retirement Insurance Act.

Whereas the General Counsel on February 26, 1943, issued an opinion L-43-163 on the basis of information submitted by Municipal Docks Railway (sometimes called Municipal Docks and Terminals Railway) of the City of Jacksonville and secured by the General Counsel from the files of the Interstate Commerce Commission, determining that Municipal Docks Railway of the City of Jacksonville, Florida, as a separable and identifiable enterprise of said City of Jacksonville, was on August 29, 1935, and thereafter has been at all times a carrier by railroad subject to Part I of the Interstate Commerce Act, and, as such, an employer under the Railroad Retirement Acts and the Railroad Retirement Insurance Act; and

Whereas said Municipal Docks Railway on April 1, 1943, submitted to the General Counsel a statement dated March 18, 1943, questioning the correctness of this determination, and on May 26, 1943, submitting a petition to the

Railroad Retirement Board dated May 21, 1943; and

Whereas in accordance with § 319.40 of Part 319 of the regulations governing proceedings under section 5 (c) of the Railroad Unemployment Insurance Act, the General Counsel on June 30, 1943, entered a general order awarding benefits on the basis of compensation earned in the service of Municipal Docks Railway subject to a right of recovery of any benefits paid pursuant to such order as provided in section 5 (c) of the Railroad Unemployment Insurance Act:

Now, therefore, the General Counsel, pursuant to the authority vested in him by Part 319 of the regulations, *Orders and directs*, That:

(1) The General Counsel's determination of February 26, 1943, that Municipal Docks Railway, as a separable and identifiable enterprise of the City of Jacksonville, is an employer under the Railroad Unemployment Insurance Act be, and it hereby is, reopened for further consideration and proceedings in accordance with Part 319 of the regulations; and that

(2) The information and argument heretofore submitted to the General Counsel and to the Board by Municipal Docks Railway and information heretofore obtained on his own initiative by the General Counsel from the files of the Interstate Commerce Commission shall constitute the record in the proceeding under the Railroad Unemployment Insurance Act, and the determination of Municipal Docks Railway's employer status under the Railroad Unemployment Insurance Act shall proceed on the basis of such record unless on or before July 20, 1943, any properly interested party expresses an intention to submit additional evidence or to present argument in accordance with §§ 319.42 and 319.45 of the regulations.

[SEAL] JOSEPH H. FREEHILL,
General Counsel.

JUNE 30, 1943.

[F. R. Doc. 43-10696; Filed, July 2, 1943;
4:01 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-748]

BRADDOCK LIGHT & POWER CO., INC.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 1st day of July, 1943.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Braddock Light & Power Company, Incorporated, a public utility subsidiary of The North American Company, Washington Railway and Electric Company and Washington and Rockville Railway Company of Montgomery County, all registered holding companies; and

Notice is further given that any interested persons may, not later than July 10th, 1943 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such application or declaration, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

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

Braddock Light & Power Company, Incorporated, proposes to issue eight unsecured negotiable promissory notes, non-interest bearing, each for the sum of \$3,409.56, aggregating \$27,276.48, each of said notes to be dated July 15, 1942 (or such subsequent date as may be desirable or necessary) two each of said notes to mature respectively, July 15, 1943, July 15, 1944, July 15, 1945, and July 15, 1946. Said notes will be given at the time of issuance thereof to the holders of, and in substitution for, like notes theretofore issued to certain non-affiliated persons as part payment for approximately 14 acres of land in Alexandria City, Virginia, intended for future use as a generating station site, whereupon the previously-issued notes will be acquired by Braddock and will forthwith be cancelled and retired. It is stated that the notes will not be issued until authority therefor has been secured from the State Corporation Commission of Virginia.

Section 6 (b) of the Act has been designated as being applicable to the proposed transaction.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-10694; Filed, July 2, 1943;
4:01 p. m.]

[File No. 59-39]

NORTH AMERICAN LIGHT & POWER CO. HOLDING-COMPANY SYSTEM AND NORTH AMERICAN CO.

NOTICE OF FILING OF PETITION FOR EXTENSION OF TIME 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 1st day of July, 1943.

The Commission having entered its order herein on December 30, 1941 pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 directing that North American Light & Power Company shall be liquidated and its existence terminated, and further

directing that North American Light & Power Company and The North American Company shall proceed with due diligence to submit to this Commission a plan or plans for the prompt liquidation of North American Light & Power Company in a manner consistent with the provisions of said Act; and

The Commission having extended the time for compliance with such order for a period of six months from January 22, 1943 (Holding Company Act Release No. 4066):

Notice is hereby given that on June 21, 1943 North American Light & Power Company filed a petition requesting the entry of a further order by this Commission under section 11 (c) of the Act extending for an additional year from July 22, 1943, the time for compliance with the order of December 30, 1941 above described.

All interested persons are referred to said petition which is on file in the office of the Commission for full details concerning the petition.

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 for the purpose of considering said petition and for other purposes;

It is ordered. That a hearing in this proceeding shall be held at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 o'clock a. m., e. w. t., on the 19th day of July, 1943, in such room as may be designated on such date by the Hearing Room Clerk.

All persons desiring to be heard or otherwise wishing to participate in the hearing, should notify the Commission in the manner provided by the Commission's Rules of Practice, Rule XVII on or before July 17, 1943.

At said hearing there will be considered (1) whether North American Light & Power Company has exercised due diligence in its efforts to comply with the Commission's order of December 30, 1941, and whether an extension of time for compliance with said order is necessary or appropriate in the public interest or for the protection of investors or consumers, and (2) whether the above-described petition should be granted.

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 North American Light & Power Company and The North American Company and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DUBois,
Secretary.

[F. R. Doc. 43-10693; Filed, July 2, 1943;
4:01 p. m.]

[File No. 70-750]

SCRANTON-SPRING BROOK WATER SERVICE COMPANY

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2nd day of July, A. D. 1943.

Notice is hereby given that an application and declaration have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Scranton-Spring Brook Water Service Company, a subsidiary of Federal Water and Gas Corporation, a registered holding company; and

Notice is further given that any interested persons may, not later than July 12, 1943 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such application and declaration as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

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

Scranton-Spring Brook Water Service Company proposes to purchase from time to time but prior to December 31, 1943, all or any part of a maximum of \$500,000 principal amount of its First Mortgage and Refunding 5% Gold Bonds, Series A, due August 1, 1967, and Series B, due August 1, 1961, for cash at prices not in excess of the call price in effect at the date of purchase. It is proposed to purchase bonds, Series A and Series B, in the open market at market prices current at the time of purchase. The bonds to be purchased will be cancelled or retired.

Sections 10 and 12 (c) of the Act and Rule U-42 promulgated thereunder have been designated as being applicable to the proposed transactions.

By the Commission.

[SEAL]

ORVAL L. DUBois,
Secretary.

[F. R. Doc. 43-10719; Filed, July 3, 1943;
9:56 a. m.]

[File Nos. 52-22, 52-18]

STANLEY CLARKE, ET AL.

NOTICE OF FILING AND ORDER FOR CONSOLIDATION AND HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of June 1943.

In the matter of Stanley Clarke, Trustee of Associated Gas and Electric Company, Denis J. Driscoll and Willard L. Thorp, trustees of Associated Gas and Electric Corporation, File No. 52-22; Henry A. Stix, Associated Gas and Electric Company, Associated Gas and Electric Corporation, File No. 52-18.

Notice is hereby given that an application has been filed by Stanley Clarke, Trustee of Associated Gas and Electric Company, and Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, pursuant to section 11 (f) of the Public Utility Holding Company Act of 1935 (the Act) for the approval of a plan of reorganization of the mentioned companies. Copies of this application are available for the inspection of all interested persons in the office of this Commission. A specification of the parties involved and a summarization of the filing follow:

I

Both the Associated Gas and Electric Company (Ageco) and Associated Gas and Electric Corporation (Agecorp) are public utility holding companies registered under the Act. On January 10, 1940, Ageco and Agecorp, being unable to meet their maturing obligations, filed petitions for reorganization under Chapter X of the Bankruptcy Act. In the reorganization proceedings, which are pending in the United States District Court for the Southern District of New York, Stanley Clarke is the Trustee for Ageco and Denis J. Driscoll and Willard L. Thorp are the Trustees for Agecorp. Denis J. Driscoll and Willard L. Thorp are a holding company registered under the Act. All of the common stock of Agecorp is held by the Trustee for Ageco which is the top company in the Associated System. Agecorp (the Agecorp Trustees) is the immediate parent of three major public utility holding companies (registered under the Act) and of various other holding and miscellaneous companies. The three major holding companies, NY PA NJ Utilities Company (NY PA NJ), General Gas & Electric Corporation (Gengas), and Associated Electric Company (Aelec), control, in turn, electric and gas subsidiaries in some twenty states and in the Philippine Islands. The principal operating subsidiaries thus controlled directly or indirectly by Ageco and Agecorp are:

A. Subsidiaries of NY PA NJ:

1. Metropolitan Edison Company, furnishing electricity, gas, and steam in the eastern part of Pennsylvania;

2. New Jersey Power & Light Company, furnishing electricity and gas in western New Jersey;

3. New York State Electric & Gas Corporation, furnishing electricity, gas, steam, and transportation in central and scattered areas of New York;

4. Northern Pennsylvania Power Company, furnishing electricity, gas, and steam in northern Pennsylvania;

5. Rochester Gas and Electric Corporation, furnishing electricity, gas, and steam in western New York; and

6. Edison Light and Power Company, furnishing electricity in southern Pennsylvania.

New Jersey Power & Light Company holds 32.39% of the controlling securities of Jersey Central Power & Light Company, which furnishes electricity and gas in northern and eastern New Jersey. Through system ownership of National Public Service Company debentures, the beneficial interest in substantially all of the remaining common stock is system-owned.

B. Subsidiaries of General Gas & Electric Corporation:

1. Eastern Shore Public Service Company, which furnishes, by itself and through its subsidiaries, electricity, gas, and ice in Delaware, Maryland, and Virginia;

2. Florida Power Corporation and Florida Public Service Company, which furnishes electricity, gas, ice, and water in Florida;

3. Georgia Power and Light Company, which furnishes electricity and water in Georgia;

4. South Carolina Electric and Gas Company, which furnishes electricity, gas, and transportation in South Carolina;

5. Virginia Public Service Company, which furnishes electricity, gas, and water in Virginia.

C. Subsidiaries of Associated Electric Company:

1. Pennsylvania Electric Company, which furnishes electricity, gas, and steam in western Pennsylvania.

2. Manila Electric Company and Escudero Electric Service Company. (The properties of these companies are in the Philippine Islands.)

The application of the Trustees recognizes that many of the foregoing properties cannot be retained in a single holding company system, and that in any case the corporate grouping of certain of the properties should be rearranged. Although the Plan does not set forth the specific steps to be taken either by the Trustees or by the reorganized company for the purpose of effectuating the necessary system reconstruction, the application indicates a tentative program which the Trustees deem appropriate for integrating the properties on a sound business and financial basis and in compliance with the requirements of section 11 (b) (1) of the Act. In this connection, the Trustees recognize also that the ultimate capital structure of the reorganized company (referred to in the Plan and hereafter in this Notice and Order as the Surviving Company) must be such as to facilitate and not to impede such a program.

II

As at March 31, 1943, Agecorp and Ageco had outstanding the following securities:

	Principal amount outstanding 3/31/43
Agecorp:	
8% Eight Yr. Gold Bonds due March 15, 1940	* \$8,337,510.00
Agecorp Fixed Interest Debentures due 1973	24,307,765.00
Agecorp Income Debentures due 1978	139,240,755.00
Total debt obligations of Agecorp	171,886,030.00

* Includes \$474,000 principal amount held by NY PA NJ.

Ageco:	Principal amount outstanding 3/31/43
Ageco Fixed Interest Debentures	\$58,994,830.69
Ageco 5% Income Debentures due 1983	12,000.00
Ageco Sinking Fund Income Debentures due 1983	1,217,630.00
Ageco Sinking Fund Income Debentures due 1986	6,918,410.00
Ageco Convertible Obligations	42,089,844.00
Ageco Scrip, matured or maturing after January 10, 1940	10,380,712.36
Total Debt Obligations of Agecorp and Ageco	291,499,457.05

Ageco:	Shares
Preferred Stock	509,510.2257
Preference Stock	1,149,248.4
Class A Stock	4,434,354.1322
Class B Stock	607,953.
Common Stock	1,085,549.1809

In addition to the foregoing, there remained outstanding in the hands of the public, at March 31, 1943, \$4,777,687 principal amount of Convertible Debenture Certificates, Old Convertible Obligations, and Convertible Certificates called for conversion into cumulative preferred and preference stocks. None of these securities is shown to be outstanding on the books of Ageco; however, the amounts of preferred stock and preference stock represented as outstanding include the shares into which unsurrendered Convertible Debenture Certificates, Convertible Certificates, and Old Convertible Obligations were purportedly converted by Ageco.

Senior to the foregoing securities and to claims of general creditors (of an indeterminate amount) are Trustees' Certificates, taxes, and administration expenses, also of an indeterminate aggregate amount.

On February 28, 1941, Ageco filed a petition in the Agecorp reorganization proceedings attacking, among other things, the validity of a Plan of Rearrangement of Debt Capitalization offered by Ageco to its fixed interest debenture holders on May 15, 1933. The ensuing litigation, known as the Recap Litigation, was conducted before the Honorable Frederick E. Crane, who was appointed by the Reorganization Court to serve as Special Master. Before this litigation had been concluded, the Trustees of Ageco and Agecorp proposed a plan for compromise which would, in effect, resolve the conflicting claims of all Ageco and Agecorp creditors and security holders. This proposal (hereinafter called the Recap Compromise) has been referred to the same Special Master for his report upon its fairness; hearings on the Recap Compromise are now in progress.

The Plan would give effect to the Recap Compromise as proposed with one minor modification; the treatment which it (and the Plan) proposes to accord the

claimants against the estates is discussed in IV below.

III

The provisions of the Plan may be summarized as follows:

Either Ageco, Agecorp, or any corporation now in the Associated system or a new corporation, whichever may appear to be advisable in the interest of security holders, will succeed to the assets of the two estates.

The capitalization of the Surviving Company shall include:

	Authorized	Estimated to be outstanding on consummation of the plan
New Senior Debt	\$11,000,000	\$11,000,000
New Common Stock \$5 Par Value	Shares 7,750,000	Shares 7,500,000

In addition, the capitalization may include an estimated \$8,000,000 principal amount of New Debentures, to be used to discharge the claims of the 8's of 1940.

The precise terms of the new securities of the Surviving Company are not set forth in the Plan, but may be described in general as follows: The New Senior Debt may be represented in whole or in part by a bank loan or by short term bonds, debentures, or other obligations, secured or unsecured, which may be sold, publicly or privately, with or without underwriting, as may be feasible. Provisions as to maturity, interest rate, amortization, security, and the like are to be supplied by amendment to the Plan. The New Debentures will be subordinated to the New Senior debt both as to principal and interest; the Plan provides merely that their terms and conditions "will be such that the holders of Ageco 8's of 1940 will receive full compensatory treatment of their claims to the extent recognized by the Recap Compromise". The New Common Stock is to have a par value of \$5 per share and shall be entitled to one vote per share for all purposes, voting cumulatively for the election of directors. Application will be made to list the New Common Stock on a national securities exchange.

IV

The Plan proposes the following treatment to be accorded the various claims against the estates and debtors:

Administration expenses, trustees' certificates, and state and local taxes are to be paid in cash.

Claims for all Federal taxes (exclusive of amounts which may be due under Titles VIII and IX of the Social Security Act) for the years 1934-1939, inclusive, are to be settled and discharged by the payment of \$750,000 in cash within ninety days after the entry of an order of the Court confirming the Plan (or, in the event of an appeal from such order, within ninety days after the date when such order, following its affirmance, shall have ceased to be subject to further review). Ageco, Agecorp, the Trustees, and the Surviving Company shall also waive

any and all claims for refunds or credits in respect of all Federal taxes (other than taxes paid under Titles VIII and IX of the Social Security Act) for the taxable years 1934-1939, inclusive. All other Federal tax liabilities of Ageco and Agecorp, in such amounts as may be finally determined by settlement or otherwise, shall be paid in cash.

The holders of the 8's of '40 shall be entitled to receive, with respect to each \$100 principal amount, New Debentures having an aggregate principal amount equal to the sum of \$102.56 plus interest at the rate of 4% per annum on \$100 from July 10, 1943, to the effective date of the Plan. It provides in the alternative that the claims of the holders of the 8's of '40 may be satisfied by the distribution of securities of a company or companies in the Associated System other than the Surviving Company, and that the Trustees will specify, by an amendment to the Plan, which alternative shall be effective and the terms and conditions thereof.

General creditors of the estate and holders of the following described securities of Ageco or Agecorp, as the case may be, shall receive, for each \$100 of principal amount and all right to interest thereon (or each share of stock and dividends thereon, as the case may be) to the effective date of the Plan, the number of shares of New Common Stock indicated below. No fractional shares of New Common Stock will be issued; scrip will be issued in lieu of fractional shares and the Plan provides that the Surviving Company may make appropriate provision for making scrip readily marketable.

Participating security	No. of shares of new common stock
1. Agecorp '73's:	
5 1/2% Series	6.66
5% Series	6.58
4 1/2% Series	6.54
4% Series	6.51
2. Agecorp '78's:	
4 1/2% Series	3.06
4% Series	3.00
3 3/4% Series	2.98
3 1/2% Series	2.96
3. Ageco Fixed Interest Debentures:	
6% Convertible Investment Certificates, extended to 1943	2.61
5 1/2% Convertible Investment Certificates, extended to 1943	2.57
5 1/2's of '77	2.61
5's of '68	2.55
5's of '65	2.53
5's of '50	2.57
4 1/2's of '58	2.51
4 1/2's of '49	2.53
4 1/2's of '48	2.51
4's of '83	2.46
4. Ageco 5% Income Debentures Due 1983	2.55
5. Ageco Sinking Fund Income Debentures Due 1983:	
Series A-5 1/2%	2.08
Series B-5%	2.04
Series C-4 1/2%	1.99
Series D-4%	1.97
6. Ageco Sinking Fund Income Debentures Due 1986:	
Series A-5 1/4%	2.01
Series B-5%	1.97
Series C-4 1/4%	1.93
Series D-4%	1.91

Participating security	No. of shares of new common stock	Principal amount outstanding
7. The Following Unsurrendered Securities of Ageco:		March 31, 1943
6 1/2% Convertible Debenture Certificates Series B (Manila Series)	1.07	Series A: 7%, 6 1/2%, 6% } \$8,850,616.00
6 1/2% Convertible Debenture Certificates Series C (Manila Series)	1.07	Series B: 6% } 338,328.00
6% Convertible Debenture Certificates Series B	1.03	Series A: 5 1/2% } 12,900,900.00
6% Convertible Debenture Certificates Series C	1.03	5% } 22,089,844.00
6% Convertible Debenture Certificates Series D	1.03	
6% Convertible Debenture Certificates Series E	1.03	
6% Convertible Debenture Obligations Series F	1.03	
6% Convertible Debenture Certificates Series A	1.03	
6% Convertible Debenture Certificates Series B of 1929	1.03	
6% Convertible Debenture Certificates 1931 Series	1.03	
8. Such of the following securities of Ageco as were issued in exchange for the securities enumerated in Item 7 and as remain in the hands of Original Holders:		
7% Convertible Obligations due 2002, Series A	.51	4% due June 15, 1944 1,002,700.00
6 1/2% Convertible Obligations due 2002, Series A	.51	4 1/2% due June 15, 1947 481,000.00
6% Convertible Obligations due 2002, Series A	.51	
6% Convertible Obligations due 2002, Series B	.51	
\$6 Dividend Series Preferred Stock (per share)	.51	Due October 1, 1941 449,620.52
\$6.50 Dividend Series Preferred Stock (per share)	.51	November 1, 1941 960,606.22
\$7.00 Dividend Series Preferred Stock (per share)	.51	December 1, 1941 960,592.48
\$6 Cumulative Preference Stock (per share)	.51	February 15, 1942 99,147.02
9. General Claims	2.14	March 1, 1942 207,217.97
		May 15, 1942 106,868.54
		June 1, 1942 218,939.66
		August 15, 1942 129,979.05
		September 1, 1942 239,988.85
		Consolidated Scrip: June 15, 1944 58,046.90
		June 15, 1947 19,973.62
		Total 3,450,980.83
		Shares outstanding (Exclusive of shares in Treasury)
Preferred Stock, no Par Value:		
Original Series—Cumulative (\$3.50)	33,372	\$1,668,600.00
\$5.00 Dividend Series—Cumulative	206,388.2257	20,638,822.57
\$5.50 Dividend Series—Cumulative	40	4,000.00
\$6.00 Dividend Series—Cumulative	117,520	11,752,000.00
\$6.50 Dividend Series—Cumulative	55,148	5,514,800.00
\$7.00 Dividend Series—Cumulative	97,042	9,704,200.00
Preference Stock, no Par Value:		
\$4.00 Cumulative Preference	759,960.2	37,998,010.00
\$5.00 Cumulative Preference	25	2,500.00
\$5.50 Cumulative Preference	10,834.2	1,083,420.00
\$6.00 Cumulative Preference	371,657	37,165,700.00
\$6.50 Cumulative Preference	6,772	677,200.00
Total Preferred and Preference Stocks		126,209,252.57
Less Original Holders Entitled to Participation (estimated)		1,750,000.00
		124,459,252.57
Class A Stock, Par Value \$1 per Share		4,434,354.1322
Class B Stock, Par Value \$1 per Share		607,953
Common Stock, Par Value \$1 per Share		1,085,549.1809
Optional Stock Purchase Warrants—New		3,957.5 units
Common Stock Purchase Warrants, attached to Agecorp 8s of '40		79,381.5

The Plan provides that the affairs of the Surviving Company shall be managed by a Board of Directors who shall be elected at each annual meeting of

stockholders. It further provides that the number and names of the persons who will act as directors to hold office until the first annual meeting of stock-

holders following the consummation of the Plan (and until the election and qualification of their successors) will be included in an amendment to Plan. The by-laws of the company shall provide for an executive committee whose members are to be elected by the Board of Directors. The first officers of the Surviving Company will be selected and appointed by the Board of Directors with the approval of the Court. Their successors are to be appointed as may be provided in the charter or by-laws. The by-laws, which shall not be subject to amendment except by vote of the stockholders, shall fix the compensation of the members of the Board of Directors, and of the executive committee, other than salaried officers.

VI

The Plan as submitted by the Trustees assumes not only that the Recapitulation and its related controversies will be settled by compromise, but also that the following major problems will be disposed of in the manner indicated:

1. It is assumed that the Secretary of the Treasury, pursuant to section 199 of the Bankruptcy Act, will accept the Plan, thus settling the claim of the United States Government against Ageco and Agecorp for taxes for the years 1934-1939, inclusive, and that Federal income and excess profits tax returns filed by the Trustees for the years 1940 and 1941, and the consolidated income and excess profits tax returns for the year 1942 will be accepted substantially as filed, and that the consolidated liability of the Ageco affiliated group for the year 1943 will be determined on substantially the same basis.

2. Utilities Employees Securities Company (Uesco), organized in 1931 to serve, among other things, as an investment medium for the employees of the Associated System, now holds \$36,045,355 principal amount of various issues of the debt securities of Ageco and Agecorp, and is the largest single creditor of both estates. The Trustees have interposed objections to the claims of Uesco based on these holdings, and the Ageco Trustee has instituted suit against Uesco. In order to settle these and other controversies Uesco entered into an agreement with Ageco and Agecorp (and various of their subsidiaries and with New England Gas and Electric Association) on June 4, 1943, providing for the liquidation of Uesco, and in that connection for the limited participation of Uesco in the reorganization of Ageco and Agecorp. (The details of this agreement are stated in a notice to be distributed to the security holders of Ageco and Agecorp, pursuant to an order of the United States District Court for the Southern District of New York.) The Plan assumes that the contract and the transactions proposed therein will receive the approval of this Commission and of the Court.

3. The Trustees, pursuant to section 11 (e) of the Act, have submitted a plan for the reorganization of General Gas & Electric Corporation (Gengas). The Trustees have assumed that this Gengas plan, in substantially the form submitted,

will be approved by this Commission and a court of competent jurisdiction.

4. Finally, it is assumed that at the effective date of the Plan there will be no restrictions imposed by Federal or State commissions, litigation, or otherwise, on the flow of cash from the operating companies to the Surviving Company or upon the Surviving Company's disposition of its income, which would materially impair the ability of the Surviving Company to support its capital structure or otherwise to make the Plan unfeasible. To accomplish these purposes the Trustees, in their introductory Statement to the Plan suggest the program for the reconstruction of NY PA NJ set forth below. Although this program is tentative, and its consummation is not a condition to the Plan (the Trustees reserving the right to modify or abandon it), the pro forma consolidated balance sheet and income statement for the Surviving Company and its subsidiaries (attached to the Plan as Exhibits) gives effect to its consummation. This program is as follows:

a. NY PA NJ is to transfer its investment in Keystone Public Service Company, Bradford Electric Company, and Pennsylvania Edison Company to Associated Electric Company or to that company's subsidiary, Pennsylvania Electric Company. (Filings in regard to these transactions have already been made with the Commission. File Nos. 70-549, 70-551, 70-563, 70-602, 70-604.)

b. New York State Electric & Gas Corporation is to retire \$2,500,000 principal amount of its 3 1/4% First Mortgage Bonds.

c. Rochester Gas and Electric Corporation is to redeem 27,000 shares (the entire issue) of its outstanding Series C \$6 Preferred Stock, and 11,871 shares Series D \$6 Preferred Stock. (Filings in regard to this transaction have been made with this Commission—File No. 70-720.)

d. New Jersey Power & Light Company is to retire \$600,000 principal amount of its First Mortgage Bonds, 4 1/4% Series of 1960.

e. Ultimately, New Jersey Power & Light Company is to acquire all or the major portion of the shares of common stock of Jersey Central Power & Light Company.

f. NY PA NJ is to purchase from New Jersey Power & Light Company 8,710 shares of Metropolitan Edison Company Cumulative Preferred Stock.

g. NY PA NJ is to purchase from Metropolitan Edison Company the following securities:

\$15,778,500 principal amount of The Hawk Valley Company 6's of 1981;

\$327,500 principal amount of NY PA NJ 5's of 1956;

100,000 shares of common stock of Staten Island Edison Corporation.

h. NY PA NJ is to purchase from New York State 2,725 shares preferred stock of Staten Island Edison Corporation.

i. The reorganization of York Railways Company is to be completed, pursuant to a plan providing for the consolidation of its subsidiaries (Edison Light and Power Company and York Steam Heating Company) with Glen Rock Electric Light and Power Company. Metropolitan Edison Company is to acquire the consolidated group by providing the additional necessary cash.

j. Metropolitan Edison Company is to purchase from NY PA NJ 35,729 shares of Metropolitan Edison Company Cumulative Preferred Stock.

k. Metropolitan Edison Company is to retire its following outstanding securities:

\$5,000,000 principal amount 4 1/2% Series D First Mortgage Bonds;

97,536 shares Prior Preferred Stock;

17,361 shares Cumulative Preferred Stock.

l. Metropolitan Edison Company is to reclassify the remaining 60,000 shares of its Cumulative Preferred Stock held by NY PA NJ into \$5 Preferred Stock which NY PA NJ sells.

m. NY PA NJ is to retire all of its debt and preferred stock except bonds or other obligations which will then be vested in either Agecorp, Associated Utilities Corporation, a subsidiary of Agecorp, or the Surviving Company.

Notice is further given that Henry A. Stix, representing himself to be a holder of securities of Ageco and Agecorp has filed an application for approval of a plan of reorganization for these debtors. All interested persons are referred to said application which is on file in the office of this Commission for a detailed statement of the terms of the plan, which is summarized as follows:

1. A new corporation to be organized to acquire all the assets held by the Ageco and Agecorp Trustees.

2. The new corporation is to issue various series of certificates of indebtedness aggregating \$24,495,000, in payment of the following items: Trustees Certificates; expenses of liquidation, including attorneys fees; the 8's of '40, and accrued interest thereon; the notes and bonds of Uesco; and reimbursement of contributions made to Uesco by companies in the Associated and New England Gas and Electric Association systems.

3. The new corporation is to issue 2,991-752,235 shares of common stock to be distributed as follows:

1 1/10 shares for each \$50 face amount of Agecorp Fixed Interest Debentures due 1973 (\$25,122,300 face amount at December 31, 1939) -----	552,690.6
1 1/10 shares for each \$100 face amount of Agecorp Income Debentures due 1978 (\$144,723,815 at December 31, 1939) -----	1,591,961.965
1 share for each \$100 face amount of Ageco Debentures (various series) (\$69,147,510 at December 31, 1939) -----	691,475.10
1 share for each \$100 face amount Ageco Interest Bearing Scrip (\$10,200,038 at December 31, 1939) -----	102,000.35
1 1/10 share for each \$100 face amount Ageco Convertible Debenture Certificates, Convertible Obligations (or similar securities with similar names) (\$53,625,221 at December 31, 1939) -----	53,625.22
Total -----	2,991,753.235

This plan contemplates the ultimate liquidation of the Certificates of Indebtedness so that the eventual capitalization of the new corporation will consist solely of common stock.

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 the Plan submitted by the Trustees of Associated Gas and Electric Company and of Associated Gas and Electric Corporation, and with respect to the plan filed by Henry A. Stix, or any other plan which may be proposed by any person having a bona fide interest in the reorganization (and with respect to any amendments thereof), in accord-

ance with the provisions of section 11 (f) of the Act; and

It appearing that substantial saving of time and expense will result if consideration of the plans heretofore filed are consolidated;

It is ordered, That the proceedings upon File No. 52-22 and upon File No. 52-18 be and they hereby are consolidated.

It is further ordered, That a hearing on such plans as proposed, or as modified, under the applicable provisions of the Public Utility Holding Company Act of 1935, and rules of the Commission, be held on August 23, 1943, at 10:30 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearings will continue thereafter from time to time.

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

It is further ordered, That without limiting the scope of the issues to be considered in this consolidated proceeding, particular attention will be directed at said hearing in respect to the plan of reorganization filed by Stanley Clarke, Trustee of Associated Gas and Electric Company, and Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, (and, insofar as applicable, to the plan filed by Stix and any other plans which may be filed by persons with a bona fide interest in the reorganization) to the following matters and questions:

1. Whether the proposed Plan is fair and equitable;

2. Whether the proposed Plan is feasible;

3. To what extent, if any, the proposed Plan should be modified or amended to render it fair and equitable and feasible;

4. Whether the Plan and the various transactions proposed in connection therewith meet the requirements and standards of the applicable sections of the Public Utility Holding Company Act of 1935, particularly sections 7, 10, 11, and 12 thereof, and the rules and regulations promulgated thereunder, and of the United States Bankruptcy Act, including, but without limitation, the proposals as to the following matters:

a. The issuance of the New Senior Debt, the New Debentures, and the New Common Stock of the Surviving Company;

b. The provision for the selection of the first Board of Directors and officers of the Surviving Company;

c. The provisions of the Charter, By-Laws, and other documents to be used in consummating the plan.

5. Whether, and to what extent, approval of the plan or of the steps to be taken in consummation thereof, should be conditioned upon further orders of the Commission relating, among other things, but without limitation, to the NY PA NJ reconstruction program, the reorganization of Gengas, and the performance of the contract between the Trustees (and others) and Uesco.

It is further ordered, That the Secretary of the Commission shall serve notice of the hearing aforesaid by mailing copy of this order to Stanley Clarke, Trustee of Associated Gas and Electric Company, Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, and Henry A. Stix, not less than thirty days prior to the date hereinbefore fixed as the date for the hearing, and that Stanley Clarke, Trustee of Associated Gas and Electric Company, and Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, shall serve notice of the hearing aforesaid by mailing copies of this order to all persons who have appeared in the reorganization proceeding Nos. 75634 and 75635 in the United States District Court for the Southern District of New York, not less than thirty days prior to the date hereinbefore fixed as the date of the hearing, and that notice of said hearing is hereby given to subsidiaries of said Associated Gas and Electric Company and Associated Gas and Electric Corporation, the security holders of said Associated Gas and Electric Company and Associated Gas and Electric Corporation, and of the subsidiaries thereof, consumers of said companies, states, municipalities, and political subdivisions of states within which are located any of the utility assets of Associated Gas and Electric Company and Associated Gas and Electric Corporation and all subsidiaries thereof, or under the laws of any of which such companies are incorporated, or Federal authorities having jurisdiction thereof; all State commissions, State securities commissions, and all agencies, authorities, judicial bodies or instrumentalities of the United States of America, and of one or more states, municipalities, or other political subdivision having jurisdiction over Associated Gas and Electric Company and Associated Gas and Electric Corporation, or any subsidiaries thereof, or over any of the businesses, affairs, or operations of any of them.

Further notice is to be given by general release of the Commission, distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and to all persons by publication of this order in the FEDERAL REGISTER not later than fifteen days prior to the date hereinbefore fixed as the date of hearing.

It is further ordered, That on or before July 20, 1943, Stanley Clarke, Trustee of Associated Gas and Electric Company, and Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, mail copies of this Notice of and Order for Hearing to all known security holders of Associated Gas and Electric Company and Associated Gas and Electric Corporation, respectively, at their last known addresses, and that such Trustees mail copies of the plan of reorganization filed by them to such security holders of their respective estates as may request a copy thereof.

It is further ordered, That any persons desiring to be heard in connection with this proceeding, or proposing to intervene

herein, shall file with the Secretary of this Commission, on or before August 16, 1943, his request or application therefor, as provided in Rule XVII of the Rules of Practice of the Commission.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-10718; Filed, July 3, 1943;
9:55 a. m.]

[File No. 70-475]

ELECTRIC BOND AND SHARE COMPANY
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, Pa., on the 2nd day of July, A. D. 1943.

A declaration having been filed by Electric Bond and Share Company under section 12 (c) of the Public Utility Holding Company Act of 1935, a hearing having been held after appropriate notice, and the Commission being fully advised and having this day issued its findings and opinion herein;

On the basis of said findings and opinion, *It is hereby ordered*, That said declaration be and it hereby is permitted to become effective, subject to the conditions enumerated below:

1. All purchases shall be effected on the New York Curb Exchange and the company shall not solicit or cause to be solicited the sale of any shares to the company either on or off the Exchange.

2. The company shall furnish to the Commission promptly at the end of each week a report showing the number of shares of each class of preferred stock purchased each day during the week, the prices at which they were purchased and the names of the brokers through whom they were purchased.

3. The company shall include in its quarterly reports to stockholders information as to the total number of shares of each class purchased and the aggregate purchase price for each class.

4. No purchases shall be made after the expiration of nine months from the date of this order, subject, however, to the right of the company to apply for an extension or extensions of such period.

5. The Commission reserves jurisdiction in its discretion to rescind or modify this order at any time prior to the expiration of such nine-month period or any extension or extensions thereof, any such rescission or modification to be applicable to such portion of the \$15,000,000 as shall not have been previously expended.

6. At least seven days before purchases are commenced, the company shall advise by letter the holders of record of its preferred stock fully with respect to its intention to make purchases and the method to be employed, and the Commission reserves jurisdiction with respect to the form and contents of such notice and any similar communications.

7. The Commission reserves jurisdiction to require that all shares of preferred stock acquired by the company pursuant to the present declaration and order be retired and canceled.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-10717; Filed, July 3, 1943;
9:55 a. m.]

[File No. 70-738]

NORTHERN STATES POWER COMPANY (DELAWARE) AND NORTHERN STATES POWER COMPANY (MINNESOTA)

ORDER PERMITTING JOINT DECLARATION TO
BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 30th day of June 1943.

Northern States Power Company (Delaware), a registered holding company, and its subsidiary, Northern States Power Company (Minnesota), also a registered holding company, having filed a joint declaration pursuant to section 12 (b) of the Public Utility Holding Company Act of 1935 and Rule U-45 of the General Rules and Regulations promulgated thereunder, regarding a proposal to continue the postponement of the payment of \$345,650.18, the balance of the 1942 instalment on the principal of the open account indebtedness (which is now in the amount of \$7,530,852.08) owing by Northern States Power Company (Delaware) to Northern States Power Company (Minnesota), until December 31, 1943, because a plan filed by Northern States Power Company (Delaware) pursuant to section 11 (e) of said Act for its liquidation and dissolution, the proceedings on which are still pending, provides for the disposition of said indebtedness primarily by the surrender by Northern States Power Company (Minnesota) of 481,111 shares of the common stock of the last mentioned company (all of which is owned by Northern States Power Company (Delaware)) and for a distribution of the remaining shares of the common stock of Northern States Power Company (Minnesota) among the stockholders of Northern States Power Company (Delaware), and because a reduction in the indebtedness would necessitate an alteration in the allocations proposed by the plan and serve no useful purpose; Northern States Power Company (Minnesota) agrees that, pending the consummation of the plan and until December 31, 1943, or the date of such consummation (whichever shall be earlier), it will continue to segregate on its books \$345,650.18 of its earned surplus as not being available for the declaration of dividends on its common stock; declarants further request that Northern States Power Company (Minnesota) be permitted to waive all interest due on said indebtedness for the period from June 30, 1943 to December 31, 1943;

Said joint declaration having been filed on June 12, 1943, and notice of said filing having been duly given in the man-

ner and form prescribed by Rule U-23 under said Act and the Commission not having received a request for hearing with respect to said declaration within the period specified within such notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that all applicable statutory requirements are met and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 and to the agreement with respect to earned surplus set forth in said joint declaration, that the said declaration be and the same is hereby permitted to become effective forthwith: *Provided, however*, That nothing contained in this order shall be construed as constituting a determination by us of the propriety of the disposition of the open account indebtedness as proposed in the aforementioned plan.

By the Commission (Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940).

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-10714; Filed, July 3, 1943;
9:54 a. m.]

[File No. 70-586]

CONSOLIDATED NATURAL GAS COMPANY
NOTICE OF FILING OF AMENDMENT AND ORDER
RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of July 1943.

Consolidated Natural Gas Company having heretofore filed applications and declarations and amendments thereto pursuant to sections 6, 7, 9, 10 and 11 of the Public Utility Holding Company Act of 1935 and Rule U-50 of the Rules and Regulations promulgated thereunder regarding the issuance of securities to Standard Oil Company (New Jersey) in exchange for all of the outstanding securities of Hope Natural Gas Company, The East Ohio Gas Company, The Peoples Natural Gas Company and The River Gas Company presently owned by Standard Oil Company (New Jersey), a detailed description of said applications or declarations having been set forth in the Commission's Notice of and Order for Hearing of August 7, 1942 (Holding Company Act Release No. 3725);

A further amendment to said applications and declarations having been filed on June 30, 1943 wherein Consolidated Natural Gas Company proposes to acquire, in addition to the securities of the foregoing companies, all of the outstanding securities of New York State Natural Gas Corporation held by Standard Oil Company (New Jersey), such acquisition to be made in exchange for stock of Consolidated Natural Gas Company; and

Hearings having been held in respect of said applications and declarations as heretofore filed and said hearings having been adjourned subject to the call of the Trial Examiner; and

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that the hearings be reconvened for the purpose of completing the evidence in respect of the proposed transactions, as amended.

It is ordered, That the hearings in the above entitled matter be reconvened on the 15th day of July, 1943, at 10 o'clock in the forenoon of that day in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as the hearing room clerk in Room 318 will at that time advise.

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

It is further ordered, That, without limiting the scope of the issues presented by these proceedings, in addition to the matters specified in our Notice and Order of August 7, 1942, particular attention will be directed at the reconvened hearing to the following matters and questions:

(1) Whether the proposed acquisition of the securities of New York State Natural Gas Corporation is detrimental to the carrying out of the provisions of section 11 of the Act;

(2) Whether the proposed transactions are in all respects consistent with the applicable standards of the Act and the rules promulgated thereunder.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-10715; Filed, July 3, 1943;
9:54 a. m.]

[File No. 70-735]

CONSUMERS GAS COMPANY
ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2nd day of July 1943.

Consumers Gas Company, a subsidiary of The United Gas Improvement Company, a registered holding company and in turn a subsidiary of The United Corporation, also a registered holding company, having filed an application and an amendment thereto, pursuant to section 10 of the Public Utility Holding Company Act of 1935, regarding the purchase from non-affiliated interests, from time to time within one year from the date of this Commission's approval, as shares become available for purchase, not to exceed 800 shares of the capital stock of Reading Gas Company at prices which

will yield a favorable return on the funds so invested as contrasted with other available investments; and

Consumers Gas Company being the lessee of the property and franchises of Reading Gas Company, under a 99-year lease expiring November 1, 1985, and presently owning 1,692 shares of the 12,000 outstanding shares of stock of Reading Gas Company, and having proposed to acquire said additional shares as an investment for its special reserve fund created in 1934 to provide for the exercise of an option to purchase Reading Gas Company's property and franchises at the expiration of said lease; and

Said application having been filed on June 2, 1943, and an amendment thereto on June 9, 1943, and Notice of Filing having been duly given in the form and manner prescribed in Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said application within the period specified in such Notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that no adverse findings are necessary under section 10 of the Act and that the proposed acquisitions have the tendency required by section 10 (c) (2) of the Act; and deeming it appropriate, in the public interest and in the interests of investors and consumers, to grant said application as amended;

It is ordered, That pursuant to U-23 and the applicable provisions of said Act, that said application as amended be and the same is hereby granted, subject to the terms and conditions prescribed by Rule U-24 and subject to the further condition that the granting of said application shall in no wise affect or prejudice the right of the Commission to enter an order in the pending section 11 (b) (1) proceedings regarding The United Gas Improvement Company in respect of the retainability by The United Gas Improvement Company of any direct or indirect interest in Consumers Gas Company or Reading Gas Company, as to which matter jurisdiction is hereby expressly reserved.

By the Commission (Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940).

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-10716; Filed, July 3, 1943;
9:54 a. m.]

[File No. 68-25]

JACKSONVILLE GAS CORPORATION
ORDER AUTHORIZING SOLICITATIONS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 2nd day of July, A. D. 1943.

A declaration having been filed on June 22, 1943, pursuant to sections 11 (g) and 12 (e) of the Public Utility Holding Company Act of 1935 and Rule U-62 promulgated thereunder, regarding a proposed solicitation by Jacksonville Gas Corporation of proxies for the election of direc-

tors at a special meeting of the stockholders of said corporation to be held on July 23, 1943, said proxies including the names of all candidates nominated by stockholders; and

Amendments to said declaration having been filed on June 29, 1943, and on July 2, 1943; and

Counsel for Jacksonville Gas Corporation having requested that the declaration be permitted to become effective prior to the expiration of the time provided in Rule U-62; and

The Commission having considered said declaration as amended, and finding that the requirements of sections 11 (g) and 12 (e) of the Act and of Rule U-62 are complied with so far as applicable; and

The Commission deeming it appropriate and in the public interest and in the interest of investors to permit said amended declaration to become effective forthwith;

It is ordered, That said 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. 43-10788; Filed, July 5, 1943;
9:58 a. m.]

[File No. 70-566]

WEST TEXAS UTILITIES COMPANY AND THE
MIDDLE WEST CORPORATION

ORDER FURTHER EXTENDING TIME FOR
PURCHASE OF SECURITIES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of July 1943.

On January 25, 1943, this Commission after a public hearing, issued its order with respect to a combined application and declaration, as amended, filed by West Texas Utilities Company and The Middle West Corporation regarding a proposed offer by West Texas Utilities Company to purchase all the outstanding securities of Pecos Valley Power & Light Company. Said application was granted and said declaration permitted to become effective subject to certain conditions.

The purchase offer became effective January 29, 1943 for a thirty-day period and, at the option of the company was subsequently extended to and including March 30, 1943. Subsequently West Texas Utilities Company filed its Supplemental Application requesting, and the Commission granted, an extension to June 30, 1943 within which West Texas Utilities Company could make purchases pursuant to such offer. It is represented that at the close of business on June 30, 1943, 97.43% of the outstanding First Mortgage Bonds, 95.70% of the outstanding Income Debentures and 93.39% of the outstanding common stock of Pecos Valley Power & Light Company had been deposited pursuant to the terms of said offer.

The offer as made by the applicant provided that West Texas Utilities Company had the right at its option to purchase all securities offered if at least

90% of the principal amount of the bonds, 90% of the principal amount of the debentures and 80% of the shares of common stock of Pecos Valley Power & Light Company were deposited pursuant to such offer. Such percentages having been deposited, West Texas Utilities Company has elected to purchase all the securities deposited.

West Texas Utilities Company has now filed its amended Supplemental Application No. 2 requesting a further extension of the period within which it may purchase the outstanding securities of Pecos Valley Power & Light Company to July 31, 1943; and

It appearing appropriate to the Commission that such request be granted for the period from June 30, 1943 to July 31, 1943;

It is ordered, That the period within which West Texas Utilities Company may purchase the outstanding securities of Pecos Valley Power & Light Company be and the same is hereby extended to and including July 31, 1943, subject to the same conditions imposed by our order of January 25, 1943.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-10791; Filed, July 5, 1943;
9:58 a. m.]

[File No. 59-32]

TRUSTEES OF ASSOCIATED GAS AND ELECTRIC
CORP.

NOTICE OF FILING OF APPLICATION FOR AN
EXTENSION OF TIME AND ORDER FOR HEAR-
ING

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 July 1943.

In the matter of Denis J. Driscoll and Willard L. Thorp, as trustees of Associated Gas and Electric Corporation, respondents.

The Commission having heretofore by its order dated August 13, 1942, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, ordered Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, to "sever their relationship with" certain named companies "by disposing or causing the disposition, in any appropriate manner not in contravention of the applicable provisions of the said Act or the rules and regulations promulgated thereunder, of their direct and indirect ownership, control and holding of securities issued, and properties owned, controlled or operated by" the named companies:

Notice is hereby given that Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, have filed an application pursuant to section 11 (c) of said Act for an extension of an additional year within which to comply with the Commission's order of August 13, 1942.

It appearing to the Commission that it is appropriate and in the public interest and in the interest of investors and consumers that a hearing be held to consider said application:

It is hereby ordered. That a hearing on said application under the applicable provisions of the Act and the rules of the Commission thereunder be held on August 2, 1943, at 10:30 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

It is further ordered. That, without limiting the scope of the issues presented by said application, particular attention will be directed at said hearing to the following questions:

1. Whether Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, have exercised due diligence in their efforts to comply with the order of the Commission of August 13, 1942;

2. Whether an extension of an additional year for compliance with said order of August 13, 1942, is necessary or appropriate in the public interest or for the protection of investors or consumers.

It is further ordered. That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside 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 any person desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of the Commission, on or before July 28, 1943, his request or application therefor as provided in Rule XVII of the Commission's Rules of Practice.

It is further ordered. That the Secretary of the Commission shall serve notice of the entry of this order by mailing a copy thereof to the respondents and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-10787; Filed, July 5, 1943;
9:58 a. m.]

[File No. 68-27]

NEW ENGLAND PUBLIC SERVICE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 3d day of July 1943.

In the matter of Lester Martin, Floyd Jefferson, William S. Spatcher and Howard H. Hubbard, as protective committee for holders of preferred stock of New England Public Service Company.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, and particularly section 12 (e) thereof and Rule U-62 promulgated thereunder, by Lester Martin, Floyd Jefferson, William S. Spatcher and Howard H. Hubbard, as a Protective Committee for the holders of Preferred Stock, \$6 Dividend Series and Preferred Stock, \$7 Dividend Series, of New Eng-

land Public Service Company, a subsidiary of Northern New England Company, both registered holding companies. All interested persons are referred to the said declaration, which is on file in the office of this Commission, for a full statement of the action therein proposed, which may be summarized as follows:

The declarants propose to solicit authorizations from the holders of the Preferred Stock of New England Public Service Company and to represent such stockholders in all hearings and proceedings before the Commission, or any other body, or in any court, in connection with the plan filed by New England Public Service Company with the Commission on December 7, 1941 (File No. 59-15) proposing a method of complying with the applicable provisions of the Public Utility Holding Company Act of 1935, particularly Section 11 thereof, or in connection with any other proposed reorganization plan, plan of liquidation or plan of recapitalization, which may effect the rights and preferences of the said Preferred Stock of New England Public Service Company.

Said declaration indicates that only one member of the committee named therein, namely, Lester Martin, owns stock of New England Public Service Company consisting of 1,000 shares of Preferred Stock \$6 Dividend Series and 400 shares of Preferred Stock \$7 Dividend Series. In addition, he owns 4,044 shares of Non-Cumulative Participating Preferred Stock of New England Industrial, Inc., a subsidiary of New England Public Service Company, 1,414 shares of Capital Stock of Bates Manufacturing Company and 25 shares of Common Stock of Hill Manufacturing Company, both subsidiaries of New England Industries, Inc.

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 declaration, and that said declaration shall not become effective except pursuant to the further order of the Commission.

It is ordered. That a hearing on such matters under the applicable provisions of the Public Utility Holding Company Act of 1935 and the Rules thereunder be held on July 20, 1943 at 10:00 a. m., E. W. T., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated at such time by the hearing room clerk in 318. All persons desiring to be heard or otherwise wish to participate in the proceeding, shall notify the Commission in the manner provided by Rule XVII of the Commission's Rules of Practice, on or before July 17, 1943.

It is further ordered. That William W. Swift, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matters. 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, without limiting the scope of the issues presented

by said declaration, particular attention will be directed at the hearing to the following matters and questions:

1. Whether such solicitation is necessary or appropriate in the public interest or for the protection of investors and consumers.

2. Whether the public interest or the interest of investors and consumers require the imposition of terms and conditions with respect to such proposed solicitation.

3. Whether such declaration as filed, or as it may be amended, should be permitted to become effective as consistent with the standards of section 12 (e) of the Act and Rule U-62 promulgated thereunder.

4. Whether by reason of his holding of various securities of companies in the New England Public Service Company holding company system, and his other interests, if any, said Martin is qualified to represent said preferred stockholders of New England Public Service Company, or whether he has an interest or interests in conflict therewith; and whether said Jefferson, Spatcher and Hubbard have interests which are in conflict with said Preferred Stock.

It is further ordered. That the Secretary of the Commission shall serve notice of the entry of this Order by mailing a copy thereof by registered mail to New England Public Service Company and Northern New England Company and to the declarants and that notice shall be given to all other persons by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-10789; Filed, July 5, 1943;
9:58 a. m.]

[File Nos. 7-554, 7-555 and 7-556]

CENTRAL POWER AND LIGHT CO. ET AL.

ORDER DISPOSING OF APPLICATIONS FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

In the matter of applications by the New York Curb Exchange to extend unlisted trading privileges to Central Power and Light Company, First Mortgage Bonds, Series A, 3 3/4% due August 1, 1969; Kentucky Utilities Company, First Mortgage Bonds, 4% Series due January 1, 1970; 4 1/2% Sinking Fund Mortgage Bonds, due February 1, 1955.

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 July, A. D. 1943.

The New York Curb Exchange having made applications to the Commission, pursuant to section 12 (f) (3) of the Securities Exchange Act of 1934 and Rule X-12F-1, for permission to extend unlisted trading privileges to three securities;

A hearing having been held after appropriate notice and the Commission having this day made and filed its findings and opinion herein;

It is ordered. Pursuant to section 12 (f) (3) of the Securities Exchange Act of 1934, that the applications of the New York Curb Exchange for permission

to extend unlisted trading privileges to the \$25,000,000 First Mortgage Bonds, Series A, 3 3/4%, due August 1, 1969, of Central Power and Light Company and the \$20,000,000 First Mortgage Bonds, 4% Series, due January 1, 1970, of Kentucky Utilities Company be and they hereby are approved:

It is further ordered, Pursuant to section 12 (f) (3) of the Securities Exchange Act of 1934, that the application of the New York Curb Exchange for permission to extend unlisted trading privileges to the \$5,810,000 4 1/2% Sinking Fund Mortgage Bonds, due February 1, 1955, of Kentucky Utilities Company be and it hereby is denied.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-10786; Filed, July 5, 1943;
9:58 a. m.]

[File No. 70-21]

**INTERNATIONAL UTILITIES CORPORATION
NOTICE REGARDING FILING**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 3rd day of July, A. D. 1943.

Notice is hereby given that an amendment to an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by International Utilities Corporation, a registered holding company.

Notice is further given that any interested person may, not later than July 19, 1943, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of 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, Pennsylvania.

All interested persons are referred to said amendment, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized below:

The Commission has heretofore entered a series of orders in the above entitled proceeding upon application of International Utilities Corporation, by which orders International has been authorized to purchase certain amounts of the Collateral Trust Bonds 6 1/2% Series of its subsidiary, Dominion Gas and Electric Company, subject to certain conditions, including among others, the condition that such purchases be effected on or before December 31, 1942. In a further order dated April 23, 1943, the Commission granted a further amendment to said application which requested an extension of time to December 31, 1943, within which to purchase \$276,500

principal amount of said Collateral Trust Bonds previously authorized and which also sought authorization for the purchase within such time of an additional \$500,000 principal amount of said bonds.

By amendment, dated June 28, 1943, International Utilities Corporation proposes a change in the methods of acquiring the said bonds which it has been previously authorized to purchase by the said order of the Commission, dated April 23, 1943, and proposes to request from public holders thereof the tender of the said bonds to International at their call price, 101% of principal amount, and accrued interest thereon to date of delivery. International offers to purchase the said bonds up to but not exceeding \$600,000 principal amount of such bonds; the said offer is to expire on December 15, 1943 or on the date when Dominion Gas and Electric Company calls the said bonds for redemption, whichever is earlier.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-10790; Filed, July 5, 1943;
9:59 a. m.]

SELECTIVE SERVICE SYSTEM.

[Order 112]

**EAST LANSING PROJECT, MICH.
ESTABLISHMENT FOR CONSCIENTIOUS
OBJECTORS**

I, Lewis B. Hershey, Director of Selective Service, by virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885, 50 U.S.C., Sup. 301-318, inclusive); E.O. No. 8675, 6 F.R. 831, E.O. 9279, 7 F.R. 10177, and the authority vested in me by the Chairman of the War Manpower Commission under Administrative Order No. 26, 7 F.R. 10512, hereby designate the East Lansing Project to be work of national importance, to be known as Civilian Public Service Camp No. 112. Said project, located at East Lansing, Ingham County, Michigan, will be the base of operations for farm work in the State of Michigan, and registrants under the Selective Training and Service Act, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said project in lieu of their induction for military service.

The work to be undertaken by the men assigned to said East Lansing Project will consist primarily of handling and milking cows in the college dairy barn and pasteurizing, bottling milk for delivery, buttermaking, cheese making and ice cream making in the creamery and shall be under the technical direction of the Michigan State College of Agriculture and Applied Sciences. The camp, insofar as camp management is concerned, will be under the same institution. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Service Act and regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective

Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHHEY,
Director.

JULY 2, 1943.

[F. R. Doc. 43-10730; Filed, July 3, 1943;
11:10 a. m.]

WAR FOOD ADMINISTRATION.

**MILK IN THE BATTLE CREEK, MICHIGAN,
SALES AREA**

SUSPENSION OF LICENSE FOR MILK

The license for milk in the Battle Creek, Michigan, sales area, issued by the Secretary of Agriculture on July 1, 1934, pursuant to the provisions of the Agricultural Adjustment Act of May 12, 1933, is hereby suspended.

This suspension of the said license shall not affect, waive, suspend, or terminate any right, duty, obligation, or liability which shall have arisen or which may hereafter arise in connection with any of the provisions of the said license, provided such right, duty, obligation, or liability was incurred prior to the effective date hereof; and the market administrator under the said license is hereby directed to liquidate the affairs arising under such license in accordance with the provisions thereof and under the direction of the Chief of the Dairy and Poultry Branch, Food Distribution Administration.

This suspension order shall become effective as of 11:59 p. m., c. w. t., June 30, 1943.

Done at Washington, D. C., this 2d day of July 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-10740; Filed, July 3, 1943;
2:11 p. m.]

WAR PRODUCTION BOARD.

[Certificate No. 86]

TAXI SERVICES

The ATTORNEY GENERAL:

I submit herewith General Order ODT 20A (supra) issued by the Director of the Office of Defense Transportation. Section 501.82 of the Order concerns the formulation of plans for certain joint action by persons engaged in taxi service.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve § 501.82 of the Order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such Section or any order issued by the Director of the Office of Defense Transportation pursuant thereto requiring any of the joint actions specified therein is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

JULY 1, 1943.

[F. R. Doc. 43-10836; Filed, July 5, 1943;
11:20 a. m.]