THE NATIONAL ARCHIVES OF THE UNITED STATES
LITTERA SCRIPTA MANET
1934

FEDERAL REGISTER

VOLUME 8 NUMBER 156

Washington, Saturday, August 7, 1943

Regulations

TITLE 7—AGRICULTURE

Chapter VIII—War Food Administration

PART 802—SUGAR DETERMINATIONS

SUGAR COMMERCIALLY RECOVERABLE FROM SUGARCANE IN HAWAII

Determination of sugar commercially recoverable from sugarcane in the Territory of Hawaii, pursuant to the Sugar Act of 1937 (Revised).

Pursuant to the provisions of section 302 (a) of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.31 *Sugar commercially recoverable from sugarcane in the Territory of Hawaii.* The amount of sugar, raw value, commercially recoverable from the sugarcane grown on any farm in the Territory of Hawaii and marketed (or processed by the producer) for the extraction of sugar shall be the amount of sugar, raw value, recovered from such sugarcane.

This determination supersedes the "Determination of Sugar Commercially Recoverable from Sugarcane in the Territory of Hawaii, Pursuant to the Sugar Act of 1937," issued July 2, 1938.

(Sec. 302, 50 Stat. 910; 7 U.S.C. 1940 ed. 1132; E.O. 9322, as amended by E.O. 9334)

Issued this 5th day of August 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-12744; Filed, August 5, 1943; 4:41 p. m.]

PART 802—SUGAR DETERMINATIONS

SUGAR COMMERCIALLY RECOVERABLE FROM SUGAR BEETS

Pursuant to the provisions of section 302 (a) of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.11 *Determination of sugar commercially recoverable from sugar beets.* The amount of sugar, raw value, commercially recoverable from sugar beets marketed under that type of agreement commonly known as "individual test contract" shall be deemed to be 95 percent of the total sugar in the sugar beets, net weight, at the time of delivery to a processor; and the amount of sugar, raw value, commercially recoverable from sugar beets marketed under any other type of agreement shall be deemed to be 97 percent of the amount of sugar calculated by applying to the net weight of the sugar beets, at the time of delivery to a processor, the average percentage of sugar content in the cossettes of all of the sugar beets included in a common marketing agreement: *Provided, however,* That in all cases the tests used to determine the sugar content are those tests customarily used for such purpose by sugar beet processors.

This determination supersedes, with respect to the 1943 and subsequent crops, the determination entitled "Determination of Sugar Commercially Recoverable from Sugar Beets," issued June 21, 1940.

(Sec. 302, 50 Stat. 910; 7 U.S.C. 1940 ed. 1132; E.O. 9322, as amended by E.O. 9334)

Issued this 5th day of August 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-12794; Filed, August 6, 1943; 11:37 a. m.]

Chapter XI—War Food Administration

[FDO 73]

PART 1405—FRUITS AND VEGETABLES

FREESTONE PEACHES GROWN IN THE STATE OF CALIFORNIA

The fulfillment of requirements for the defense of the United States will re-

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES

(Continued on next page)

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

CONTENTS—Continued

CONTENTS—Continued

sult in a shortage in the supply of freestone peaches produced in the State of California, for defense and private account; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1405.20 *Restrictions relative to the shipment of freestone peaches*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "freestone peaches" means all fresh freestone peaches grown in the State of California, except the Elberta, J. H. Hale, and Rio Oso Gem varieties.

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

(3) The term "ship" means to convey fresh freestone peaches, or cause fresh freestone peaches to be conveyed, by railroad, truck, boat, or any other means whatsoever.

(4) The term "Director" means the Director of Food Distribution, War Food Administration.

(b) *Restrictions.* (1) No person (other than a carrier of peaches for another person) may ship any freestone peaches from a point within the State of California to a point without the State of California.

(2) The restrictions hereof shall be observed by each person affected by this order without regard to the rights of creditors, existing contracts, or payments made.

(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 fresh freestone peaches 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.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in freestone peaches as defined herein.

(3) The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be 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 file a petition for relief with the Regional Director, War Food Administration, serv-

ing the area (8 F.R. 9315) in which the peaches, subject to the restrictions hereof, are located. Petition for such relief shall be in writing, and shall set forth all pertinent facts and the nature of the relief sought. If such person is dissatisfied with the action taken on the petition by the Regional Director, he may, by requesting the Regional Director therefor, secure a review of such action by the Director. The Director may, after such review, take such action as he deems appropriate, and such 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 freestone peaches, 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. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(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 Director, be addressed to the Food Distribution Administration, War Food Administration, P. O. Box 230, Sacramento 1, California. Ref. FD–73.

(i) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., August 7, 1943.

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

Issued this 6th day of August 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43–12795; Filed, August 6, 1943; 11:37 a. m.]

[FDO 74]

PART 1405—FRUITS AND VEGETABLES

ELBERTA PEACHES GROWN IN OREGON OR WASHINGTON

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of peaches produced in the States of Oregon and Washington, 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:

§ 1405.18 *Restrictions relative to the shipment of peaches*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "peaches" means fresh Elberta peaches, including any and all strains of the Elberta variety of peaches, grown in the State of Oregon or in the State of Washington.

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

(3) The term "ship" means to convey peaches or to cause such peaches to be conveyed by railroad, truck, boat, or any other means whatsoever, from a point within Oregon and Washington to a point without Oregon and Washington. The conveyance or transportation of peaches from Oregon to Washington, or vice versa, is not within the meaning of the term "ship."

(4) The term "Director" means the Director of Food Distribution, War Food Administration.

(b) *Restrictions.* (1) No person (other than a carrier of peaches for another person) may, during any calendar year, except pursuant to (b) (2), (b) (3), or (f) hereof, ship any peaches in excess of 100 percent of the quantity of peaches shipped by such person in 1942: *Provided,* That any person who, prior to the effective time of this order, has shipped in excess of the quota herein prescribed shall not be deemed, on account of such shipments heretofore made, to have violated the provisions of this order, but any shipment hereafter by any such person will be in violation of the provisions hereof, except such shipment as may be made pursuant to (b) (2), (b) (3), or (f) hereof.

(2) The Director may authorize any person to ship a particular lot of peaches if (i) the peaches are not suitable for canning or freezing; (ii) canning or freezing facilities are not accessible; or (iii) for any other reason which the Director determines is necessary in order to effectuate the purposes of this order.

(3) The Director may, if he determines that such will tend to effectuate the purposes of this order, issue general authorizations, from time to time, authorizing the shipment of certain grades or sizes of peaches produced in a designated area, and the quantity or quantities thereof which may be shipped.

(4) The Director may, if he determines that such will tend to effectuate the purposes of this order, prescribe the minimum grade of all peaches which may be shipped.

(5) Each person, prior to making each shipment of peaches, shall, when the Director so prescribes and announces, cause each such shipment to be inspected by a duly authorized representative of the Federal-State inspection service; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Food Distribution Administration, War Food Administration, Room 210, Mayer Building, Portland, Oregon, the Federal-State shipping point inspection certificate with respect to each shipment of peaches by such person, which certificate shall set forth such information as may be required by the Director with respect to the variety, grade, or size of the peaches contained in such lot or shipment.

(6) The restrictions hereof shall be observed by each person affected by this order without regard to the rights of creditors, existing contracts, or payments made.

(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 peaches 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.* (1) The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in peaches.

(3) The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be 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 file a petition for relief with the Regional Director, War Food Administration, serving the area (8 F.R. 9315) in which the peaches, subject to the restrictions hereof, are located. Petition for such relief shall be in writing, and shall set forth all pertinent facts and the nature of the relief sought. If such person is dissatisfied with the action taken on the petition by the Regional Director, he may, by requesting the Regional Director therefor, secure a review of such action by the Director. The Director may, after such review, take such action as he deems appropriate, and such 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 peaches, 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, and may be redelegated by him to any employee of the United States Department of Agriculture.

(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 Director, be addressed to the Food Distribution Administration, War Food Administration, Room 210, Mayer Building, Portland, Oregon.

(i) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., August 9, 1943.

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

Issued this 6th day of August 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-12796; Filed, August 6, 1943; 11:37 a. m.]

[FDO 29, Amdt. 3]

PART 1460—FATS AND OILS

USE AND DISTRIBUTION OF COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL

Food Distribution Order No. 29, as amended (8 F.R. 5619), § 1460.13, issued under authority of the War Food Administrator on April 28, 1943, is amended as follows:

1. By deleting the provisions in (a) (2) thereof and inserting, in lieu thereof, the following:

(2) The term "refined oil" means any oil pressed, expelled, or extracted from cottonseed, peanuts, soybeans, or corn, which has been refined by treating with caustic soda, soda ash, or otherwise to reduce the free fatty acid content, and which may or may not have been further processed. Such processing may include, but is not limited to, bleaching, deodorizing, winterizing, or hydrogenation. However, unless otherwise specified by the Director, "refined oil" when allocated for delivery pursuant to this order shall mean (in the absence of a previous contract between the deliverer and the deliveree, or unless otherwise requested by the deliveree) oil that is once refined, unbleached, and undeodorized.

2. By deleting the provisions in (b) thereof and inserting, in lieu thereof, the following:

(b) *Restrictions on delivery of crude oil.* No person shall deliver and no person, except an industrial user, shall accept delivery of crude oil, except as specifically authorized or directed by the Director. In any authorization or directive issued pursuant to this paragraph (b), the Director may designate the point from which the oil is to be shipped and the point where it is to be received.

3. By deleting the provisions in (c) thereof and inserting, in lieu thereof, the following:

(c) *Restrictions on delivery of refined oil.* No person shall deliver refined oil to any other person who is a refiner, non-refining margarine manufacturer, or non-refining shortening manufacturer, and no refiner, non-refining margarine manufacturer, or non-refining shortening manufacturer shall accept delivery of refined oil, except as specifically authorized or directed by the Director. In any authorization or directive issued pursuant to this paragraph (c), the Director may designate the point from which the oil is to be shipped and the point where it is to be received.

With respect to violations of said Food Distribution Order No. 29, as amended, rights accrued, or liabilities incurred prior to the effective date of this amendment, said Food Distribution Order No. 29, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

This amendment shall become effective as of 12:01 a. m., e. w. t., August 7, 1943.

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

Issued this 5th day of August 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-12797; Filed, August 6, 1943; 11:37 a. m.]

[FDO 72]

PART 1465—FISH AND SHELLFISH

ALLOCATION OF IMPORTED SALTED FISH

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of salted fish 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:

§ 1465.23 *Regulation of salted fish imported into the United States*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

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

(2) The term "salted fish" means and includes the following if such fish are cured or preserved in any manner with the use of salt, but does not mean or include the following if such are smoked or packed in air-tight containers: Cod (Gadus macrocephalus and Gadus callarias), haddock (Melanogrammus aeglefinus), hake (Urophycis species and Merluccius productus), pollock (Pollachius virens), cusk (Brosmius brosme), ling (Molva molva), and saithe (Gadus virens).

(3) The term "green-salted" means and includes salted fish neither skinned nor boned (except that the vertebral column may be removed) when containing more than 43 percent of moisture, by weight.

(4) The term "dry-salted" means salted fish neither skinned nor boned (except that the vertebral column may be removed) when containing not more than 43 percent of moisture, by weight.

(5) The term "boneless" means and includes salted fish, skinned or boned, whether or not dried.

(6) The term "1943 pack" means and includes the salted fish produced from the fish caught during the calendar year of 1943.

(7) The term "import" means, except as used in (e) hereof, to enter for consumption in the continental United States from any foreign country, including the Treaty Coasts defined in the Treaty of October 20, 1818, between the United States and Great Britain, entitled "Convention Respecting Fisheries, Boundary, and the Restoration of Slaves", proclaimed on January 30, 1819, or to withdraw from the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States, for consumption in the continental United States.

(8) The term "import" as used in (e) hereof means to enter for consumption in the Territory of Puerto Rico from any foreign country, including the Treaty Coasts defined in the aforesaid Treaty of October 20, 1818, between the United States and Great Britain, or to withdraw from the bonded custody of the United States Bureau of Customs (bonded warehouse) in the Territory of Puerto Rico for consumption in the Territory of Puerto Rico.

(9) The term "importer" means any person who is the first owner, in the continental United States, of imported salted fish; and it is immaterial, in determining whether a person is an importer, whether or not the United States import duty, if any, or other payments were made through or by a customs broker, nominal consignee, or other agent.

(10) The term "Director" means the Director of the Food Distribution Administration, War Food Administration.

(11) The term "governmental agency" means (i) the Armed Services of the United States (for the purpose of this order, such does not include the United States Army post exchanges, United States Navy ship's service departments, or United States Marine Corps post exchanges); (ii) the Food Distribution Administration, War Food Administration (including, but not restricted to, the Federal Surplus Commodities Corporation); (iii) the War Shipping Administration; (iv) the Veterans' Administration; and (v) any other instrumentality or agency designated by the War Food Administrator. The term "governmental agency" also includes any contract school or ship operator, as defined in Food Distribution

Regulation 2 (8 F.R. 7523), purchasing restricted salted fish in accordance with said Food Distribution Regulation 2.

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

(b) *Allocations.* (1) Notwithstanding any previous contract or other arrangement, no person shall import into the continental United States, for consumption in the continental United States, any salted fish except as permitted by this order.

(2) From the 1943 pack, each importer is, subject to the limitation of the quota determined hereunder, and subject further to the various other provisions hereof and to the import authorization under War Production Board Order M-63 (8 F.R. 8818), as amended, hereby authorized to import for consumption in the continental United States (i) from Canada not more than 55 percent, net weight, of the salted fish imported by the respective importer from Canada in 1942; (ii) from Newfoundland not more than 55 percent, net weight, of the salted fish imported by the respective importer from Newfoundland in 1942; and (iii) from Iceland not more than 20 percent, net weight, of the salted fish imported by such importer from Iceland in 1942. Each quantity of salted fish imported in 1942 by a particular importer for the use of any governmental agency or sold to any governmental agency by such importer subsequent to the importation of such salted fish in 1942 shall be excluded from the computation of the respective importer's quota, as aforesaid. The quota which may be imported pursuant hereto shall be computed on the basis of dry-salted fish, but each importer may import his entire quota in green-salted, dry-salted, or boneless fish, as defined in (a) hereof, or any combination thereof: *Provided*, That the following ratio shall be applied to each such quota: one pound of dry-salted fish equals 1.75 pounds of green-salted fish, and one pound of dry-salted fish equals 0.85 pound of boneless fish.

(3) Each importer shall, prior to importing salted fish pursuant to the provisions hereof, submit to the Director a statement, with respect to each lot of salted fish imported by such person in the calendar year of 1942 and in 1943 prior to the effective date hereof, showing (i) the country of origin, (ii) the name of the shipper, (iii) the quantity, (iv) the date and port of entry, (v) the rate of duty paid, (vi) the name of the person making the United States Customs entry or withdrawal from the bonded custody of the United States Bureau of Customs, and (vii) the quantity of salted fish sold in 1942 and in 1943 prior to the effective date hereof, by such importer to a governmental agency and the name of the particular governmental agency. The Director shall, from the information submitted to him and from such other information as may be available to him, determine, in accordance with the provisions of this order, the respective importer's quota which may be imported from the 1943 pack of salted fish: *Provided*, That the quantity of salted fish from the 1943 pack which has been imported in 1943 by any importer, prior to the effective date of this order, shall be deducted in computing the respective importer's quota, except that any such quantity of such salted fish as may have been imported for the use of any governmental agency or sold by the respective importer, prior to the effective date hereof, to any governmental agency subsequent to the importation of such salted fish shall not be deducted in computing the respective importer's quota. The Director shall notify each importer with respect to the respective importer's quota determined pursuant hereto; and an importer shall not import salted fish in excess of his quota.

(c) *Reallocation.* Each importer's quota pursuant hereto is on condition that the respective importer shall contract on or before September 15, 1943, for the purchase of the entire quota of salted fish allocated hereunder to the respective importer, and submit, on or before September 20, 1943, to the Director a copy of each such contract: *Provided*, That no such contract need be submitted with respect to salted fish which are the product of American fisheries and are from the Treaty Coasts or regions described in the aforesaid Treaty of October 20, 1818, between the United States and Great Britain. An importer may, under his quota pursuant to this order, import only such salted fish of the 1943 pack as may have been contracted for as aforesaid, by the respective importer on or before September 15, 1943. The Director may reallocate among other importers or other persons, including but not being limited to the Food Distribution Administration or the Federal Surplus Commodities Corporation, the unused portion of any importer's quota not thus under contract on September 15, 1943.

(d) *Exemption from quota restrictions.* The provisions of this order shall not be construed as restricting the importation of salted fish by or for a governmental agency: *Provided*, That any such importation of salted fish by or for a governmental agency shall be free from regulation hereunder only if, with respect to each such importation, a certificate is issued, prior to the importation of the salted fish of the 1943 pack, by the Quartermaster General of the Army, the Chief of the Bureau of Supplies and Accounts or the Chief of the Bureau of Naval Personnel of the Navy, the Commandant of the United States Coast Guard, the Quartermaster of the United States Marines, the Administrator of the War Shipping Administration, the Director of the Veterans Administration, the Director, or the duly authorized representative of any of the foregoing, and such certificate is issued to the person having the prime contract with a governmental agency, and specifying, in such certificate, the following: the name of the importer supplying such salted fish and that such salted fish are for direct Army, Navy, Coast Guard, or Marine Corps issue or for contract feeding of the Army, the Navy, the Coast Guard, or the Marine Corps personnel, or for consumption on ships operating under the War Shipping Administration. Each importer who claims that a particular importation and delivery of salted fish is for a governmental agency and is, therefore, exempt from quota restriction under this order, shall promptly submit to the Director a copy of each such certificate, described hereinabove, and certify to the Director that such is a true and correct copy of the certificate issued, as aforesaid.

(e) *Restrictions relative to Puerto Rico.* The Food Distribution Administration is hereby authorized, notwithstanding any provision of Food Distribution Regulation 2 (8 F.R. 7523) or any other order or regulation, to purchase all of the salted fish for the requirements of the Territory of Puerto Rico. No person other than the Food Distribution Administration may import salted fish of the 1943 pack into the Territory of Puerto Rico.

(f) *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 salted fish 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.

(g) *Records and reports.* The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942. Subsequent specific record-keeping or reporting requirements by the Director will be subject to approval by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may 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.

(i) *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 salted fish, 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.

(j) *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. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Food Distribution, War Food Administration, United States Department of Agriculture, Washington 25, D. C., Ref. FD-72.

(l) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., August 5, 1943.

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

Issued this 5th day of August 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-12743; Filed, August 5, 1943; 4:41 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VIII—Procurement and Disposal of Equipment and Supplies

PART 81—PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

FIXED PRICE CONTRACTS, SUBCONTRACTING, ETC.

Section 81.367 is added as follows:

§ 81.367 *Fixed price contracts; subcontracting.* (a) All fixed price contracts, except those in which, in the opinion of the contracting officer, subcontracting (as defined in paragraph (d) quoted herein is impracticable, will contain the following clause without deviation:

Subcontracting. (a) It is mutually understood and agreed that the policy of the Government, as declared by Congress in Public Law 603—77th Congress (the Smaller War Plants Act), is to bring about the greatest utilization of small war plants facilities which is consistent with efficient production of war materials.

(b) The Contractor agrees to accomplish the maximum amount of subcontracting to smaller war plants that the Contractor finds to be consistent with the efficient performance of all its other obligations undertaken by this contract.

(c) The Government agrees that in any renegotiation proceedings involving this contract, proper consideration will be given to the efficiency and ingenuity exhibited by the prime contractor in subcontracting to, and in utilizing the facilities of, smaller war plants; to the amount of such subcontracting so accomplished; and to the amount of technical, engineering, and other assistance rendered by the Contractor to such subcontractors.

(d) For the purposes of this article the term "subcontracts" includes only contracts for the production of or work upon an item, component, or assembly manufactured according to Government specifications or specifications of a prime contractor and does not include (1) any purchase of a standard commercial or catalog item, or (2) any purchase of a basic raw material, or (3) any purchase of supplies or services for the general operation of the contractor's plant, or (4) any purchase from a parent, subsidiary, or affiliate of the Contractor.

(b) It is to be noted that the above clause is applicable to fixed price contracts only. The application of this clause, or a similar one, to cost-plus-a-fixed-fee contracts is under consideration and regulations in this regard will be published shortly. (Sec. 5a, National Defense Act as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193-1195, and the First War Powers Act 1941, 55 Stat. 838, 50 U.S.C. Sup. 601-622) [A.S.F. Memorandum No. S5-145-43, 28 July 1943]

Section 81.223 (d) (4) is amended as follows:

§ 81.223 *Factors governing placement of contracts.* * * *

(d) *Labor shortage areas.* * * *

(4) *Exceptions.* The restrictions stated in this paragraph (d) do not apply to the placing of contracts:

(i) With firms which currently employ less than 100 wage earners and which will not employ more than 100 wage earners during the performance of the contract; or

(ii) With originating manufacturers for a newly developed article in accordance with § 81.224. (Sec. 5a, National Defense Act as amended, 41 Stat. 764, 54 Stat. 1225; 10 U.S.C. 1193-1195 and the First War Powers Act 1941, 55 Stat. 383, 50 U.S.C. Sup. 601-622) [A.S.F. Memorandum No. S5-145-43, 28 July 1943]

* * * * *

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

[F. R. Doc. 43-12768; Filed, August 6, 1943; 10:06 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4549]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

J. E. TODD, INC.

§ 3.6 (t) *Advertising falsely or misleadingly: Qualities or properties of product or service:* § 3.6 (x) *Advertising falsely or misleadingly: Results.* In connection with offer, etc., of respondent's medicinal preparation designated "Todd's Capsules", or any other similar preparation, disseminating, etc., any advertisement by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondent's said preparation, which advertisement represents, directly or through inference, that respondent's preparation has any therapeutic value in the treatment of arthritis, neuritis, or rheumatism or similar diseases or conditions; or that said preparation will relieve or alleviate the symptoms of pain associated with such diseases or conditions; or that said preparation possesses curative properties in the treatment of any of such diseases or conditions; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, J. E. Todd, Inc., Docket 4549, July 27, 1943]

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

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of the respondent, testimony and other evidence in support of and in opposition to the allegations of said complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and exceptions filed thereto, supplemental report of the trial examiner, and briefs and supplemental briefs filed in support of the complaint and in opposition thereto; and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, J. E. Todd, Inc., a corporation, its officers, agents, representatives, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, or distribution of its medicinal preparation designated "Todd's Capsules," or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or through inference, that respondent's preparation has any therapeutic value in the treatment of arthritis, neuritis, or rheumatism or similar diseases or conditions; or that said preparation will relieve or alleviate the symptoms of pain associated with such diseases or conditions; or that said preparation possesses curative properties in the treatment of any of such diseases or conditions.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act of respondent's medicinal preparation, which advertisement contains any of the representations prohibited in paragraph 1 hereof.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing,

setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-12788; Filed, August 6, 1943; 11:24 a. m.]

[Docket No. 4836]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

AMOGEN COMPANY

§ 3.6 (t) *Advertising falsely or misleadingly; Qualities or properties of product or service:* § 3.6 (x) *Advertising falsely or misleadingly: Results:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure: Safety.* In connection with offer, etc., of respondent's medicinal preparation designated "Amogen Tablets", or any other similar preparation, disseminating, etc., any advertisement by means of the United States mails, or in commerce, or by any means, to induce, etc., purchase in commerce of said preparation, which advertisement represents, directly or through inference, that said preparation (1) is a cure or remedy for or has any therapeutic value in the treatment of malaria, common colds and fevers, poor digestion, acid or gas on the stomach, overindulgence in food and drink, clogged bowels, neuralgia, rheumatic pains and fever, sallow complexion, pimples, sores, boils, or skin irritations; (2) has any therapeutic value in the treatment of billiousness or excess bile in the system, headaches, coated tongue, bad breath, or bad taste in the mouth, in excess of such temporary relief as may be afforded by a laxative when such conditions are due to or caused by constipation; or (3) will rid the system of poisons or enable the user to avoid sickness or maintain good health; or which advertisement (4) fails to reveal that the continued use of said preparation over a long period of time may result in mercury poisoning, and that said preparation should not be used in cases of abdominal pains, nausea, vomiting, or other symptoms of appendicitis; prohibited, subject to the provision, however, as respects said last named prohibition, that if the directions for use, wherever they appear, on the label, in the labeling, or both on the label and in the labeling, contain a warning of the potential dangers in the use of said preparation as hereinbefore set forth, such advertisements need contain only the cautionary statement, "Caution: Use only as directed". (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112, 15 U.S.C., sec 45b) [Cease and desist order, Amogen Company, Docket 4836, July 27, 1943]

In the Matter of J. R. Hodges, Individually and Trading Under the Style and Firm Name of Amogen Company

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

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, and the stipulation as to the facts entered into by and between counsel for the Commission and the respondent upon the record, which provides, among other things, that without further evidence or other intervening procedure, the Commission may issue and serve upon the respondent herein findings as to the facts and conclusions based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, J. R. Hodges, trading under the name Amogen Company, or under any other name or names, his agents, representatives, or employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of his medicinal preparation designated "Amogen Tablets" or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated, by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement

A. Which represents, directly or through inference, that said preparation

(a) Is a cure or remedy for or has any therapeutic value in the treatment of malaria, common colds and fevers, poor digestion, acid or gas on the stomach, overindulgence in food and drink, clogged bowels, neuralgia, rheumatic pains and fever, sallow complexion, pimples, sores, boils, or skin irritations;

(b) Has any therapeutic value in the treatment of biliousness or excess bile in the system, headaches, coated tongue, bad breath, or bad taste in the mouth, in excess of such temporary relief as may be afforded by a laxative when such conditions are due to or are caused by constipation;

(c) Will rid the system of poisons or enable the user to avoid sickness or maintain good health.

B. Which fails to reveal that the continued use of said preparation over a long period of time may result in mercury poisoning, and that said preparation should not be used in cases of abdominal pains, nausea, vomiting, or other symptoms of appendicitis: *Provided, however,* That such advertisement need contain only the statement, "Caution: Use Only as Directed," if and when the directions for use, wherever they appear, on the label, in the labeling, or both on the label and in the labeling, contain warnings to the above effect.

2. Disseminating or causing to be disseminated, by any means, any advertisement for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of said preparation in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any of the representations prohibited in paragraph (1) hereof, or which advertisement fails to reveal the dangerous consequences which may result from the use of the said preparation as required in said paragraph (1).

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

By the Commission.

[SEAL] OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 43-12789; Filed, August 6, 1943; 11:24 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Board, Federal Security Agency

[Regulations 3, Further Amended]

PART 403—FEDERAL OLD-AGE AND SURVIVORS INSURANCE

EVIDENCE AS TO DEATH

This regulation, amends Regulations No. 3[1] (Part 403, Title 20, Code of Federal Regulations, 1940 Supp.), by amending § 403.702 (c) thereof, as amended, to read as follows:

(c) *Evidence as to death.* An applicant for benefits or a lump sum based upon the wages of a deceased individual shall file supporting evidence as to the death of such individual and as to the time and place of such death. Such evidence may also be required by the Board as to the death of any other individual when such other individual's death is relevant to the determination of the applicant's entitlement. Such evidence shall be of the following character:

(1) A certified copy of the public record of death, coroner's report of death, or verdict of the coroner's jury of the State or community where death occurred, or a certificate by the custodian of the public record of death or a statement of the contents of the record of death certified by an individual designated by the Board; or

(2) A statement of the funeral director, attending physician, or of the superintendent, physician, or interne of the institution where the death occurred; or

(3) A certified copy of an official report or finding of death, made by any agency or department of the United States which is authorized or requested to make such report or finding in the administration of any law of the United States, or a statement of the contents of such report or finding certified by an in-

[1] 5 F.R. 1849. For a chronological description of the statutory basis for the old-age and survivors insurance system under title II of the Social Security Act, as amended, and the regulations which have been issued thereunder, see § 403.1 of Regulations No. 3 of the Social Security Board. (§ 403.1, Title 20, Code of Federal Regulations, 1940 Supp.).

dividual designated by the Board: *Provided, however,* That a finding of presumptive death made pursuant to section 5 of Public Law 490, 77th Congress, as amended, (50 U. S. C. A. App. § 1005) shall be accepted only as evidence of the fact of death and not of the date of death.

If none of the evidence described in subparagraphs (1), (2), and (3) of this paragraph is obtainable, the reason therefor should be stated and the applicant may submit:

(4) The verified statements of two or more persons, having personal knowledge of the death, setting forth the facts and circumstances as to the place, date and cause of death; or

(5) Other evidence of probative value.

If death occurs outside the United States there must be furnished a report of the death by a United States consul, or other agent of the State Department, bearing the signature and official seal of such consul or agent, or a certified copy of the public record of death authenticated by the United States consul or other agent of the State Department, or other evidence of probative value.

Whenever it is necessary to determine the death of an individual other than the wage earner, in order to determine the right of another to a benefit under section 202 (f) or a lump sum under section 202 (g) of the Act, and such individual has been unexplainedly absent from his residence and unheard of for a period of 7 years, the Board, upon satisfactory establishment of such facts, will presume that such individual has died, in the absence of any substantial evidence to the contrary.

(Sec. 205 (a), 53 Stat. 1368, sec. 1102, 49 Stat. 647; 42 U.S.C. sec. 405 (a), 1302)

In pursuance of sections 205 (a) and 1102 of the Social Security Act, as amended, the foregoing regulation adopted by the Board is hereby prescribed this 31st day of July, 1943.

[SEAL] A. J. ALTMEYER,
Chairman.

Approved: August 3, 1943.

PAUL V. MCNUTT,
Federal Security Administrator.

[F. R. Doc. 43-12773; Filed, August 6, 1943; 10:35 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[Order No. 2]

PART 601—ADMINISTRATIVE; GENERAL

BITUMINOUS COAL PRODUCERS ADVISORY BOARDS

It would be very helpful in carrying out the purposes of Executive Order No. 9332 (8 F.R. 5355) if there were available a Bituminous Coal Producers Advisory Board for each bituminous coal producing district. Accordingly, pursuant to powers conferred upon me as Secretary of the Interior and as Solid Fuels Administrator for War, I hereby order that:

Sec.
601.11 Establishment and functions of Boards.
601.12 Designation of members.
601.13 General plan of operation.
601.14 Vacancies on Boards.

AUTHORITY: §§ 601.11 to 601.14, inclusive, issued under E.O. 9332, 8 F.R. 5355.

§ 601.11 *Establishment and functions of Boards.* A Bituminous Coal Producers Advisory Board be set up in each bituminous coal producing district, as described in the Bituminous Coal Act of 1937, as amended, to serve on a volunteer basis and furnish (a) such information and advice, as may be requested from time to time by the Solid Fuels Administration for War and (b) any information and advice which the Bituminous Coal Producers Advisory Board believes would help in carrying out the purposes of Executive Order No. 9332.

§ 601.12 *Designation of members.* The members of the Bituminous Coal Producers Advisory Board for each district shall be designated by the Solid Fuels Administrator for War and any changes in the membership of such Board shall be subject to the approval of the Solid Fuels Administrator for War.

§ 601.13 *General plan of operation.* Each Bituminous Coal Producers Advisory Board may obtain such voluntary contributions from producers within the district as it deems advisable, provided that the budget and the general plan of operation have been approved by the Solid Fuels Administrator for War. Within twenty days after the designation by the Solid Fuels Administrator for War of the members of the Board the proposed budget for the remainder of the calendar year 1943 and the proposed general plan of operation of the Board shall be filed with the Solid Fuels Administrator for War.

§ 601.14 *Vacancies on Boards.* The Solid Fuels Administrator for War will receive and consider suggestions and nominations from time to time from producers and from the principal labor organizations in each district as to changes in membership of the Bituminous Coal Producers Advisory Board and as to successors to members when they resign or retire.

Issued this 3d day of August 1943.

HAROLD L. ICKES,
Solid Fuels Administrator for War.

[F. R. Doc. 43-12789; Filed, August 5, 1943; 2:22 p. m.]

TITLE 32—NATIONAL DEFENSE

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), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-321]

L. SCHOENLEIN AND SON

August Schoenlein, doing business as L. Schoenlein & Son at 3006 Parkside Drive, Baltimore, Maryland, is a building contractor. Subsequent to September 7, 1942, the effective date of Conservation Order L-41, as amended, he began construction of an addition to a restaurant building at an estimated cost in excess of $4,000, without the authority of the War Production Board. He then applied to the War Production Board for permission to complete the construction and this application was denied. Respondent continued construction to a total cost of $4,302.92, which substantially exceeded the limits permitted under Conservation Order L-41. Respondent had in his possession, prior to the commencing of this construction, a copy of Conservation Order L-41, and his action must therefore be deemed a wilful violation of this Order. This violation of Conservation Order L-41 has diverted scarce materials to uses not authorized by the War Production Board and has hampered and impeded the war effort of the United States. In view of the foregoing facts, *It is hereby ordered,* That:

§ 1010.321 *Suspension Order S-321.* (a) August Schoenlein, doing business as L. Schoenlein & Son, or under any other name, his or its successors or assigns, are hereby prohibited from ordering, purchasing, accepting delivery of, withdrawing from inventory, or in any other manner securing or using material or construction plant in order to begin construction or to continue construction, as defined in Conservation Order L-41, unless hereafter specifically authorized in writing by the War Production Board.

(b) Deliveries of material to August Schoenlein, doing business as L. Schoenlein & Son, or under any other name, his or its successors or assigns shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned, applied, or extended to such deliveries by means of preference rating certificates, preference rating orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) No allocation or allotment of materials or products, the supply or distribution of which is governed by any order or regulation of the War Produc-

tion Board shall be made to August Schoenlein, doing business as L. Schoenlein & Son, or under any other name, his or its successors or assigns, unless hereafter specifically authorized in writing by the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve August Schoenlein, doing business as L. Schoenlein & Son, or under any other name, his or its successors or assigns from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on August 6, 1943, and shall expire on November 6, 1943.

Issued this 30th day of July 1943.

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

[F. R. Doc. 43-129779; Filed, August 6, 1943; 11:20 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-341, Amdt. 1]

WESTERN SALES AND SUPPLY CO.

Bernard W. Stein, Abraham Stein, Harold H. Stein, and J. R. Stein, doing business as Western Sales and Supply Company at 1011 West Highland Avenue, Hollywood, California, have appealed from the provisions of Suspension Order S-341, issued on June 10, 1943, and in connection with the appeal have asked for permission to sell their inventory of steel products located in their Hollywood, California warehouse. The Chief Compliance Commissioner, after considering all the circumstances, has decided to grant such permission, in accordance with the terms of paragraph (b) (1) set forth below, which is to be incorporated into the suspension order as a new paragraph.

Section 1010.341 *Suspension Order S-341* issued June 10, 1943, is hereby amended by including therein a new paragraph to be known as paragraph (b) (1) reading as follows:

(b) (1) Nothing herein contained shall be deemed to prevent the respondents from selling the stock of steel products which they have in their Hollywood, California warehouse, provided the following conditions are complied with:

(i) Deliveries must be in accordance with paragraphs (d) (1), (2) and (3) of CMP Regulation No. 4 as amended.

(ii) Deliveries must be made in accordance with the rules, regulations and orders of the Office of Price Administration.

(iii) No delivery shall be made without obtaining the approval of the Regional Compliance Chief of the San Francisco Regional Office of the War Production Board.

Issued this 6th day of August 1943.

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

[F. R. Doc. 43-12780; Filed, August 6, 1943; 11:20 a. m.]

PART 1066—MOTORIZED FIRE APPARATUS

[General Limitation Order L-43, as Amended August 6, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of the materials entering into the manufacture of motorized fire apparatus 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:

§ 1066.1 *General Limitation Order L-43*—(a) *Definitions.* For the purposes of this order:

(1) "Motorized fire apparatus" means self-propelled motorized fire apparatus and auxiliary pumping units of fire apparatus, and includes accessories therefor and equipment thereon.

The term shall not include second hand apparatus nor parts or materials for the repair or maintenance of existing apparatus.

(2) "Sedan" means self-propelled motorized fire apparatus of which more than 50% of the area behind the windshield is enclosed.

(3) "Service ladder truck" means self-propelled motorized fire apparatus on which the equipment carried consists of service or ground ladders, miscellaneous equipment, and tools.

(4) "Squad car" means self-propelled motorized fire apparatus designed to carry men.

(5) "Salvage car" means self-propelled motorized fire apparatus designed to carry canvas covers, life nets, and similar equipment.

(6) "Rescue car" means self-propelled motorized fire apparatus designed to carry first aid equipment.

(7) "Hose truck" means self-propelled motorized fire apparatus designed to carry fire hose.

(8) "Pumper" means self-propelled motorized fire apparatus carrying a booster tank, a pump, and hose, which is designed primarily to pump water from sources other than its own booster tank.

(9) "Tank truck" means self-propelled motorized fire apparatus carrying a water tank, a pump, and hose, which is designed primarily to pump water from its own water tank rather than from outside sources. The term shall include, but not by way of limitation, so-called "crash trucks".

(10) "Aerial ladder truck" means self-propelled motorized fire apparatus on the chassis of which are combined an aerial ladder and any or all of the following equipment: (i) a complement of service or ground ladders, (ii) fire hose, (iii) a booster tank, (iv) a pump. An aerial ladder truck may also carry miscellaneous equipment.

(11) "Auxiliary pumping unit" means the following types of fire apparatus:

(i) A pump designed to be mounted on the front or side of a self-propelled vehicle and designed to receive its pumping power from the motor of the self-propelled vehicle;

(ii) A pump and motor designed to be mounted on a trailer, skid, or other type of support; and

(iii) A vehicle or other support carrying a pump or a pump and motor of the types described in the preceding subparagraphs of this paragraph (a) (11).

The term does not include any pumps covered by Limitation Order L-192 or L-246, or Schedule VII to Limitation Order L-217.

(12) "Copper base alloy" means any alloy in the composition of which the weight of copper equals or exceeds 40 per cent of the weight of all metal in the alloy.

(13) "Specification of the War Production Board" means the specification for 500 and 750 g. p. m. pumpers on file at the offices of the Safety and Technical Equipment Division of the War Production Board, Washington, 25 D. C. (Copies of this specification may be obtained by addressing a communication to the address indicated in paragraph (k) of this order.)

(14) "Manufacturer" means any person engaged in the business of manufacturing, fabricating or assembling motorized fire apparatus.

(15) "Distributor" means any person engaged in the business of purchasing and reselling motorized fire apparatus without further fabrication of such apparatus.

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

(b) *Restrictions on manufacture of motorized fire apparatus.* Except as permitted by paragraph (c) of this order, no manufacturer shall take any action to commence, continue or complete the manufacture of:

(1) Any sedan, service ladder truck, squad car, salvage car, rescue car, or hose truck;

(2) Any chassis for use in connection with a pumper carrying a centrifugal pump of 500 g. p. m. capacity, as rated by the National Board of Fire Underwriters, unless such pumper is being manufactured for delivery to or for the account of the Navy of the United States, Lend-Lease, or any person to whom an export license covering the specific equipment has been issued by the Board of Economic Warfare;

(3) Any 1½ ton chassis for use in connection with a tank truck, unless such tank truck is being manufactured for delivery to or for the account of the Navy of the United States or Lend-Lease;

(4) Any pumper except the following types:

(i) Pumpers which carry centrifugal pumps of either 500 or 750 g. p. m. capacities, as rated by the National Board of Fire Underwriters, and which conform to the "Specification of the War Production Board", and

(ii) Pumpers which carry centrifugal pumps of 1000 or 1250 g. p. m. capacity, as rated by the National Board of Fire Underwriters: *Provided, however,* That the manufacture of such pumpers shall not

be commenced until the specifications therefor have been submitted to the War Production Board and have been specifically approved by the War Production Board;

(5) Any tank truck except one having a pump capacity of not more than 400 g. p. m. and carrying a water tank of a capacity of 250 gallons or more, *Provided, however,* That the restrictions set forth in this subparagraph (5) shall not apply to the manufacture of tank trucks for delivery to or for the account of the Army or Navy of the United States or Lend-Lease;

(6) Any aerial ladder truck except one carrying

(i) An extension ladder of not less than 65 feet nor more than 100 feet in length;

(ii) Not more than 500 feet of 2½ inch fire hose, if hose is required;

(iii) A booster tank of not less than 100 gallon nor more than 200 gallon capacity, if a booster tank is required; and (iv) A pump having a capacity of not more than 100 g. p. m., if a pump is required.

(c) *Exceptions.* (1) Notwithstanding the restrictions set forth in paragraph (b) of this order any motorized fire apparatus in the process of manufacture on April 16, 1943, may be completed to fill purchase orders bearing preference ratings which had been assigned to the person placing the order prior to April 16, 1943. Deliveries of such apparatus may be made and accepted without further authorization under paragraph (e) (5) (iii) of this order.

(2) The provisions of paragraphs (b) (2) and (b) (3) of this order shall not be construed to prohibit any alteration or further fabrication of chassis which have been obtained under the provisions of General Conservation Order M–100.

(d) *Restrictions on use of materials in motorized fire apparatus.* Except as specifically authorized by the War Production Board, no manufacturer shall incorporate in the manufacture of any motorized fire apparatus, or of component parts thereof, any aluminum, copper, copper base alloy nickel, chromium, cadmium, tin, zinc, alloy steel, carbon steel, or synthetic rubber, except to the extent permitted in Appendix A, attached to this order.

(e) *Restrictions on sale and delivery of motorized fire apparatus.* (1) No manufacturer or distributor shall install a bell on any motorized fire apparatus, and no person shall sell or deliver any bell which he knows or has reason to believe will be used in connection with motorized fire apparatus;

NOTE: Paragraph (1) amended August 6, 1943.

(2) No manufacturer or distributor shall install any new or used rubber tires on any auxiliary pumping unit, and no person shall sell or deliver any new or used rubber tires which he knows or has reason to believe will be used on an auxiliary pumping unit, except to fill "War Orders" as defined in General Limitation Order M–15–b.

(3) No manufacturer or distributor shall sell, deliver, or otherwise supply:

(i) Any accessories or equipment for use in connection with new motorized fire apparatus other than the types and kinds permitted for pumpers by paragraph D–20 of the "Specification of the War Production Board."

(ii) Any intercooler for use in connection with any auxiliary pumping unit, except where it is to be used in place of a radiator.

(iii) Any tachometer for use in connection with motorized fire apparatus, except tachometers which were completed and in the possession of manufacturers or distributors on April 16, 1943.

NOTE: Paragraph (iii) amended August 6, 1943.

(4) No person shall sell or deliver any suction hose for use in connection with motorized fire apparatus except to fill purchase orders bearing preference ratings of AA–5 or higher;

(5) Subject to the further restrictions contained in paragraph (g) of this order, no person shall sell or deliver any pumper, tank truck, aerial ladder truck, or auxiliary pumping unit, except to or for the account of:

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

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

(iii) Any other person who has been authorized by the War Production Board on Form PD–556 to receive the specific motorized fire apparatus and has delivered to his supplier a copy of such form signed in the name of the War Production Board.

(6) No person shall purchase or accept delivery of any material if he knows or has reason to believe that the sale or delivery of such material is prohibited by the terms of subparagraphs (1), (2), (3), (4) or (5) of this paragraph (e).

(f) *Authorizations on Form PD–556.* (1) Each person seeking authorization under paragraph (e) (5) (iii) of this order to receive any pumper, aerial ladder truck, tank truck, or auxiliary pumping unit shall prepare Form PD–556 in quintuplicate (copies of which form may be obtained at the local offices of the War Production Board) in the manner prescribed therein, subject to the following instructions:

(i) The form should be filed only by the person (transferee) desiring to receive the specified motorized fire apparatus and not by the person (transferor) desiring to make delivery of such apparatus.

(ii) In describing the apparatus for which application is made, give the type, size, manufacturer's name and any other pertinent descriptive material. Do not fill in columns (b) and (c) of table II.

(iii) Do not fill in sections (6), (7) and (8) of table III.

(iv) Under section (5) of table III state in detail the reasons why the apparatus applied for is needed at this time. (The application cannot be processed unless a full statement is made on this subject.)

(2) Any authorization by the War Production Board on Form PD–556 may be granted subject to any conditions which the War Production Board deems necessary. Such conditions may include the requirement that a different size or type of apparatus be obtained, or any other condition. The War Production Board may also assign a preference rating on Form PD–556 if such rating is deemed necessary.

(g) *Production and shipping schedules and restrictions thereon.* On or before April 26, 1943, and on or before the 15th day of each succeeding calendar month, each manufacturer of motorized fire apparatus shall file with the War Production Board in triplicate on Form PD–774 his proposed production and shipping schedules of motorized fire apparatus for such period as production and shipping may be planned. Upon receipt of such form, the War Production Board will approve or disapprove the proposed production and shipping schedule, or make such changes therein as it shall deem necessary, and will thereupon return to the manufacturer a copy of such form as approved or changed. Notwithstanding any preference rating which any order may bear or any rule or regulation of the War Production Board, each manufacturer shall produce and ship motorized fire apparatus in accordance with his production and shipping schedules as approved or changed by the War Production Board.

(h) *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.

(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) *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.

(k) *Correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Safety and Technical Equipment Division, Washington (25), D. C., Ref: L–43.

Issued this 6th day of August 1943.

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

APPENDIX A

NOTE: Paragraph (6) amended August 6, 1943.

In accordance with paragraph (d) of this order, the following materials may be incorporated in the manufacture of motorized fire apparatus, or of component parts thereof, to the extent indicated below, unless any of the uses specified herein shall conflict with the provisions of any other limitation ("L") or conservation ("M") order, in which case the more restrictive order shall control:

(1) Alloy steel containing chromium, in relief valves and seats and highly stressed steel parts, including axles, shafts and gears, to the extent allowed by the National Emergency Steel Specifications; in engine exhaust valves to the extent permitted by Limitation Order L-128; in pump shafts not exceeding 14%;

(2) Alloy steel containing nickel, in piston pins for engines over 125 horsepower and in heavy duty gears, to the extent allowed by the National Emergency Steel Specifications; and in engine exhaust valves to the extent permitted by Limitation Order L-128;

(3) Aluminum, as authorized in accordance with the provisions of Order M-1-i;

(4) Carbon steel, to the extent essential to the efficient functioning of the parts;

(5) Chromium, in alloy steel as permitted under paragraph (1) of this Appendix A; and in plating to the extent essential to the efficient functioning of the parts plated;

(6) Copper or copper base alloy (of the lowest type and grade which is practical for the particular application), in automotive parts to the extent permitted by Limitation Order L-106; and copper base alloy (of the lowest type and grade which is practical for the particular application), in intercoolers; suction tube caps; discharge valve caps; valves (not including the handles); relief valves; impellers, rings and rotors; and in swivels and rollers in suction hose couplings;

(7) Synthetic rubber, in valve packing, pump packing, hydraulic hose lines and fuel pump lines;

(8) Tin, in copper base alloys (where no tin-free alloy can be used); and in solders and babbitts to the extent permitted by Preference Order M-43;

(9) Zinc, in carburetors, fuel pumps, speedometers, and windshield wipers; in plating to the extent essential to the efficient functioning of the parts plated; and for protection of ferrous parts substituted for nonferrous parts.

[F. R. Doc. 43-12781; Filed, August 6, 1943; 11:20 a. m.]

PART 3207—INDUSTRIAL TYPE INSTRUMENTS, CONTROL VALVES AND REGULATORS: SIMPLIFICATION

[Schedule VI to Limitation Order L-272]

WELDING EQUIPMENT GAUGES

§ 3207.7 *Schedule VI to Limitation Order L-272*—(a) *Definition.* A "welding equipment gauge" is any gauge which is designed and manufactured for use on oxyacetylene apparatus. This does not include any gauge for use on acetylene generators or compressed gas pipe lines and manifolds, nor does it include gauges for regulators for the control of therapeutic gases or oxygen respiratory apparatus.

(b) *Specifications.* Welding equipment gauges shall be manufactured according to the following specifications only:

(1) Sizes shall be limited to 2-inch or 2½-inch dial diameter.

(2) Case material shall be zinc plated steel, with black finish inside and out.

(3) Screw ring shall be brass or plated steel, with black finish.

(4) Glass shall be beveled.

(5) Cupped litho silvered dial shall be used, and shall bear the legend: "Use no oil." High pressure gauge dials shall include a residual gas volume scale. No other service markings shall be used; but this does not mean that the gauge manufacturer may not put his name or trademark on the gauge.

(6) Pressure ranges shall be limited to the following: 0-30 lbs.; 0-60 lbs.; 0-100 lbs.; 0-200 lbs.; 0-400 lbs.; 0-600 lbs.; 0-3000 lbs.

(7) All gauge models shall conform to such safety requirements as are prescribed for such gauges by the National Board of Fire Underwriters on August 6, 1943.

(c) *Special provisions.* (1) The exemption provisions of paragraph (c) (1) (i) of Limitation Order L-272 shall not apply to this schedule, which means that welding equipment gauges manufactured to fill existing purchase orders must conform to these specifications. A producer may, however, sell or deliver any completed welding equipment gauges which he has on hand or use up any gauge parts which he has in stock on August 6, 1943.

(2) The provisions of paragraph (c) (2) of Limitation Order L-272 shall not apply to this schedule, which means that welding equipment gauges must conform to the above specifications notwithstanding anything that Limitation Order L-134 says with respect to the use of chromium or nickel in instruments and instrument parts.

Issued this 6th day of August 1943.

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

[F. R. Doc. 43-12782; Filed, August 6, 1943; 11:20 a. m.]

PART 3230—BROOM MATERIALS AND BROOMS

[General Conservation Order L-283]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials entering into the manufacture of brooms 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.

§ 3230.1 *General Conservation Order L-283*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

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

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

(2) "Broom corn" means the plant of the sorghum family used in the manufacture of brooms.

(3) "Fiber" means any fiber used in the manufacture of brooms, excluding broom corn.

(4) "Warehouse broom" means a broom of the type ordinarily used in industrial plants or for some other special industrial, agricultural, mining or commerccial purpose. It does not include push or street brooms.

(5) "Household broom" means a broom of the type ordinarily used for household purposes and includes brooms manufactured for other purposes if they are of the type ordinarily used in the household.

(6) "Producer" means any person who produces, while this order is in effect, more than six hundred (600) brooms during any calendar month.

(7) "Wound broom" means a broom assembled by wrapping wire or twine over the broom corn or fiber to fasten them to the handle.

(8) "Whisk broom" means a small broom of the type ordinarily used for brushing clothes, and includes barber brooms, lobby brooms and the like.

(9) "Metal cap broom" means a broom the handle of which is attached to two metal plates and in which the fiber is secured by clamping these plates over it.

(10) "Metal case broom" means a broom in which the handle and fiber are attached by means of an open top oval band of thin sheet metal.

(11) "Design" of a broom means the make-up, construction and quality in every detail, so that any two brooms of the same design are necessarily identical.

(c) *Restrictions on purchasing and accepting delivery of broom corn.* No producer shall purchase or accept delivery of, or cause to be purchased or delivered for his account, any broom corn if his inventory of broom corn will thereby be increased to an amount in excess of that consumed by him during the six month period ended March 31, 1943.

(d) *Manufacturing restriction applying to all types of brooms.* No producer shall manufacture any broom the handle of which has more than two coats of protective coating (i. e., lacquer, varnish, paint, etc.) *Provided, however,* That no protective coating may be used which must be obtained with a preference rating.

(e) *Manufacturing restrictions applying to wound household and warehouse brooms.* (1) No producer shall manufacture any wound household or warehouse broom:

(i) Finished except by lock, rundown or ring neck finish.

(ii) Having a ring neck finish using more than the number of turns of wire shown in the following schedule:

Weight per dozen:	*Number of turns*
Up to 28 pounds	Not more than 8 turns.
28 to 32 pounds	Not more than 10 turns.
32 pounds and over.	Not more than 14 turns.

(iii) Having a rundown finish more than 1 inch in width (not including the width of the bead).

(iv) Utilizing wire larger than 18½ gauge, Washburn and Moen steel wire

gauge, or wire that is tinned, galvanized, nickled, cadmium coated or finished with enamel or liquor.

(v) Having a metal hanger or cap.

(vi) Utilizing twine having a tensile strength of less than 36 pounds or more than 44 pounds on brooms weighing 32 pounds per dozen or over, or of less than 25 pounds or more than 33 pounds for brooms weighing under 32 pounds per dozen.

(vii) Having more than 4 seams of sewing, if the head measures less than 15 inches; more than 5 seams of sewing if the head measures at least 15 inches but less than 16½ inches; or more than 6 seams of sewing if the head measures more than 16½ inches: *Provided, however,* That if a metal band is used the number of permitted sewings shall be fewer by 2 than the number specified above.

(viii) Having a handle of greater diameter than the following:

	Hardwood (inches)	Softwood (inches)
Broom weight under 32 pounds.	1	1 1/16
Broom weight 32 pounds or over.	1 1/16	1¼

(ix) Having metal bands, except in brooms weighing 32 pounds or over.

(2) No producer shall use more than 20 designs in manufacturing wound brooms.

(f) *Manufacturing restrictions applying to whisk brooms.* (1) No producer shall manufacture any whisk brooms:

(i) With metal caps, metal hangers or other similar parts made of metal, except metal reinforcements for plush caps.

(ii) Using wire larger than 21 gauge, Washburn and Moen steel wire gauge, except that 20 gauge may be used where the head measures 8 inches or longer.

(iii) Using tinned, galvanized, nickled, cadmium coated wire or wire finished with enamel or liquor.

(iv) Using more than 18 turns of wire on the handle.

(v) Using twine having a tensile strength of less than 18 pounds or more than 24 pounds.

(vi) Having more than one seam of sewing where the head measures less than 5½ inches long, more than 2 seams where the head measure 5½ inches or over but less than 8 inches, or more than 3 seams where the head measures over 8 inches.

(2) No producer shall cut broom corn measuring over 14 inches from the knuckle to the end of the broom corn for use in whisk brooms.

(3) No producer shall use more than 20 designs in manufacturing whisk brooms.

(4) No producer shall produce during any semi-annual calendar period beginning July 1, 1943 more whisk brooms than he produced during the first six calendar months of 1943.

(g) *Manufacturing restrictions applying to metal cap or case brooms.* (1) No producer shall manufacture any metal cap broom using more than 5¼ ounces of metal in the cap (including nails and rivets), except that brooms having over 20 ounces of broom corn or fiber may use up to 6¾ ounces of metal in the cap.

(2) No producer shall manufacture any metal case broom using more than 2 ounces of metal in the case (including nails and rivets), except that brooms having over 20 ounces of broom corn or fiber may use up to 4¾ ounces of metal in the case.

(3) No producer shall manufacture any metal case or metal cap broom:

(i) Using more than one coat of finish on the cap or case;

(ii) Using twine having a tensile strength of less than 27 or more than 35 pounds in brooms having under 20 ounces of broom corn or fiber, or less than 36 pounds or more than 44 pounds in brooms having 20 ounces or more of broom corn or fiber;

(iii) Having any sewings on brooms using cut broom corn or fiber under 9½" long, more than 2 seams of sewing on brooms using corn or fiber over 9½" but less than 13", or more than 3 on brooms using corn or fiber 13" or over, except that 3 seams may be used on hide brooms;

(iv) Using handles having a diameter greater than the following:

	Hardwood (inches)	Softwood (inches)
Brooms having over 20 ounces of broomcorn or fiber	1⅛	1¼
Other weights	1	1

(v) Using wire bands weighing in the aggregate more than 1¾ ounces per broom.

(vi) Using a metal or wire band in addition to sewings (except on brooms made exclusively of bass or palmyra stalks), or more than one metal or wire bands where there are no sewings.

(4) No producer shall use more than 18 designs in manufacturing metal cap brooms or more than 15 designs in manufacturing metal case brooms.

(h) *Restrictions on the manufacture of toy brooms and hearth brooms.* No producer shall manufacture any toy brooms or hearth brooms.

(i) *Weight standards.* Whenever the weight of a broom is referred to in this order the weight specified is the weight of the broom per dozen using a maple handle. Where other types of handles are used, the weight specified shall be adjusted by the difference between the weight of the handle used and a maple handle. Weights are also specified on the assumption that the broom corn or fiber is dry and similar adjustment shall be made where the broom corn or fiber is wet.

(j) *Exceptions.* The War Production Board may authorize in writing the manufacture of brooms not made in accordance with paragraphs (d) through (h) above where such brooms are required for a particular military, industrial or household purpose. Application for such authorization shall be made by letter describing in detail the broom proposed to be made and stating the need for such broom.

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

(k) *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 ground of the appeal.

(l) *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, Textile, Clothing and Leather Division, Washington 25, D. C. Ref.: L–283.

(m) *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.

(n) *Effective dates.* Paragraphs (e), (f), (g) and (h) of this order shall take effect on September 1, 1943. All other paragraphs shall become effective immediately.

Issued this 6th day of August 1943.

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

[F. R. Doc. 43–12783; Filed, August 6, 1943; 11:20 a. m.]

PART 3157—HAULAGE CONSERVATION

[General Haulage Conservation Order T–1 as Amended August 6, 1943]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain materials and facilities 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:

§ 3157.1 *General Haulage Conservation Order T–1*—(a) *Definitions.* For the purpose of this order (and any lists, supplements or schedules hereto, unless otherwise indicated):

(1) "Controlled delivery" means any delivery (including reconsignment) of any material specified on List 1 or 2 annexed hereto, or on any supplement or schedule hereto, where the delivery is to be made under the conditions specified for such material in such list, supplement or schedule.

(2) "Originate" means to load or to tender or offer to a carrier for delivery.

(3) Any distance or mileage which is specified in any list, schedule or supplement to this order, shall be measured over the shortest route over which carload freight may be transported without transfer of lading.

(4) The boundary of any city or village specifically referred to in any list,

schedule or supplement hereto, shall be deemed to include the railroad switching limits as established in duly published rail tariffs.

(b) *List 1 materials.* (1) No person shall originate a controlled delivery of any List 1 material, except as specifically authorized or directed in writing by the War Production Board.

(2) Any person seeking authorization to originate a controlled delivery of any List 1 material may make application on Form WPB–2188 (Formerly PD–782), or, in emergency, by telegram, containing substantially the information called for by such form.

(c) *List 2 materials.* (1) Each person shall report on Form WPB–2188 (formerly PD–782) on or before the 20th day of each calendar month all controlled deliveries of List 2 materials which he then intends to originate during the succeeding calendar month.

(2) Each person shall report on Form WPB–2188 (formerly PD–782) on or before the 10th day prior to originating such delivery any controlled delivery of List 2 materials which he then intends to originate and has not previously reported.

(3) Any person may originate a controlled delivery of List 2 materials reported pursuant to paragraph (c) (1) or (2), unless otherwise specifically directed in writing by the War Production Board.

(4) No person shall originate a controlled delivery of List 2 materials which has not been reported pursuant to paragraph (c) (1) or (2), except as specifically directed or authorized in writing by the War Production Board. Application for such authorization may be made on Form WPB-2188 (formerly PD–782), or, in emergency, by telegram containing substantially the information called for by such form.

(d) *Deliveries originating outside United States.* With respect to any delivery terminating within the forty-eight states or the District of Columbia, but in fact originating elsewhere, the delivery shall, for the purpose of this order and any supplements or schedules hereto, be deemed to have been originated by the consignee at the point of entry.

(e) *Materials covered by supplements and schedules.* The War Production Board may from time to time issue supplements or schedules to this order prescribing conditions governing controlled deliveries of particular materials specified thereon. On and after the effective date of any such supplement or schedule, no person shall make a controlled delivery of any such material except as specified in such supplement or schedule.

(f) *Nonapplicability of order.* This order shall not apply to any carrier when acting in the capacity of a carrier, nor shall it operate as an assignment of, or right to obtain, transportation equipment.

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

(2) *Applicability of other orders.* Nothing contained in this order shall be construed to limit the requirements of any other War Production Board order now or hereafter issued.

(3) *Appeals.* Any appeal from denials of applications or from directions pursuant to this order, or any supplement or schedule hereto, shall be made by filing a letter in triplicate, referring to the particular action appealed from and stating fully the grounds of the appeal.

(4) *Violations.* Any person who wilfully violates any provision of this order, or any supplement or schedule hereto, or who, in connection therewith 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.

(5) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order or any supplement or schedule hereto, shall unless otherwise directed be addressed to: War Production Board, Washington, D. C., Ref.: T–1 (Specify commodity).

Issued this 6th day of August 1943.

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

LIST 1

ZONED DELIVERIES OF MATERIALS IN BULK (NOT IN CONTAINERS), LOADED OR UNLOADED IN LIQUID FORM

NOTE: Paragraph (3) added August 6, 1943.

1. *Molasses.* Deliveries to any point 200 miles or more distant from the point of origin, originating on or after July 1, 1943, of beet, blackstrap, invert, edible or hydrol molasses. The term molasses shall be construed to include the residuum of such molasses.

2. *Caustic soda (liquid).* Deliveries, originating on or after July 1, 1943, from any point in any one of the following zones to a point in any other such zone, except that

(a) Producers in Zone 2 may originate controlled deliveries without authorization to any point in Area A as defined below,

(b) Producers in Zones 2 and 3 may originate controlled deliveries without authorization to any point in Area B as defined below,

(c) Producers in Zones 2 and 3, except those in Virginia, may originate controlled deliveries without authorization to any point in Area C as defined below,

(d) Producers in Zones 3, 4, and 6, except those in Virginia, may originate controlled deliveries without authorization to any point in Area D as defined below, and

(e) Producers in Zones 5 and 6 may originate controlled deliveries without authorization to any point in Area E as defined below.

First caustic soda zone: The states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, New York and Delaware; that portion of Pennsylvania east of but not including the counties of Warren, Elk, Clearfield, Centre, Mifflin, Juniata and Franklin; and that portion of Maryland east of but not including the counties of Frederick, Montgomery, Prince Georges, Calvert and St. Marys.

Second caustic soda zone: The District of Columbia; that portion of Pennsylvania and Maryland not included in Zone 1; that portion of Virginia north of the James River as far west as Nelson County, and that portion north of but not including the counties of Nelson and Augusta, plus that portion of Virginia included in the Richmond, Virginia, switching limits as described in duly published tariffs; also South Richmond and Ampthill, Virginia, that portion of West Virginia north of but not including the counties of Pocahontas, Greenbrier, Nicholas, Kanawha, Putnam, Cabell; and that portion of Ohio east of but not including the counties of Adams, Highland, Clinton, Greene, Clark, Champaign, Logan, Auglaize, Allen, Hancock, Seneca, Huron and Erie.

Third caustic soda zone: The states of North Carolina and South Carolina; that portion of Virginia and West Virginia not included in Zone 2; that portion of Kentucky south of but not including the counties of Mason, Bracken, Pendleton, Grant, Owen, Henry, Oldham and Jefferson, and that portion of Kentucky east of but not including the counties of Crittenden, Caldwell, Christian and Todd; that portion of Tennessee east of but not including the counties of Montgomery, Cheatham, Davidson, Williamson, Maury and Lawrence; that portion of Alabama east of but not including the counties of Lauderdale, Lawrence, Winston, Walker, Jefferson, Shelby, Coosa, Elmore, Montgomery, Bullock, Barbour, Henry and Houston; and that portion of Georgia east and north of but not including the counties of Clay, Calhoun, Baker, Mitchell and Grady.

Fourth caustic soda zone: The states of Michigan, Wisconsin, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, Iowa and Indiana; that portion of Kentucky not included in Zone 3 or 5; that portion of the State of Ohio not included in Zone 2; and that portion of Illinois north of but not including the counties of Union, Johnson, Pope and Hardin; and that portion of Missouri north of but not including the counties of Bates, St. Clair, Hickory, Dallas, Laclede, Texas, Shannon, Reynolds, Carter, Butler, Stoddard and Cape Girardeau.

Fifth caustic soda zone: The states of Arkansas, Louisiana, Florida, and Mississippi; that portion of Missouri and Illinois not included in Zone 4; that portion of Kentucky not included in Zone 3 or 4; that portion of Tennessee, Georgia and Alabama not included in Zone 3; that portion of Oklahoma east of but not including the counties of Kay, Noble, Payne, Lincoln, Pottawatomie, Pontotoc, Johnston and Bryan; that portion of Texas east of but not including the counties of Fannin, Hunt, Rains, Van Zandt, Smith, Cherokee, Angelina, Tyler, Hardin and Jefferson.

Sixth caustic soda zone: That portion of Oklahoma and Texas not included in Zone 5.

Seventh caustic soda zone: The state of Montana, Idaho, Wyoming, Colorado, Utah, Arizona and New Mexico, and that portion of the State of Nevada east of but not including the counties of Humboldt, Pershing, Churchill, Mineral and Esmeralda.

Eighth caustic soda zone: The states of Washington, Oregon and California and that portion of Nevada not included in Zone 7.

Caustic soda Area A: The state of New Jersey, the counties of Delaware, Philadelphia, Montgomery and Bucks in Pennsylvania, the counties of Putnam, Westchester, Rockland, Bronx, New York, Richmond, Kings, Queens, Nassau and Suffolk in New York, and Fairfield County in Connecticut.

Caustic soda Area B: The District of Columbia, the states of Delaware and Maryland; that portion of Virginia north of the James

River as far west as the county of Amherst, and that portion of Virginia north of but not including the counties of Amherst, Rockbridge, Botetourt and Craig; that portion of West Virginia north of but not including the counties of Monroe, Summers, Raleigh, Boone, Logan and Mingo, but not including the counties of Marshall, Ohio, Brock and Hancock; the counties of Boyd and Greenup in Kentucky; and that portion of Ohio east and south of but not including the counties of Scioto, Jackson, Vinton, Hocking, Perry, Morgan, Noble and Monroe.

Caustic soda Area C: The counties of Jefferson, St. Louis and St. Charles in Missouri, the counties of Monroe, St. Clair, Madison, Bond, Clinton, Washington, Jefferson, Marion, Fayette, Effingham, Clay, Wayne, Hamilton, White, Edwards, Richland, Jasper, Cumberland, Clark, Crawford, Lawrence and Wabash in Illinois; the counties of Jefferson, Oldham, Trimble, Henry, Carroll, Owen, Gallatin, Grant, Boone, Kenton, Campbell, Pendleton, Bracken and Mason in Kentucky; that portion of Indiana south of but not including the counties of Vermillion, Parke, Putnam, Morgan, Hendricks, Boone, Hamilton, Tipton, Grant, Wells, and Adams; and that portion of Ohio south and west of but not including the counties of Van Wert, Allen, Hardin, Union, Madison, Fayette, Ross, Pike and Scioto.

Caustic soda Area D: The portion of Missouri east and south of but not including the counties of Ripley, Carter, Wayne, Bollinger and Perry; the portion of Illinois south of but not including the counties of Jackson, Williamson, Saline, and Gallatin; the portion of Kentucky west and south of but not including the counties of Union, Webster, Hopkins, Muhlenberg, and Logan; and the portion of Tennessee west of but not including the counties of Robertson, Sumner, Wilson, Rutherford, Marshall and Giles.

Caustic soda Area E: The portion of Texas east and south of but not including the counties of Matagorda, Wharton, Austin, Waller, Grimes, Walker, Trinity, Angelina, San Augustine and Sabine, and the portion of Louisiana south and west of but not including the counties of Sabine, Natchitoches, Rapides, Allen, Jefferson Davis and Vermilion.

(3) *Apple cider, including apple juice and vinegar stock.* All deliveries originating on or after September 1, 1943.

LIST 2

REPORTED DELIVERIES OF MATERIALS IN BULK (NOT IN CONTAINERS), LOADED OR UNLOADED IN LIQUID FORM

Deliveries of any of the following materials to any point 200 miles or more distant from the point of origin, originating on or after July 1, 1943:

1. *Acetone.*
2. *Corn syrup (glucose).*
3. *Ethyl alcohol (including denatured ethyl alcohol)* (except deliveries to or by Defense Supplies Corporation, or of specially denatured ATU Formula No. 18).

[F. R. Doc. 43-12784; Filed, August 6, 1943; 11:20 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 45,[1] Amdt. 2]

EXEMPTION OF BEVERAGE COASTERS AND SEA SHELLS IN HAWAII

A statement to accompany this amendment to Supplementary Order No. 45 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1305.59 (b) is added to read as follows:

(b) The provisions herein with respect to beverage coasters and sea shells shall not be applicable in the Territory of Hawaii.

This amendment shall become effective August 11, 1943.

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

Issued this 5th day of August 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12747; Filed, August 6, 1943; 9:31 a. m.]

[1] 8 F.R. 5529, 6672.

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

[MPR 200,[1] Amdt. 10]

RUBBER HEELS, RUBBER HEELS ATTACHED, AND ATTACHING OF RUBBER HEELS

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 200 is amended in the following respects:

1. Section 1315.1420 is amended by adding the following item to Table I–A under the heading "Men's half heels (all sizes)."

Item	Maximum price for sales to wholesalers[2]	Maximum price for sales to shoe repairmen[2]	Unit of sale to wholesalers and shoe repairmen	Maximum price to consumer for heels attached by shoe repairmen[4] (per pair)
Corded	$1.58	$2.10	1 doz. pairs	$0.55

2. Section 1315.1420 (h) is amended to read as follows:

(h) The maximum price for sales by wholesalers to that class of wholesaler who during March, 1942, purchased rubber heels from wholesalers at prices higher than those set forth in Table I–A for sales to wholesalers is the price set forth in Table I–A for sales of the rubber heels in question to shoe repairmen, less 20 percent. The seller may add to the maximum price calculated in accordance with this paragraph the same proportion of transportation costs incurred in the delivery of rubber heels that the seller required purchasers of the same class to pay during March, 1942, on deliveries of rubber heels. The maximum price determined in accordance with the provisions of this paragraph shall be decreased by 5 percent if the purchaser pays cash within 30 days after delivery of the rubber heels.

This amendment shall become effective August 12, 1943.

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

Issued this 5th day of August 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12748; Filed, August 6, 1943; 9:27 a. m.]

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

[1] 8 F.R. 490, 1461, 4917, 6842, 8843, 9135.

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

[MPR 200,[1] Amdt. 11]

RUBBER HEELS, RUBBER HEELS ATTACHED AND THE ATTACHING OF RUBBER HEELS

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 200 is amended in the following respects:

1. The preamble is amended by adding a paragraph thereto to read as follows:

In the judgment of the Price Administrator the standardization required by this regulation is the only practicable means of securing effective price control of rubber heels sold in the shoe repair trade.

2. Section 1315.1401 is amended to read as follows:

§ 1315.1401 *Prohibition against dealing in rubber heels, rubber heels attached and attaching rubber heels at prices in excess of the maximum.* On and after September 1, 1942, regardless of any contract or other obligation:

(a) No person shall sell or deliver rubber heels or attached rubber heels in the shoe repair trade at prices in excess of the maximum fixed by this regulation;

(b) No person shall attach rubber heels at prices in excess of the maximum fixed by this regulation;

(c) No person shall buy or receive rubber heels or attached rubber heels in the shoe repair trade, in the course of trade or business at prices in excess of the maximum fixed by this regulation; and

(d) No person shall agree, offer, solicit or attempt to do any of the foregoing.

3. Sections 1315.1402 to 1315.1420 inclusive, are redesignated §§1315.1406 to 1315.1424, respectively.

4. Section 1315.1402 is added to read as follows:

§ 1315.1402 *Maximum manufacturers' prices for rubber heels sold in the shoe repair trade.* The maximum manufacturers' prices for sales of rubber heels in the shoe repair trade are set forth in Appendix A. Those prices vary depending upon whether the heel in question is classed as a "corded", "super", "standard", "competitive", or "special competi-

[1] 8 F.R. 1461, 4917, 6842, 8843, 9135.

tive" heel. The classification of a heel for pricing purposes is dependent upon the brand name on the heel and the physical tests the heel can meet. Accordingly, in order to be sold at the maximum price for any of the particular grades in Appendix A, the heel must meet both the physical tests set forth in paragraph (c) of § 1315.1405 for that grade of heel and must be of a brand which is listed in paragraph (a) of § 1315.1405 as belonging to that grade of heel. If the brand name of the heel places it in a higher priced category than the physical tests, the physical tests shall control. If the physical tests place the heel in a higher priced category than the brand name, the brand name shall control. However, in such case, the manufacturer may apply for reclassification of the brand name in accordance with § 1315.1403. If the manufacturer marks the heel with a V-marking in accordance with paragraph (a) of § 1315.1410 to indicate the physical tests that the heel can equal or exceed, the V-marking shall control.

5. Section 1315.1403 is added to read as follows:

§ 1315.1403 *Classification and reclassification of brands.* (a) A manufacturer who introduces a new brand name for a heel or who wishes to have a certain brand name reclassified shall file a report and six pairs of the heel with the Office of Price Administration, Washington, D. C. This report shall include the following:

(1) The abrasion index and tensile strength of the heel.

(2) The classification in which he wishes the brand name to be placed.

(3) A statement indicating that all hee'ls produced by him that bear that brand name will equal or exceed the quality of the sample heels submitted.

After receipt of the report and samples, the Office of Price Administration will either amend the regulation to classify or reclassify the heel or will deny the request for reclassification.

(b) Every manufacturer who after August 4, 1943, sells a rubber heel, the brand name of which places it in a higher price category than the physical tests it can meet (as set forth in paragraph (c) of § 1315.1405) shall file a report and six pairs of the heel with the Office of Price Administration, Washington, D. C., within five days after he first sells any such heel. The report shall include the abrasion index and the tensile strength of the heel. After receipt of the report and samples, the Office of Price Administration will determine whether the brand name shall be reclassified.

6. Section 1315.1404 is added to read as follows:

§ 1315.1404 *Maximum wholesalers' prices for rubber heels sold in the shoe repair trade and maximum shoe repairmen's prices for rubber heels, attached rubber heels and attaching rubber heels.* Maximum wholesalers' prices for rubber heels and maximum shoe repairmen's prices for rubber heels, rubber heels attached and attaching rubber heels are set forth in Appendix A. Those prices vary depending upon whether the heel in question is classed as a "corded," "super," "standard," "competitive," or "special competitive" heel. If the heel is not marked with a V–1, V–2, V–3 or V–4, the maximum price for selling or attaching the heel or selling it attached depends on the brand name of the heel. The classification of heels by brand names is set forth in paragraph (a) of § 1315.1405. Thus, for example, if a certain brand of heel is listed in that paragraph as being a competitive grade heel and if that heel is not marked with a V–1, V–2, V–3 or V–4, the heel may not be sold, attached or sold attached at a price in excess of that stated in Appendix A for a "competitive grade" heel. If a heel is marked with a V–1, V–2, V–3 or V–4, the maximum price for selling or attaching the heel or selling the heel attached shall depend on the V-marking on the heel. For example, if a heel is marked with a "V–2" it may not be sold, attached or sold attached at a price in excess of the maximum price listed in Appendix A for a V–2 heel.

7. Section 1315.1405 is added to read as follows:

§ 1315.1405 *Price categories for heels.* In §§ 1315.1402 and 1315.1404 it is stated that the maximum price of a heel depends upon whether it is classed as a "corded", "super", "standard", "competitive" or "special competitive" heel. This section is for the purpose of classifying heels into the various price categories set forth in Appendix A.

(a) *Classification of heels, not marked with V–1, V–2, V–3 or V–4, by brand names*—(1) *Sales by persons, other than manufacturers.* The classifications of heels not marked with a V-symbol for sales by persons other than manufacturers follows:

(i) *Corded.* "Corded" means rubber heels bearing the following brand names and made by the following manufacturers:

CORDED

Brand	*Manufacturer*
Aristocrat Cord Grip	O'Sullivan Rubber Company
Cat's Paw Super Cord	Holtite Manufacturing Company
Corded Service	O'Sullivan Rubber Company
Biltrite Cord-on-end	Panther Panco Rubber Company
Goodyear Corded	Goodyear Tire & Rubber Company
Gro-Cord	Lima Cord Sole & Heel Company
Pancord Tuffgrip Hy-Bloc Cord-on-end.	Panther Panco Rubber Company
U. S. Royal Cord	U. S. Rubber Company
Verticord	O'Sullivan Rubber Company

(ii) *Super grade.* "Super grade" means rubber heels bearing the following brand names and made by the following manufacturers:

SUPER

Brand	*Manufacturer*
Adjusto-Wear	Selberling Rubber Company
Aristocrat	O'Sullivan Rubber Company

SUPER—Continued

Brand	*Manufacturer*
Biltrite	Panther Panco Rubber Company
Borman Pneumatic	Borman Pneumatic Heel Company
Cat's Paw	Holtite Manufacturing Company
Custom-50	Goodyear Tire & Rubber Company
Delux Suprex	B. F. Goodrich Co.—Hood Rubber Co.
Goodrich "D" Plywood-Core	B. F. Goodrich Co.—Hood Rubber Co.
Goodrich Lifelong	B. F. Goodrich Co.—Hood Rubber Co.
G-50	Goodyear Tire & Rubber Company
Monarch Certified	Monarch Rubber Company
Nojar	Cupples Company
No Jar Super 50	Cupples Company
Selberling Bonded	Selberling Rubber Company
Tuffies	The I. T. S. Company
Tufford	The I. T. S. Company
U. S. Super Royal	U. S. Rubber Company

(iii) *Standard grade.* "Standard grade" means rubber heels bearing the following brand names and made by the following manufacturers:

STANDARD

Brand	*Manufacturer*
Commander	Holtite Manufacturing Company
Fleetfoot 60	New Jersey Rubber Company
Hyflex	Essex Rubber Company
I. T. S	The I. T. S. Company
Imperial	U. S. Rubber Company
O'Sullivan Service	O'Sullivan Rubber Company
O'Sullivan Stylist	O'Sullivan Rubber Company
Panco Triple Wear	Panther Panco Rubber Company
Presto grip	Cupples Company
Selberling	Selberling Rubber Company
Suprex	B. F. Goodrich Co.—Hood Rubber Co.
U. S. Royal	U. S. Rubber Company
U. S. Royal Nukup	U. S. Rubber Company
Uskide	U. S. Rubber Company
Wingfoot	Goodyear Tire & Rubber Company

(iv) *Competitive grade.* "Competitive grade" means rubber heels bearing the following brand names and made by the following manufacturers:

COMPETITIVE

Brand	*Manufacturer*
Adlife	Hagerstown Rubber Company
Ambassador	Monarch Rubber Company
Arrow	B. F. Goodrich Co.-Hood Rubber Co.
Cupples Delux	Cupples Company
Cupples Ribbed	Cupples Company
Fleetfoot	New Jersey Rubber Company
Foster	Holtite Manufacturing Company
Gold Crown	Holtite Manufacturing Company
Grippo	Holtite Manufacturing Company

COMPETITIVE—Continued

Brand	*Manufacturer*
Greyhound	B. F. Goodrich Co.-Hood Rubber Co.
Holtite	Holtite Manufacturing Company
Jax	Holtite Manufacturing Company
L and R	The I. T. S. Company
Mercury	Goodyear Tire & Rubber Company
Monarch	Monarch Rubber Company
Monogram	Panther Panco Rubber Company
Pancrom Diamond Grip	Panther Panco Rubber Company
Portage	Seiberling Rubber Company
Resolute	Goodyear Tire & Rubber Company
Rite Pro	Bradstone Rubber Company
Ritz	The I. T. S. Company
Springstep	U. S. Rubber Company
Tredwell	O'Sullivan Rubber Company
Tite-Edge	Essex Rubber Company
Velveton	Velveton Rubber Heel Corporation

(v) *Special competitive grade.* "Special competitive grade" means rubber heels bearing the following brand names and made by the following manufacturers, or heels bearing no brand name or a brand name not listed in this subparagraph (1).

SPECIAL COMPETITIVE

Brand	*Manufacturer*
Ace	Plymouth Rubber Company
Ace Double Duty	Plymouth Rubber Company
Airway	Donovan Rubber Company
Armortred	Quabaug Rubber Company
Athletic	Queens Rubber Heel Company
Camel	Victor Products Company
Columbia	New Jersey Rubber Company
Coronet	Holtite Manufacturing Company
Daisy	Schacht Rubber Manufacturing Co.
Dictator	Holtite Manufacturing Company
Duwear	Cupples Company
E. Z	Hagerstown Rubber Company
Eagle	Queens Rubber Heel Company
Elmor	Queens Rubber Heel Company
Gueting	Gueting Rubber Company
Gueting Service	Gueting Rubber Company
Hy Way	Holtite Manufacturing Company
Hi Test	Holtite Manufacturing Company
Leviathan	Victor Products Company
New Yorker	Velveton Rubber Heel Corporation
Regent	U. S. Rubber Company
Reliance	U. S. Rubber Company
Roamer	Monarch Rubber Company

SPECIAL COMPETITIVE—Continued

Brand	*Manufacturer*
Royal Balloon	P & B Rubber Company
Runner	Goodyear Tire & Rubber Company
Skylark	Essex Rubber Company
Slipknot	Plymouth Rubber Company
Slipknot Double Duty	Plymouth Rubber Company
Spartan	New Jersey Rubber Company
Surestep	Panther Panco Rubber Company
Tauko	New Jersey Rubber Company
Weartex	Monarch Rubber Company
Windsor	Hagerstown Rubber Company

(2) *Sales by manufacturers.* The classifications of heels not marked with a V-symbol for sales by manufacturers are the same as those set forth in the preceding subparagraph (1). However, the restrictions as to the physical tests the heel can meet which are set forth in paragraph (c) of this section are applicable to sales by manufacturers.

(b) *Classifications of heels marked with V–1, V–2, V–3 or V–4.* The following are the classifications for heels marked with a V-symbol:

Heels marked with—	*Grade*
V–1	Super
V–2	Standard
V–3	Competitive
V–4	Special Competitive

Sellers, other than manufacturers, may rely on the V-symbol that appears on the heel. No manufacturer may mark a heel with a particular V-symbol unless the heel equals or exceeds the physical tests for that V-symbol set forth in paragraph (c).

(c) *Physical tests for heels sold by manufacturers* — (1) *Non-fiber heels.* The following are the physical tests that "non-fiber" heels sold by manufacturers must meet:

Grade	Minimum abrasive index[1]		Tensile strength
	All types except whole heels	Whole heels	
Super (V–1)	23	20	1,000
Standard (V–2)	18	16	800
Competitive (V–3)	13	12	500
Special Competitive (V–4)	8	8	400

[1] No minus tolerance is permitted. The methods of federal specifications EA–ZZ–H–141 and ZZ–R–601a shall be applicable to the specifications.

"Non-fiber heels" are either heels which do not contain any fiber or heels which contain fiber only in one or more plugs, which are placed in the area of greatest wear.

(2) *Corded heels.* A "corded" heel sold by a manufacturer must have a minimum abrasion of 28. If produced after June 19, 1943, it must contain clearly discernible whole cords which at any given level lie generally parallel to each other.

(i) *Segment fiber heels.* "Segment fiber heels" are heels which have a non-fiber base stock and a segment containing fibers placed at the back of the heel in the area of greatest wear. If such heels are produced before June 20, 1943, the physical tests set forth in subparagraph (1) are applicable. However, those tests shall be applied only to the non-fiber portion of the heel. If such heels are produced on or after June 20, 1943, the physical tests applicable shall be those set forth in the next subdivision.

(ii) *Fiber heels.* A "fiber heel" is any heel containing fiber in any portion of the heel. However, for the purposes of this regulation the term "fiber heel" does not include corded heels, segment fiber heels produced before June 20, 1943, or heels which only contain fiber in one or more plugs placed in the area of greatest wear. If the manufacturer wishes, he may apply the physical tests set forth in subparagraph (1) to fiber heels. If those physical tests are used, each compound used in the manufacture of the heels must meet those requirements. If the tests just set forth are not applied, the physical tests for fiber heels shall be their wearing qualitity as compared with non-fiber heels. In such cases, fiber heels shall be deemed to have wearing qualities which are equal to those of a special competitive heel, until tests are made which prove a better wearing quality. If a manufacturer believes that a fiber heel sold by him has wearing qualities that are equal to a higher grade of non-fiber heel than "special competitive", he shall submit eight pairs of the fiber heel and evidence that the fiber heel wears as well as non-fiber heels in the price category in which the manufacturer wishes to place the fiber heel. After receipt of this report, the Office of Price Administration will determine whether the fiber heel wears as well as non-fiber heels in the price category in which the manufacturer wishes to place the fiber heel. Until the Office of Price Administration notifies the manufacturer that the fiber heel has such wearing qualities, the heel may not be sold at a price in excess of that established for special competitive heels.

8. Section 1315.1410 is amended to read as follows:

§ 1315.1410 *Marking and posting*—(a) *Marking.* No person may mark any rubber heels produced after August 4, 1943, for sale in the shoe repair trade with the symbol "V–1," "V–2," "V–3" or "V–4" unless the heel in question can equal or exceed the physical tests for the particular symbol set forth in paragraph (c) of § 1315.1405. If a manufacturer uses such a "V" symbol on rubber heels it shall be marked as follows: All rubber heels, except sport heels and women's scoop lifts, toplifts, toplift strips and toplift blocks, shall have the symbol imprinted prominently on the face of every such heel in the place receiving the least wear. If sport heels and women's scoop lifts, toplifts, toplift strips and toplift blocks are marked with a "V" symbol, they shall be marked in a manner which is approved in writing by the Office of

Price Administration. The marking of the unit of sale container (in the case of sport heels, a container for 12 or less pairs of heels) is an approved method of marking sport heels and women's scoop lifts (1 and 3 nail hole) and died out toplifts. A paper sticker on each toplift strip or block is also an approved method of marking toplift strips and toplift blocks.

(b) *Posting.* On and after October 5, 1943, every shoe repairman engaged in the business of selling rubber heels or attached rubber heels or of attaching rubber heels shall keep posted in a conspicuous place in each establishment at which rubber heels are offered for sale, or at which the attaching of rubber heels is contracted for, a poster, provided by the Office of Price Administration, setting forth the maximum prices which he is permitted to charge under this regulation.

9. Section 1315.1424 is amended by revoking footnotes 5 and 6 to Table I–A.

10. Section 1315.1424 (g) is revoked.

This amendment shall become effective August 5, 1943.

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

(Pub. Laws 421 and 729, 77th Cong.; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of August 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–12749; Filed, August 6, 1943; 9:28 a. m.]

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

[MPR 220,[1] Amdt. 12]

CERTAIN RUBBER COMMODITIES

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

Maximum Price Regulation 220 is amended in the following respects:

1. Section 1315.1553 (c) is amended to read as follows:

(c) If a commodity priced under this section contains synthetic or substitute rubber or balata the price of which in effect on August 1, 1943, was lower than the price in effect on March 31, 1942, the manufacturer shall deduct from the price determined in accordance with the provisions of paragraph (a) of this section a differential to be calculated as follows:

(1) Where the manufacturer compounds the synthetic or substitute rubber or balata contained in the commodity, he shall first determine the amount of each type of synthetic or substitute rubber or balata required to produce the commodity. The manufacturer will then multiply this amount by the difference between the price of the synthetic or substitute rubber or balata in effect to him on March 31, 1942, and the price for that material in effect to him on August 1, 1943. The resulting figure is the differential. If the manufacturer customarily sold several sizes, styles or compounds of the commodity at the same price to the same class of purchasers, he shall use the same differential for all sizes, styles or compounds of the commodity that he sold at the same price to the same class of purchasers. This differential shall be calculated in the manner just set forth except that in applying that method the manufacturer shall use the method he customarily used in March, 1942, to arrive at a uniform price. If the manufacturer had no such customary method, he shall use as a basis for calculating the differential that size, style or compound of the commodity of which he sold the largest quantity during the period January 1, 1943, to July 1, 1943.

(2) Where the manufacturer did not compound the synthetic or substitute rubber or balata contained in the commodity he shall first determine the price for the material or part purchased by him which contains synthetic or substitute rubber or balata in accordance with paragraph (a) (1) (ii) (*a*) of § 1315.1557. The manufacturer shall then deduct from that price the first price at which he purchased the material or part containing the synthetic or substitute rubber or balata after August 1, 1943, not to exceed the applicable maximum price. The resulting figure is the differential.

2. Section 1315.1557 (a) (1) (ii) (*b*) is amended to read as follows:

(*b*) The price of any synthetic or substitute rubber or balata used in the calculation of materials costs shall be determined in accordance with the provisions of inferior subdivision (*a*) above except that the date, August 1, 1943, shall be substituted for the dates March, 1942, and March 31, 1942.

3. Section 1315.1557a is added to read as follows:

§ 1315.1557a *Fractions of a cent.* Notwithstanding any other provisions of this regulation, maximum prices determined under this regulation shall be adjusted to the nearest fraction of a cent that the seller customarily used during March, 1942, in pricing commodities in the same line.

This amendment shall become effective August 12, 1943.

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

Issued this 5th day of August 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–12750; Filed, August 6, 1943; 9:29 a. m.]

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

[MPR 225,[1] Amdt. 6]

PRINTING AND PRINTED PAPER COMMODITIES

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

Maximum Price Regulation 225 is amended in the following respects:

1. Section 1347.472 (a) (6) (iv) is hereby revoked.

2. Section 1347.477 (b) is added to read as follows:

(b) *Equalization of maximum prices, established under certain long term contracts, to sellers' general levels of prices as of March 1942.* This paragraph (b) provides a method by which a seller can, in re-negotiating certain long term contracts, restore normal pricing differentials between his various classes of purchasers.

(1) To establish a maximum price under this paragraph (b), a seller must prove to the Office of Price Administration that prior to April 1942, he had put into effect a price increase and made delivery or supply pursuant thereto of:

(i) The same or a similar commodity or service, or

(ii) Most commodities or services produced or supplied by him which are comparable to the commodity or service being repriced.

He must also prove that his reason for having delivered, supplied, or offered to deliver or supply this article or service during March, 1942 at a lower price than is reflected in his general March price level was a contract entered into before his general price increase and before January 1, 1942.

(2) If the seller meets the requirements of subparagraph (1) above, his maximum price shall be:

(i) The highest price which he charged on deliveries or supplies during March 1942, of the same or a similar commodity or service to a purchaser of a different class, adjusted to reflect his customary differential in price between the two classes of purchasers or, if he had no customary differential, the actual percentage differential existing at the date of the contract; or

(ii) If he made no delivery or supply of the same or a similar commodity or service to any other class of purchasers during March 1942, then his maximum price shall be computed according to the pricing formula in §§ 1347.453 or 1347.454 (b), whichever shall be applicable.

(3) Every seller determining a maximum price under the provisions of this paragraph (b), shall, before making a sale at such a price, file a report with the Office of Price Administration, Printing and Publishing Unit, Reference 695, Washington, D. C., specifying in full detail all of the data necessary to prove the requirements of this section. If the new maximum price has been

---

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

[1] 7 F.R. 7282, 8936, 8948, 11111; 8 F.R. 1584, 2667, 4130, 3942, 5909, 6043, 7497.

[1] 8 F.R. 4181, 7382.

calculated under subparagraph (2) (i), OPA Form No. 695–406 shall be used; if under paragraph (2) (ii), OPA Form No. 695–407. These forms may be obtained from any regional or district office of the Office of Price Administration or its national office in Washington, D. C. Unless the Office of Price Administration shall, by letter mailed to the applicant within 21 days from the date of the filing of this report, disapprove the maximum price as reported, this price shall be deemed to have been approved, subject to nonretroactive written disapproval or adjustment at any later time by the Office of Price Administration.

(4) Any seller whose maximum price for the sale of a commodity or service is established and approved under this § 1347.477, paragraph (b), shall promptly send written notice thereof to every purchaser of the class for which a maximum price has thus been established.

This amendment shall become effective August 11, 1943.

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

Issued this 5th day of August 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–12752; Filed, August 6, 1943; 9:28 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 201,[1] Amdt. 6]

VIRGIN ISLANDS

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

Section 1418.113 (a) (4) is amended to read as follows:

(4) "The direct cost to the seller" means the price which the seller paid for the commodity, which in no event may exceed the maximum price established by any applicable price regulation or order, less discounts allowed to the seller plus all costs of shipment actually incurred by the seller: *Provided,* That in computing the costs of shipment incurred by the seller, war risk insurance costs shall not exceed the amount represented by the charge for war risk insurance by the War Shipping Administration on an identical shipment.

This amendment shall become effective August 11, 1943.

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

Issued this 5th day of August 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–12761; Filed, August 6, 1943; 9:31 a. m.]

---

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

[1] 7 F.R. 6269, 6744, 8947, 10231, 10790; 8 F.R. 1860.

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,[1] Amdt. 9]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII; FISH AND SEAFOOD, ETC.

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 373 is amended in the following respects:

1. Section 20, Table VII is amended by adding the words "per pound" in the title after the word "Maximum prices".

2. Section 32, Table XIX is amended by adding the item "12 ounce bottles, 24 to a case" after the item "11½ ounce bottles, 24 to a case", to read as follows:

	Maximum price at wholesale (per case)	*Maximum price at retail (each)*
12 ounce bottles, 24 to a case	$4.90	$0.25

This amendment shall become effective August 11, 1943.

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

Issued this 5th day of August 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–12762; Filed, August 6, 1943; 9:31 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 374,[2] Amdt. 2]

JEWELRY AND CERTAIN OTHER ARTICLES IN THE TERRITORY OF HAWAII

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

Section 1 is amended by deleting the last sentence, which starts "In no case" and ends "General Maximum Price Regulation for Hawaii".

This amendment shall become effective August 11, 1943.

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

Issued this 5th day of August 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43–12763; Filed, August 6, 1943; 9:30 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14[3] to GMPR,[4] Amdt. 12]

DOMESTIC WINES

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. 14 is amended by adding section 2.18 to Article II thereof to read as follows:

SEC. 2.18 *Domestic wines: Records and reports required from brand owners*—(a) *Brand names in use during March 1942*—(1) *Report of brand description.* On or before September 10, 1943, every owner of a brand name used during March 1942 for sales of domestic wines shall report the brand description of the domestic wines sold thereunder and his maximum prices therefor to the Office of Price Administration, Washington, D. C. If the brand name was used during March 1942 for sales of more than one type of domestic wines, the brand owner shall make a separate report for each such type.

(2) *Forms for brand names in use during March 1942*—(i) *Where brand description has not been changed.* If the brand name is one which the owner used during March 1942 and the type of domestic wines is the same type sold thereunder during March 1942, the report shall be on Form 635–369a as set forth at paragraph (e) of this section.

(ii) *Where brand description has been changed.* If the brand name is one which the owner used during March 1942 but the brand description differs in any respect from the brand description covering the domestic wines sold thereunder during March 1942, the report shall be on Form 635–369b as set forth at paragraph (e) of this section.

(b) *Brand names in use on August 5, 1943 but not in use during March 1942*—(1) *Report of brand description.* On or before September 10, 1943, every owner of a brand name not used during March 1942 for sales of domestic wines, but being used for that purpose on August 5, 1943, shall report the brand description of the domestic wines being sold thereunder and his maximum prices therefor to the Office of Price Administration, Washington, D. C. If such brand name is being used for more than one type of domestic wines, the brand owner shall make a separate report for each brand description.

(2) *Form for brand name not in use during March 1942.* If the brand name is one which the owner did not use during March 1942 the report shall be on Form 635–369c as set forth at paragraph (e) of this section.

(c) *Brands introduced after August 4, 1943; and changes in brand description after August 4, 1943 of brands sold during March 1942.* (1) Brand introduced after August 4, 1943. An owner of a brand who after August 4, 1943 desires:

(i) To sell any domestic wines of any brand description under a brand name not used for that purpose since March 1, 1942; or

(ii) To sell domestic wines of any brand description not in use either during March 1942 or on August 5, 1943 shall file a report with the Office of Price Administration, Washington, D. C. Such report shall be on Form 635–

[1] 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270.

[2] 8 F.R. 5313, 10269.

[3] 8 F.R. 9787, 9880.

[4] 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511, 9025.

369c as set forth at paragraph (e) of this section.

(2) *Changes in brand description after August 4, 1943 of brand name sold during March 1942.* An owner of a brand name used during March 1942 who after August 4, 1943 desires to sell domestic wines of a changed brand description under such brand name shall file a report with the Office of Price Administration, Washington, D. C. Such report shall be on Form 635-369b as set forth at paragraph (e) of this section.

(3) *Time within which reports must be filed.* The reports required to be filed under paragraph (c) shall be filed at least 20 days before the brand owner offers for sale, sells or delivers the commodity for which the report is required.

(d) *Explanations and definitions*—(1) *Explanations.* (i) Each report required by this section shall contain the information and be on the form required under the applicable paragraph thereof. Forms for reports are available at regional and district offices of the Office of Price Administration, or at its principal office in Washington, D. C. Duplicate copies of reports are not required and a report once properly made need not be repeated.

(ii) The brand description required by this section for domestic wines shall be as follows:

(*a*) Class of wine, such as

Grape wine
Citrus wine
Fruit wine
Wine from other agricultural products
Vermouth
Imitation, concentrate or substandard wine

(Unless otherwise designated a brand description using only the word "wine" will be classed as "grape wine" so the words "grape wine" need not be included in the brand description if the word "wine" is used.)

(*b*) Kind of wine, such as

Still wine
Sparkling wine
Carbonated wine

(The brand description must indicate whether a wine is a "sparkling wine" or a "carbonated wine," and any wine not so designated will be considered as a "still wine" so that the words "still wine" need not be included in the brand description.)

(*c*) Type of wine, such as

Sherry	Catawba
Port	Barbera
Muscatel	Zinfandel
Claret	Hock
Chablis	Muscat
Sauterne	Champagne
Concord	Burgundy
Marsalos	Chianti
Madeira	Cabernet
Scuppernong	Riesling
Angelica	Moselle
Tokay	Malaga
Rhine	Haut Sauterne

and in the case of all wines made from fruits, berries and other agricultural products the name of the commodity from which made, such as

Apple	Gooseberry
Blackberry	Loganberry
Currant	Cherry

(*d*) Sub-type designation, such as

Natural	Old fashioned
Dry	Pink
Pale dry	Wild
White	Secco-pio
Red	Wild mountain
Sweet	Light

NOTE: If a vintage designation is used in the brand description it shall be included as part of the type and sub-type description.

(*e*) Appellation of origin, such as

California	Lake Erie Islands
New York State	Livermore Valley
American	Cucamonga Valley
Napa Valley	Georgia

(*f*) Alcoholic content must be stated in the case of wines containing 14 percent or more of alcohol by volume. In the case of wines containing less than 14 percent alcohol by volume the alcoholic content may, but need not, be stated.

(*g*) Where the label or labels used by a brand owner for any particular brand description contain all the information required under this subdivision (ii) the label or labels may be submitted in lieu of a written brand description.

(iii) Neither acceptance by the Office of Price Administration of any report filed under this section, nor its failure to act thereon shall constitute approval of the maximum prices listed by a brand owner in the report.

(2) *Definitions.* For the purposes of this section:

(i) "Owner of a brand name" or "brand owner" means the person such as a vintner, bottler, packer, wholesaler or retailer licensed to use or entitled to exclusive use of the brand name for sales of domestic wines of a particular brand description.

(ii) "Label" or "labels" means the label or labels affixed to the bottle or other unit of sale of domestic wines in accordance with Regulation No. 4 relating to the Labeling and Advertising of Wine, As Amended, issued by the Federal Alcohol Administration.

(iii) A brand name shall be deemed "used" during or at a particular time if domestic wines were then being sold or offered for sale thereunder.

(iv) "Domestic wines" means California Grape Wine as defined in section 2.11, fruit wines, berry wines and grape wines (other than California grape wines) as defined in section 2.15, also citrus wine as defined in Class 4, wine from other agricultural products as defined in Class 6, vermouth as defined in Class 7, imitation and sub-standard wine and concentrates as defined in Class 8 of Regulation No. 4 relating to Labeling and Advertising of Wine, As Amended, issued by the Federal Alcohol Administration.

(e) *Sample forms.*

Form Approved
Budget Bureau No. 08-R527

OPA Form 635-369a

OFFICE OF PRICE ADMINISTRATION

WASHINGTON, D. C.

Report for Brand of Domestic Wines

[Filed Pursuant to Section 2.18 of Revised Supplementary Regulation No. 14]

[Use This Form Only for Brand Names Sold During March 1942, Where No Brand Description Change Has Been Made]

Brand Name_____
Name of brand owner filing report_____
Name of person filing this report_____
Address_____
Street City State

Maximum price per case brand owner charged during March 1942. Prices should include Federal taxes in effect March 31, 1942 but should not include State or local taxes or the Federal tax increase effective November 1, 1942.

Class of purchaser	Maximum price per case			F. o. b. following shipping point
	Quarts	Fifths	Other size (specify)	
Monopoly States				
Open State Wholesalers				
Retailers				
Others (Specify)				

March 1942 brand description (See section 2.18 (d). Copy all data on March 1942 labels, or paste actual labels hereon.

Remarks:

CERTIFICATION

I hereby certify and represent to the Office of Price Administration, an agency of the United States, that I am the brand owner named above, or his agent duly authorized to make this certification in his behalf, that the statements and representations herein made are true.

Notice: Section 35 (a) of the United States Criminal Code makes it a criminal offense, punishable by a maximum ten years' imprisonment, $10,000 fine, or both to make a false statement or representation to any Department or Agency of the United States.

_____
Signature of Brand Owner—If a Corporation, this form should be signed by an authorized officer of the Company
Title_____
Date_____

Form Approved
Budget Bureau No. 08-R528

OPA Form 635-369b

OFFICE OF PRICE ADMINISTRATION
Washington, D. C.

Report for Brand of Domestic Wines

Filed Pursuant to Section 2.18 of Revised Supplementary Regulation No. 14

Use This Form Only If Brand Name Is Retained and Brand Description Sold in March 1942 Has Been Changed

Brand Name_____
Name of Brand Owner filing report_____
Name of person filing this report_____
Address_____
Street City State

Brand owners' ceiling prices per case as of March 1942. Prices should include Federal taxes in effect March 31, 1942 but should not include State or local taxes or the Federal tax increase effective November 1, 1942.

Class of purchaser	Maximum price per case			F. o. b. following shipping point
	Quarts	Fifths	Other size (specify)	
Monopoly States				
Open State Wholesalers				
Retailers				
Others (Specify)				

Remarks:

Brand Descriptions (See sections 2.18 (d)).

March 1942 Brand Description.

New Brand Description.

Copy all data on March 1942 labels, or paste actual labels hereon:

Brand Owner's Present or Proposed Ceiling Prices per case of the New Brand Description.

Prices should include Federal taxes in effect March 31, 1942 but should not include State or local taxes or the Federal tax increase effective November 1, 1942.

Class of purchaser	Maximum price per case			F. o. b. following shipping point
	Quarts	Fifths	Other size (specify)	
Monopoly States				
Open State Wholesalers				
Retailers				
Others (Specify)				

METHOD USED TO DETERMINE MAXIMUM PRICES

I. Our first sale of domestic wines of the new brand description to any class of purchaser was made on _____.
(Date)

II. Our new ceilings were determined in the following manner:

A. Under OPA Order No. _____ (if order has been issued) (If OPA order was issued, Parts III and IV below need not be answered).

B. By reference to our ceiling prices for sales of a similar brand _____.

C. By reference to a competitor's prices for sales of a brand:

Having the same brand description _____.

Having a similar brand description _____.

III. To determine ceiling prices in the manner indicated above we used as:

A brand having the { same / similar } brand description _____
(State brand name)

Ceiling price of this brand $_____ per _____.

From what source was this ceiling price obtained _____

Sold by: _____
(Name)

Address: _____
(Street) (City) (State)

This brand was considered similar because:
(State reasons) _____

IV. We wish to submit the following additional information which we consider pertinent to establishment of our maximum prices for the new brand description. (Use additional pages if necessary) _____

CERTIFICATION

I hereby certify and represent to the Office of Price Administration, an agency of the United States, that I am the brand owner named above, or his agent duly authorized to make this certification in his behalf, that the statements and representations herein made are true.

NOTICE: Section 35 (a) of the United States Criminal Code makes it a criminal offense, punishable by a maximum of ten years' imprisonment, $10,000 fine, or both to make a false statement or representation to any Department or Agency of the United States.

Signature of Brand Owner.—If a Corporation, this form should be signed by an authorized officer of the Company

Title _____

Date _____

Form Approved
Budget Bureau No. 08-R529

OPA Form 635-369c

OFFICE OF PRICE ADMINISTRATION

WASHINGTON, D. C.

Report for Brand of Domestic Wines

[Filed Pursuant to Section 2.18 of Revised Supplementary Regulation No. 14]

[Use this form only for brand names not sold by Brand Owner during March 1942]

Brand Name _____

Name of Brand Owner filing report _____

Name of Person filing this report _____

Address _____
(Street) (City) (State)

Brand Description (See section 2.18 (d)). Copy all data on labels or paste actual labels hereon.

Brand Owner's present or proposed ceiling price per case of the new brand description.

Prices should include Federal taxes in effect March 31, 1942 but should not include State or local taxes or the Federal tax increase effective November 1, 1942.

Class of purchaser	Maximum price per case			F. o. b. following shipping point
	Quarts	Fifths	Other size (specify)	
Monopoly States				
Open State Wholesalers				
Retailers				
Others (Specify)				

METHOD USED TO DETERMINE MAXIMUM PRICES

I. Our first sale of domestic wines of the new brand description to any class of purchaser was made on _____.
(Date)

II. Our new ceilings were determined in the following manner:

A. Under OPA Order No. _____ (if order has been issued) (If OPA order was issued, Parts III and IV below need not be answered).

B. By reference to our ceiling prices for sales of a similar brand _____.

C. By reference to a competitor's prices for sales of a brand:

Having the same brand description _____.

Having a similar brand description _____.

III. To determine ceiling prices in the manner indicated above we used as:

A brand having the { same / similar } brand description _____
(State brand name)

Ceiling price of this brand $_____ per _____.

From what source was this ceiling price obtained_____.

Sold by: _____
(Name)

Address: _____
(Street) (City) (State)

This brand was considered similar because:
(State reasons) _____

IV. We wish to submit the following additional information which we consider pertinent to establishment of our maximum prices for the new brand description. (Use additional pages if necessary) _____

CERTIFICATION

I hereby certify and represent to the Office of Price Administration, an agency of the United States, that I am the brand owner named above, or his agent duly authorized to make this certification in his behalf, that the statements and representations herein made are true.

NOTICE: Section 35 (a) of the United States Criminal Code makes it a criminal offense, punishable by a maximum of ten years' imprisonment, $10,000 fine, or both to make a false statement or representation to any Department or Agency of the United States.

Signature of Brand Owner.—If a Corporation, this form should be signed by an authorized officer of the Company.

Title _____

Date _____

This amendment shall become effective August 11, 1943.

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

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

Issued this 5th day of August 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12764; Filed, August 6, 1943; 9:29 a. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 306,[1] AMDT. 13]

CERTAIN PACKED FOOD PRODUCTS: GRADE LABELING

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

Sections 1341.565 (e) and (f) are revoked.

This amendment shall become effective August 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of August 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12751; Filed, August 6, 1943; 9:27 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 270,[2] Amdt. 7]

DRY EDIBLE BEANS, SALES EXCEPT AT WHOLESALE AND RETAIL: GRADE LABELING

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

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

[1] 8 F.R. 1114.

[2] 8 F.R. 1061.

has been filed with the Division of the Federal Register.*

1. Section 1351.1205 is amended to read as follows:

§ 1351.1205 *Statement of grades in certain cases.* (a) Every country shipper making a sale of dry edible beans in any quantity or container type or size shall state on the invoice, or other document of sale, and if he wishes, he may also state on the container or on a tag or label attached to the container, the "United States Grade" of the dry edible beans being sold. If the state within which the sale is made requires it, he may also state the appropriate "state grade". He shall employ no designation of grade other than "United States grade" or "state grade", as defined in the next paragraph.

(b) When used in this paragraph "United States grade" means the standards and grades of dry edible beans set forth in the "United States standards for Beans" issued by the United States Department of Agriculture. "State grade" means standards and grades promulgated by any State or agency thereof under authority of an act of the State legislature permitting the establishment of such standards and grades.

(c) Nothing in this regulation shall be construed as permitting the shipment in intrastate commerce of any grades of dry edible beans which are prohibited, by the laws of any State, from being so shipped.

This amendment shall become effective August 5, 1943.

(Pub. Laws 421 and 729, 77th Cong. Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of August 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12757; Filed, August 6, 1943; 9:25 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[Rev. MPR 335,[1] Amdt. 2]

PEANUTS AND PEANUT BUTTER: GRADE LABELING

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

Section 15 is amended to read as follows:

SEC. 15. *Statement of grades in certain cases.* Every sheller selling "extra large" or "medium" grades of Virginia type raw shelled peanuts shall state on the invoice or other written evidence of sale the kind of peanuts sold and their United States grade, and he may include also the appropriate State grade or class, if he wishes. He may also state this information on the outside of the container or on a tag or label attached to the container.

This amendment shall become effective August 5, 1943.

(Pub. Laws 421 and 729, 77th Cong., Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of August 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12756; Filed, August 6, 1943; 9:26 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421,[1] Amdt. 2]

CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE: MALTED MILK

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

Maximum Price Regulation No. 421 is amended in the following respects:

1. In section 32 (a), item (3) of Table A is amended to read as follows:

TABLE A—MARK-UP FIGURES TO BE USED BY WHOLESALERS IN FIGURING CEILING PRICES FOR ITEMS COVERED BY THIS REGULATION BY COMMODITIES

Food commodities	Figures to be multiplied by net cost			
	Class 1	Class 2	Class 3	Class 4
	Retailer-owned cooperatives	Cash and carry	Service and delivery	Institutional
3. Cocoa, chocolate, and cereal drink preparations	1.07	1.085	1.125	1.175

2. Section 32 (b) (3) is amended to read as follows:

(3) "Cocoa, chocolate, and cereal-drink preparations" includes, but is not limited to, coffee substitutes or extenders, chicory, malted milk preparations containing less than 35% malted milk, chocolate syrup, chocolate bits, and cooking chocolate. Excluded are chocolate confections, bittersweet bars, milk chocolate, powdered milks, malted milk, and any preparation containing 35% or more malted milk.

3. In section 32 (c) the following item is added in alphabetical order to the list of commodities excluded: "Malted milk and any preparation containing 35% or more malted milk."

This amendment shall become effective August 5, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of August 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12753; Filed, August 6, 1943; 9:26 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[1] Amdt. 2]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES: MALTED MILK

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

Maximum Price Regulation 423 is amended in the following respects:

1. In section 38 (a), item (3) of Table A is amended to read as follows:

TABLE A.—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 3 AND GROUP 4 RETAILERS FOR DRY GROCERIES COVERED BY THIS REGULATION BY COMMODITIES

Food commodities	Allowed mark-ups over net cost	
	Group 3. Retailer other than independent, with annual volume under $250,000	Group 4. Any retailer with annual volume of $250,000 or more
3. Cocoa, chocolate, and cereal drink preparations	*Percent* 22	*Percent* 21

2. Section 38 (b) (3) is amended to read as follows:

(3) "Cocoa, chocolate, and cereal-drink preparations" includes, but is not limited to, coffee substitutes or extenders, chicory, malted milk preparations containing less than 35% malted milk, chocolate syrup, chocolate bits, and cooking chocolate. Excluded are chocolate confections, bittersweet bars, milk chocolate, powdered milks, malted milk, and any preparation containing 35% or more malted milk.

3. Section 38 (b) (5) is amended to read as follows:

(5) "Cookies, crackers, toast, and crumbs" includes, but is not limited to, biscuits, Christmas cookies, fig bars, graham crackers, pretzels, rye crackers, swieback, melba toast, bread crumbs, cracker crumbs, cookies, matzo, matzo meal, and related matzo products. Excluded are bread, pies, cakes, doughnuts, coffee cakes, rolls, candies, and any bakery products which you manufacture. Also excluded are any items which are bought by you in bulk and sold loose.

4. In section 38 (b) (37) the following item is added in alphabetical order to the list of commodities included under "Miscellaneous foods": "Cookies, crackers, toast, and crumbs" bought by you in bulk and sold loose."

5. In Section 38 (c) the following item is added in alphabetical order to the list of commodities excluded: "Malted milk and any preparation containing 35% or more malted milk."

This amendment shall become effective August 5, 1943.

---

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

[1] 8 F.R. 6834.

[1] 8 F.R. 9388, 10569.

[1] 8 F.R. 9395, 10569.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of August 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12754; Filed, August 6, 1943; 9:26 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[1] Amdt. 2]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES): MALTED MILK

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

Maximum Price Regulation 423 is amended in the following respects:

1. In section 27 (a), item (3) of Table A is amended to read as follows:

TABLE A—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 1 AND GROUP 2 RETAILERS FOR DRY GROCERIES COVERED BY THIS REGULATION BY COMMODITIES

Food commodities	Allowed mark-ups over "net cost"—Independent retailers with annual volumes	
	Group 1—under $50,000	Group 2—$50,000 but less than $250,000
3. Cocoa, chocolate, and cereal drink preparations	*Percent* 29	*Percent* 29

2. Section 27 (b) (3) is amended to read as follows:

(3) "Cocoa, chocolate, and cereal-drink preparations" includes, but is not limited to, coffee substitutes or extenders, chicory, malted milk preparations containing less than 35% malted milk, chocolate syrup, chocolate bits, and cooking chocolate. Excluded are chocolate confections, bittersweet bars, milk chocolate, powdered milks, malted milk, and any preparation containing 35% or more malted milk.

3. Section 27 (b) (5) is amended to read as follows:

(5) "Cookies, crackers, toast, and crumbs" includes, but is not limited to, biscuits, Christmas cookies, fig bars, graham crackers, pretzels, rye crackers, swieback, melba toast, bread crumbs, cracker crumbs, cookies, matzo, matzo meal, and related matzo products. Excluded are bread, pies, cakes, doughnuts, coffee cakes, rolls, candies, and any bakery products which you manufacture. Also excluded are any items which are bought by you in bulk and sold loose.

4. In section 27 (b) (37) the following item is added in alphabetical order to the list of commodities included under "Miscellaneous foods": "Cookies, crackers, toast, and crumbs" bought by you in bulk and sold loose.

5. In section 27 (c), the following item is added in alphabetical order to the list of commodities excluded: "Malted milk and any preparation containing 35% or more malted milk."

This amendment shall become effective August 5, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of August 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12755; Filed, August 6, 1943; 9:26 a. m.]

PART 1358—TOBACCOS

[MPR 283,[1] Amdt. 4]

BURLEY TOBACCO (1942 CROP): GRADE LABELING

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

Section 1358.161 (c) is revoked.

This amendment shall become effective August 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of August 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12758; Filed, August 6, 1943; 9:25 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136,[2] as Amended, Amdt. 97]

MACHINES AND PARTS AND MACHINERY SERVICES

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

The following item is added to § 1390.33 (c) in alphabetical order:

Replacement units and assemblies for mechanical refrigerators having a refrigerated volume of 16 cubic feet or less.

This amendment shall become effective August 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250; 7 F.R. 8781; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of August 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-12760; Filed, August 6, 1943; 9:25 a. m.]

---

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

[1] 8 F.R. 9407, 10570.

[1] 7 F.R. 10224.

[2] 7 F.R. 5047.

Chapter XVIII—Office of Economic Stabilization

Subchapter A—Office of the Economic Stabilization Director

[Regulation 1]

PART 4002—REGULATIONS ON GRADING AND GRADE LABELING

GRADING AND GRADE LABELING OF MEATS

Pursuant to the provisions of the Act of October 2, 1942, entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes" (Public Law No. 729, 77th Congress, 2d Session), Executive Order No. 9250, dated October 3, 1942, and Executive Order No. 9328, dated April 8, 1943, and in order to prevent the breakdown of existing price controls essential to stabilization of the cost of living and to aid in the effective prosecution of the war by preventing dislocations in the distribution of meat and meat products, the following regulation is hereby issued:

Sec.

AUTHORITY: §§ 4002.1 to 4002.7, inclusive, issued under E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

§ 4002.1 *Prohibition against dealing in or storing meat unless graded and grade marked.* No person shall sell, offer to sell, ship, deliver, store or retain in his possession and no person in the course of trade or business shall buy or receive any beef, veal, lamb or mutton unless such beef, veal, lamb or mutton has been graded and grade marked in the manner required by this regulation; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

§ 4002.2 *Duty to maintain and identify grades of beef and veal.* No person shall sell, offer to sell, ship, deliver or break, and no person in the course of trade or business shall buy or receive any beef carcass or wholesale cut or veal carcass or wholesale cut unless each such carcass and wholesale cut has been identified by grade in accordance with the provisions of this section. No custom slaughterer shall ship, deliver or break and no person shall receive or accept any beef carcass or wholesale cut or veal carcass or wholesale cut unless such carcass and wholesale cut has been identified by grade in accordance with the provisions of this section. Each person shall maintain uniform grades, as specified in paragraph (a) of this section; shall determine his maximum prices for beef and veal pursuant to Revised Maximum Price Regulation No. 169, Beef and Veal Carcasses and Whole-

sale Cuts,[1] upon the basis of such uniform grades rather than upon the basis of his own grades, as provided in paragraph (b) of this section; and shall have his products identified by grade designations, as provided by paragraph (c) of this section.

(a) *Uniform grades.* (1) Beef carcasses and the wholesale cuts therein contained derived from steers, heifers and cows shall be graded into the following uniform grades: choice, good, commercial, utility, cutter and canner; except, that no cow carcass or wholesale cut shall be graded choice. Beef carcasses and wholesale cuts derived from bulls and stags shall be graded in the same manner, except that no bull carcass or wholesale cut shall be graded choice or good, and no stag carcass or wholesale cut shall be graded choice. In determining the grade of each beef carcass, the "Specifications for Official United States Standards for Grades of Carcass Beef"[2] set forth in § 1364.528 of Revised Maximum Price Regulation No. 169, Beef and Veal Carcasses and Wholesale Cuts, and incorporated herein by reference, shall be used and the grade of such carcass shall apply to each wholesale cut derived therefrom, except that the specifications therein for the two grades, prime and choice, shall be combined and treated as a single grade, choice, and the specifications therein for the two grades cutter and canner shall be combined and treated as a single grade.

(2) Veal carcasses and the wholesale cuts therein contained shall be graded into the following uniform grades: Choice, good, commercial, utility and cull. In determining the grade of each such carcass the "Specifications for Official United States Standards for Grades of Veal and Calf Carcasses"[3] set forth in § 1364.529 of Revised Maximum Price Regulation No. 169, and incorporated herein by reference, shall be used and the grade of such carcass shall apply to each wholesale cut derived therefrom, except that the specifications therein for the two grades, prime and choice, shall be combined and treated as a single grade, choice.

(b) *Duty to determine maximum prices on the basis of uniform grades.* The word "grade" as used in this section means any uniform grade referred to in paragraph (a) of this section and shall not be construed to mean the private grade of an individual seller.

Irrespective of the private grading system heretofore used by the seller, it shall be the duty of the seller, except as provided in paragraph (c) (3) to have classified into the uniform grades provided for in paragraph (a) of this section, by an official grader of the United States Department of Agriculture, the beef carcasses and beef wholesale cuts of cattle and the veal carcasses and veal wholesale cuts of calves slaughtered by the seller or sold by the seller, and then to determine the maximum price for each grade of beef carcass and beef wholesale cut by reference to §§ 1364.451 and 1364.452 of Revised Maximum Price Regulation No. 169 and for each grade of veal carcass and veal wholesale cut by reference to §§ 1364.466 and 1364.467 of Revised Maximum Price Regulation No. 169.

(c) *Duty to identify products by grade marks.* (1) No person shall sell, offer to sell, ship, deliver or break any beef or veal carcass unless a stamp has been placed thereon with harmless marking fluid conforming to the formula for violet branding fluid approved by the United States Department of Agriculture, Bureau of Animal Industry, set forth in § 1364.526 of Revised Maximum Price Regulation No. 169, and incorporated herein by reference, marking the appropriate grade letter, as hereinafter designated, in such manner as to identify by such letter the uniform grade of each beef wholesale cut or veal wholesale cut which may be derived from the carcass, except that in the case of a calf or veal carcass sold with the skin on, the grade letter shall be stamped only on the shanks and briskets. The purchaser of a calf or veal carcass with the skin on shall not sell, offer to sell, ship or break such carcass after removal of the skin unless a stamp has been placed thereon, marking the appropriate grade letter, as hereinafter designated, in such manner as to identify by such letter the uniform grade of each veal wholesale cut which may be derived from such carcass.

The term "bull" or "stag" as the case may be shall be similarly stamped on all bull and stag carcasses and wholesale cuts. The grade and prescribed sex identification of each beef carcass and wholesale cut and veal carcass and wholesale cut must appear on the seller's invoice.

(2) The appropriate grade letter for each uniform grade shall be as follows:

Beef grade	Grade letter	Veal grade
Choice	AA	Choice.
Good	A	Good.
Commercial	B	Commercial.
Utility	C	Utility.
Cutter and Canner	D	Cull.

The grade letter shall be at least ½ inch in height and width. In stamping any beef or veal carcass determined by an official grader of the United States Department of Agriculture to conform to the grade standards contained in Revised Maximum Price Regulation No. 169, such official grader may use the grade designations U. S. choice or choice, U. S. good or good, U. S. commercial or commercial, U. S. utility or utility, U. S. cutter or cutter, U. S. canner or canner, U. S. cull or cull, whichever is appropriate, in lieu of the grade letters established in the subparagraph.

(3) (i) No person shall sell, offer to sell, ship, deliver or break any beef or veal carcass irrespective of grade unless such carcass has been examined and graded by an official grader of the United States Department of Agriculture in accordance with the "Rules and Regulations of the Secretary of Agriculture Governing the Grading and Certification of Meats, etc."[4] as modified to the extent set forth in § 1364.527 of Revised Maximum Price Regulation No. 169, which is incorporated herein by reference, and unless a stamp has been placed upon such carcass by such official grader in the manner set forth in paragraph (c) (1) of this section: *Provided,* That in any instance where any person is unable to procure the services of an official grader within 24 hours after such person has made an application for grading, pursuant to section 3 of Regulation No. 4 (Grading Service) contained in § 1364.527 of Revised Maximum Price Regulation No. 169, then the provisions of this subparagraph shall not apply, for so long a period as the Food Distribution Administration of the United States Department of Agriculture certifies in writing that it is unable to provide such person with the services of an official grader. During such period such beef and veal carcasses shall be graded by the slaughterer in the manner provided in paragraphs (a), (b), (c) (1) and (c) (2) of this section.

(ii) If the slaughterer is a farm slaughterer or if he is primarily the resident operator of a farm engaging only casually, and not as a business, in slaughtering cattle or calves as a service for others, he shall not be required to have the cattle or calves slaughtered by him graded by an official grader of the United States Department of Agriculture. Such beef or veal as is sold by such slaughterer or is slaughtered by him as a service for sale by others shall be graded by him in accordance with the requirements of paragraphs (a), (b), (c) (1) and (c) (2) of this section.

"Farm slaughterer" as used in this subparagraph (c) (3) (ii) and in § 4002.3, (c), means a person chiefly engaged in producing agricultural products as the resident operator of a farm, who did not deliver meat in 1941 of a live weight of more than 10,000 pounds and whose current slaughter is not in excess of that permitted such slaughterers under Food Distribution Order No. 27[5] or any superseding order.

(4) Whenever any person having a financial interest in any beef or veal carcass which has been graded and grade stamped by an official grader pursuant

[1] 8 F.R. 4097, 4787, 4844, 5170, 5478, 5634, 6058, 6427, 7109, 6945, 7199, 7200, 8011, 8677, 8756, 9066, 9300, 9995.

[2] Service and Regulatory Announcement No. 99, Official United States Standards for the Grades of Carcass Beef, United States Department of Agriculture, Food Distribution Administration, issued as amended May, 1942.

[3] Service and Regulatory Announcement No. 114, Official United States Standards for Grades of Veal and Calf Carcasses, United States Department of Agriculture, Food Distribution Administration, issued as amended October, 1940.

[4] Service and Regulatory Announcement No. 98 (Revised), Rules and Regulations of the Secretary of Agriculture Governing the Grading and Certification of Meats, Prepared Meats, Meat Food Products, and Meat By-Products for Class, Quality (Grade) and Condition, United States Department of Agriculture, Food Distribution Administration, issued as amended September 26, 1942.

[5] 8 F.R. 2785.

to paragraph (c) (3) hereof or otherwise, is dissatisfied with the determination of such official grader, such person may appeal the grading and grade stamping by making an application for appeal grading in the manner provided in Regulation No. 5 (Appeal grading) contained in § 1364.527 of Revised Maximum Price Regulation No. 169, and shall thereafter give immediate notice in writing to the Office of Price Administration at Washington, D. C., of such appeal.

(d) *Use of other grading and branding systems.* Any seller may use a private grading and branding system in addition to that required by the foregoing paragraphs of this section: *Provided,* That he shall identify his private grading and branding system in such manner as to distinguish it from the official grade stamp as required by paragraph (c) of this section.

§ 4002.3 *Duty to maintain and identify grades of lamb and mutton.* No person shall sell, offer to sell, ship, deliver or break and no person in the course of trade or business shall buy or receive any lamb or mutton carcass or cut unless it has been identified by grade and marked in accordance with the provisions of this section. Each person shall maintain uniform grades, as specified in paragraph (a) of this section; shall determine his maximum prices for lamb and mutton pursuant to Revised Maximum Price Regulation No. 239, Lamb and Mutton Carcasses and Cuts at Wholesale and Retail,[6] upon the basis of such uniform grades rather than upon the basis of his own grades; and shall have his products identified by grade designations, as provided by paragraph (a) of this section.

(a) Except as otherwise provided in paragraphs (b) and (c) of this section, it shall be the duty of each person to have all lambs, including yearlings, and all sheep slaughtered by or for him, or sold by him, classified by an official grader of the United States Department of Agriculture in accordance with the "Rules and Regulations of the Secretary of Agriculture Governing the Grading and Certification of Meats, etc.", (§ 1364.527, Revised Maximum Price Regulation No. 169). Each carcass shall be classified into one of the grades set out in Column I below and marked with harmless marking fluid with the grade designation set out in Column II, if classified by an official grader, or the grade letter set out in Column III, such grade letter to be at least ½ inch in height and width, if classified by anyone other than an official grader pursuant to paragraph (b) of this section. Where the grade designation set out in Column II is stamped on the carcass, there shall also be stamped the word "yearling" if the carcass being graded is that of a yearling, and the word "mutton" if that of a mature sheep. The carcass shall be marked in such a manner as to result in each wholesale cut being identified by grade.

[6] 7 F.R. 10688, 8 F.R. 3589, 4786, 7679, 8677, 9066.

Column I	Column II	Column III
Lamb:		
Choice or better	Choice	AA
Good	Good	A
Commercial	Commercial	B
Utility	Utility	C
Cull	Cull	C
Yearling:		
Choice or better	Choice	A
Good	Good	B
Commercial	Commercial	C
Utility	Utility	C
Cull	Cull	C
Mutton:		
Choice or better	Choice	S
Good	Good	S
Commercial	Commercial	M
Utility	Utility	R
Cull	Cull	R

The "Specifications for Official United States Standards for Grades of Lamb Carcasses, Yearling Mutton Carcasses" set forth in § 1364.185 of Revised Maximum Price Regulation No. 239, Lamb and Mutton Carcasses and Cuts at Wholesale and Retail, and incorporated herein by reference, determine the proper classification of each carcass, except that no mutton buck may be graded higher than commercial.

The harmless marking fluid used in marking the carcass shall conform to the formula for violet branding fluid approved by the United States Department of Agriculture, Bureau of Animal Industry, set forth in § 1364.526 of Revised Maximum Price Regulation No. 169.

(b) In any instance where any person is unable to procure the services of an official grader within 24 hours after such person has made an application for grading, pursuant to section 3 of Regulation No. 4 (Grading Service) (§ 1364.527, Revised Maximum Price Regulation No. 169), then such person shall not be required to have the lamb or sheep slaughtered by, or for him, or sold by him, graded by an official grader of the United States Department of Agriculture for so long a period as the Food Distribution Administration of the United States Department of Agriculture certifies in writing that it is unable to provide such person with the services of an official grader. During such period, such lamb or mutton carcasses shall be graded by such person in accordance with the requirements of paragraph (a) of this section.

(c) If the slaughterer is a farm slaughterer or if he is primarily the resident operator of a farm engaging only casually, and not as a business, in slaughtering sheep or lamb as a service for others, he shall not be required to have the lamb or sheep slaughtered by him graded by an official grader of the United States Department of Agriculture. Such lamb or mutton as is sold by such slaughterer, or is slaughtered by him as a service for sale by others, shall be graded by him in accordance with the requirements of paragraph (a) of this section.

(d) Whenever any person having a financial interest in any lamb or mutton carcass which has been graded and grade stamped by an official grader pursuant to paragraph (b) hereof or otherwise, is dissatisfied with the determination of such official grader, such person may appeal the grading and grade stamping by making an application for appeal grading in the manner provided in Regulation No. 5 (Appeal grading) contained in § 1364.527 of Revised Maximum Price Regulation No. 169, and shall thereafter give immediate notice in writing to the Office of Price Administration at Washington, D. C., of such appeal.

(e) *Use of other grading and branding systems.* Any person may use a private grading and branding system in addition to that required by the foregoing paragraphs of this section: *Provided,* That he shall identify his private grading and branding system in such manner as to distinguish it from the grade stamp required by paragraphs (a), (b) and (c) of this section.

(f) Each invoice, sales slip or other memorandum of sale covering sales of lamb or mutton carcasses, wholesale cuts or hotel supply cuts shall show the grade and age classification of each lamb or mutton carcass or cut sold.

§ 4002.4 *Provisions applicable to sellers of beef, veal, lamb or mutton at retail.* No retail seller shall sell, offer to sell, deliver, store or retain in his possession any beef, veal, lamb or mutton unless such beef, veal, lamb or mutton has been graded, grade marked and/or designated as hereinafter set forth:

(1) All carcasses and wholesale cuts of beef, veal, lamb and mutton must be graded and must have a mark showing the grade on them, in accordance with §§ 4002.2 (c) (2) and 4002.3 (a). No retail seller shall have in his store refrigerator, cooler or warehouse any meat which does not have the grade name or mark stamped on each wholesale cut.

(2) If any retail seller slaughters the animal himself, he shall have it graded and marked before the carcass is broken in the manner provided by § 4002.2, in the case of beef and veal, and § 4002.3, in the case of lamb and mutton.

(3) No retail seller shall remove the grade mark from any carcass, wholesale cut or retail cut, nor shall he put different grades of meat together in a showcase.

(4) Each grade of meat which shall have been separated in the showcase as required in (3) above, shall be designated by the appropriate official grade, so that customers can see and read it.

(5) Upon request by any customer, the retail seller shall give such customer a receipt showing the date, the retail seller's name and address, the name, weight, and grade of each retail cut sold.

§ 4002.5 *Enforcement.* Persons violating any provision of this regulation are subject to the criminal penalties provided by section 11 of the Act of October 2, 1942, entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes" and to all other actions, proceedings and penalties provided by law.

§ 4002.6 *Definitions.* (a) When used in this regulation, the term:

(1) "Person" means any individual, corporation, partnership, association or other organized group of persons, or legal

successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any agency of any of the foregoing: *Provided*, That no punishment shall apply to the United States or to any such government, political subdivision or agency.

(2) "Beef," "beef carcass," "beef wholesale cut," "veal," "veal carcass," and "veal wholesale cut" shall have the same meaning ascribed by Revised Maximum Price Regulation No. 169, Beef and Veal Carcasses and Wholesale Cuts.

(3) "Lamb," "yearling lamb," "mutton," "lamb cut," "cut," and "wholesale cut" shall have the same meaning ascribed by Revised Maximum Price Regulation No. 239, Lamb and Mutton Carcasses and Cuts at Wholesale and Retail.

(4) "Sales at retail" means sales to the ultimate consumer: *Provided*, That no wholesaler, processor, packer, slaughterer, branch house, car-route, hotel supply house, commercial user, purveyor of meals, war procurement agency or other government agency shall be deemed to be an ultimate consumer, except that a sale to a purveyor of meals on usual retail terms by a retailer at least 80 percent of whose sales of meat during the preceding calendar month were made to ultimate consumers shall be deemed a sale at retail.

(5) "Retail seller" means a person regularly and generally engaged in making sales at retail.

(6) "Retail meat cut" shall have the same meaning ascribed by Maximum Price Regulation No. 355, Retail Ceiling Prices for Beef, Veal, Lamb and Mutton Cuts and All Variety Meats and Edible By-Products.[1]

(b) Unless the context otherwise requires, other terms used herein:

Applicable to beef and veal shall be subject to the definitions set forth in Revised Maximum Price Regulation No. 169, Beef and Veal Carcasses and Wholesale Cuts;

Applicable to lamb and mutton shall be subject to the definitions set forth in Revised Maximum Price Regulation No. 239, Lamb and Mutton Carcasses and Cuts at Wholesale and Retail; and

Applicable to retail sellers shall be subject to the definitions set forth in Maximum Price Regulation No. 355, Retail Ceiling Prices for Beef, Veal, Lamb and Mutton Cuts and All Variety Meats and Edible By-Products.

§ 4002.7 *Effective date.* This Regulation No. 1 shall become effective August 5, 1943.

Issued this 5th day of August 1943.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 43-12767; Filed, August 5, 1943; 5:21 p. m.]

[1] 8 F.R. 4423, 4922, 6214, 6248, 7199, 7827, 8185, 8945, 9366.

TITLE 46—SHIPPING

Chapter IV—War Shipping Administration

[General Order 36[1]]

PART 301—GENERAL REGULATIONS

REPAIRS AND OTHER WORK ON MERCHANT VESSELS

It appears that in many instances arrangements for repairs to and other work on merchant vessels are being made between contractors and owners or managing agents, and that such vessels are being placed in yards without consultation with or notification of the Office of The Coordinator for Ship Repair and Conversion. This serves to nullify the intent and purpose of the Coordinator's office, namely, the fullest utilization of repair facilities of the United States in prosecuting the war to a successful conclusion. In addition, it now appears desirable for the Coordinator's office to obtain certain information concerning the volume of work performed under subcontract, to determine the need for additional repair facilities in the several ports.

Accordingly, pursuant to the authority vested in me by Executive Order 9054, as amended, I hereby order and direct, That:

§ 301.21 *Scope of regulations.* All owners, managing agents, vessel repair yards and contractors, British Ministry of War Transport, and Local and District Managers of the Maintenance and Repair Division of the War Shipping Administration shall arrange for or perform repairs to and other work on merchant vessels in accordance with the following regulations (§§ 301.22 through 301.24).

§ 301.22 *Allocation of vessel by Coordinator for Ship Repair and Conversion.* Except under circumstances of extreme emergency, no merchant vessel shall be placed in or at water-side facilities of a contractor for repairs or other work until allocation of said vessel to such contractor has been approved by the Office of the Coordinator for Ship Repair and Conversion.

§ 301.23 *Extreme emergency repairs or work and reports.* Repairs or other work effected by contractors without water-side facilities, effected on loading berths, in the stream, or at other locations away from the site of the contractor's water-side facilities, or performed in or at water-side facilities under conditions of extreme emergency, need not be previously allocated by the Coordinator's office. In all such cases, the owner, managing agent, representative of the British Ministry of War Transport, or Local or District Manager, concerned therewith shall report in writing to the Coordinator, with a copy to the Executive Manager, Maintenance & Repair Division, War Shipping Administration, 45 Broadway, New York City, listing the name of the vessel, contractor, type of work, estimated cost, starting and estimated or actual completion date of the repairs or other work, within 5 days after allocation thereof.

§ 301.24 *Reports of repairs or other work effected by subcontract.* All ship repair contractors shall report weekly, within 5 days after the end of each calendar week, all repair or other work on merchant vessels effected on a subcontract basis, listing the name of the vessel, subcontractor, type of work, estimated cost, and starting and estimated or actual completion date. The report shall be submitted to the local office of the Coordinator, with a copy to the Executive Manager, Maintenance and Repair Division, War Shipping Administration, 45 Broadway, New York City.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

AUGUST 5, 1943.

[F. R. Doc. 43-12745; Filed, August 6, 1943; 9:15 a. m.]

[1] General Orders 34 and 35 will be issued at a later date.

[General Order 6, Revised, Supp. 2]

PART 305—INSURANCE

MISCELLANEOUS AMENDMENTS

Pursuant to the authority contained in the Act approved June 29, 1940 (54 Stat. 689), as amended, and Executive Order 9054, February 7, 1942 (7 F.R. 837), General Order 6, Revised, is amended and supplemented as follows:

Effective with the date of the opening of the New York City Cargo Underwriting Office, § 305.2 *Submission of risks*, § 305.4 *Quotation of rate*, and § 305.9 *Issuance of facultative policy*, are amended by striking out in each respectively the words and figures "at room 4089, Commerce Building, Washington, D. C." and inserting in lieu thereof the words and figures "at Room 915, 99 John Street, New York 7, N. Y."

Section 305.12 *Special rules* is clarified by adding at the end thereof:

(g) No return of premium for any reason will be allowed where the amount of the return premium involved is less than $100.00 or unless amounting to 10 percent or more of the original premium in respect to any facultative cargo war risk insurance.

Section 305.22 *Form of facultative policy* as published in General Order 6, Revised, is amended by striking out all material of the form appearing from the beginning thereof to the first numbered clause and inserting in lieu thereof the following:

UNITED STATES OF AMERICA

WAR SHIPPING ADMINISTRATION

Warshipcargo Policy
Amount Insured, $--------
Rate, --------%
Premium, $--------

No. C--------

Effective Date and Hour----------

This policy of insurance witnesseth that in consideration of a premium as shown above, receipt of which is hereby acknowledged, the War Shipping Administration hereby insures, in accordance with applicable provisions of Law:

-------- for account of whom it may concern.
Upon ----------
----------, identified as set forth below
In the sum of ---------- dollars
At and from ---------- to ----------
Warranted goods shipped and in transit on or before midnight of the 30th consecutive calendar day from and including the effective date of this policy. Any loss payable hereunder shall be payable in funds current in the United States, to ---------- or order, upon surrender of this Policy, thirty days after full proofs of loss and proofs of interest have been filed with the War Shipping Administration.

(For marks, numbers, or other identification of cargo, and special conditions)

If marks, numbers, or other specific identification of cargo are not noted hereon, then, unless otherwise agreed by the War Shipping Administration, the same must be incorporated in an endorsement duly signed by the War Shipping Administration within seven days from the effective date of the policy or prior to the sailing of the vessel from port of loading, whichever last occurs.

Subpart A, Cargo Insurance, is supplemented by adding the following:

§ 305.25 *Establishment of New York City Cargo Underwriting Office.* There is established in the offices of the War Shipping Administration, Division of Wartime Insurance, at 99 John Street, New York 7, N. Y., a cargo unit of the Underwriting Section for the underwriting of cargo war risk insurance. This office is designated the New York City Cargo Underwriting Office and shall perform such functions as may now or hereafter be established in General Order by the War Shipping Administration.

Over-the-Counter Facultative Cargo War Risk Insurance

§ 305.50 *Establishment of an over-the-counter facultative cargo war risk insurance procedure.* Effective with the date of opening of the New York City Cargo Underwriting Office, a new procedure for the underwriting of cargo war risk insurance on a facultative or special risk basis is established. This procedure will be known as the "Over-the-Counter" facultative cargo war risk insurance procedure and unless hereafter announced or otherwise agreed shall be applicable only to insurances negotiated by or through persons, firms or corporations in the metropolitan area of New York City. The procedure hitherto established for the binding of cargo war risk insurance on a facultative or special risk basis as set forth in § 305.3 shall continue to apply to all facultative cargo war risk insurance business negotiated other than as aforesaid.

§ 305.51 *Presentation and receipt of prepared policies.* On request the New York City Cargo Underwriting Office will furnish to applicants for insurance or their representatives sets of blank policies in sufficient quantities for appropriate use. The applicant for insurance will prepare the set of policies so received and must present the same by mail or hand delivery to the New York City Cargo Underwriting Office, as a set, consisting of an original, duplicate-original, and four copies, along with a receipt slip executed in duplicate on the form set forth in § 305.61. When a prepared set (or sets) of policies is (are) received with an accompanying receipt slip, the New York City Cargo Underwriting Office will immediately assign a policy number to each respective risk listed on the receipt slip for which an applicable set of prepared policies has been submitted, and will place on the receipt slip the acknowledged time and date of receipt. The duplicate receipt slip, indicating the time of the acknowledged receipt and the policy number, will be handed back to the person making the delivery, or will be mailed to the address indicated thereon.

§ 305.52 *Payment of premium.* In order to obtain the effective validation of any set of policies (or any set of endorsements for which payment of premium is necessary) as of the time of the acknowledged receipt thereof, payment of sufficient premium at the correct rate for the applicable voyage and conditions of insurance must be received by the New York City Cargo Underwriting Office by means of either a certified check, or a cashier's check or a money order payable to the order of War Shipping Administration prior to the close of business of the second business day following the date of the acknowledged receipt of such set of policies or such set of endorsements as shown by the original receipt slip.

(a) Payment of premium must be made by one check or money order for all policies (and/or endorsements) listed on a single receipt slip, and may be so made by a single check or money order for one or more receipt slips which are acknowledged as having been received on the same day.

(b) The check or money order in payment of premium must be accompanied either by the set of prepared policies or the duplicate acknowledged receipt slip for the purposes of identification.

§ 305.53 *Validation of policies.* When the New York City Cargo Underwriting Office is satisfied that the set of policies is prepared properly and sufficient premium for the applicable voyage and conditions of the insurance has been paid in accordance with the provisions of Sec. 305.52, it will cause the set of policies to be made effective subject to the policy warranties as of the time of the acknowledged receipt thereof as shown by the receipt slip. The original, duplicate-original, and two copies of the validated set of policies will be returned to the person requesting delivery in return for the duplicate receipt slip or such policies will be mailed to the address indicated on the receipt slip.

(a) If proper payment of premium is not made any set of policies submitted may in the discretion of the New York City Cargo Underwriting Office be treated as null, void and of no effect.

§ 305.54 *Correction of policies and validation.* When the New York City Cargo Underwriting Office ascertains that any set of prepared policies contains one or more errors it may return the original, duplicate-original and two copies of the policies together with a rejection slip which will indicate the respects in which the set of policies is required to be corrected.

(a) When the New York City Cargo Underwriting Office is satisfied that sufficient premium for the applicable voyage and conditions of the insurance has been paid in accordance with the provisions of § 305.52 and that all corrections which are indicated to be necessary on the rejection slip are made, and within three business days following the date appearing on the rejection slip, either the original and duplicate-original policies are returned without other changes or a new set of policies embodying no change other than the corrections indicated to be necessary on the rejection slip, is submitted, the policies will be made effective subject to the policy warranties as of the time of the acknowledged receipt thereof as shown by the original receipt slip.

(b) Notwithstanding the foregoing the New York City Cargo Underwriting Office has the right to make any necessary corrections in any set of policies. Any change so made shall be conclusively binding on the applicant for insurance upon acceptance by him of the policy so corrected.

(c) If proper payment of premium is not made any set of resubmitted policies may in the discretion of the New York City Cargo Underwriting Office be treated as null, void and of no effect.

§ 305.55 *Manner of increasing insured amounts.* Whenever a set of endorsements consisting of an original, duplicate-original and two copies is received by the New York City Cargo Underwriting Office, prepared properly on the form set forth in § 305.59, and it is ascertained that sufficient premium for the applicable voyage and conditions of insurance has been paid in accordance with the provisions of § 305.52, such set of endorsements will be made effective subject to its terms and conditions as of the time of its acknowledged receipt as shown by the receipt slip. The original and duplicate-original of the validated set of endorsements will be returned to the person requesting delivery in return for the duplicate receipt slip, or such endorsements will be mailed to the address indicated on the receipt slip.

(a) If a shipment of additional merchandise is the reason for the increased amount insured a description of such additional merchandise must be furnished in writing including specific identification.

§ 305.56 *Manner of extending the transit warranty.* In a proper instance, subject to the provisions of § 305.10 (a), whenever an extension of the time within which the goods are warranted to be shipped and in transit is required, an extension of the transit warranty will be granted provided a set of endorsements, consisting of an original, duplicate-original, and two copies, prepared properly on the form set forth in § 305.60 is presented to the New York City Cargo Underwriting Office. The set of endorsements will be made effective as of the time of its acknowledged receipt by the New York City Cargo Underwriting Office, subject to the regulations set forth in this section, unless otherwise agreed by the War Shipping Administration. The original and duplicate-original of such set of validated endorsements will be returned to the person requesting delivery in return for the duplicate receipt slip, or such endorsements will be mailed to the address indicated on the original receipt slip.

(a) In the instance of the presentation of a set of these endorsements on a date which is more than seven (7) days prior to the then existing expiration date of the transit warranty, the set of endorsements may be returned without further action, or treated as null, void and of no effect by the New York City Cargo Underwriting Office, unless otherwise agreed.

(b) If the correct rate of premium for the applicable voyage and conditions of insurance in effect at the time of the acknowledged receipt of the set of endorsements by the New York City Cargo Underwriting Office is not greater than that by which premium has already been calculated and paid, the set of endorsements will be validated without the requirement of additional premium.

(c) If the correct rate of premium for the applicable voyage and conditions of insurance in effect at the time of the acknowledged receipt of the set of endorsements by the New York City Cargo Underwriting Office is greater than that by which premium has already been calculated and paid, then payment of sufficient additional premium must be made in accordance with the provisions of § 305.52 in order to permit the set of endorsements to be validated as of the time of the acknowledged receipt.

§ 305.57 *Other endorsements.* Whenever it is necessary to endorse the policy with any endorsement other than the Standard Endorsements set forth respectively in § 305.59 and § 305.60, the applicant for insurance or his representative or the policy-holder may request any necessary endorsement by submitting a form of endorsement or sufficient information in the form of a letter. If the New York City Cargo Underwriting Office is satisfied that the request is appropriate and that any additional premium required has been paid in accordance with the provisions of § 305.52, it will validate or prepare the necessary endorsement.

§ 305.58 *Correction of endorsements and validation.* When the New York City Cargo Underwriting Office ascertains that any set of prepared endorsements contains one or more errors it may return the original and duplicate-original, together with a rejection slip which will indicate the respects in which the set of endorsements is required to be corrected.

(a) When the New York City Cargo Underwriting Office is satisfied that sufficient premium for the applicable voyage and conditions of the insurance has been paid in accordance with the provisions of § 305.52 and that all corrections which are indicated to be necessary on the rejection slip are made, and within three business days following the date appearing on the rejection slip, either the original and the duplicate-orginal endorsements are returned without other changes or a new set of endorsements embodying no change other than the corrections indicated to be necessary on the rejection slip, is submitted, the set of endorsements will be made effective according to its terms as of the time of the acknowledged receipt thereof as shown by the original receipt slip.

(b) Notwithstanding the foregoing the New York City Cargo Underwriting Office has the right to make any necessary corrections in any set of endorsements. Any change so made shall be conclusively binding on the applicant for insurance upon acceptance by him of the endorsement so corrected.

(c) If proper payment of premium is not made any set of submitted endorsements may in the discretion of the New York City Cargo Underwriting Office be treated as null, void and of no effect.

§ 305.59 *Standard form of increase endorsement.* Unless otherwise agreed the following is the standard form of increase endorsement.

Endorsement No. _____ to be attached to Cargo War Risk Policy No. _____ issued to _____ by War Shipping Administration.

In consideration of an additional premium of $_____, the insured amount of the Policy to which this endorsement is attached is increased by the sum of _____ ($_____) Dollars, and the description of merchandise insured hereunder is amended as set forth below; warranted, however, with respect to the amount of increase only, that the goods to which this Policy is applicable have not become waterborne on an overseas vessel prior to the day and hour this endorsement is effective, or if waterborne prior to that time on any vessel that the goods are on a vessel safe in port at the effective day and hour of this endorsement, or held covered pursuant to the terms and conditions of Clause 12 of the Policy.

It is further warranted that there is no known or reported loss of or damage to said vessel and interest insured at the effective day and hour of this endorsement.

_____
(Amended description of merchandise)

All other terms and conditions remaining unchanged. Effective this _____ day of _____ 19____ at _____ am pm

For _____
Director of Wartime Insurance,
War Shipping Administration.

§ 305.60 *Standard form of endorsement for extension of the transit warranty.* Unless otherwise agreed the following is the standard form of Endorsement for Extension of the Transit Warranty:

Endorsement No. _____ to be attached to Cargo War Risk Policy No. _____, Issued to _____ by War Shipping Administration. *(In consideration of an additional premium of $_____.)

It is understood and agreed that the transit warranty contained in this policy as originally issued or as amended by endorsement, which requires the goods to which this insurance is applicable to be shipped and in transit on or before a specified time, is hereby amended to permit the goods to be shipped and in transit on or before midnight of the expiration of the 30th consecutive calendar day, (including the effective day of this endorsement) from the effective day of this endorsement, such amendment being subject to the following: That if such goods were, after the expiration of the transit warranty contained in this policy as originally issued, or as amended by endorsement, both placed in transit and waterborne prior to the effective day and hour of this endorsement then it is warranted such goods are on a vessel safe in port on the effective day and hour of this endorsement, or held covered pursuant to the terms and conditions of Clause 12 of the policy.

It is further warranted that there is no known or reported loss of or damage to said vessel and interest insured at the effective day and hour of this endorsement.

All other terms and conditions remaining unchanged. Effective this _____ day of _____ 19____ at _____ a. m.-p. m.

For_____
Director of Wartime Insurance,
War Shipping Administration,

§ 305.61 *Receipt slip.* The following is the form of receipt slip which will be acceptable for use in connection with the submission of prepared policies or endorsements to the New York City Cargo Underwriting Office:

RECEIPT SLIP

Submitted herewith are _____ set(s) of policies and/or set(s) of endorsements prepared and presented for validation subject to the provisions of § 305.50 and following of General Order No. 6, revised, as supplemented.

Policy Number [1]	Insured Amount	Assured's Name	Extended Transshipment Endorsement [2]	Ship to Shore Endorsement [2]	Other Type of Endorsement	Rate	Amount of Premium

[1] Leave blank for insertion of policy numbers by War Shipping Administration.
[2] If Standard Optional Endorsement I is desired, insert "yes".
[3] If Standard Optional Endorsement XVI is desired insert "yes".

*Insert word "none" if additional premium not required.

Will call for ☐ Mail ☐
(Please indicate by "X")

Date and hour of Acknowledged Receipt:
Signed by_____
Address_____
Per _____
Telephone No._____
The Rate and Premium noted hereon are statements of the applicant and are not binding upon the War Shipping Administration.

(Do not use this space)

NOTE: Receipt slips must be typewritten, printed or mimeographed by the policy applicant.

§ 305.62 *Office hours.* For the purposes of payment of premium and issuance of validated policies or endorsements the New York City Cargo Underwriting Office will regard 4:00 P. M., E. W. T. as the time of closing of the business day unless otherwise specially agreed.

§ 305.63 *Applicability of other sections of General Order No. 6, Revised.* All sections of General Order No. 6, Revised, as supplemented, dealing with facultative cargo war risk insurance, insofar as the same are not in conflict with §§ 305.50 through 305.64 for providing facultative cargo war risk insurance on an over-the-counter basis, shall be deemed applicable to the underwriting of facultative cargo war risk insurance by the New York City Cargo Underwriting Office. In no event, however, shall the provisions in respect to a special guarantee deposit account apply to the writing of facultative cargo war risk insurance on an over-the-counter basis by the New York City Cargo Underwriting Office.

§ 305.64 *Powers of the New York City Cargo Underwriting Office.* The Director of Wartime Insurance, or his representative duly authorized by a written directive, may waive strict compliance with any regulation for procuring facultative cargo war risk insurance to the extent that he may determine that such waiver is not contrary to the purposes of the statute under which such insurance is provided or to the interests of the War Shipping Administration. In any determination as aforesaid the decision of the Director of Wartime Insurance or his duly authorized representative shall be conclusive upon all parties thereto.

Subpart A, Cargo Insurance, Open Policy Cargo War Risk Insurance, is supplemented by adding the following:

§ 305.153 *Automatic reinstatement endorsement.* Effective with the day of the publication hereof the following clause shall automatically be made a part of each Warshipopencargo Policy which attached prior to January 30, 1943, unless written or telegraphic notice to the contrary is received by the War Shipping Administration, Division of Wartime Insurance, from the policyholder within thirty (30) days from the date of the publication hereof:

It is understood and agreed that in the event prior to January 30, 1943 this policy became void through failure of the policyholder to maintain a sufficient collateral deposit or surety bond but such voidance has not become known to the policyholder prior to the date of the publication of this clause in the FEDERAL REGISTER, this policy shall be deemed automatically reinstated as of January 30, 1943 with respect to all shipments:

(a) Under ocean bills of lading dated on or after January 30, 1943, or

(b) If ocean bills of lading are not issued under equivalent shipping documents dated on and after said date, or

(c) If no ocean bills of lading or equivalent shipping documents are issued or the same are undated, laden on overseas vessel on or after such date.

With respect to shipments other than as aforesaid the reinstatement shall only become effective upon arrival of the insured merchandise at first safe port (other than port of final destination) subsequent to January 30, 1943.

In consideration of the reinstatement of this policy as aforesaid it is understood and agreed that with respect to insurances so reinstated the policy-holder waives any claim which might otherwise arise for return of premium by reason of the voidance of said policy and admits liability for all premium payments which would have been due under this policy with respect to such shipments if the breach of warranty had not arisen.

All other terms and conditions remaining unchanged.

(E.O. 9054, 7 F.R. 837)

[SEAL] E. S. LAND,
Administrator.

AUGUST 5, 1943.

[F. R. Doc. 43-12746; Filed, August 6, 1943; 9:15 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[Service Order 135, Amdt. 1]

PART 95—CAR SERVICE

DEMURRAGE CHARGE AT MEXICAN BORDER POINTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 5th day of August, A. D. 1943.

Upon further consideration of the provisions of Service Order No. 135 (8 F.R. 9569-70) of July 10, 1943, and good cause appearing therefor:

It is ordered, That Service Order No. 135 (8 F.R. 9569-70) be, and it is hereby, amended to read as follows:

§ 95.502 *Demurrage charge at Mexican border points.* (a) After expiration of the free time allowed by tariffs lawfully on file with this Commission on interstate or foreign shipments in carloads originating at points in, or moving through, the United States and destined to points in Mexico the demurrage charges at Brownsville, Texas; Calexico, California; Cantu, California; Division, California; Douglas, Arizona; Eagle Pass, Texas; El Paso, Texas; Laredo, Texas; Naco, Arizona; Nogales, Arizona; Presidio, Texas; and San Ysidro, California; on such carload shipments shall be $5.50 per car per day or fraction thereof, for each of the first two (2) days, and shall be $22.00 per car per day or fraction thereof, for each succeeding day.

(b) *Average agreements.* Carload shipments from and to the points set forth in paragraph (a) of this section shall not be included in any average agreement at named border points.

(c) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with the provisions of paragraphs (a) and (b) of this section is hereby suspended.

(d) *Announcement of suspension.* Each railroad, or its agent, on or before the effective date of this order, and upon not less than one day's notice to the Commission and the public, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of the operation of any of the provisions therein, and establishing the substituted provisions above set forth. (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., August 6, 1943, and that a copy of this order and direction shall be 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 that notice of this order 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.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-12774; Filed, August 6, 1943; 10:53 a. m.]

[Service Order No. 139, Amdt. 1]

PART 95—CAR SERVICE

SHIPMENT OF GRAVEL TO FOSTERS OR SHREVEPORT, LA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 5th day of August, A. D. 1943.

It appearing, that shipments of gravel in carloads originating at points in Arkansas and Louisiana and destined to Fosters or Shreveport, Louisiana, or any other point near Shreveport, for use at Barksdale Field are being weighed on railroad track scales, thus impeding the use, control, supply, movement, and distribution of cars; in the opinion of the Commission an emergency exists requiring immediate action to avoid a shortage of equipment and congestion of traffic:

It is ordered, That Service Order No. 139, (8 F.R. 10774) be, and it is hereby, amended to read as follows:

§ 95.21 *Carloads of gravel destined to Fosters or Shreveport, Louisiana, or any other point near Shreveport, for use at Barksdale Field, not to be weighed.* (a) No common carrier by railroad subject to the Interstate Commerce Act shall weigh

or permit to be weighed any shipment of gravel in carloads, on any railroad track scales when such traffic originates on or after the effective date of this order at any point or points in Arkansas or Louisiana and is destined to Fosters or Shreveport, Louisiana, or any point near Shreveport, for use at Barksdale Field, except that a limited number of cars may be weighed as is necessary to obtain average weights. The operation of all tariff rules or regulations insofar as they conflict with the provisions of this order is hereby suspended.

(b) *Announcement of suspension.* Each of such railroads 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., August 6, 1943, and that a copy of this order and direction shall be 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 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.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43-12775; Filed, August 6, 1943; 10:53 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Air-Navigation Site Withdrawal 207]

WYOMING

AIR-NAVIGATION SITE WITHDRAWAL

By virtue of the authority contained in section 4 of the act of May 24, 1928, c. 728, 45 Stat. 729 (U.S.C., title 49, sec. 214), it is ordered as follows:

Subject to valid existing rights, the following-described public land, near Rock Springs, Wyoming, is hereby withdrawn from all forms of appropriation under the public-land laws and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of air-navigation facilities, the reservation to be known as Air-Navigation Site Withdrawal No. 207:

SIXTH PRINCIPAL MERIDIAN

T. 19 N., R. 106 W.,
Sec. 36, NE¼SE¼SW¼.
The area described contains 10 acres.

This order shall take precedence over, but shall not modify the order of the Acting Secretary of the Interior of October 31, 1936, establishing Wyoming Grazing District No. 4.

ABE FORTAS,
Acting Secretary of the Interior.

JULY 31, 1943.

[F. R. Doc. 43-12777; Filed, August 6, 1943; 11:19 a. m.]

[Public Land Order 154]

ALASKA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT FOR MILITARY PURPOSES

By virtue of the authority vested in the President by section 1 of the act of June 4, 1897, 30 Stat. 11, 36 (U.S.C., title 16, sec. 473) and otherwise, and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the public lands within the following-described area, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department for military purposes:

CORDOVA TO CORDOVA AIRPORT

A strip of land 200 ft. wide, 100 ft. on each side of the center line of the Copper River and Northwestern Railroad shown on map designated "Directive Maps—December 15, 1942—Office of Chief Engineer Cordova Alaska" on file in the General Land Office, Washington, D. C., file No. 1906338, the terminal points being described as follows:

Beginning at a point on the south line of U. S. Survey No. 449 station 61+95, thence southeasterly and easterly as shown on said map to station 686+41.4 or Mile 13.

This Order shall take precedence over, but shall not rescind or revoke, any other prior order withdrawing or reserving the lands described herein.

Jurisdiction over the public lands in the above-described area shall revert to the Department of the Interior and to any other Department or Agency of the Federal Government having jurisdiction over the lands immediately prior to the issuance of this order, according to their respective interests, when the lands are no longer needed for the purpose for which they are reserved. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered, pending classification and determination as to whether the lands or any portion thereof are needed for public purposes.

ABE FORTAS,
Acting Secretary of the Interior.

JULY 29, 1943.

[F. R. Doc. 43-12778; Filed, August 6, 1943; 11: 19 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective August 2, 1943.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of the Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

Acme Cloth Reel Company, 214 West McBee Avenue, Greenville, South Carolina; Cloth reels; 2 learners (T); Reinforcing ends of cloth reels and pasting lettered labels for a learning period of 240 hours at 35¢ per hour until February 1, 1944.

Signed at New York, this 3d day of August 1943.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-12737; Filed, August 5, 1943; 12:36 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943, (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments, Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530) as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446) as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions therein contained and to the provisions of the applicable Determination and Order or Regulations cited above. The applicable Determination and Order or Regulations and the effective and expiration dates of the Certificates issued to each employer is listed below. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

Single Pants, Shirts, and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Atlantic Garment Company, 2406 Island Avenue, Atlantic City, New Jersey; Cotton overalls, coveralls, work clothes for defense plants; 5 learners (T); effective August 3, 1943, expiring August 3, 1944.

Brookshire Shirt Company, Incorporated, 19 Edson Street, Amsterdam, New York; Men's shirts and sport shirts; 10 learners (T); effective August 3, 1943, expiring August 3, 1944.

Carwood Manufacturing Company, Athens Street, Winder, Georgia; Wool, serge, O. D. trousers, cotton trousers and shirts; 5 percent (A. T.); effective August 6, 1943, expiring February 6, 1944.

Central Manufacturing Company, Dickson, Tennessee; Work shirts, U. S. Army shirts, U. S. Navy shirts; 125 learners (A. T.); effective August 5, 1943, expiring February 5, 1944. (This certificate replaces the one previously issued effective October 5, 1942, and expiring October 5, 1943.)

Dixie Dress Manufacturing Company, 116 Mitchell Street, S. W., Atlanta, Georgia; (WAAC) skirts, dresses and sportswear; 10 learners (T); effective August 4, 1943, expiring August 4, 1944.

Dixie Shirt Company, Incorporated, Camp Wadsworth, Spartanburg, South Carolina; Men's shirts; 10 percent (T); effective August 25, 1943, expiring August 25, 1944.

Elder Manufacturing Company, St. Genevieve, Missouri; Boys' shirts, pajamas and sportswear; 20 percent (A. T.); effective August 2, 1943, expiring February 2, 1944. (This certifiate replaces the one issued previously, effective November 12, 1942 and expiring November 12, 1943.)

The Fishback Manufacturing Company, 1731 Arapahoe Street, Denver, Colorado; Work clothing, government one-piece suits; 10 learners (T); effective August 4, 1943, expiring August 4, 1944.

Friedman & Shickman, 1104 Washington Avenue, St. Louis, Missouri; Rayon dresses; 10 learners (T); effective August 3, 1943, expiring August 3, 1944.

Georgia Shirt Company, Cornelia, Georgia; Flannel O. D. shirts; 5 percent (A. T.); effective August 6, 1943, expiring February 6, 1944.

High Point Overall Company, Willowbrook and Hamilton Streets, High Point, North Carolina; Overalls, work pants and shirts, 1 piece suits, trousers and dungarees for the government; 20 percent (A. T.); effective August 11, 1943, expiring February 11, 1944.

Jimy Manufacturing Company, Blackwood, New Jersey; Children's and ladies' cotton wash dresses; 5 learners (T); effective August 4, 1943, expiring August 4, 1944.

S. Liebovitz & Sons, Incorporated, Beech & Evans Street, Pottstown, Pennsylvania; Men's dress shirts; 10 percent (T); effective August 11, 1943, expiring August 11, 1944.

Meyersdale Manufacturing Company, Meyersdale, Pennsylvania; Army shirts, dress shirts; 60 learners (A. T.); effective August 14, 1943, expiring February 14, 1944.

Monroe Manufacturing Company, Monroe, Georgia; Trousers, herringbone O. D., overalls, shirts; 5 percent (A. T.); effective August 6, 1943, expiring February 6, 1944.

Regal Manufacturing Company, 3915 Main Street, Dallas, Texas; Washable service uniforms; 10 learners (T); effective August 3, 1943, expiring August 3, 1944.

Southeastern Manufacturing Company, Monroe, Georgia; Cotton khaki trousers; 10 percent (T); effective August 5, 1943, expiring August 5, 1944.

Tuf-Nut Garment Manufacturing Company, 423 East Third Street, Little Rock, Arkansas; Men's and boys' overalls and jumpers, work trousers and work shirts; 10 percent (T); effective August 3, 1943, expiring August 3, 1944.

Glove Industry

Alvord Glove Company, Mayfield, New York; Men's dress gloves; 5 learners (T); effective August 7, 1943, expiring August 7, 1944.

Hosiery Industry

Burlington Mills Hosiery Division, 1421 South Elm Street, Greensboro, North Carolina; Seamless and full-fashioned hosiery; 5 percent (T); effective August 5, 1943, expiring August 5, 1944.

Commonwealth Hosiery Mills, Ellerbe, North Carolina; Seamless hosiery; 15 learners (A. T.); effective August 4, 1943, expiring February 4, 1944.

Grantville Mills, Grantville, Georgia; Seamless hosiery; 3 percent (T); effective August 4, 1943, expiring August 4, 1944.

Textile Industry

Huntingdon Throwing Mills, Mifflinburg, Pennsylvania; throwing of silk, rayon and fiberglas; 100 learners (A. T.); effective August 3, 1943, expiring February 3, 1944.

Signed at New York, N. Y., this 3d day of August 1943.

PAULINE C. GILBERT,
Authorized Representative of the Administrator.

[F. R. Doc. 43-12738; Filed, August 5, 1943; 12:36 p. m.]

FRUIT AND VEGETABLE PACKING AND FARM PRODUCTS ASSEMBLING INDUSTRY

NOTICE OF HEARING ON MINIMUM WAGE RECOMMENDATION

Notice of hearing on the minimum wage recommendation of Industry Committee No. 62 for the Fruit and Vegetable Packing and Farm Products Assembling Industry, to be held August 26, 1943.

Whereas the Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, on July 2, 1943, by Administrative Order No. 202, appointed Industry Committee No. 62 for the Fruit and Vegetable Packing and Farm Products Assembling Industry, composed of an equal number of representatives of the public, employers in the Industry and employees in the Industry, and on July 15, 1943, by Administrative Order No. 206 enlarged the Committee by appointing nine additional members, likewise equally representative of the public, employers, and employees in the Industry, all of such representatives having been appointed with due regard to the geographical regions in which the Industry is carried on; and

Whereas Industry Committee No. 62, on July 27, 1943, recommended a minimum wage rate for the Fruit and Vegetable Packing and Farm Products Assembling Industry and duly adopted a report containing such recommendation and reasons therefor and filed such report with the Administrator on July 30, 1943, pursuant to section 8 (d) of the Act and § 511.19 of the regulations issued under the Act; and

Whereas the Administrator is required by section 8 (d) of the Act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 62 if he finds that the recommendation is made in accordance with law and is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purposes of section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, notice is hereby given that:

I. The recommendation of Industry Committee No. 62 is as follows:

Wages at a rate of not less than 40 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Fruit and Vegetable Packing and Farm Products Assembling Industry (as defined in Administrative Order No. 202) who is engaged in commerce or in the production of goods for commerce and is not exempt under section 13 (a) of the Act.

II. The definition of the Fruit and Vegetable Packing and Farm Products Assembling Industry as set forth in Administrative Order No. 202, issued July 2, 1943, is as follows:

The assembling and preparing for market of fresh fruits and vegetables, and other farm and related products (including wild and domesticated animals other than those assembled for processing into food for human or animal consumption).

a. It includes, but without limitation:

(1) The packing of fresh fruits and vegetables; the shelling of nuts; the ginning and compressing of cotton; the retting and decorticating of flax and other vegetable fibers;

and other similar operations performed on farm and related products.

(2) The gathering or collecting of wild berries, plants, flowers, gums, saps, seeds and other forms of wild plant or animal life.

(3) "The leaf processing branch of the Cigar Industry" as defined in the wage order for the Cigar Industry.

b. *Provided, however,* This industry does not include:

(1) the assembling of fresh fruits and vegetables or other farm and related products when performed in a marketing or wholesaling establishment which does no preparing for market within the meaning of this definition and which receives directly from gatherers of non-cultivated products or from farmers products constituting less than one-half of all products handled; (2) logging; (3) public warehousing of commodities other than cotton; (4) any product included in the Canned Fruits and Vegetables and Related Products Industry; Cottonseed and Peanut Crushing Industry; Vegetable Fats and Oils Industry; and Meat, Poultry, and Dairy Products Industry (as defined in Administrative Orders Nos. 182, 189, 190, and 201 respectively), or in the Grain Products Industry and the Tobacco Industry (as defined in the wage orders for such industries).

III. The full text of the report and recommendation of Industry Committee No. 62 is and will be available for inspection by any person between the hours of 9:00 a. m. and 4:00 p. m. at the following offices of the United States Department of Labor, Wage and Hour Division:

Boston, Massachusetts, Old South Building, 294 Washington Street.

New York, New York, Parcel Post Building, 341 Ninth Avenue.

Philadelphia, Pennsylvania, 1216 Widener Building, Chestnut and Juniper Streets.

Richmond, Virginia, 215 Richmond Trust Building.

Atlanta, Georgia, Fifth Floor, Carl Witt Building, 249 Peachtree Street NE.

Columbia, South Carolina, Federal Land Bank Building, Hampton and Marion Streets.

Birmingham, Alabama, 1007 Comer Building.

Jackson, Mississippi, 404 Deposit Guaranty Bank Building, 102 Lamar Street.

Cleveland, Ohio, 4094 Main Post Office, West Third and Prospect Avenue.

Detroit, Michigan, David Stott Building, 1150 Griswold Street.

Newark, New Jersey, Essex Building, 31 Clinton Street.

Pittsburgh, Pennsylvania, Clark Building, Liberty Avenue and Seventh Street.

Baltimore, Maryland, 401-411 Old Town Building, Gay Street and Fallsway.

Raleigh, North Carolina, North Carolina Department of Labor, Salisbury and Edenton Streets.

Jacksonville, Florida, 456 New Post Office Building.

New Orleans, Louisiana, 916 Union Building.

Nashville, Tennessee, 509 Medical Arts Building.

Cincinnati, Ohio, 1312 Traction Building, Fifth and Walnut Streets.

Chicago, Illinois, 1200 Merchandise Mart, 222 West North Bank Drive.

Minneapolis, Minnesota, 406 Pence Building, 730 Hennepin Avenue.

St. Louis, Missouri, 316 Old Customs House, 815 Olive Street.

Dallas, Texas, Rio Grande National Building, 1100 Main Street.

San Francisco, California, 800 Humboldt Bank Building, 785 Market Street.

Kansas City, Missouri, 3000 Fidelity Building, 911 Walnut Street.

Denver, Colorado, 300 Chamber of Commerce Building, 1726 Champa Street.

Los Angeles, California, 417 H. W. Hellman Building, Spring and Fourth Streets.

Seattle, Washington, 305 Post Office Building, Third Avenue and Union Street.

San Juan, Puerto Rico, Post Office Box 112.

Washington, District of Columbia, Department of Labor, First Floor.

New York, New York, 165 West 46th Street.

Copies of the Committee's report and recommendation may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York.

IV. A public hearing will be held on August 26, 1943, before the Administrator of the Wage and Hour Division or a representative designated to preside in his place, at 10:00 a. m. in Room 1001, United States Department of Labor, 165 West 46th Street, New York, New York, for the purpose of taking evidence on the following question:

Whether the recommendation of Industry Committee No. 62 should be approved or disapproved.

V. Any interested person supporting or opposing the recommendation of Industry Committee No. 62 may appear at the aforesaid hearing to offer evidence, either on his behalf or on behalf of any other person: *Provided,* That not later than August 21, 1943, such person shall file with the Administrator at New York, New York, a notice of his intent to appear which shall contain the following information:

1. The name and address of the person appearing.

2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.

3. Whether such person proposes to appear for or against the recommendation of Industry Committee No. 62.

4. The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York, and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 62 may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York, or by consulting with attorneys representing the Administrator who will be available for that purpose at the Office of the Solicitor, United States Department of Labor, in Washington, D. C., and New York, New York.

VII. Copies of the following document relating to the Fruit and Vegetable Packing and Farm Products Assembling Industry will be made available on request for inspection by any interested person who intends to appear at the aforesaid hearing:

Report entitled, "Memorandum to Industry Committee No. 62 for the Fruit and Vegetable Packing and Farm Products Assembling Industry," prepared by the Economics Branch, Wage and Hour and Public Contracts Divisions, United States Department of Labor, July 1943.

VIII. The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Administrator or Presiding Officer as are deemed appropriate.

1. The hearing shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York.

2. In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice, he will not be permitted to offer evidence at any other time except by special permission of the Presiding Officer.

3. At the discretion of the Presiding Officer, the hearing may be continued from day to day, or adjourned to a later date, or to a different place by announcement thereof at the hearing by the Presiding Officer or by other appropriate notice.

4. At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the hearing has been closed, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

5. All evidence must be presented under oath or affirmation.

6. Written documents or exhibits, except as otherwise permitted by the Presiding Officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.

7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the Presiding Officer. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the Presiding Officer the original document together with two copies of those portions of the document intended to be put in evidence.

8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

10. The rules of evidence prevailing in the courts of law or equity shall not be controlling.

11. The Presiding Officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person insofar as is practicable, and to object to the admission or exclusion of evidence by the Presiding Officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the Presiding Officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the Presiding Officer.

12. Before the close of the hearing, written requests shall be received from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

14. On the close of the hearing, a complete record of the proceedings shall be filed with the Administrator. No intermediate report shall be filed unless so directed by the Administrator. If a report is filed it shall be advisory only and have no binding effect upon the Administrator.

15. No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at New York, New York, this 2d day of August, 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-12740; Filed, August 5, 1943; 2:24 p. m.]

MEAT, POULTRY, AND DAIRY PRODUCTS INDUSTRY

NOTICE OF HEARING ON MINIMUM WAGE RECOMMENDATION

Notice of hearing on the minimum wage recommendation of Industry Committee No. 61 for the Meat, Poultry, and Dairy Products Industry, to be held August 24, 1943.

Whereas the Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938 on June 16, 1943, by Administrative Order No. 201, appointed Industry Committee No. 61 for the Meat, Poultry, and Dairy Products Industry, composed of an equal number of representatives of the public, employers in the Industry and employees in the Industry, such representatives having been appointed with due regard to the geographical regions in which the Industry is carried on; and

Whereas Industry Committee No. 61, on July 13, 1943, recommended a minimum wage rate for the Meat, Poultry, and Dairy Products Industry and duly adopted a report containing such recommendations and reasons therefor and filed such report with the Administrator on July 14, 1943, pursuant to section 8 (d) of the Act and § 511.19 of the regulations issued under the Act; and

Whereas the Administrator is required by section 8 (d) of the Act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 61 if he finds that the recommendation is made in accordance with law and is supported by the evidence adduced at the hearing and taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purposes of section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, notice is hereby given that:

I. The recommendation of Industry Committee No. 61 is as follows:

Wages at a rate of not less than 40 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the Meat, Poultry and Dairy Products Industry (as defined in Administrative Order No. 201) who is engaged in commerce or in the production of goods for commerce.

II. The definition of the Meat, Poultry, and Dairy Products Industry as set forth in Administrative Order No. 201, issued June 16, 1943, is as follows:

The assembling, processing, and marketing of meat animals and meat animal products, poultry and poultry products, and dairy products.

a. It includes, but without limitation, any product or by-product obtained from livestock, poultry, wild fowl and game (including meats, milk, and eggs) and any other product which is derived from any other form of animal life (such as fish, reptiles, and frogs), and which is assembled, processed or marketed for animal or human consumption.

b. *Provided, however,* That the definition shall not include:

(1) Storing performed by an independent warehouse.

(2) Any product included in the Leather Industry; Drug, Medicine, and Toilet Preparations Industry (as defined in the wage orders for these industries); or in the Canned Fruits and Vegetables and Related Products Industry; and the Chemical, Petroleum and Coal Products, and Allied Manufacturing Industries (as defined in Administrative Orders Nos. 182 and 193 respectively).

The definition of the Meat, Poultry, and Dairy Products Industry covers all occupations in the industry which are necessary to the production of the articles or the operations specified therein including clerical, maintenance, shipping and selling occupations: *Provided, however,* The definition does not cover such clerical, maintenance, shipping and selling occupations (a) when carried on in an establishment or department exclusively engaged in wholesaling or selling, the greater part of the sales of which establishment or department are sales of products which are not included in this industry; and (b) when carried on exclusively in connection with the sale of articles not included in this industry: *And provided, further,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek, unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

III. The full text of the report and recommendation of Industry Committee No. 61 is and will be available for inspection by any person between the hours of 9:00 a. m. and 5:00 p. m. at the following offices of the United States Department of Labor, Wage and Hour Division:

Boston, Massachusetts, Old South Building, 294 Washington Street.
New York, New York, Parcel Post Building, 341 Ninth Avenue.
Newark, New Jersey, Essex Building, 31 Clinton Street.
Philadelphia, Pennsylvania, 1216 Widener Building, Chestnut and Juniper Streets.
Pittsburgh, Pennsylvania, Clark Building, Liberty Avenue and Seventh Street.
Richmond, Virginia, 215 Richmond Trust Building, 627 East Main Street.
Baltimore, Maryland, 408 Old Town Bank Building.
Raleigh, North Carolina, North Carolina Department of Labor, Salisbury and Edenton Streets.
Columbia, South Carolina, Federal Land Bank Building, Hampton and Marion Streets.
Atlanta, Georgia, Fifth Floor, Witt Building, 249 Peachtree Street NE.
Jacksonville, Florida, 456 New Post Office Building.
Birmingham, Alabama, 1007 Comer Building, 2nd Avenue and 21st Street.
New Orleans, Louisiana, 916 Richards Building, 837 Gravier Street.
Jackson, Mississippi, 404 Deposit Guaranty Bank Building, 102 Lamar Street.
Nashville, Tennessee, 509 Medical Arts Building, 115 Seventh Avenue, N.
Cleveland, Ohio, 4094 Main Post Office, West 3rd and Prospect Avenue.
Cincinnati, Ohio, 1312 Traction Building, 5th and Walnut Streets.
Detroit, Michigan, David Stott Building, 1150 Griswold Street.
Chicago, Illinois, 1200 Merchandise Mart, 222 West North Bank Drive.
Minneapolis, Minnesota, 406 Pence Building, 730 Hennepin Avenue.
Kansas City, Missouri, 3000 Fidelity Building, 911 Walnut Street.
St. Louis, Missouri, 316 Old Customs House.
Denver, Colorado, 300 Chamber of Commerce Building, 1726 Champa Street.
Dallas, Texas, Rio Grande National Building, 1100 Main Street.
San Francisco, California, 511 Humboldt Bank Building, 785 Market Street.
Los Angeles, California, 417 H. W. Hellman Building.
Seattle, Washington, 305 Post Office Building, 3rd Avenue and Union Street.
San Juan, Puerto Rico, Post Office Box 112.
Washington, District of Columbia, Department of Labor, 1st Floor.
New York, New York, 165 West 46th Street.

Copies of the Committee's report and recommendation may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York.

IV. A public hearing will be held on August 24, 1943, before the Administrator of the Wage and Hour Division or a representative designated to preside in his place at 10:00 a. m. at the National Headquarters Office, Wage and Hour Division, 165 West 46th Street, New York, New York, for the purpose of taking evidence on the following question:

Whether the recommendation of Industry Committee No. 61 should be approved or disapproved.

V. Any interested person supporting or opposing the recommendation of Industry Committee No. 61 may appear at the aforesaid hearing to offer evidence, either on his behalf or on behalf of any other person; provided that not later than August 18, 1943, such person shall file with the Administrator at New York, New York, a notice of his intent to appear which shall contain the following information:

1. The name and address of the person appearing.
2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.
3. Whether such person proposes to appear for or against the recommendation of Industry Committee No. 61.
4. The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York, and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 61 may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York, or by consulting with attorneys representing the Administrator who will be available for that purpose at the Office of the Solicitor, United States Department of Labor, in Washington, D. C. and New York, New York.

VII. Copies of the following document relating to the Meat, Poultry, and Dairy Products Industry will be made available on request for inspection by any interested person who intends to appear at the aforesaid hearing:

Report entitled, "Memorandum to Industry Committee No. 61 for the Meat, Poultry and Dairy Products Industry," prepared by the Economics Branch, Wage and Hour Division, United States Department of Labor, June 1943.

VIII. The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Administrator or the Presiding Officer as are deemed appropriate.

1. The hearing shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York.
2. In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice, he will not be permitted to offer evidence at any other time except by special permission of the Presiding Officer.
3. At the discretion of the Presiding Officer, the hearing may be continued from day to day, or adjourned to a later date, or to a different place by announcement thereof at the hearing by the Presiding Officer or by other appropriate notice.
4. At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the Presiding Officer has closed the hearing before him, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.
5. All evidence must be presented under oath or affirmation.
6. Written documents or exhibits, except as otherwise permitted by the Presiding Officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.
7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the Presiding Officer. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the Presiding Officer, the original document together with two copies of those portions of the document intended to be put in evidence.
8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.
9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.
10. The rules of evidence prevailing in the courts of law or equity shall not be controlling.
11. The Presiding Officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person insofar as is practicable, and to object to the admission or exclusion of evidence by the Presiding Officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such request or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the Presiding Officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the Presiding Officer.
12. Before the close of the hearing, the Presiding Officer shall receive written requests from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. Those requests will be forwarded to the Administrator by the Presiding Officer with the record of the proceedings. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings, and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.
13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.
14. On the close of the hearing, the Presiding Officer shall forthwith file a complete record of the proceedings with the Administrator. The Presiding Officer shall not file an intermediate report unless so directed by the Administrator. If a report is filed, it shall be advisory only and have no binding effect upon the Administrator.
15. No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at New York, New York, this 29th day of July 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-12741; Filed, August 5, 1943; 2:24 p. m.]

INTERSTATE COMMERCE COMMISSION.

[Service Order 126, Special Permit 3]

THE VIRGINIAN RAILWAY COMPANY

REICING IN TRANSIT

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph of (§ 95.308, 8 F.R. 7285) of Service Order No. 126 of May 29, 1943, as amended (8 F.R. 7728; 8 F.R. 8082; 8 F.R. 9033), permission is granted for:

The Virginian Railway Company to initially ice (but not to reice) not to exceed 18 refrigerator cars containing potatoes to be shipped by the War Foods Administration from the Peoples Ice and Cold Storage Co., Roanoke, Va., consigned to Cherokee Products Co., Haddock, Ga.

Not more than 5 cars shall be accepted for movement and iced on any one calendar day.

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 5th day of August 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-12776; Filed, August 6, 1943; 10:53 a. m.]

NATIONAL HOUSING AGENCY.

Federal Public Housing Authority.

DELEGATION OF POWERS TO REGIONAL OFFICIALS IN DEVELOPMENT OF WAR HOUSING PROJECTS

AUGUST 3, 1943.

The purpose of this section is to set forth the powers and duties, to be exercised in the regional offices in connection with the development of projects undertaken pursuant to the provisions of Pub. Laws 671, 781, and 849, 76th Cong., and Pub. Laws 9, 73, and 353, 77th Cong., as amended.

1. *Regional directors and assistant regional directors.* To regional directors and assistant regional directors there is hereby delegated the power:

a. To execute contracts in any amount whatsoever with respect to the development of projects, except that until further notice the acceptance of options to purchase land or the execution of leases for sites shall be referred to the Central Office for acceptance or execution.

b. To execute or approve contract changes in any amount whatsoever with respect to the development of projects and to act as the representative of the head of the department for the purpose of approving such contract changes when the contract documents require the approval of such contract changes by the head of department or his duly authorized representative.

2. *Regional directors.* To regional directors there is hereby delegated the power:

a. To act as representatives of the head of the department for the purpose of approving the consideration of contractors' requests for extension of time, when contracts permit the waiver by the head of the department or his duly authorized representative of the contractors' failure to notify the Government of the delay within the period of time stated in the contract.

b. To make such findings of need as are required by the provisions of the Lanham Act, (Pub. Law 849, 76th Cong.) with respect to the installation of furniture for family dwellings.

c. Pursuant and subject to the provisions of the First War Powers Act, Executive Orders 9001 and 9116, and the National Housing Administrator's General Order FPHA-7.

(1) To make advance payments to contractors;

(2) To waive requirements of advertising and competitive bidding, to the extent permitted or required by established FPHA policies and procedures.

3. *Regional directors and assistant regional directors for development.* To regional directors and assistant regional directors for development there is hereby delegated the power:

a. To select or approve sites;

b. To grant revocable licenses, permits and easements, and execute appropriate instruments therefor, to facilitate the provision of adequate utility services;

c. To execute appropriate deeds of conveyance or other instruments for the dedication of land acquired for permanent projects only, for necessary streets, alleys, walks or other means of ingress and egress; and utilities;

d. To effectuate, wherever possible, the annexation of project property by political subdivision if necessary to facilitate the extension of adequate public facilities or services, including utilities, to such property.

4. *Regional construction advisers.* To regional construction advisers, there is hereby delegated the power:

a. To approve contract changes of $2,500 or less and to act as representative for head of the department for the purpose of approving contract changes of $2,500 or less when the contract documents require the approval of such changes by the head of the department or his duly authorized representative;

b. To execute contract changes in any amount, subject however to the approval of all contract changes in excess of $2,500, by the regional director or assistant regional directors.

5. *Project engineers.* To project engineers there is hereby delegated the power:

a. To execute contract changes in any amount, subject however to the approval of all contract changes in excess of $500 by the regional director or assistant regional directors, or in case of contract changes of $2,500 or less, subject to the approval of the regional construction adviser;

b. To execute contract changes in the aggregate of $5,000 on any one project if the contract change involves only latent soil, or other conditions covered by Article 4 of the lump sum contract, and to act as representative of the head of the department for the purpose of approving such changes in excess of $500;

c. To approve lump sum subcontracts up to and including $500.

6. *Exercise of authority.* The incumbents of the above-named offices are hereby instructed that they shall exercise the powers delegated to them only in accordance with established FPHA policies and procedures, applicable laws and regulations and within approved budgets, and shall execute documents in their own names.

[SEAL] HERBERT EMMERICH,
Commissioner.

[F. R. Doc. 43-12742; Filed, August 5, 1943; 4:30 p. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Special Order ODT LB-13, Amdt. 1]

AKRON TRANSPORTATION COMPANY, AKRON, OHIO

ORDER SUSPENDING AND ADJUSTING CERTAIN OPERATIONS

Pursuant to Executive Orders 8989, 9156, and 9294, and War Production Board Directive 21, and in order to assure the orderly and expeditious movement of necessary passenger traffic, and to conserve and providently utilize manpower and existing transportation facilities and service, the attainment of which purposes is essential to the successful prosecution of the war: *It is hereby ordered,* That:

1. Special Order ODT LB-13 (8 F.R. 10454) be, and it is hereby, amended by deleting paragraph numbered 4 therefrom, by designating paragraph numbered 5 as paragraph number 4, and by designating paragraph numbered 6 as paragraph number 5, and changing said paragraph so as to read as follows:

5. Communications concerning this order should be addressed to the Division of Local Transport, Office of Defense Transportation, Washington, D. C., Cleveland, Ohio, or Chicago, Illinois, and should refer to "Special Order ODT LB-13".

This order shall become effective August 16, 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 August, 1943.

JOSEPH B. EASTMAN,
Director, Office of Defense Transportation.

[F. R. Doc. 43-12766; Filed, August 6, 1943; 9:51 a. m.]

[Special Order ODT B-9, Amdt. 2]

ALL AMERICAN BUS LINES, INC. AND NORTHERN TRAILS, INC.

COORDINATED OPERATIONS BETWEEN CHICAGO, ILLINOIS, AND NEW YORK, NEW YORK

Upon further consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers and an amendment thereof, filed with this Office by All American Bus Lines, Inc., Chicago, Illinois, and Northern Trails, Inc., Chicago, Illinois, pursuant to § 501.49 of General Order ODT 11, as amended, (7 F.R. 4389, 11099): *It is hereby ordered,* That:

1. Special Order ODT B-9, as amended, (7 F.R. 5926, 8 F.R. 1160), be and it is hereby amended by deleting the words May 15, 1943, wherever they appear in paragraph 3 and substituting therefor May 15, 1944.

This amendment shall become effective on August 6, 1943.

Issued at Washington, D. C., this 6th day of August 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

[F. R. Doc. 43-12765; Filed, August 6, 1943; 9:51 a. m.]

WHOLESALE FLORISTS OF PHILADELPHIA

RECOMMENDATION OF JOINT ACTION PLAN

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials and supplies (General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623; 8 F.R. 8278, 8377), S. S. Pennock Co., Callnon Bros., Delaware County Wholesale Florists, Berger Bros., Eugene Bernheimer, Philadelphia Cut Flower Co., and Irvin & Penater, all of Philadelphia, Pennsylvania, have filed with the Office of Defense Transportation for approval an amended joint action plan relating to the transportation and delivery by motor vehicle of flowers and related articles in Philadelphia and vicinity.

The participants in the plan, wholesale florists, deliver flowers and related articles in their own trucks to retailers in Philadelphia and within a 25-mile radius thereof. They propose to eliminate wasteful operations by the pooling of deliveries and the formation of a cooperative association which will perform the delivery service. The cooperative will be able to make all deliveries with 6 or 7 trucks, whereas 15 trucks were formerly operated by the individual participants. Their trucks will be sold, stored, leased to the cooperative, or held in reserve. Operation under the plan will result in estimated savings of 19,000 truck-miles a month. Other wholesale florists of Philadelphia are invited to join in the plan. The plan does not contemplate joint selling activities or exchange of customers.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 2d day of August 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

[F. R. Doc. 43-12791; Filed, August 6, 1943; 11:29 a. m.]

OFFICE OF PRICE ADMINISTRATION.

LIST OF INDIVIDUAL ORDERS GRANTING ADJUSTMENTS, ETC., UNDER PRICE REGULATIONS

The following orders were filed with the Division of the Federal Register on August 4, 1943.

Order number:	*Name*
MPR 120, Second Revised Order 7	Masteller Coal Co.
MPR 120, Revised Order 115	Henry Clay Coal Mining Co.
MPR 120, Order 184	Zion Coal Co.
MPR 120, Order 200, Correction	Marcum Coal Co.
MPR 120, Order 228	Independent Coal Co.
MPR 120, Order 229	Imperial Coal Co.
MPR 120, Order 230	C. A. Hughes & Co.
MPR 120, Order 231	Pardee, Curtin Lumber Co. & Minds Coal Mining Corp.
RMPR 148, Order 32, Amendment 1	William Underwood Co.
MPR 149, Order 4	Joseph Stokes Rubber Co.
MPR 152, Order 42	F. E. Booth Co., Inc.
MPR 177, Order 9, Amendment 1	Robert Kaufman & Co.
MPR 177, Order 11	N. Snellenburg & Co., Inc.
MPR 185, Orders 19 & 20	H. J. Heinz Co.
MPR 185, Order 21	Libby, McNeill & Libby.
MPR 246, Order 9	Craine, Inc.
MPR 385, Order 1	A. Staiman, Inc.
MPR 385, Order 2	Famous-Sternberg, Inc.
MPR 385, Order 3	Coronet Military Uniform Co.

Copies of these orders may be obtained from the Office of Price Administration.

ERVIN H. POLLACK,
Head, Editorial and Reference Section.

[F. R. Doc. 43-12759; Filed, August 6, 1943; 9:27 a. m.]

Regional, State, and District Office Orders.

[S. Dak. Order G-1 Under SR 15]

FIREWOOD IN SOUTH DAKOTA

South Dakota State Office Order No. G-1 under § 1499.75 (a) (1) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. (Formerly Order No. 1.)

The Director of the State Office of the Office of Price Administration for the State of South Dakota has determined upon his own motion that in his judgment the maximum prices established in § 1499.2 of the General Maximum Price Regulation, as amended, for the sale or delivery of firewood are inadequate to insure a sufficient supply of firewood to meet heating requirements in certain areas hereinafter described within the State of South Dakota. The State Director has ascertained and given due consideration to the increased production costs which sellers of firewood within the specified areas of the State of South Dakota must incur in order to produce such firewood compared with the costs of production in March 1942 (and in any earlier months in which firewood was generally produced in the State of South Dakota). He has ascertained and given due consideration to the extent of increased transportation costs which must be incurred by such sellers of firewood in order to move sufficient supplies thereof to meet the requirements of the several affected localities in the State of South Dakota. He has also compared the average selling prices within the areas with the higher maximum prices established in the territory immediately adjacent to these specified areas of South Dakota. He has also considered such other circumstances as may be pertinent to the procurement of sufficient supplies of firewood to meet the requirements of the localities affected.

In the judgment of the State Director the alternative maximum prices established by this order are and will be generally fair and equitable and will adjust maximum prices established in § 1499.2 of the General Maximum Price Regulation, as amended, to the minimum extent necessary to insure a sufficient supply of firewood in these areas of the State of South Dakota.

Therefore under the authority vested in me by Supplementary Regulation No. 15 to the General Maximum Price Regulation, as amended, *It is ordered:*

1. Maximum prices for firewood within the areas hereinafter described, shall be the prices established for such sellers under § 1499.2 of the General Maximum Price Regulation, as amended, or the adjusted prices hereinafter provided in paragraphs 2 and 3 hereof, whichever shall be higher.

2. The adjusted prices for sales and deliveries of firewood in cords or multiples or fractions thereof (or in equivalent quantities expressed in terms of ricks or weights) within that portion of Pennington and Custer Counties lying East of the Eastern boundary lines of the Black Hills and Harney National Forests and the South Dakota State Park shall be as follows:

Body wood cut as furnace wood in 12", 16", 24" lengths	$9.00
Body wood cut in 12", 16", 24" lengths	8.50
Body wood 4' lengths	7.50
Slab wood cut in 12", 16", 24" lengths, 4' lengths	8.00

3. Maximum prices for sales and deliveries of firewood in cords or multiples or fractions thereof (or in equivalent quantities expressed in terms of ricks or weights) for that portion of Pennington and Custer Counties lying west of the

eastern boundary line of and within the area of the Black Hills and Harney National Forests and the South Dakota State Park shall be as follows:

Body wood cut as furnace wood in 12", 16", 24" lengths	$7.00
Body wood cut in 12", 16", 24" lengths	6.25
Body wood cut in 4' lengths	5.50
Slab wood	no adjustment

4. The terms used herein shall have the following meanings:

(a) A standard cord shall be the amount of wood cut in 4 foot lengths which is contained in a space of 128 cubic feet when well ranked and stowed.

(b) A cord of four foot firewood shall contain a standard cord.

(c) A cord of 24-inch firewood shall contain the quantity of 24-inch wood cut from a standard cord but not less than 104 cubic feet of 24-inch wood when compactly piled.

(d) A cord of 16-inch firewood shall contain the quantity of 16-inch wood cut from a standard cord but not less than 96 cubic feet of 16-inch wood when compactly piled.

(e) A cord of 12-inch firewood shall contain the quantity of 12-inch wood cut from a standard cord but not less than 96 cubic feet of 12-inch wood when compactly piled.

5. When firewood shall be sold by weight, such weights shall be computed in accordance with established practice in such a fashion that the price per cwt. shall not exceed the maximum prices per cord established hereunder for each type of wood.

6. A "rick" shall for the purposes of this order and in accordance with standard practices and customs prevailing in the areas affected be ¼ of a standard cord, or its equivalent.

7. Body wood shall consist of dry mixed timber of 3" diameter or greater; and weighing not less than 2600 lbs. per cord.

8. Slab wood shall consist of dry mixed edgings, slashings, branches, roots (but not including sawdust or by-products of mill or forestry operations) used for fuel consumption and weighing not less than 2200 lbs. per cord.

9. Firewood shall mean mixed pine, fir, and hardwood species indigenous to South Dakota.

10. The adjusted prices herein provided for shall be f. o. b. the seller's yard or place of business.

11. Every seller of firewood at retail shall make the necessary changes in its posting of maximum prices for cost-of-living commodities required by section 13 of the General Maximum Price Regulation, as amended, to reflect the increase in the maximum prices for firewood in accordance with the permission granted hereby.

12. This order shall be effective from the date hereof. It is subject to revocation or amendment by the State Director at any time hereafter upon a finding that a shortage of supply of firewood is no longer threatened. This order is further subject to revocation by any price regulation issued hereafter, or by any supplement or amendment hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

GUY HARDING,
State Director.

NOVEMBER 28, 1942.

[F. R. Doc. 43-12717; Filed, August 5, 1943; 11:31 a. m.]

[Region VII Order G-3 Under SR 14]

FLUID MILK AND CREAM IN LARAMIE AND HANNA, WYO.

Order No. G-3 under § 1499.73 (a) (1) (iv) of Supplementary Regulation No. 14 to the General Maximum Price Regulation. Order modifying maximum wholesale and retail prices for fluid milk and cream in Laramie and Hanna, Wyoming. (Formerly Order No. 3.)

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator by § 1499.73 (a) (1) (iv) of the General Maximum Price Regulation, as amended by Amendment No. 34 to Supplementary Regulation No. 14, issued by the Office of Price Administration, *It is hereby ordered:*

(1) *Maximum prices for fluid milk and cream sold at wholesale and retail in Laramie and Hanna, Wyoming.* The maximum price of fluid milk and cream sold and delivered at wholesale and retail in the localities set forth below shall be, from and after the effective date of this order, as follows:

(a) In Laramie and Hanna, Wyoming:

Commodity in bottles	Wholesale price	Retail price	Public institutions
Milk, raw:			
½ pints	$0.03¼		
Quarts	.11	$0.13	
Gallons	.39	.49	$0.44
Coffee cream:			
½ pints	.11	.14	
Quarts	.39	.49	
Whipping cream:			
½ pints	.19	.22	
Quarts	.58	.68	

(2) *Definitions.* For the purpose of paragraph (a):

(i) "Milk" means cow's produced, processed, distributed, and sold in bottles for consumption in fluid form as whole milk.

(ii) "Cream" means concentrated butter fat to the degree specified taken from milk.

(iii) Laramie, Wyoming, means all the area lying within the municipal boundaries of that City, and a distance of one mile beyond at all boundary points.

(iv) Hanna, Wyoming, means all the area lying within the incorporated limits.

(3) The sellers affected by this order shall not change their customary allowances, discounts or other price differentials unless such change results in a lower price.

(4) This order may be revoked, modified or amended by the Price Administrator or Regional Administrator at any time.

(5) This order becomes effective October 9, 1942.

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

Issued this 8th day of October 1942.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-12718; Filed, August 5, 1943; 11:34 a. m.]

[Region VII Order G-4 Under SR 14]

FLUID MILK IN CASPER, WYO.

Order No. G-4 under § 1499.73 (a) (1) (iv) of Supplementary Regulation No. 14 to the General Maximum Price Regulation. Order modifying maximum wholesale and retail prices for fluid milk and cream in Casper, Wyoming. (Formerly Order No. 4.)

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator by § 1499.73 (a) (1) (iv) of the General Maximum Price Regulation, as amended by Amendment No. 34 to Supplementary Regulation No. 14, issued by the Office of Price Administration, *It is hereby ordered:*

(1) *Maximum prices for fluid milk and cream sold at wholesale and retail in Casper, Wyoming.* The maximum price of fluid milk and cream sold and delivered at wholesale and retail in the locality set forth below shall be, from and after the effective date of this order, as follows:

(a) In Casper, Wyoming:

Commodity in bottles	Wholesale price	Retail price delivered	
		At store	At home
Milk, raw:			
Quarts	$0.11	$0.13	$0.13
Gallons	.39	.49	.49
Coffee cream:			
½ pints	.11	.13	.13
Quarts	.39	.49	.49
Whipping cream:			
½ pints	.19	.22	.22

(2) *Definitions.* For the purpose of paragraph (a):

(i) "Milk" means cow's milk produced, processed, distributed, and sold in bottles for consumption in fluid form as whole milk.

(ii) "Cream" means concentrated butter fat to the degree specified taken from milk.

(iii) Casper, Wyoming, means all the area lying within the municipal boundaries of that City, and a distance of three miles beyond at all boundary points.

(3) The sellers affected by this order shall not change their customary allowances, discounts or other price differentials unless such change results in a lower price.

(4) This order may be revoked, modified or amended by the Price Administrator or Regional Administrator at any time.

(5) This order becomes effective October 9, 1942.

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

Issued this 8th day of October 1942.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-12719; Filed, August 5, 1943; 11:34 a. m.]

[Region VII Order G-6 Under SR 14]

FLUID MILK IN GREELEY, COLO.

Order No. G-6 under § 1499.73 (a) (1) (iv) of Supplementary Regulation No. 14 to the General Maximum Price Regulation. Order modifying maximum wholesale and retail prices for fluid milk in the Greeley, Colorado, Area. (Formerly Order No. 6.)

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator by § 1499.73 (a) (1) (iv) of the General Maximum Price Regulation, as amended by Amendment No. 34 to Supplementary Regulation No. 14, issued by the Office of Price Administration, *It is hereby ordered:*

(1) *Maximum prices for fluid milk sold at wholesale and retail in the Greeley, Colorado, area.* The maximum prices of fluid milk sold and delivered at wholesale and retail in the locality set forth below shall be, from and after the effective date of this order, as follows:

(a) In the Greeley, Colorado, area:

Commodity in bottles	Retail price	Wholesale price
Milk, raw:		
Gallons	$0.39	$0.35
Quarts	.12	.10
½ gallons	.21	.18
Pints	.07	.06
½ pints	.05	.02¾

(2) *Definitions.* For the purpose of paragraph (a):

(i) "Milk means cow's milk produced, processed, distributed and sold in bottles for consumption in fluid form as whole milk.

(ii) The Greeley, Colorado, area means all of the area lying within the rectangle formed by a line drawn east and west through a point three miles north of the most northern boundary point of the corporate limits of Eaton, Colorado, and a line drawn north and south through a point three miles east of the most eastern boundary point of the corporate limits of Kersey, Colorado, and a line drawn east and west through a point three miles south of the most southern boundary of the corporate limits of Gilchrist, Colorado, and a line drawn north and south through a point three miles west of the most westerly point of the corporate limits of Eaton, Colorado.

(3) The sellers affected by this order shall not change their customary allowances, discounts or other price differentials unless such change results in a lower price.

(4) This order may be revoked, modified or amended by the Price Administrator or Regional Administrator at any time.

(5) This order becomes effective October 23, 1942.

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

Issued this 22d day of October 1942.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-12720; Filed, August 5, 1943; 11:27 a. m.]

[Region VII Order G-26 Under 18 (c)]

BERNARD 6½" PLIERS MANUFACTURERS IN DENVER REGION

Order No. G-26 under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of Maximum Prices in Region VII, Denver, for Bernard 6½" Pliers Manufacturer's No. 102; Docket No. VII-18 (c)-67.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator by § 1499.18 (c) of the General Maximum Price Regulation, *It is hereby ordered:*

(a) Maximum prices for Bernard 6½" Pliers at wholesale and retail. The maximum prices for Bernard 6½" Pliers, Mfr's No. 102, in all of Region VII, Denver, shall be from and after the effective date of this general order as follows:

(1) *Wholesale price.* The maximum price for Bernard 6½" Pliers, Mfr's No. 102, when sold at wholesale shall be $25.20 per dozen.

(2) *Retail price.* The maximum price for Bernard 6½" Pliers, Mfr's No. 102, when sold at retail shall be $3.00 each.

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

(1) Unless the context of this general order otherwise requires, the definitions and explanations set forth in § 1499.20 of the General Maximum Price Regulation shall apply to and be deemed to be a part of this general order with like force and effect as though re-written herein.

(c) *Quantity discounts and price differentials need not be maintained.* From and after the effective date of this order it shall not be obligatory upon any seller of Bernard 6½" Pliers, Mfr's No. 102, either at wholesale or retail, to maintain or continue any customary allowance, discount, quantity discount or differential heretofore established by him: *Provided, however,* That any seller at wholesale or retail may sell said item at a lower price than the maximum price established by this general order if he so desires.

(d) *Right to revoke or amend.* This order may be revoked, amended or corrected at any time by the Price Administrator or Regional Administrator.

(e) *Effective date.* This order shall become effective March 29, 1943.

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

Issued this 27th day of March 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-12721; Filed, August 5, 1943; 11:33 a. m.]

[No. Calif. Order G-1 Under SR 15]

FIREWOOD IN HUMBOLDT COUNTY, CALIF.

Order No. G-1 under § 1499.75 (a) (1) of Supplementary Regulation 15 to the General Maximum Price Regulation—Firewood. (Formerly Price Order No. 1).

The Director of the Northern California State Office of the Office of Price Administration has determined upon his own motion that in his judgment the maximum prices established under the General Maximum Price Regulation for the sale and delivery of firewood are inadequate to insure a sufficient supply of firewood to meet the heating requirements in Humboldt County, State of California.

The State Director has ascertained and given due consideration to the increased production and distribution costs which sellers of firewood in Humboldt County are now experiencing as compared with the costs of production and distribution generally prevailing in Humboldt County in March 1942. He has given due consideration to the importance of firewood as a source of residential heat in Humboldt County and the necessity of using such firewood for heating purposes as a means of minimizing the use of coal, oil, and other types of heating fuel.

The State Director has given due consideration to the increased demand for labor in defense industries in Humboldt County and the resultant increased demand for firewood that is now being experienced in Humboldt County. He has determined on the necessity of utilizing the waste from lumber mills as a source of firewood so as to minimize the use of labor in furnishing firewood to the residents of Humboldt County.

So far as practicable, the Director has advised and consulted with representative members of the industry which will be affected by this order.

In the judgment of the State Director, the maximum prices established by this order are and will be generally fair and equitable and will adjust maximum prices of firewood established under General Maximum Price Regulation to the minimum extent necessary to insure a sufficient supply of firewood in Humboldt County and will effectuate the purpose of this order.

Therefore, under the authority vested in the State Director by Supplementary Regulation 15 to the General Maximum Price Regulation, this Northern California State Order No. G-1 is hereby issued.

1. *Prohibition against dealing in firewood above maximum prices.* On and after November 14, 1942, regardless of any contract, agreement, or other obligation:

(a) No person shall sell or deliver firewood in Humboldt County at prices higher than the maximum prices established under this order, and

(b) No person in the course of trade or business shall buy or receive firewood in Humboldt County at prices higher than the maximum prices established under this order.

2. *Evasion.* The price limitations set forth in this order No. G-1 shall not be

evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to firewood in Humboldt County, 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.

Without limiting the generality of the foregoing, the price limitation set forth herein shall not be evaded by improper classification of any item of firewood, splitting of orders into small quantities in order to increase prices, discontinuing or increasing the cost of delivery, or by decreasing or discontinuing cash discounts.

3. *Less than maximum prices.* Lower prices than those set forth in this order No. G–1 may be charged, demanded, paid, or offered.

4. *Maximum prices for sales of firewood in Humboldt County.* The maximum price for each item of firewood shall be the sum of the following items:

(a) The highest net price (after adjustment for all applicable customary charges, discounts, quantity differentials and other allowances) established for the seller under the General Maximum Price Regulation to a purchaser of the same class, and

(b) An amount equal to 20% of said highest net price.

5. *Adjustment of maximum prices for different classes of customers.* If the seller had an established practice in March of 1942 of giving allowances, discounts, or other price differentials, to different classes of purchasers, he is required to continue this practice, and his maximum prices calculated for any type of firewood must be reduced to reflect such allowances, discounts and price differentials. No seller shall change his customary allowances, discounts or other differentials unless such change results in lower prices.

It has been the practice in some instances for lumber mills who sell their waste to wood dealers to require that the employees of the mill be granted a special price. This order stipulates that such practice, if it existed in March 1942, shall continue.

6. *Applicability of maximum prices.* The prices established by this order apply only to sellers selling firewood at wholesale and retail. This order does not apply to mills selling mill waste.

7. *Applicability of the General Maximum Price Regulation.* Except insofar as they are inconsistent, all of the provisions and definitions contained in the General Maximum Price Regulation are incorporated in this order.

8. *New sellers.* Every person engaged in or who proposes to engage in the business of selling firewood at wholesale or retail who was not in such business at his present location in March 1942, and who is not a transferee as described in section 5 of the General Maximum Price Regulation, shall apply to the Northern California State Office of the Office of Price Administration for a method of pricing firewood and shall adhere to the method given him by said Office.

9. *Method of billing of sales of firewood.* Every seller selling firewood in Humboldt County shall on each sale of firewood separately state on the Bill or Invoice his maximum price established under the General Maximum Price Regulation and the increase allowed him under this order.

10. *Affidavits of compliance.* (a) Before any seller of firewood may sell at prices in excess of those established for him under the General Maximum Price Regulation, and avail himself of the increases allowed him under this order, such seller must file with the Northern California State Office of the Office of Price Administration a sworn statement stating that he is not, at the time of the issuance of this order, and has not, since the General Maximum Price Regulation controlled the prices which he may charge for firewood, sold at prices in excess of the maximum prices established by the General Maximum Price Regulation for such seller. The effective date of the General Maximum Price Regulation with regard to sales at wholesale was May 11, 1942; with regard to sales at retail, the effective date was May 18, 1942.

(b) Such sworn statement shall also contain a statement by every seller of firewood at retail that he has filed with his local War Price and Rationing Board his maximum prices for firewood as determined by the General Maximum Price Regulation.

(c) In the event that any seller cannot submit the sworn statement showing that he has not violated the maximum prices applicable to such seller under the General Maximum Price Regulation, he shall present the facts of his case to the Northern California State Office of the Office of Price Administration. Such office will, after due consideration of the matter, make such individual adjustment with such seller as the facts of his case may warrant, and thereafter give specific permission to such seller to fix his maximum prices for the sales of firewood in accordance with the maximum prices prescribed in this order.

11. *Records and reports.* (a) Every person making sales of firewood at wholesale, who is subject to this order No. G–1, shall within fifteen days after the effective date of this order file with his local War Price and Rationing Board a statement of his maximum prices for firewood as determined under the General Maximum Price Regulation.

(b) Every seller of firewood subject to this order and every buyer in the course of trade or business shall preserve for examination by representatives of the Office of Price Administration copies of invoices covering each sale of firewood, and prepared in accordance with the provisions of this order.

12. *Definitions.* (a) Firewood means any wood prepared and intended for consumption as fuel.

13. *Amendment.* This order may be revoked or amended at any time by the Northern California State Office of the Office of Price Administration.

14. *Effective date.* This Northern California State Office Order G–1 shall become effective November 21, 1942.

Issued: November 21, 1942.

FRANCIS CARROLL,
State Director.

[F. R. Doc. 43–12722; Filed, August 5, 1943; 11:27 a. m.]

[No. Calif. Order G-1 Under SR 15]

FIREWOOD IN DESIGNATED COUNTIES IN CALIFORNIA

Order No. G-2 under § 1499.75 (a) (1) of Supplementary Regulation 15 of the General Maximum Price Regulation—Firewood. (Formerly Price Order No. 2.)

The Director of the Northern California State Office of the Office of Price Administration has determined upon his own motion that in his judgment the maximum prices established under the General Maximum Price Regulation for the sale and delivery of firewood in Santa Cruz, San Benito, and Monterey Counties, State of California, are inadequate to insure a sufficient supply to meet the heating requirements in these three Counties.

That State Director has ascertained and given due consideration to the increased costs of production and distribution which sellers of firewood in these three Counties are now experiencing as compared with the costs generally prevailing in these Counties in March, 1942. He has given due consideration to the importance of firewood as a source of residential heat in the three Counties and the necessity of using such firewood for heating purposes as a means of minimizing the use of coal, oil, and other types of heating fuel.

So far as practicable the Director was advised and consulted with representative members of the industry. He has determined that the new maximum prices established are and will be generally fair and equitable and will effectuate the purposes of this order.

Therefore, in order to accelerate the movement of firewood now in the stocks of dealers to the consuming public, under the authority vested in the State Director by Supplementary Regulation No. 15 of the General Maximum Price Regulation, this Northern California State Order No. G–2, is hereby issued.

1. *Prohibition against dealing in firewood above maximum prices.* On and after December 12, 1942, regardless of any contract, agreement, or other obligation:

(a) No person shall sell or deliver firewood in Monterey, Santa Cruz, or San Benito Counties at prices higher than the maximum prices established under this order, and

(b) No person in the course of trade or business shall buy or receive firewood in Monterey, Santa Cruz, or San Benito Counties at prices higher than the maximum prices established under this order.

2. *Evasion.* (a) The price limitation set forth in this order No. G–2 shall not be evaded, whether by direct or indirect methods, in connection with an offer,

solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to firewood in Monterey, San Bonito or Santa Cruz Counties, 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.

(b) Without limiting the generality of the foregoing, the price limitations set forth herein shall not be evaded by improper classification of any item of firewood, splitting of orders into small quantities in order to increase prices (except as specifically allowed in Appendices A, B, C, & D of this Order), discontinuing or increasing the cost of delivery, or by decreasing or discontinuing cash discounts.

(c) The maximum prices herein set forth shall not be evaded by any practice or practices of any seller in connection with the cutting or splitting of firewood to a particular size demanded by the customer. If larger pieces of firewood are cut to a special size demanded by the customer, the quantity of wood for which the customer is to be charged is to be measured after said cutting and not before. In such case, the customer should be charged only on the basis of the measured cord or fraction thereof after the cutting has been completed, and the customer should be billed only for the measured cord or fraction thereof, after the said cutting, actually delivered to the customer.

3. *Less than maximum prices.* Lower prices than those set forth in this order No. G–2 may be charged, demanded, paid, or offered.

4. *Maximum prices for sales of firewood in Monterey, Santa Cruz, and San Bonito Counties.* The maximum price for each item of firewood shall be the following:

(a) *Sales at retail.* The maximum prices set forth in Appendices A, B, & C.

(i) Said prices are delivered prices. In the event the seller at retail does not deliver, but sells f. o. b. his yard, the retailer shall deduct from said maximum price, an amount equal to the differential between the delivered price and the f. o. b. price which said retailer had established in March, 1942, for f. o. b. sales as compared with delivered sales.

(ii) In the event any retailer had no such established differential in March, 1942, the amount of deduction shall be an amount equal to the cost to the customer of having the firewood delivered by the most usual and reasonable method.

(iii) In no event, however, shall a seller at retail refuse to sell to a purchaser on a delivered basis, if the customer desires to purchase the firewood on a delivered basis.

(b) *Sales at wholesale.* The maximum prices set forth in Appendix D. These prices shall be prices at the wholesaler's yard.

5. *Adjustment of maximum prices for different classes of customers.* If the seller had an established practice in March of 1942, of giving allowances, discounts, or other price differentials, to different classes of purchasers, he is required to continue this practice, and his maximum prices calculated for any type of firewood must be reduced to reflect such allowances, discounts and price differentials. No seller shall change his customary allowances, discounts or other differentials unless such change results in a lower price.

6. *Applicability of maximum prices.* The prices established by this order apply only to sellers selling firewood at wholesale and retail. This order does not apply to mills selling mill waste.

7. *Applicability of the General Maximum Price Regulation.* Except insofar as they are inconsistent, all of the provisions and definitions contained in the General Maximum Price Regulation are incorporated in this order.

8. *Method of billing of sales of firewood.* Every seller selling firewood in Monterey, Santa Cruz, or San Bonito Counties shall incorporate a statement on his bill or invoice to the effect that the prices charged for the firewood covered by the bill or invoice are not in excess of the maximum prices allowed by State Order No. G–2.

9. *Affidavit of compliance.* (a) Before any seller of firewood may sell at prices in excess of those established for him under the General Maximum Price Regulation, and avail himself of any increases allowed him under this order, such seller must file with the Northern California State Office of the Office of Price Administration a sworn statement stating that he is not, at the time of the issuance of this order, and has not, since the General Maximum Price Regulation controlled the prices which he may charge for firewood, sold at prices in excess of the maximum prices established by the General Maximum Price Regulation for such seller. The effective date of the General Maximum Price Regulation with regard to sales at wholesale was May 11, 1942; with regard to sales at retail, the effective date was May 18, 1942.

(b) In the event that any seller cannot submit the sworn statement showing that he has not violated the maximum prices applicable to such seller under the General Maximum Price Regulation, he shall present the facts of his case to the Northern California State Office of the Office of Price Administration. Such office will, after due consideration of the matter, make such individual adjustment with such seller as the facts of his case may warrant, and thereafter give specific permission to such seller to fix his maximum prices for the sales of firewood in accordance with the maximum prices prescribed in this order.

(c) Every dealer in firewood, whether at wholesale or retail shall post a copy of ceiling prices established under this order in his place of business where it can be readily seen by his customers.

10. *Records and reports.* Every seller of firewood subject to this order and every buyer in the course of trade or business shall preserve, for examination by representatives of the Office of Price Administration copies of invoices covering each sale of firewood, and prepared in accordance with the provisions of this order.

11. *Definitions.* (a) "Firewood" means any wood prepared and maintained for consumption as fuel.

(b) "Cord" means any pile of firewood containing 128 cubic feet of firewood.

(c) "Delivered" means delivered to the curb of the customer.

12. *Revocation.* This order may be revoked or amended at any time by the Northern California State Office of the Office of Price Administration.

13. *Effective date.* This Northern California State Office Order No. G–2 shall become effective December 12, 1942.

Issued December 12, 1942.

FRANCIS CARROLL,
State Director.

APPENDIX A—CORD WOOD

[Retail delivered prices]

Dry or medium dry	Cord					
	4 ft.	2 ft.	16 inches	12 inches	9½ to 10 inches	Assorted lengths, 2 ft. and under
Oak (any kind)	$15.00	$22.00	$22.50	$23.00	$23.00	----------
Madrone	15.00	22.00	22.50	23.00	23.00	----------
Pine	13.00	17.00	17.50	18.00	18.00	----------
Redwood	10.00	13.50	14.00	14.50	14.50	----------
Eucalyptus (gum)	13.50	17.50	18.00	18.50	18.50	----------
Orchard (any kind)	13.00	----------	----------	----------	----------	$17.00
Manzanita	13.00	----------	----------	----------	----------	17.00

[Fractional cord maximum prices]

Half cord price: Divide cord price by 2 and add 25 cents.
Third cord price: Divide cord price by 3 and add 35 cents.
Quarter cord price: Divide cord price by 4 and add 45 cents.
Fifth cord price: Divide cord price by 5 and add 55 cents.
For splitting to stovewood size, add $3.00 per cord to above cord prices.

APPENDIX B—SACK STOVEWOOD

[Retail delivered prices]

Dry or medium dry:	Price (cents)
Oak (any kind)	60
Madrone	60
Pine	50
Redwood	45
Mill ends and slabs	35
Kindling	60

Sack size: 22 inches by 36 inches (minimum). Deposit of 7¢ may be required on the sack.

APPENDIX C—MILL ENDS AND SLAB WOOD, DRY OR MEDIUM DRY

[Retail delivered prices]

16 inches and under:	Per cord
Pine	$8.00
Redwood	6.00

Half cord: Divide by 2 and add 20¢. Quarter cord: Divide by 4 and add 40¢.

APPENDIX D—WHOLESALE MAXIMUM PRICES

[Prices at wholesaler's yard]

4 ft. length:	Per cord
Oak (any kind)	$12.50
Madrone	12.50
Pine	10.50
Redwood	8.00
Eucalyptus (gum)	11.50

[F. R. Doc. 43-12723; Filed, August 5, 1943; 11:29 a. m.]

[No. Calif. Order G-3 Under SR 15]

FIREWOOD IN SANTA CLARA AND SAN MATEO COUNTIES, CALIF.

Order No. G-3 (Formerly Price Order No. 3) under § 1499.75 (a) (1) of Supplementary Regulation 15 to the General Maximum Price Regulation—Firewood.

The Director of the Northern California State Office of the Office of Price Administration has determined upon his own motion that in his judgment the maximum prices established under the General Maximum Price Regulation for sale and delivery of firewood in Santa Clara and San Mateo Counties, State of California, are inadequate to insure a sufficient supply to meet the heating requirements in these two Counties, and are inadequate to move the existing stocks of wood in dealers' hands to the consuming public.

The State Director has ascertained and given due consideration to the increased costs of production and distribution which sellers of firewood in these two Counties are now experiencing as compared with the costs generally prevailing in these counties in March, 1942. He has given due consideration to the importance of firewood as a source of residential heat in the two Counties, and the necessity of using such firewood for heating purposes as a means of minimizing the use of coal, oil, and other types of heating fuel.

So far as practicable, the Director has advised and consulted with representative members of the industry. He has determined that the new maximum prices established are and will be generally fair and equitable and will effectuate the purposes of this order.

Therefore, in order to accelerate the movement of firewood now in the stocks of dealers to the consuming public, and to eliminate inequalities in the existing maximum prices of firewood, under the authority vested in the State Director by Supplementary Regulation No. 15 of the General Maximum Price Regulation this Northern California State Order No. G-3 is hereby issued.

1. *Prohibition against dealing in firewood above maximum prices.* On and after December 15, 1942, regardless of any contract, agreement, or other obligation:

(a) No person shall sell or deliver firewood in Santa Clara or San Mateo Counties at prices higher than the maximum prices established under this order, and

(b) No person in the course of trade or business shall buy or receive firewood in Santa Clara or San Mateo Counties at prices higher than the maximum prices established under this order.

2. *Evasion.* (a) The price limitations set forth in this order No. G-3 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to firewood in Santa Clara or San Mateo Counties, 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.

(b) Without limiting the generality of the foregoing, the price limitations set forth herein shall not be evaded by improper classification of any item of firewood, splitting of orders into small quantities in order to increase prices (except as specifically allowed in Appendices A, B, C, and D of this order), discontinuing or increasing the cost of delivery, or by decreasing or discontinuing cash discounts.

(c) The maximum prices herein set forth shall not be evaded by any practice or practices of any seller in connection with the cutting or splitting of firewood to a particular size demanded by the customer. If larger pieces of firewood are cut to a special size demanded by the customer, the quantity of wood for which the customer is to be charged is to be measured after said cutting and not before. In such case, the customer should be charged only on the basis of the measured cord or fraction thereof after the cutting has been completed, and the customer should be billed only for the measured cord or fraction thereof, after the said cutting, actually delivered to the customer.

3. *Less than maximum prices.* Lower prices than those set forth in this order No. G-3 may be charged, demanded, paid, or offered.

4. *Maximum prices for sales of firewood in Santa Clara and San Mateo counties.* The maximum price for each item of firewood shall be the following:

(a) *Sales at retail.* The maximum prices set forth in Appendices A, B & C.

(i) In the case of sack stovewood, delivered and cash and carry prices are set out.

(ii) In all other cases said prices are delivered prices.

(a) In the event the seller at retail does not deliver, but sells f. o. b. his yard, the retailer shall deduct from said maximum price, an amount equal to the differential between the delivered price and the f. o. b. price which said retailer had established in March, 1942, for f. o. b. sales as compared with delivered sales.

(b) In the event any retailer had no such established differential in March, 1942, the amount of deduction shall be an amount equal to the cost to the customer of having the firewood delivered by the most usual and reasonable method.

(c) In no event, however, shall a seller at retail refuse to sell to a purchaser on a delivered basis, if the customer desires to purchase the firewood on a delivered basis.

(b) *Sales at wholesale.* The maximum prices set forth in Appendix D. These prices shall be prices at the wholesaler's yard.

5. *Adjustment of maximum prices for different classes of customers.* If the seller had an established practice in March of 1942, of giving allowances, discounts, or other price differentials, to different classes of purchasers, he is required to continue this practice, and his maximum prices calculated for any type of firewood must be reduced to reflect such allowances, discounts and price differentials. No seller shall change his customary allowances, discounts or other differentials unless such change results in a lower price.

6. *Applicability of maximum prices.* The prices established by this order apply only to sellers selling firewood at wholesale and retail. This order does not apply to mills selling mill waste.

7. *Applicability of the General Maximum Price Regulation.* Except insofar as they are inconsistent, all of the provisions and definitions contained in the General Maximum Price Regulation are incorporated in this order.

8. *Method of billing of sales of firewood.* Every seller selling firewood in Santa Clara and San Mateo Counties shall incorporate a statement on his bill or invoice to the effect that the prices charged for the firewood covered by the bill or invoice are not in excess of the maximum prices allowed by State Order No. G-3.

9. *Affidavit of compliance.* (a) Before any seller of firewood may sell at prices in excess of those established for him under the General Maximum Price Regulation, and avail himself of any increases allowed him under this order, such seller must file with the Northern California State Office of the Office of Price Administration a sworn statement stating that he is not, at the time of the issuance of this order, and has not, since the General Maximum Price Regulation Controlled the prices which he may charge for firewood, sold at prices in excess of the maximum prices established by the General Maximum Price Regulation for such seller. The effective date of the General Maximum Price Regulation with regard to sales at wholesale was May 11, 1942;

with regard to sales at retail, the effective date was May 18, 1942.

(b) In the event that any seller cannot submit the sworn statement showing that he has not violated the maximum prices applicable to such seller under the General Maximum Price Regulation, he shall present the facts of his case to the Northern California State Office of the Office of Price Administration. Such office will, after due consideration of the matter, make such individual adjustment with such seller as the facts of his case may warrant, and thereafter give specific permission to such seller to fix his maximum prices for the sales of firewood in accordance with the maximum prices prescribed in this order.

(c) Every dealer in firewood, whether at wholesale or retail shall post a copy of ceiling prices established under this order in his place of business where it can be readily seen by his customers.

10. *Records and reports.* Every seller of firewood subject to this order and every buyer in the course of trade or business shall preserve for examination by representatives of the Office of Price Administration copies of invoices covering each sale of firewood, and prepared in accordance with the provisions of this order.

11. *Definitions.* (a) "Firewood" means any wood prepared and maintained for consumption as fuel.

(b) "Cord" means any pile of firewood containing 128 cubic feet of firewood.

(c) "Delivered" means delivered to the curb of the customer.

12. *Other grades of firewood.* The maximum prices for all other grades, kinds, and sizes of firewood shall be the maximum price established under the General Maximum Price Regulation for each particular seller.

13. *Revocation.* This order may be revoked or amended at any time by the Northern California State Office of the Office of Price Administration.

14. *Effective date.* This Northern California State Office Order No. G–3 shall become effective December 15, 1942.

Issued December 15, 1942.

FRANCIS CARROLL,
State Director.

APPENDIX A—CORD WOOD

[Retail delivered prices]

Dry or medium dry	Cord			
	4 feet	2 feet	16 inches	12 inches
Oak (any kind)	$18	$22	$22	$24
Madrone	18	22	22	24
Eucalyptus (gum)	16	20	20	22
Orchard (any kind)	12	15	15	17

[Fractional cord maximum prices]

Half cord price: Divide cord price by 2 and add 25 cents. Third cord price: Divide cord price by 3 and add 35 cents. Quarter cord price: Divide cord price by 4 and add 45 cents. Fifth cord price: Divide cord price by 5 and add 55 cents.

For splitting to stovewood size—add $3.00 per cord to above cord prices.

APPENDIX B—SACK STOVEWOOD

[Retail prices]

Dry or medium dry	Delivered	Cash and carry
	Cents	*Cents*
Oak (any kind)	60	50
Madrone	60	50
Pine	50	40
Mill ends and slabwood	40	30

Sack size: 22 inches by 36 inches (minimum). Deposit of 7¢ may be required on the sack.

APPENDIX C—MILL ENDS AND SLAB WOOD, DRY OR MEDIUM DRY

[Retail delivered prices]

16 inches and under:	*Per cord*
Pine	$9.00
Redwood	7.50

Half cord price: Divide cord price by 2 and add 20 cents. Quarter cord price: Divide cord price by 4 and add 40 cents.

APPENDIX D—WHOLESALE MAXIMUM PRICES

Dry or medium dry	Prices, wholesaler's yard (per cord)				
	4 feet	2 feet	16 inches	12 inches	Assorted lengths, 16 inches and under
Oak (any kind)	$13	$16	$16	$18	------
Madrone	13	16	16	18	------
Eucalpytus (gum)	11	14	14	16	------
Orchard (any kind)	6	9	9	11	------
Mill ends and slab wood:					
Pine	-----	-----	-----	-----	$4.00
Redwood	-----	-----	-----	-----	3.25

[F. R. Doc. 43–12724; Filed, August 5, 1943; 11:29 a. m.]

[No. Calif. Order G–3 Under SR 15, Amdt. 1]

FIREWOOD IN SANTA CLARA AND SAN MATEO COUNTIES, CALIF.

Amendment No. 1 to Order No. G–3 (Formerly Price Order No. 3) of § 1499.75 (a) (1) of Supplementary Regulation 15 to the General Maximum Price Regulation—Firewood.

Appendixes B and C of Northern California State Office Order No. G–3 are amended as follows:

APPENDIX B—SACK STOVEWOOD

RETAIL PRICES

* * * * *

Deposit of 10¢ may be required on the sack.

APPENDIX C—MILL ENDS AND SLAB WOOD, DRY OR MEDIUM DRY

RETAIL DELIVERED PRICES

* * * * *

One-quarter cord: Divide cord price by 4 and add 40¢.

One-third cord: Divide cord price by 3 and add 30¢.

One-half cord: Divide cord price by 2 and add 20¢.

Two-thirds cord: Multiply cord price by 2, divide by 3, and add 15¢.

* * * * *

SEC. 14a. *Effective date.* Amendment 1 to Northern California State Office Order No. G–3 shall become effective January 28th, 1943.

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

Issued this 28th day of January 1943.

HARRY F. CAMP,
Regional Administrator.

[F. R. Doc. 43–12725; Filed, August 5, 1943; 11:30 a. m.]

[No. Calif. Order G–4 Under SR 15]

FIREWOOD IN CALIFORNIA AREAS NOT COVERED BY OTHER ORDERS

Order No. G–4 under § 1499.75 (a) (1) of Supplementary Regulation No. 15 to the General Maximum Price Regulation (formerly Price Order No. 4)—Firewood.

The Director of the Northern California State Office of the Office of Price Administration has determined upon his own motion that in his judgment, the maximum prices established under the General Maximum Price Regulation for the sale and delivery of firewood in the various areas of Northern California, as to which specific orders have not heretofore been issued, are inadequate to insure a sufficient supply to meet the heating requirements in such areas, and are inadequate to move the existing stocks of wood in dealers' hands to the consuming public.

The State Director has ascertained and given due consideration to the increased costs of production and distribution which sellers of firewood in these various areas are now experiencing as compared with the costs generally prevailing in such areas in March, 1942. He has given due consideration to the importance of firewood as a source of residential heating in these various areas, and the necessity of using such firewood for heating purposes as a means of minimizing the use of coal, oil, and other types of fuel.

So far as practicable, the Director has advised and consulted with representative members of the industry. He has determined that the new maximum prices established by this order are, and will generally be, fair and equitable, and will effectuate the purposes of this order.

Therefore, in order to accelerate the movement of firewood now in the stocks of dealers to the consuming public, and to eliminate inequalities in the existing prices of firewood, under the authority vested the State Director by Supplementary Regulation 15 to the General Maximum Price Regulation, this Northern California Order No. G–4 is hereby issued.

1. *Prohibition against dealing in firewood above maximum prices.* On and after December 19, 1942, regardless of any contract, agreement, or other obligation:

(a) No person shall sell or deliver firewood in any specific area covered by this order at prices higher than the maximum prices established under this order for sales or deliveries in such area, and

(b) No person shall buy or receive firewood in any specific area covered by this order at prices higher than the maxi-

mum prices established under this order for sales or deliveries in such area.

2. *Evasion.* (a) The price limitations set forth in this Order No. G–4 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to firewood in the areas covered by said order 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.

(b) Without limiting the generality of the foregoing, the price limitations set forth herein shall not be evaded by improper classification of any item of firewood, splitting of orders into small quantities in order to increase prices (except as specifically allowed in this order), discontinuing or increasing the cost of delivery, or by decreasing or discontinuing cash discounts.

(c) The maximum prices herein set forth shall not be evaded by any practice or practices of any seller in connection with the cutting or splitting of firewood to a particular size demanded by the customer. If larger pieces of firewood are cut to a special size demanded by the customer, the quantity of wood for which the customer is to be charged is to be measured after said cutting and not before. In such case, the customer should be charged only on the basis of the measured cord or fraction thereof after the cutting has been completed, and the customer should be billed only for the measured cord or fraction thereof, after the said cutting, actually delivered to the customer.

3. *Less than maximum prices.* Lower prices than those set forth in this order No. G–4 may be charged, demanded, paid, or offered.

4. *Areas covered by this Order No. G–4.* For the purposes of fixing prices for a Northern California area not already covered by specific price orders setting prices of firewood, the said Northern California area shall be divided into districts. Each district shall be known by number and shall consist of the counties listed below:

(a) *District I:* Del Norte, Siskiyou, Modoc, Lassen, Plumas, Shasta, Trinity, Sierra, Nevada, Placer, El Dorado, Amador, Calaveras, Tuolumne, Mariposa, Alpine, and Mono.

(b) *District II:* Butte, Tehama, Glenn, Colusa, Yuba, Yolo, Sacramento, and Sutter.

(c) *District III:* Mendocino and Lake.

(d) *District IV:* Alameda, Contra Costa, San Francisco, Marin, Sonoma, Napa, and Solano.

(e) *District V:* San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, and Tulare.

5. *Maximum prices for sales of firewood in district I.* The maximum price for each item of firewood shall be the following:

(a) *Sales at retail.* The maximum prices set forth in Appendix A.

(i) In the case of sack stovewood, delivered and cash and carry prices are set out.

(ii) In all other cases said prices are delivered prices.

(a) In the event the seller at retail does not deliver, but sells f. o. b. his yard, the retailer shall deduct from said maximum price, an amount equal to the differential between the delivered price and the f. o. b. price which said retailer had established in March, 1942, for f. o. b. sales as compared with delivered sales.

(b) In the event any retailer had no such established differential in March, 1942, the amount of deduction shall be an amount equal to the cost to the customer of having the firewood delivered by the most usual and reasonable method.

(c) In no event, however, shall a seller at retail refuse to sell to a purchaser on a delivered basis, if the customer desires to purchase the firewood on a delivered basis.

(d) In some instances sellers at retail made an extra charge for piling the firewood on the consumer's premises. If any dealer had a customary charge in March, 1942, for piling of the wood on the consumer's premises, in addition to his charge for wood delivered to the consumer's curb, such dealer may charge the additional amount indicated in said Appendix A as a "storage charge" for rendering such service to the consumer, if the consumer requests such service.

(b) *Sales other than at retail.* The maximum prices set forth in Appendix A.

(i) Said prices are prices at the seller's yard, or f. o. b. means of transportation at the customary place of delivery, depending upon the practice of the particular seller in March, 1942.

(ii) If the seller, at the purchaser's request, delivers the wood in his own truck to the buyer's place of business, the seller may make an additional charge for such delivery. Such charge shall not exceed the charge which such seller made in March, 1942, for delivery. If the seller had an established differential in March, 1942, for wood sold on a delivered as compared with a non-delivered basis, such differential shall be the maximum price which the seller may charge for such delivery.

(iii) If the purchaser requests the seller to pile the wood in the purchaser's yard, such seller may make a charge for such service. Such charge shall not exceed the charge which the seller would have made for such service in March, 1942.

If, pursuant to the purchaser's request, the seller renders either or both of the above services, when billing the purchaser, the seller shall separately state on his invoice:

(a) the price for the wood, not to exceed the maximum prices set forth in Appendix A, and

(b) the cost of the additional service or services.

6. *Maximum prices for sales of firewood in District II.* (a) The maximum price for each item of firewood shall be the price set out in Appendix B.

(b) The provisions of paragraph 5 above concerning the terms and conditions of sale, etc., are referred to and incorporated herein and shall apply to all sales of firewood in said District II.

7. *Maximum prices for sales of firewood in District III.* (a) The maximum price for each item of firewood shall be the price set out in Appendix C.

(b) The provisions of paragraph 5 above concerning the terms and conditions of sale, etc., are referred to and incorporated herein and shall apply to all sales of firewood in said District III.

8. *Maximum prices for sales of firewood in District IV.* (a) The maximum price for each item of firewood shall be the price set out in Appendix D.

(b) The provisions of paragraph 5 above concerning the terms and conditions of sale, etc., are referred to and incorporated herein and shall apply to all sales of firewood in said District IV, except that in the case of sales of mill waste other than at retail, the prices listed shall be prices delivered at the usual place of delivery to the retailer.

9. *Maximum prices for sales of firewood in District V.* (a) The maximum price for each item of firewood shall be the price set out in Appendix E.

(b) The provisions of paragraph 5 above concerning the terms and conditions of sale, etc., are referred to and incorporated herein and shall apply to all sales of firewood in said District V.

10. *Mixed sales.* In the event that a seller sells any lot of wood which contains two or more classes of firewood which, under the terms of this order have different maximum prices, the maximum price of the entire lot of wood shall be determined by ascertaining the quantity of each class of wood in the lot, and charging the proper maximum price applicable to the amount of each class of wood in the lot. In such case, the seller may not add to the price of each individual item of wood the additional amount allowed where fractional cords of wood are ordered by and sold to consumers. Further, the seller must, in his invoice, itemize the type, quantity, and price of each class in the shipment.

11. *Adjustment of maximum prices for different classes of customers.* If the seller had an established practice in March of 1942, of giving allowances, discounts, or other price differentials, to different classes of purchasers, he is required to continue this practice, and his maximum prices calculated for any type of firewood must be reduced to reflect such allowances, discounts and price differentials. No seller shall change his customary allowances, discounts or other differentials unless such change results in a lower price.

12. *Applicability of maximum prices.* The prices established by this order apply only to sellers selling firewood at retail and to sellers selling other than at retail. However, this order does not apply to mills selling mill waste.

The provisions fixing said prices are expressly subject to the provisions of section 9 (b) (1) of the General Maximum Price Regulation.

13. *Applicability of the general maximum price regulation.* Except insofar as they are inconsistent, all of the provisions and definitions contained in the General Maximum Price Regulation are incorporated in this order.

14. *Method of billing of sales of firewood.* Every seller selling firewood in the areas covered by this order shall incorporate a statement on his bill or invoice to the effect that the prices charged for firewood covered by the bill or invoice are not in excess of the maximum prices allowed by State Order No. G-4.

15. *Affidavit of compliance.* (a) Before any seller of firewood may sell at prices in excess of those established for him under the General Maximum Price Regulation, and avail himself of any increases allowed him under this order, such seller must file with the Northern California State Office of the Office of Price Administration a sworn statement stating that he is not, at the time of the issuance of this order, and has not, since the General Maximum Price Regulation controlled the prices which he may charge for firewood, sold at prices in excess of the maximum prices established by the General Maximum Price Regulation for such seller. The effective date of the General Maximum Price Regulation with regard to sales at wholesale was May 11, 1942; with regard to sales at retail, the effective date was May 18, 1942.

(b) In the event that any seller cannot submit the sworn statement showing that he has not violated the maximum prices applicable to such seller under the General Maximum Price Regulation, he shall present the facts of his case to the Northern California State Office of the Office of Price Administration. Such office will, after due consideration of the matter, make such individual adjustment with such seller as the facts of his case may warrant, and thereafter give specific permission to such seller to fix his maximum prices for the sales of firewood in accordance with the maximum prices prescribed in this order.

(c) Every seller of firewood, whether selling at retail, or other than at retail, shall post a copy of the ceiling prices governing the sale of firewood in the area in which said seller is located, as established under this order, in his place of business where it can be readily seen by his customers.

16. *Records and reports.* Every seller of firewood subject to this order and every buyer in the course of trade or business shall preserve for examination by representatives of the Office of Price Administration copies of invoices covering each sale of firewood, and prepared in accordance with the provisions of this order.

17. *Other grades of firewood.* The maximum prices for all other grades, kinds, and sizes of firewood shall be the maximum price established under the General Maximum Price Regulation for each particular seller.

18. *Definitions.* (a) "Firewood" means any wood prepared and maintained for consumption as fuel.

(b) "Cord" means any pile of firewood containing 128 cubic feet of firewood.

(c) "Delivered" means delivered to the curb of the customer.

(d) "Storage charge" means the practice which existed as to some sellers at retail of making an extra charge for the piling of cord wood and firewood, other than sack wood, in the premises of the consumer. Such storage charge would be added to the price of the firewood when such additional service was requested by the purchaser. When not so requested, the firewood would be delivered to the consumer's curb, under normal circumstances.

(e) "Sales other than at retail" means all sales except sales by retail dealers to ultimate consumers: *Provided, however,* That this does not refer to sales covered by section 9 (b) (1) of the General Maximum Price Regulation, nor to sales by mills of mill waste.

(f) "F. O. B. means of transportation the customary place of delivery has reference to sales other than at retail. Such sales may be f. o. b. the seller's yard, or f. o. b. the means by which the seller transports the wood to the purchaser, as for example, by truck or railroad car. The customary place of delivery may vary, depending upon the particular seller's practice, for example, such customary place of delivery may be the rail siding adjoining the purchaser's yard, or the nearest rail depot to purchaser's yard, or some other place, depending upon the practice of the particular seller.

19. *Revocation.* This order may be revoked or amended at any time by the Northern California State Office of the Office of Price Administration.

20. *Effective date.* This Northern California State Office Order No. G4 shall become effective December 19, 1942.

Issued December 19, 1942.

FRANCIS CARROLL,
State Director.

DISTRICT NO. 1

APPENDIX A—MAXIMUM PRICES FOR FIREWOOD

[Del Norte, Siskiyou, Modoc, Lassen, Plumas, Shasta, Trinity, Sierra, Nevada, Placer, El Dorado, Amador, Calaveras, Tuolumne, Mariposa, Alpine, and Mono Counties]

I. RETAIL DELIVERED PRICES CORD WOOD

Dry or medium dry	Per cord					
	4 feet	2 feet	16 inches	12 inches	9½–10 inches	Assorted lengths, 2 feet and under
Pine (Fir)	$11	$13	$13.50	$14	$14	------
Juniper	11	13	13.50	14	14	------
Cedar	11	13	13.50	14	14	------
Oak (any kind)	14	16	16.50	17	17	------
Madrone	14	16	16.50	17	17	------
Eucalyptus (gum)	12	14	14.50	15	15	------
Orchard (any kind)	11	13	13.50	14	14	------
Manzanita	14	----	------	----	----	$16

FRACTIONAL CORD MAXIMUM PRICES—DELIVERED

Half cord price: Divide cord price by 2 and add 25 cents.

Third cord price: Divide cord price by 3 and add 35 cents.

Quarter cord price: Divide cord price by 4 and add 45 cents.

Fifth cord price: Divide cord price by 5 and add 55 cents.

For splitting to stovewood size, add $2.50 per cord to above cord prices.

"Storage Charge", as defined in the Order; a $2.00 per cord (fractional cord in proportion) charge may be added to above cord prices.

II. MILL WASTE—RETAIL DELIVERED PRICES

[Mill ends and slab wood]

Dry or medium dry— 16 in. and under:	Per cord
Pine	$6.00
Redwood	4.00

Half cord price: Divide cord price by 2 and add 20 cents. Quarter cord price: Divide cord price by 4 and add 40 cents.

III. SACK STOVEWOOD—RETAIL PRICES PER SACK

Dry or medium dry	Cash and carry	Delivered
Oak, Madrone, Manzanita	$0.45	$0.55
Pine (Fir), Juniper, Cedar	.35	.45
Mill Waste (Mill Ends and Slabs)	.30	.40

Sack size: 22 inches by 36 inches (minimum). Deposit of 7 cents may be required on the sack.

IV. CORD WOOD SALES—OTHER THAN AT RETAIL

Dry or medium dry	Per cord					
	4 feet	2 feet	16 inches	12 inches	9½–10 inches	Assorted lengths, 2 feet and under
Pine (fir)	$6	$7	$7.50	$8	$8	------
Juniper	6	7	7.50	8	8	------
Cedar	6	7	7.50	8	8	------
Oak (any kind)	8	11	11.50	12	12	------
Madrone	8	11	11.50	12	12	------
Eucalyptus (gum)	6	9	9.50	10	10	------
Orchard (any kind)	6	7	7.50	8	8	------
Manzanita	8	----	------	----	----	$10

FRACTIONAL CORD MAXIMUM PRICES

Half cord price: Divide cord price by 2 and add 25 cents.

Third cord price: Divide cord price by 3 and add 35 cents.

Quarter cord price: Divide cord price by 4 and add 45 cents.

Fifth cord price: Divide cord price by 5 and add 55 cents.

For splitting to stovewood size, add $2.50 per cord to above cord prices.

DISTRICT NO. 2

APPENDIX B—MAXIMUM PRICES FOR FIREWOOD

[Butte, Tehama, Glenn, Colusa, Yuba, Yolo, Sacramento, and Sutter Counties]

I. RETAIL DELIVERED PRICES CORD WOOD

Dry or medium dry	Per cord					
	4 feet	2 feet	16 inches	12 inches	9½–10 inches	Assorted lengths, 2 feet and under
Pine (fir)	$12	$14	$14.50	$15	$15	------
Juniper	12	14	14.50	15	15	------
Oak (any kind)	16	19	19.50	20	20	------
Madrone	16	19	19.50	20	20	------
Eucalyptus (gum)	14	17	17.50	18	18	------
Orchard (any kind)	11	13	13.50	14	14	------
Manzanita	16	----	------	----	----	$18

FRACTIONAL CORD MAXIMUM PRICES—DELIVERED

Half cord price: Divide cord price by 2 and add 25 cents.

Third cord price: Divide cord price by 3 and add 35 cents.

Quarter cord price: Divide cord price by 4 and add 45 cents.

Fifth cord price: Divide cord price by 5 and add 55 cents.

For splitting to stovewood size, add $3 per cord to above cord prices.

"Storage Charge", as defined in the Order: a $2 per cord (fractional cord in proportion) charge may be added to above cord prices.

II. MILL WASTE—RETAIL DELIVERED PRICES

[Mill ends and slab wood]

Dry or medium dry—16 inches and under:	*Per cord*
Pine	$6
Redwood	4

Half cord price: Divide cord price by 2 and add 20 cents. Quarter cord price: Divide cord price by 4 and add 40 cents.

III. SACK STOVEWOOD—RETAIL PRICES PER SACK

Dry or medium dry	Cash and carry	Delivered
Oak, Madrone	$0.50	$0.60
Eucalyptus (gum), Manzanita	.50	.60
Pine (fir), Juniper, Orchard	.40	.50
Mill waste (mill ends and slabs)	.30	.40

Sack size: 22 inches by 36 inches (minimum). Deposit of 7 cents may be required on the sack.

IV. CORD WOOD SALES—OTHER THAN AT RETAIL

Dry or medium dry	Per cord					
	4 feet	2 feet	16 inches	12 inches	9½-10 inches	Assorted lengths, 2 feet and under
Pine (fir)	$6	$7	$7.50	$8	$8	------
Juniper	6	7	7.50	8	8	------
Oak (any kind)	9	12	12.50	13	13	------
Madrone	9	12	12.50	13	13	------
Eucalyptus (gum)	7	10	10.50	11	11	------
Orchard (any kind)	6	7	7.50	8	8	------
Manzanita	10	----	------	----	----	$12

FRACTIONAL CORD MAXIMUM PRICES

Half cord price: Divide cord price by 2 and add 25 cents.

Third cord price: Divide cord price by 3 and add 35 cents.

Quarter cord price: Divide cord price by 4 and add 45 cents.

Fifth cord price: Divide cord price by 5 and add 55 cents.

For splitting to stovewood size, add $3 per cord to above cord prices.

DISTRICT NO. 3

APPENDIX C—MAXIMUM PRICES FOR FIREWOOD

[Mendocino and Lake Counties]

I. CORDWOOD—RETAIL DELIVERED PRICES

Dry or medium dry	Per cord					
	4 feet	2 feet	16 inches	12 inches	9½ to 10 inches	Assorted lengths, 2 feet and under
Pine (fir)	$11	$13	$13.50	$14	$14	------
Oak (any kind)	13	15	15.50	16	16	------
Madrone	13	15	15.50	16	16	------
Eucalyptus (gum)	11	13	13.50	14	14	------
Orchard (any kind)	11	13	13.50	14	14	------
Manzanita	10	----	------	----	----	$12

FRACTIONAL CORD MAXIMUM PRICES—DELIVERED

Half Cord Price: Divide cord price by 2 and add 25 cents.

Third Cord Price: Divide cord price by 3 and add 35 cents.

Quarter Cord Price: Divide cord price by 4 and add 45 cents.

Fifth Cord Price: Divide cord price by 5 and add 55 cents.

For splitting to stovewood size: add $2.50 per cord to above cord prices.

"Storage charge", as defined in the order: A $2.50 per cord (fractional cord in proportion) charge may be added to above cord prices.

II. MILL WASTE—RETAIL DELIVERED PRICES

[Mill ends and slab wood]

Dry or medium dry—16 inches and under:	*Per cord*
Pine	$6
Redwood	4

Half cord price: Divide cord price by 2 and add 20 cents. Quarter cord price: Divide cord price by 4 and add 40 cents.

III. SACK STOVEWOOD—RETAIL PRICES PER SACK

Dry or medium dry	Cash and carry	Delivered
	Cents	*Cents*
Pine (fir)	40	50
Oak (any kind)	40	50
Madrone, eucalyptus (gum)	40	50
Manzanita	40	50
Orchard (any kind)	40	50
Mill waste (mill ends, slab wood)	30	40

Sack size: 22 inches by 36 inches (minimum). Deposit of 7 cents may be required on the sack.

IV. CORD WOOD SALES—OTHER THAN AT RETAIL

[Per cord]

Dry or Medium Dry	4 feet	2 feet	16 inches	12 inches	9½ to 10 inches	Assorted lengths, 2 feet and under
Pine (fir)	$6	$7	$7.50	$8	$8	------
Oak (any kind)	8	9	9.50	10	10	------
Madrone	8	9	9.50	10	10	------
Eucalyptus (gum)	6	7	7.50	8	8	------
Orchard (any kind)	6	7	7.50	8	8	------
Manzanita	5	----	------	----	----	$6

FRACTIONAL CORD MAXIMUM PRICES

Half Cord Price: Divide cord price by 2 and add 25 cents.

Third Cord Price: Divide cord price by 3 and add 35 cents.

Quarter Cord Price: Divide cord price by 4 and add 45 cents.

Fifth Cord Price: Divide cord price by 5 and add 55 cents.

For splitting to stovewood size, add $2.50 per cord to above cord prices.

DISTRICT NO. 4

APPENDIX D—MAXIMUM PRICES FOR FIREWOOD

[Alameda, Contra Costa, San Francisco, Marin, Sonoma, Napa, and Solano Counties]

I. RETAIL DELIVERED PRICES—CORD WOOD

Dry or medium dry	Per cord					
	4 feet	2 feet	16 inches	12 inches	9½-10 inches	Assorted lengths, 2 feet and under
Pine (fir)	$18.00	$22.00	$22.50	$23.00	$23.00	------
Oak (any kind)	22.00	26.00	27.00	28.00	28.00	------
Madrone	22.00	26.00	27.00	28.00	28.00	------
Eucalyptus (gum)	20.00	24.00	25.00	26.00	26.00	------
Orchard (any kind)	13.50	15.50	16.00	16.50	16.50	------
Manzanita	16.00	----	------	----	----	$18

FRACTIONAL CORD MAXIMUM PRICES—DELIVERED

Half cord price: Divide cord price by 2 and add 25 cents.

Third cord price: Divide cord price by 3 and add 35 cents.

Quarter cord price: Divide cord price by 4 and add 45 cents.

Fifth cord price: Divide cord price by 5 and add 55 cents.

For splitting to stovewood size, add $3.00 per cord to above cord prices.

"Storage Charge", as defined in the Order: a $2.00 per cord (fractional cord in proportion) charge may be added to above cord prices.

II. MILL WASTE—RETAIL DELIVERED PRICES

[Mill ends and slab wood]

Dry or Medium Dry—16 inches and under:	*Per cord*
Pine	$11
Redwood	9

Half cord price: Divide cord price by 2 and add 20 cents. Quarter cord price: Divide cord price by 4 and add 40 cents.

III. SACK STOVEWOOD—RETAIL PRICES PER SACK

Dry or medium dry	Cash and carry	Delivered
Pine (fir)	$0.50	$0.60
Orchard (any kind)	.50	.60
Manzanita	.50	.60
Oak (any kind)	.60	.70
Madrone	.60	.70
Eucalyptus (any kind)	.60	.70
Mill Waste (mill ends and slab wood)	.45	.55

Sack Size: 22 inches by 36 inches (minimum). Deposit of 7 cents may be required on the sack.

IV. CORD WOOD SALES—OTHER THAN AT RETAIL

Dry or medium dry	Per cord					
	4 feet	2 feet	16 inches	12 inches	9½–10 inches	Assorted lengths, 2 feet and under
Pine (fir)	$12.00	$16.00	$16.50	$17.00	$17.00	----------
Oak (any kind)	16.00	20.00	21.00	22.00	22.00	----------
Madrone	16.00	20.00	21.00	22.00	22.00	----------
Eucalyptus (gum)	14.00	18.00	19.00	20.00	20.00	----------
Orchard (any kind)	7.50	9.50	10.00	10.50	10.50	----------
Manzanita	10.00	----------	----------	----------	----------	$12

FRACTIONAL CORD PRICES

Half cord price: Divide cord price by 2 and add 25 cents.

Third cord price: Divide cord price by 3 and add 35 cents.

Quarter cord price: Divide cord price by 4 and add 45 cents.

Fifth cord price: Divide cord price by 5 and add 55 cents.

For splitting to stovewood size, add $3.00 per cord to above cord prices.

V. MILL WASTE—SALES OTHER THAN AT RETAIL

[Mill Ends and Slab Wood]

Dry or medium dry—16 inches and under:	*Per cord*
Pine	5.00
Redwood	3.50

DISTRICT NO. 5

APPENDIX E—MAXIMUM PRICES FOR FIREWOOD

[San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, and Tulare Counties]

I. MILL WASTE—RETAIL DELIVERED PRICES

[Mill Ends and Slab Wood]

Dry or medium dry—16 inches and under:	*Per cord*
Pine	$6.00
Redwood	4.00

Half cord price: Divide cord price by 2 and add 20 cents. Quarter cord price: Divide cord price by 4 and add 40 cents.

II. RETAIL DELIVERED PRICES—CORD WOOD

Dry or medium dry	Per cord					
	4 feet	2 feet	16 inches	12 inches	9½–10 inches	Assorted lengths, 2 feet and under
Pine (fir)	$14	$16	$16.50	$17	$17	------
Cedar	14	16	16.50	17	17	------
Oak (any kind)	18	22	22.50	23	23	------
Madrone	18	22	22.50	23	23	------
Eucalyptus (gum)	16	20	20.50	21	21	------
Orchard (any kind)	12	14	14.50	15	15	------
Willow	11	13	13.50	14	14	------
Manzanita	16	----	------	----	----	$18

FRACTIONAL CORD MAXIMUM PRICES—DELIVERED

Half cord price: Divide cord price by 2 and add 25 cents.

Third cord price: Divide cord price by 3 and add 35 cents.

Quarter cord price: Divide cord price by 4 and add 45 cents.

Fifth cord price: Divide cord price by 5 and add 55 cents.

For splitting to stovewood size, add $3.00 per cord to above cord prices.

"Storage Charge", as defined in the Order: a $2 per cord (fractional cord in proportion) charge may be added to above cord prices.

III. SACK STOVEWOOD—RETAIL PRICES PER SACK

Dry or medium dry	Cash and carry	Delivered
Oak (any kind)	$0.50	$0.60
Madrone	.50	.60
Eucalyptus (gum)	.50	.60
Pine (fir), willow	.45	.55
Manzanita, cedar	.45	.55
Orchard (any kind)	.45	.55
Mill waste (mill ends and slab wood)	.30	.40

Sack size: 22 inches by 36 inches (minimum). Deposit of 7 cents may be required on the sack.

IV. CORD WOOD SALES—OTHER THAN AT RETAIL

Dry or medium dry	Per cord					
	4 feet	2 feet	16 inches	12 inches	9½–10 inches	Assorted lengths, 2 feet and under
Pine (fir), cedar	$8	$10	$10.50	$11	$11	------
Oak (any kind)	12	16	16.50	17	17	------
Madrone	12	16	16.50	17	17	------
Eucalyptus	10	14	14.50	15	15	------
Orchard (any kind)	6	8	8.50	9	9	------
Willow	5	6	6.50	7	7	------
Manzanita	10	----	------	----	----	$12

FRACTIONAL CORD MAXIMUM PRICES

Half cord price: Divide cord price by 2 and add 25 cents.

Third cord price: Divide cord price by 3 and add 35 cents.

Quarter cord price: Divide cord price by 4 and add 45 cents.

Fifth cord price: Divide cord price by 5 and add 55 cents.

For splitting to stovewood size, add $3.00 per cord to above cord prices.

[F. R. Doc. 43–12726; Filed, August 5, 1943; 11:32 a. m.]

[Region VIII Order G–2 Under Rev. MPR 122]

BITUMINOUS COAL IN SEATTLE, WASH., AREA

Order No. G–2 Under Revised Maximum Price Regulation 122—Solid Fuels Sold and Delivered by Dealers. Maximum prices for certain sales of bituminous coal in Seattle, Washington area.

For the reason set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region VIII of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, *It is hereby ordered:*

(a) *What this order does*—(1) *In general.* This order establishes dollar-and-cents maximum prices for sales to consumers in the Seattle Area of certain kinds of bituminous coal. The maximum prices established herein supersede those previously established under Revised Maximum Price Regulation No. 122 and are the only maximum prices applicable to the sales covered by this order. The maximum prices established by this order may not be increased to reflect increased mine prices, transportation, or other costs.

(2) *Kinds of coal covered.* Maximum prices for sales to domestic consumers in the Seattle Area of bituminous coals produced in Bituminous Coal Division Districts 19, 20, 22, and 23 shall be those prescribed in paragraphs (b) and (c).

(3) *Kinds of sales covered.* This order applies only to sales of coal to domestic consumers. As used herein the term "domestic consumer" means a purchaser who uses the coal purchased to heat a dwelling housing not more than four family units. A sale to a public housing authority shall be deemed a sale to a domestic consumer, whenever by its terms such sale calls for a delivery of the coal directly to individual tenants of such authority.

(4) *Area covered.* This order applies to sales of bituminous coals in the Seattle Area, which comprises the area within the corporate city limits of Seattle, Washington, the area bounded by the northern corporate limits of the City of Seattle, Puget Sound, North 145th Street, and Lake Washington, and the area bounded by the southern corporate limits of the City of Seattle, Puget Sound, South 160th Street, State Highway 1–L, and State Highway 5. A sale is deemed to be made within the Seattle Area when, and only when, the coal is delivered within such Area, regardless of the seller's place of business.

(5) *Applicability of Revised Maximum Price Regulation No. 122.* (i) Except as otherwise provided herein the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this order. Any violation of the order shall constitute a violation of Revised Maximum Price Regulation No. 122, and shall subject the person violating to the penalties and liabilities prescribed in § 1340.264 thereof.

(ii) The terms used in this order unless defined herein, shall have the same meanings as in Revised Maximum Price Regulation No. 122.

(b) *Tables of maximum prices.* (1) The maximum prices for sales to domestic consumers in the Seattle Area of untreated bituminous coals produced in Bituminous Coal Division Districts 19 (Wyoming), 20 (Utah), 22 (Montana), and 23 (Washington) are set forth in Tables I to XIV hereunder.

TABLE I—DISTRICT 19, WYOMING, SUBDIST RICT NO. 1, "KEMMERER"

Size groups	Delivered f. o. b. yard		Delivered to buyer's premises					
	100 pound bag	Loose, per ton	100 pound bag	½ ton	1 ton	2 ton	3 ton	5 ton
1 Lump 8"								
2 Lump 7"								
3 Lump 5"	$0.80	$13.65	$0.85	$8.05	$14.65	$14.40	$14.15	
4 Lump 3"								
5 Stove 8 x 3"								
7 Grate nut 8 x 1⅝"								
Egg 5 x 3"	.75	12.45	.80	7.45	13.45	13.20	12.95	
Nut 3 x 1⅝"	.75	12.00	.80	7.25	13.00	12.75	12.50	
9 Pea 1⅝ x 1"	.70	11.05	.75	6.75	12.05	11.80	11.55	
10 Pea #2, 1⅝ x ½"								
11 Stoker pea 1 x 3/16"	.65	10.80	.70	6.65	11.80	11.55	11.30	$11.05
15 Slack 1⅝ x 0"								
16 Slack 1 x 0"	.65	10.25	.70	6.35	11.25	11.00	10.75	10.50

TABLE II—DISTRICT 19, WYOMING, SUBDISTRICT NO. 2, "ROCKSPRINGS"

1 Lump 8"								
2 Lump 7"	$0.80	$13.45	$0.85	$7.95	$14.45	$14.20	$13.95	
3 Lump 5"								
4 Lump 3"								
5 Stove 8 x 3"	.80	13.20	.85	7.85	14.20	13.95	13.70	
7 Grate nut 8 x 1⅝"								
Egg 5 x 3"	.75	12.30	.80	7.40	13.30	13.05	12.80	
8 Nut 3 x 1⅝"	.75	11.80	.80	7.20	12.90	12.65	12.40	
9 Pea 1⅝ x 1"								
10 Pea No. 2, 1⅝ x ½"	.70	11.00	.75	6.75	12.00	11.75	11.50	$11.25
11 Stoker pea 1 x 3/16"								
15 Slack 1⅝ x 0"								
16 Slack 1 x 0"	.65	10.55	.70	6.50	11.55	11.30	11.05	10.80

TABLE III—DISTRICT 19, WYOMING, SUBDISTRICT NO. 3, "HANNA RAWLINS"

1 Lump 8"								
2 Lump 7"								
3 Lump 5"	$0.80	$13.15	$0.85	$7.80	$14.15	$12.90	$13.65	
4 Lump 3"								
5 Stove 8 x 3"	.75	12.90	.80	7.70	13.90	13.65	13.40	
7 Grate nut 8 x 1⅝"								
Egg 5 x 3"	.75	12.50	.80	7.50	13.50	13.25	13.00	
8 Nut	.75	12.30	.80	7.40	13.30	13.05	12.80	
9 Pea 1⅝ x 1"	.65	11.00	.70	6.75	12.00	11.75	11.50	$11.25
10 Pea No. 2, 1⅝ x ½"	.65	10.75	.70	6.60	11.75	11.50	11.25	11.00
15 Slack 1⅝ x 0"								
Slack 1 x 0"	.65	10.55	.70	6.50	11.55	11.30	11.05	10.80

TABLE IV—DISTRICT 19, WYOMING, SUBDISTRICT NO. 5, "GEBO-KIRBY"

1 Lump 8"								
2 Lump 7"								
3 Lump 5"	$0.85	$14.50	$0.90	$8.30	$15.50	$15.25	$ 15.00	
4 Lump 3"								
5 Stove 8 x 3"								
6 Stove 7 x 3"								
7 Grate nut 8 x 1⅝"								
Egg 5 x 3"	.80	13.85	.85	8.15	14.85	14.60	14.35	
8 Nut 3 x 1⅝"	.80	13.10	.85	7.80	14.10	13.85	13.60	
9 Pea 1⅝ x 1"	.70	11.55	.75	7.00	12.55	12.30	12.05	$11.80
10 Pea 1⅝ x ½"	.65	11.00	.70	6.77	12.00	11.75	11.50	11.25
15 Slack 1⅝ x 0"								
16 Slack 1 x 0"	.65	10.25	.70	6.35	11.25	11.00	10.75	10.50

TABLE V—DISTRICT 19, WYOMING, SUBDISTRICT NO. 7, "SHERIDAN"

1 Lump 8"								
2 Lump 7"	$0.75	$12.40	$0.80	$7.45	$13.40	$13.15	$12.90	
5 Stove 8 x 3"								
6 Stove 7 x 3"	.75	12.10	.80	7.30	13.10	12.85	12.60	
7 Grate nut 8 x 1⅝"								
Egg 5 x 3"	.70	11.60	.75	7.05	12.60	12.35	12.10	
8 Nut 3 x 1⅝"								
9 Pea 1⅝ x 1"								
10 Pea No. 2, 1⅝ x ½"	.65	10.60	.70	6.55	11.60	11.35	11.10	$10.85
14 Slack 2½ x 0"	.65	10.40	.70	6.45	11.40	11.15	10.90	10.65
15 Slack 1⅝ x 0"	.65	10.25	.70	6.35	11.25	11.00	10.75	10.50

TABLE VI—DISTRICT 20, UTAH, SUBDISTRICT NO. 1, "CASTLEGATE"

1 Lump 11 x 8"								
2 Lump 10"	$0.80	$13.55	$0.85	$8.00	$14.55	$14.30	$14.05	
3 Lump 3"								
4 Lump 1⅝"								
5 Stove 8 x 3"	.80	13.35	.85	7.90	14.35	14.10	13.85	
6 Egg 8 x 1⅝"	.80	12.90	.85	7.70	13.90	13.65	13.40	
7 Nut 3 x 1⅝	.75	12.10	.80	7.30	13.10	12.85	12.60	
8 Pea 1⅝ x 1"								
9 Stoker 1 x 3/16"	.70	11.10	.75	6.80	12.10	11.85	11.60	$11.35
10 Slack 1⅝ x 0"								
11 Slack 1 x 0"	.65	10.65	.70	6.55	11.65	11.40	11.15	10.90

TABLE VII—DISTRICT 22, MONTANA, SUBDISTRICT NO. 1, "ROUNDUP"

1 Lump 6" and up								
2 Lump 2"	$0.80	$13.30	$0.85	$7.90	$14.30	$14.05	$13.80	
3 Furnace 9 x 6"								
5 Stove 6 x 2"	.80	13.15	.85	7.80	14.15	13.90	13.65	
7 Nut 2 x 1¼"	.70	11.75	.75	7.10	12.75	12.50	12.25	
9 Stocker pea 1¼ x ⅜"	.65	10.70	.70	6.60	11.70	11.45	11.20	$10.95
10 Slack 1¼ x 0"	.60	9.60	.70	6.05	10.60	10.35	10.10	9.85

TABLE VIII—DISTRICT 22, MONTANA, SUBDISTRICT No. 2, "RED LODGE"

1 Lump 6" and up								
2 Lump 2"	$0.80	$13.70	$0.85	$8.10	$14.70	$14.45	$14.20	
3 Furnace 9 x 6"								
5 Stove 6 x 2"	.80	13.30	.85	7.90	14.30	14.05	13.80	
7 Nut 2 x 1¼"	.70	11.60	.75	7.05	12.60	12.35	12.10	
8 Chestnut 1¼ x 1"								
9 Stoker pea 1¼ x ⅜"	.65	10.35	.70	6.40	11.35	11.10	10.85	$10.60
10 Slack 1¼ x 0"	.60	9.75	.65	6.10	10.75	10.50	10.25	10.00

TABLE IX—DISTRICT 23, WASHINGTON, SUBDISTRICT A, "ROSYLN"

2 Lump 3½"								
3 Lump 2"	$0.70	$11.15	$0.75	$6.80	$12.15	$11.90	$11.65	
8 Egg 3¼ x 1⅝"	.70	10.95	.75	6.70	11.95	11.70	11.45	
10 Egg nut 3 x 1¼"	.65	10.70	.70	6.60	11.70	11.45	11.20	
12 Nut 2 x 1¼"	.65	10.10	.70	6.30	11.10	10.85	10.60	
13 Nut #2, 2 x ⅜"	.60	9.80	.65	6.15	10.80	10.55	10.30	
16 Nut pea 1⅜"	.60	9.05	.65	5.75	10.05	9.80	9.55	$9.30
21 Slack 2 x 0"	.60	8.65	.65	5.65	9.85	9.60	9.35	9.10
23 Slack 1 x 0"	.60	8.60	.65	5.55	9.60	9.35	9.10	8.85
19 Minerun 6 x 0"								
Minerun 4 x 0"	.65	9.95	.70	6.20	10.95	10.70	10.45	

TABLE X—DISTRICT 23, WASHINGTON, SUBDISTRICT B, PIERCE COUNTY

Size groups	Delivered f. o. b. yard		Delivered to buyer's premises					
	100 pound bag	Loose, per ton	100 pound bag	½ ton	1 ton	2 ton	3 ton	5 ton
2 Lump 3½" 3 Lump 2" 7 Egg 3½ x 2½"	$0.70	$11.80	$0.75	$7.15	$12.80	$12.55	$12.30	
13 Nut #2, 2 x ⅝"	.55	10.80	.70	6.65	11.80	11.55	11.30	
21 Slack 2 x 0"	.60	9.95	.65	6.20	10.95	10.70	10.45	$10.20
22 Slack 1 x 0"	.60	9.80	.65	6.15	10.80	10.55	10.30	10.05

TABLE XI—DISTRICT 23, WASHINGTON, SUBDISTRICT D, "BELLINGHAM"

1 Lump 4"	$0.65	$10.65	$0.70	$6.65	$11.65	$11.40	$11.15	
3 Lump 2" 6 Stove 4 x 2"	.65	10.30	.70	6.40	11.30	11.05	10.80	
7 Egg 3½ x 2½"	.65	10.00	.70	6.25	11.00	10.75	10.50	
9 Egg nut 3½ x 1¼"	.60	9.75	.65	6.10	10.75	10.50	10.25	
12 Nut 2 x 1½"	.60	9.45	.65	5.95	10.45	10.20	9.95	
14 Chestnut 1¼ x 1"	.65	8.80	.60	5.65	9.80	9.55	9.30	
16 Pea 1 x ⅝"	.55	8.50	.60	5.50	9.50	9.25	9.00	$8.75

TABLE XII—DISTRICT 23, WASHINGTON, SUBDISTRICT E, "McKAY-BLACK DIAMOND"

2 Lump	$0.75	$12.20	$0.80	$7.35	$13.20	$12.95	$12.70	
8 Egg 3¼ x 1⅝	.70	12.00	.75	7.25	13.00	12.75	12.50	
9 Egg nut 3¼ x 1¼" 10 Egg nut 3 x 1¼ 12 Nut 2 x 1¼" 14 Pea 1¼ x 1"	.70	11.60	.75	7.05	12.60	12.35	12.10	
15 Pea 1¼ x ½" 17 Pea 1⅝ x 3/32" 18 Stoker 1 x 3/32" 21 Slack 2 x 0" 22 Slack 1¼ x 0"	.65	10.40	.70	6.45	11.40	11.15	10.90	$10.65

TABLE XIII—DISTRICT 23, WASHINGTON, SUBDISTRICT F, "NEWCASTLE"

2 Lump 3½"	$0.70	$11.00	$0.75	$6.75	$12.00	$11.75	$11.50	
8 Egg 3 x 1⅝"	.65	10.50	.70	6.50	11.50	11.25	11.00	
9 Egg nut 3½ x 1¼"								
10 Egg nut 3 x 1¼"	.65	10.15	.70	6.30	11.15	10.90	10.65	
12 Nut 2 x 1¼"								
14 Chestnut 1¼ x 1"	.60	9.50	.65	6.00	10.50	10.25	10.00	
16 Pea 1 x ⅝"	.60	9.10	.65	5.80	10.10	9.85	9.60	$9.35
22 Slack 1¼ x 0"	.55	8.85	.60	5.65	9.85	9.60	9.35	9.10

TABLE XIV—DISTRICT 23, WASHINGTON, SUBDISTRICT G, "CUMBERLAND"

2 Lump 3 Lump 4 Lump	$0.70	$11.25	$0.75	$7.55	$12.25	$12.00	$11.75	
5 Lump 8 Egg 9 Egg nut	.65	10.85	.70	7.40	11.85	11.60	11.35	
10 Nut	.65	10.15	.70	7.05	11.15	10.90	10.65	
11 Nut	.60	9.90	.65	6.95	10.90	10.65	10.40	$11.15
12 Nut No. 2	.60	9.90	.65	6.95	10.90	10.65	10.40	
14 Pea	.60	9.90	.65	6.95	10.90	10.65	10.40	
19 Mine run	.60	9.90	.65	6.95	10.90	10.65	10.40	

(b) (2) The term "delivered f. o. b. yard" means delivered at the dealer's place of business, loaded on the purchaser's vehicle or other conveyance.

(3) The term "delivered to buyer's premises" means delivered into the buyer's bin or other storage facility, where such delivery can be made directly from the dealer's truck by the use of shovels and/or chutes.

(4) The maximum prices listed in the columns headed "2 ton", "3 ton", and "5 ton" are the maximum prices per net ton for deliveries in the quantities indicated.

(5) *Packing charges.* Where delivery into the buyer's basement bin or other storage facility can be effected only by carrying the coal from the dealer's truck in tins, baskets, or other containers, the maximum price "delivered to buyer's premises" may be increased by a packing charge not in excess of the appropriate maximum charge provided in subdivision (i) below.

(i) The maximum packing charge shall be $1.00 per ton for the first 170 feet or less which the coal is carried on the level, plus 35 cents per ton for each additional 75 feet or fraction thereof on the level. Each step up or down shall count as 10 feet on the level. Each foot of rise or fall of incline shall count as twenty feet on the level.

(ii) Packing charges must be separately stated on sales slips or invoices.

(6) *Addition for dust treatment.* When any of the coals listed in Tables I to XIV of subparagraph (1) has been treated to minimize dust, its maximum price may be increased by an amount not in excess of the producer's charge for such treatment: *Provided,* That such amount may not exceed ten cents per ton for nut and larger sizes, fifteen cents per ton for pea size, and thirty-five cents per ton for stoker and slack sizes: *And provided further,* That the coal is described as treated on the sales slip or invoice.

(c) *Container deposit charges.* When coal is delivered in bags owned by the dealer he may require the payment of a deposit charge in addition to the maximum price established herein, provided that such charge may not be unreasonably in excess of the cost of the bags delivered and that a full refund of such charge be made upon return of the bags in substantially the same condition as when received by the buyer.

(d) *Taxes.* A dealer subject to this order may collect in addition to the maximum prices established herein, provided he states them separately:

(1) The amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by the supplier from whom he purchased; and

(2) The amount of the Washington State Sales Tax payable by such dealer.

(e) Less than maximum prices may be charged, paid, or offered, but this order shall not authorize or excuse any sale in violation of any order of the Bituminous Coal Division setting minimum prices.

(f) *Records and reports.* The provisions of § 1340.262 of Revised Maximum Price Regulation 122 shall remain in full effect with respect to all dealers in the Seattle area, except that the dollars-and-cents maximum prices established by this order need not be reported pursuant to paragraph (c) of said section.

(g) *Posting of maximum prices, sales slips, and receipts.* (1) Every dealer subject to this order shall post at his place of business in a manner plainly visible to and understandable by the purchasing public, all of the maximum prices established herein which are applicable to his sales, and shall keep a copy of this order available for examination by any person during ordinary business hours.

(2) Every dealer making sales subject to this order shall give to each purchaser an invoice or sales slip showing the name and address of the dealer; the name and address of the purchaser; the kind, type, and quantity of bituminous coal sold; the price thereof; and such special or additional charges, if any, which are required to be separately stated by other provisions of this order.

(h) *Petitions for amendment.* Any person seeking an amendment of any provisions of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the San Francisco Regional Office of the Office of Price Administration, and shall be acted upon by the Regional Administrator.

(i) This order may be revoked, amended, or corrected at any time.

This order becomes effective August 9, 1943.

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

Issued this 4th day of August 1943.

FRANK E. MARSH,
Regional Administrator.

[F. R. Doc. 43-12716; Filed, August 5, 1943; 11:35 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 7-710]

PUGET SOUND POWER AND LIGHT COMPANY

ORDER SETTING HEARING ON APPLICATION TO EXTEND UNLISTED TRADING PRIVILEGES

In the matter of application by the New York Curb Exchange to extend unlisted trading privileges to: Puget Sound Power & Light Company Common Stock, $10 Par Value.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 4th day of August, A. D. 1943.

The New York Curb Exchange, pursuant to section 12 (f) of the Securities Exchange Act of 1934, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the above-mentioned security; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 11: 00 a. m. on Tuesday, August 17, 1943, at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That William W. Swift, or any other officer or officers of the Commission named by it for that purpose, shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-12771; Filed, August 6, 1943; 10:06 a. m.]

[File No. 70-750]

SCRANTON-SPRING BROOK WATER SERVICE COMPANY

ORDER APPROVING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of August, A. D. 1943.

Scranton-Spring Brook Water Service Company, a subsidiary of Federal Water and Gas Corporation, a registered holding company, having filed an application and a declaration pursuant to the Public Utility Holding Company Act of 1935 and the General Rules and Regulations promulgated thereunder, regarding the proposed purchase in the open market from time to time but prior to December 31, 1943, of 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; and

Said application and declaration having been filed on June 26, 1943 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act and the Commission not having received a request for a hearing with respect to said application and declaration within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the statutory requirements under sections 10 and 12 of said Act are satisfied and that no adverse findings are necessary thereunder and deeming it appropriate in the public interest and in the interest of investors and consumers to grant said application and to permit said declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid application be and hereby is granted forthwith and that the aforesaid declaration be and hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-12769; Filed, August 6, 1943; 10:06 a. m.]

[File No. 70-758]

SCRANTON-SPRING BROOK WATER SERVICE CO.

ORDER APPROVING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of August, A. D. 1943.

Scranton-Spring Brook Water Service Company, a subsidiary of Federal Water and Gas Corporation, a registered holding company, having filed an application and declaration pursuant to the Public Utility Holding Company Act of 1935 and the General Rules and Regulations promulgated thereunder, regarding the merger with itself of sixty-two of its wholly-owned inactive subsidiaries which serve no purpose other than to hold charters and franchises; the merger to be effected through the acquisition by Scranton of the assets of such subsidiaries in exchange for the common stock of the respective companies, such stocks being the only securities outstanding; and

Said application and declaration having been filed on July 1, 1943 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act and the Commission not having received a request for a hearing with respect to said application and declaration within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the requirements of Sections 10 and 12 of the Act and the Rules promulgated thereunder are satisfied and that no adverse findings are necessary thereunder and deeming it appropriate in the public interest and in the interest of investors and consumers to grant said application and to permit said declaration to become effective;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said Act and subject to the terms and conditions prescribed in Rule U-24 that the aforesaid application be and hereby is granted forthwith and that the aforesaid declaration be and hereby is permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL DUBOIS,
Secretary.

[F. R. Doc. 43-12770; Filed, August 6, 1943; 10:06 a. m.]

[File No. 70-449]

WEST TEXAS UTILITIES COMPANY

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 4th day of August 1943.

Notice is hereby given that an application or declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") by West Texas Utilities Company ("West Texas"), a subsidiary of American Public Service Company, a registered holding company, and an indirect subsidiary of Central and South West Utilities Company and The Middle West Corporation, both registered holding companies.

All interested persons are referred to said document which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized as follows:

West Texas proposes to issue and sell $18,000,000 principal amount of First Mortgage Bonds, due August 1, 1973 and with the proceeds of the sale, together with treasury funds of the company to the extent required, redeem and retire the company's $18,000,000 principal amount of outstanding First Mortgage Bonds, Series A, 3¾%, due May 1, 1969.

The bonds are to be sold by competitive bidding pursuant to the provisions of Rule U-50. The company has requested that the ten day period specified in such rule be shortened to six days. The interest rate, price to be received and the purchasers of the proposed bonds are to be supplied by amendment.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said application or declaration shall not be granted or permitted to become effective except pursuant to further order of this Commission; and

It is ordered, That a hearing on such matters under the applicable provisions of said Act and rules of the Commission thereunder be held on August 16, 1943, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such declarations and applications shall become effective or shall be granted. Notice is hereby given of said hearing to the above-named declarant and applicant and to all interested parties, said notice to be given to said declarant and applicant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate herein shall notify the Commission to that effect in the manner provided in Rule XVII of the Commission's Rules of Practice on or before August 13, 1943.

It is further ordered, That Robert P. Reeder, or any 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 the Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of issues presented by said applications and declarations otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the bonds proposed to be issued are reasonably adapted to the security structure and earning power of the declarant.

2. Whether the fees and commissions, or other remuneration to whomsoever paid, directly or indirectly, in connection with the issue, sale, or distribution of the security are reasonable.

3. Whether the terms and conditions of the issue or sale of the security are detrimental to the public interest or the interest of investors or consumers.

4. Whether the accounting entries to be made in connection with the proposed financing and the adjustment of accounts incident thereto are in accord with sound and accepted principles of accounting and accounting practices.

5. Whether the provisions of the indenture securing the proposed bonds are appropriate.

6. Whether all State laws applicable to the proposed transactions have been complied with.

7. Whether the transactions as proposed will comply with the provisions of Rule U-50 with respect to competitive bidding and whether the ten day period specified in such rule should in this instance be shortened to six days.

8. Whether it is necessary or appropriate to impose any terms and conditions with respect to the proposed transactions in the public interest, for the protection of investors and consumers, or in order to assure compliance with the standards of the Act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-12772; Filed, August 6, 1943; 10:06 a. m]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued: August 6, 1943.

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

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Location of project	Issuance date
P-19-h	43751	The American Oil Co., 122 East 42d St., New York, N. Y.	South Portland, Maine	7/30/43
P-19-h	48755	The American Oil Co., 122 East 42d St., New York, N. Y.	South Portland, Maine	7/30/43

[F. R. Doc. 43-12786; Filed, August 6, 1943; 11:19 a. m.]

NOTICES TO BUILDERS AND SUPPLIES OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, partially revoking preference rating orders issued in connection with, and partially stopping construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the Specific Order issued to the builder.

Issued: August 6, 1943.

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

SCHEDULE A

Preference rating order	Serial No.	Name and address of builder	Location of project	Issuance date
P-19-e	510-E	Kentucky Department of Hwys., Frankfort, Ky.	Carrollton, Ky	7/22/43
P-19-e	556-E	Wisconsin State Hwy. Comm., Madison, Wis.	Sauk, Richland, and Iowa Counties, Wis.	7/31/43

[F. R. Doc. 43-12785; Filed, August 6, 1943; 11:19 a. m.]

LOUISIANA DEPARTMENT OF HIGHWAYS

REVOCATION OF PREFERENCE RATING

Name of builder: Louisiana Department of Highways, Baton Rouge, Louisiana; Project identified as SN-FAP 68 E (1), located at Shreveport, La. (Serial No. 29621).

The revocation of preference rating issued on July 2, 1943 with respect to the above serially numbered project is hereby amended by striking paragraph 3 thereof and by substituting the following:

3. *Prohibition of construction.* The Builder shall neither perform nor permit the performance of any further construction or installation on the project, except further permitted construction being construction necessary to complete the following work:

1. The installation of storm sewer tile in such open trenches as have been made and the back-filling thereof along with such additional storm water work as is the absolute minimum necessary to prevent undue damage to the work already incorporated.

2. The restoration of entrance facilities to adjacent property to the same practicable condition as existed prior to the start of construction.

3. Such other minor items of work as are necessary to prevent undue damage to materials already incorporated in the project.

The foregoing permitted construction shall not be construed as permitting the construction work to progress as originally planned and proposed nor shall the foregoing permitted construction be construed as permission for the installation of any concrete paving.

Issued: August 6, 1943.

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

[F. R. Doc. 43–12787; Filed, August 6, 1943; 11:19 a. m.]

[Certificate 106]

WHOLESALE FLORISTS OF PHILADELPHIA, PA.

APPROVAL OF JOINT ACTION PLAN

The ATTORNEY GENERAL:

I submit herewith a recommendation of the Director of the Office of Defense Transportation concerning a plan for joint action by the persons named therein with respect to the transportation and delivery of flowers and related articles by motor vehicles in Philadelphia, Pa., and vicinity.[1]

[1] *Supra.*

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the joint action plan described in the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

Dated: August 2, 1943.

DONALD M. NELSON,
Chairman.

[F. R. Doc. 43–12972; Filed, Aug. 6, 1943; 11:29 a. m.]