



FEDERAL REGISTER

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Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[FDO 81]

PART 1440—ESSENTIAL OILS

OIL OF PEPPERMINT

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

§ 1440.1 *Restrictions relative to oil of peppermint*—(a) *Definitions*. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "oil of peppermint" means the volatile oil distilled by steam or processed by any other means from any variety of the peppermint plant, including, but not being limited to, the varieties *Mentha piperita* and *Mentha arvensis*.

(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 "Director" means the Director of Food Distribution, War Food Administration.

(b) *Restrictions.* Without regard to the rights of creditors, existing contracts, or payments made, every person who owns, controls, or has in his possession oil of peppermint on the effective date hereof or any time subsequent thereto shall promptly set aside 100% of said oil of peppermint for sale and delivery to the Food Distribution Administration, War Food Administration, including but not restricted to the Federal Surplus Commodities Corporation or to any person or agency designated by the Director: *Provided*, That any person who owns and

has in his possession a quantity of oil of peppermint on the effective date of this order and who used oil of peppermint during the year 1941 in the manufacture of any product may during the corresponding portion of the year 1943 use 30 per centum of the quantity of oil of peppermint used by him during such corresponding period in 1941.

(c) *Report required.* Every person owning 25 pounds or more of oil of peppermint on the effective date of the order shall, within 15 days from said date, report to the Director on form FDO No. 81-1 the number of pounds of oil of peppermint owned by him on the effective date of this order and furnish such other information relative to said oil of peppermint as may be requested in said form.

(d) *Provisions of Food Distribution Regulation No. 2 not applicable.* The provisions of Food Distribution Regulation No. 2 (8 F.R. 7523), issued June 4, 1943, by the War Food Administrator, shall not be applicable to this order.

(e) *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 oil of peppermint 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.

(f) *Records and reports.* (1) In addition to the reporting requirement contained herein, 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 oil of peppermint.

(3) The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act.

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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.

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

(h) *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 oil of peppermint, 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.

(i) *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.

(j) *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, Washington 25, D. C., Ref. FD-81.

(k) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., September 13, 1943.

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

Issued this 10th day of September 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-14862; Filed, September 11, 1943. 11:43 a. m.]

[FDO 80]

PART 1405—FRUITS AND VEGETABLES

CONCORD GRAPES

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

§ 1405.25 *Restrictions relative to processing or preserving Concord grapes.* (a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "restricted Concord grapes" means and includes any and all strains of Concord type grapes of the purple slip-skin varieties (including, but not being limited to, the Concord, Cottage, Eaton, Ives, Hartford, Hicks, Rockwood, and Worden) in fresh form (excluding grapes heretofore or hereafter released pursuant to Food Distribution Order No. 69 (8 F.R. 10477) grown in:

(i) The following counties of New York: Chautauqua, Yates, Niagara, Steuben, Ulster, Ontario, Erie, Columbia, Schuyler, Seneca, Cattaraugus, Monroe, Wayne, Orange, Dutchess, Livingston, Orleans;

(ii) The county of Erie, Pennsylvania;

(iii) The following counties of Ohio:

Ashtabula, Lorain, Lake, Cuyahoga, Geauga, Summit, Portage, Medina;

(iv) The following counties of Michigan: Berrien, Van Buren, Kalamazoo, Allegan, Cass, Kent; or

(v) The following counties of Washington: Yakima, Benton, Franklin, or Walla Walla.

(2) The term "unrestricted Concord grapes" means and includes any and all strains of the Concord type grapes of the purple slip-skin varieties (including, but not being limited to, the Concord, Cottage, Eaton, Ives, Hartford, Hicks, Rockwood, and Worden) in fresh form (excluding grapes heretofore or hereafter released pursuant to Food Distribution Order No. 69) grown in areas other than those specified in paragraph (a) (1) of this section.

(3) The term "processing" means and includes the pressing, freezing, pulping, stemming, or seeding of restricted Concord grapes or unrestricted Concord grapes, and excludes the production of fruit jam, fruit jelly, and fruit butter therefrom; and such term "processing" also means and includes the act of applying a chemical or chemicals to restricted Concord grapes or unrestricted Concord grapes after such grapes have been harvested.

(4) The term "processed Concord grapes" means and includes any product which is the result of processing restricted Concord grapes or unrestricted Concord grapes, except such grapes or processed Concord grapes heretofore or hereafter released pursuant to Food Distribution Order No. 69.

(5) The term "processor" means any person who, in any calendar year, processes, or has processed for his account, more than 500 pounds of restricted Concord grapes or unrestricted Concord grapes: *Provided*, That an operator of freezing facilities freezing restricted Concord grapes or unrestricted Concord grapes, owned by another, is not a processor with respect to such restricted

Concord grapes or unrestricted Concord grapes thus owned by another.

(6) The term "preserving" means the use of processed Concord grapes in the manufacture of fruit jam (fruit preserve), fruit jelly, or fruit butter.

(7) The term "user" means any person engaged in preserving or otherwise using 500 pounds, or more, of processed Concord grapes in any calendar year.

(8) The term "fruit jam" or "fruit preserve" means and includes fruit jam or fruit preserve as defined in the order (5 F.R. 3554; 21 CFR, 1940 Supp., 29.0), issued by the Federal Security Administrator on August 31, 1940, pursuant to the Federal Food, Drug, and Cosmetic Act.

(9) The term "fruit jelly" means and includes fruit jelly as defined in the order (5 F.R. 3558; 21 CFR, 1940 Supp., 29.5), issued by the Federal Security Administrator on August 31, 1940, pursuant to the Federal Food, Drug, and Cosmetic Act.

(10) The term "fruit butter" means and includes fruit butter as defined in the order (5 F.R. 3561; 21 CFR, 1940 Supp., 30.0), issued by the Federal Security Administrator on August 31, 1940, pursuant to the Federal Food, Drug, and Cosmetic Act.

(11) The term "producer" means any person who is the owner of restricted Concord grapes at the time of the harvesting or picking of such restricted Concord grapes.

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

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

(b) *Restrictions.* (1) No producer shall sell or deliver restricted Concord grapes except to a processor who, at the time of such sale and delivery, is authorized to engage in the processing of restricted Concord grapes in accordance with a license issued by the Director: *Provided*, That a producer may sell or deliver as much as one hundred pounds of restricted Concord grapes, during each calendar year, free from the foregoing prohibition relative to sales or deliveries.

(2) No person other than a processor who is authorized to engage in the processing of restricted Concord grapes, in accordance with a license issued by the Director, shall purchase or accept delivery of restricted Concord grapes: *Provided*, That any person may purchase and accept delivery of restricted Concord grapes from a producer if the producer is making such sale within the 100-pound quantity which he is free to sell, as an aggregate amount, in accordance with the provisions of paragraph (b) (1) of this section.

(3) No processor shall use restricted Concord grapes except for processing; and no processor shall sell or deliver restricted Concord grapes to anyone except a licensed processor. The Director may, from time to time, issue an order or orders specifying or limiting the manner

in which such restricted Concord grapes may be processed.

(4) Each processor shall promptly set aside (i) all processed Concord grapes (excluding the pomace, seeds, stems, and skins) owned by the respective processor on the effective date of this order, and (ii) all processed Concord grapes (excluding the pomace, seeds, stems, and skins) which are processed by such processor, as the owner thereof, after the effective date of this order. The processed Concord grapes acquired by a processor from another processor in accordance with a release or allocation order, issued by the Director, need not be set aside pursuant to this order. The Director may, if he determines that such will tend to effectuate the purposes hereof, issue an order or orders, from time to time, allocating for a specific use or uses, and allocating to specific users, the processed Concord grapes set aside or required to be set aside pursuant to the provisions hereof. No processor shall sell or deliver processed Concord grapes set aside, or required to be set aside, pursuant to the provisions hereof, except (iii) in accordance with a release from the Director, as hereinafter provided, or (iv) in accordance with the allocation order or orders issued by the Director pursuant hereto. No processor shall sell or deliver processed Concord grapes allocated for a specific use except to a user who, at the time of such sale and delivery, is authorized to use processed Concord grapes for that specific use in accordance with a license issued by the Director pursuant hereto. No user shall purchase or accept delivery of processed Concord grapes allocated for a specific use unless such person is authorized to use processed Concord grapes for that specific use in accordance with a license issued by the Director pursuant hereto. Processed Concord grapes acquired pursuant to an allocation for a specific use shall not be used, without specific permission by the Director, for any other use than that for which such processed Concord grapes were allocated. The Director may, if he determines that such will tend to effectuate the purposes hereof, issue an order or orders, from time to time, releasing, from the restrictions imposed by this order, processed Concord grapes set aside or required to be set aside by the provisions hereof.

(5) A processor or user may submit to the Director an application in writing for a license pursuant to the provisions of this order. The Director may, if he deems that such will tend to effectuate the purposes hereof, issue a license to any processor or user who submits an application therefor. Any such license may be revoked at any time by the Director if he determines that the particular license no longer tends to effectuate the purposes hereof.

(6) The provisions of this order shall be observed without regard to the rights of creditors, existing contracts, or payments made.

(c) *Relevancy to Food Distribution Order No. 69.* Restricted Concord grapes or unrestricted Concord grapes heretofore or hereafter released from regulation under Food Distribution Order

No. 69 are free from regulation, as grapes in fresh form and as processed Concord grapes, under the provisions hereof. Processed Concord grapes heretofore or hereafter released from regulation under Food Distribution Order No. 69 are free from regulation under the provisions hereof. This order shall not be construed as a modification, suspension, or amendment of Food Distribution Order No. 69.

(d) *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 Concord grapes and processed Concord grapes 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.

(e) *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 fresh Concord grapes and processed Concord grapes 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.

(f) *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.

(g) *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 fresh Concord grapes and processed Concord grapes, 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.

(h) *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.

(i) *Communications.* All reports 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, Washington 25, D. C., Ref. FD-80.

(j) *Effective date.* This order shall become effective at 12:01 a.m., e.w.t., September 20, 1943.

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

Issued this 10th day of September 1943.

MARVIN JONES,
War Food Administrator

[F. R. Doc. 43-14902; Filed, September 11, 1943; 3:33 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter I—Aid of Civil Authorities and Public Relations

PART 8—COMPETITION WITH CIVILIAN BANDS

INSTRUCTIONS GOVERNING USE OF BANDS OR INDIVIDUAL MUSICIANS

Subparagraph (14) is added to § 8.2 (a) as follows (7 F.R. 7308):

§ 8.2 *Instructions governing use of bands or individual musicians.* * * *

(a) Bands or individual musicians may be furnished on the following occasions:

(14) At official occasions and free social and entertainment activities held either on or off the post: *Provided*, That such free social and entertainment activities are conducted exclusively for the benefit of officer personnel and their guests. The furnishing of bands of musicians on such occasions is discretionary with the commanding officer having jurisdiction in the matter. (Sec. 35, 39 Stat. 188; 10 U.S.C. 609) [Cir. 291, W.D., 29 August 1942, as amended by Cir. 197, W.D., 2 September 1943]

[SEAL] H. B. LEWIS,
Brigadier General,
Acting Adjutant General.

[F. R. Doc. 43-14856; Filed, September 11, 1943; 9:57 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 50921]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

WITHDRAWAL OF VESSEL SUPPLIES

Section 10.59 (a) (3), Customs Regulations of 1943 (19 CFR 10.59 (a)

(3)), is hereby amended by deleting the word "not".

(Sec. 5 (a), 52 Stat. 1080; 19 U.S.C. 1309 (a))

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: September 9, 1943.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 43-14903; Filed, September 11, 1943; 3:30 p. m.]

TITLE 24—HOUSING CREDIT

Chapter IV—Home Owners' Loan Corporation

[Bulletin No. 226]

PART 408—ACCOUNTING DIVISION

MAILING DATE OF FINAL PAYMENTS

Amending Part 408, Chapter IV, Title 24 of the Code of Federal Regulations.

Section 408.00j (F.R. 225) is amended to read as follows:

§ 408.00j *Mailing date of final payments.* "A payment, other than a regular monthly instalment payment on an account with a Tax and Insurance Account credit balance, shall be considered as intending or purporting to pay a loan in full when a credit balance, a zero balance, or a balance less than one monthly instalment is produced after application of such payment together with the Tax and Insurance credit balance and after giving consideration to any pending disbursements as shown on Form RO-A-374. In all these instances, the mailing date (as evidenced by the postmark on the envelope transmitting such payment to an office of the Corporation) shall be accepted as the date on which the payment was received by the Corporation, except where the home owner indicates in writing or by implication from the amount of the remittance or otherwise that the payment was intended to be made on some other predetermined date subsequent to the date of such postmark. When such implication is lacking and the postmark date is not known, the Regional Accountant shall enter the payment as of the date of the validation.

"If the case should arise where a disbursement is posted between the time of issuing a paid-in-full statement and the receipt of payment, and such disbursement is not included in either the statement or payment, and as a result thereof the remaining balance exceeds one monthly instalment, such payment shall be considered as intending or purporting to pay the loan in full."

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U. S. C. 1463 (a), (k), E.O. 9070, 7 F.R. 1529.)

Effective September 7, 1943.

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 43-14826; Filed, September 10, 1943; 2:25 p. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 526—INDUSTRIES OF A SEASONAL NATURE

PROCESSING OF SORGO INTO SORGO SYRUP IN IOWA

Whereas, applications presenting related issues of fact and law were filed by sundry parties for the exemption of the processing of sorgo into sorgo syrup from the maximum hours provisions of the Fair Labor Standards Act of 1938, as an industry of a seasonal nature, pursuant to section 7 (b) (3) of the Act and Title 29, Chapter V, Code of Federal Regulations, Part 526, as amended; and

Whereas, pursuant to §§ 526.5 and 526.6 of the regulations, notice was given of a public hearing to be held at the National Offices of the Wage and Hour Division, 165 West 46th Street, New York, New York, on August 28, 1942, before Nathan Rubinstein, a duly authorized representative of the Administrator, who was authorized to receive evidence and hear argument on the questions:

Whether the processing of sorgo into sorgo syrup in Louisiana is an integral part of the cane sugar processing and milling branch of the cane sugar industry in Louisiana, and if so, whether the combined raw sugar processing and sorgo processing operations in Louisiana constitute an industry of a seasonal nature within the meaning of section 7(b) (3) of the Act and Part 526 of the regulations; and

Whether the processing of sorgo into sorgo syrup in the United States as a whole or in any one or more of the states constitutes an industry or a separable branch of an industry and is of a seasonal nature within the meaning of the Act and the regulations.

and

Whereas, after such hearing the said representative of the Administrator made the following findings relating to the processing of sorgo into sorgo syrup in the State of Iowa, which findings were duly filed with the Administrator on August 11, 1943, at the National Office of the Wage and Hour Division, 165 West 46th Street, New York, New York, for examination by all interested parties:

1. That sorgo is harvested in the State of Iowa during a period of not more than 8 weeks annually beginning about the last week in August, and is available for processing into sorgo syrup only during the harvesting season and for a few days thereafter.

2. That the processing of sorgo into sorgo syrup in Iowa is carried on during an annually recurring period of not more than 8 weeks, after which the operations cease for the remainder of the year, except for maintenance, repair, clerical, and sales work.

3. That the processing of sorgo into sorgo syrup in the State of Iowa is a separable branch of the sorgo processing industry, and is of a seasonal nature within the meaning of section 7 (b) (3) of the Fair Labor Standards Act and Part 526 of the regulations, as amended. This determination is made without prejudice to the right of sorgo processors outside of Iowa to obtain the exemption under supplemental determination, upon presentation of facts warranting such action.

4. That for purposes of this determination the term "processing of sorgo into sorgo syrup" includes the receiving, handling, unloading and weighing of sorgo at the pre-

essing establishment; the preparation of the sorgo for grinding by removing the leaves and seed heads; the extraction of the juice from the sorgo; the processing of the juice into sorgo syrup; and the following operations when performed at or near the sorgo processing plant by employees of the processor during the period of seasonal operations; packing the syrup into containers and labeling the packages; the removal, handling and conveying of the packages of sorgo syrup to trucks or other means of transportation in the vicinity of the plant; the removal, conveying, burning, packing, baling, piling and storing in bags or in baled forms of bagasse resulting from the processing of sorgo into sorgo syrup; and any operations necessary or incident to the foregoing. The term "processing of sorgo into sorgo syrup" does not include operations performed on syrups other than sorgo, or the blending or mixing of such other syrups with sorgo syrup.

Whereas, on August 17, 1943, there was caused to be published, pursuant to the provisions of § 526.7 of the regulations, a notice (8 F.R. 11395) to the effect that any person aggrieved by the said findings might, within 15 days after August 17, 1943, file a petition with the Administrator requesting that he review the action of the said representative upon the record of the hearing; and

Whereas, no petition was filed within the 15-day period for review of the findings and determination relating to the processing of sorgo into sorgo syrup in the State of Iowa.

Now, therefore, pursuant to the provisions of § 526.7 of the regulations, the exemption provided by section 7 (b) (3) of the Fair Labor Standards Act of 1938 is hereby granted for the processing of sorgo into sorgo syrup in the State of Iowa to become effective on publication in the FEDERAL REGISTER of these Findings and Determination.

Signed at New York, New York, this 8th day of September 1943.

L. METCALFE WALLING,
Administrator

[F. R. Doc. 43-14901; Filed, September 11, 1943; 2:44 p. m.]

PART 638—MINIMUM WAGE RATE IN THE CANNED FRUITS AND VEGETABLES AND RELATED PRODUCTS INDUSTRY

Wage order in the matter of the recommendation of Industry Committee No. 56 for a minimum wage rate in the canned fruits and vegetables and related products industry.

Whereas, on February 25, 1943, pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, herein referred to as the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 182, appointed Industry Committee No. 56 for the canned fruits and vegetables and related products industry, herein called the Committee, and directed the Committee to recommend minimum wage rates for the canned fruits and vegetables and related products industry in accordance with section 8 of the Act; and

Whereas, the Committee included ten disinterested persons representing the

public, a like number of persons representing employers in the canned fruits and vegetables and related products industry, and a like number of persons representing employees in the industry, and each group was appointed with due regard to the geographical regions in which the canned fruits and vegetables and related products industry is carried on; and

Whereas, on March 19, 1943, the Committee, after investigating economic and competitive conditions in the industry, filed with the Administrator a report containing its recommendation for a 40-cent minimum hourly wage rate in the canned fruits and vegetables and related products industry; and

Whereas, after notice duly published in the FEDERAL REGISTER on April 20, 1943, the Administrator held a public hearing upon the Committee's recommendation at Washington, D. C., on May 10, 1943, at which all interested persons were given an opportunity to be heard; and

Whereas, no request for permission to file written briefs or make oral argument having been received, the filing of briefs and oral argument on the Committee's recommendation were dispensed with in this proceeding; and

Whereas, the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act, with special reference to sections 5 and 8, has concluded that the Committee's recommendation for the canned fruits and vegetables and Related Products Industry, as defined in Administrative Order No. 182, is made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of the Act; and

Whereas, the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 56 for a Minimum Wage Rate in the Canned Fruits and Vegetables and Related Products Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York.

Now, therefore, *It is ordered*, That:

Sec.

- 638.1 Approval of recommendation of Industry Committee No. 56.
- 638.2 Wage rates.
- 638.3 Posting of notices.
- 638.4 Definition of the canned fruits and vegetables and related products industry.
- 638.5 Scope of the definition.
- 638.6 Effective date.

AUTHORITY: §§ 638.1 to 638.6, inclusive, issued under sec. 8, 52 Stat. 1064; 29 U.S.C., sec. 208.

§ 638.1 Approval of recommendation of Industry Committee No. 56. The Committee's recommendation is hereby approved.

§ 638.2 Wages rates. Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees

in the canned fruits and vegetables and related products industry who is engaged in commerce or in the production of goods for commerce.

§ 638.3 Posting of notices. Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the canned fruits and vegetables and related products industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 638.4 Definition of the canned fruits and vegetables and related products industry. For the purpose of this order the term "canned fruits and vegetables and related products industry" means:

The canning and preserving of fruits and vegetables, and the manufacture of related products.

(a) It includes, but without limitation, the manufacture of jams, jellies and juices; soups of all kinds; relishes and sauces of all kinds; vinegar; cider; pectin; flavoring extracts and flavoring syrups; salad dressings; sandwich spreads (except those made principally from meat or cheese); peanut and nut butters; mustard and horseradish; mincemeat; honey; and canned spaghetti, chili con carne, stew, hash, and pudding, containing fruit or vegetables.

(b) The term "canning," as used herein, means sterilizing and hermetically sealing in containers of tin, glass, or other material.

(c) The term "preserving," as used herein, includes pickling, preserving, freezing, cold packing, drying, dehydrating, and similar processes.

Provided, however, That this definition shall not include the manufacture of coffee; spices; malt extracts and syrups; salad and cooking oils including olive oil; potato chips; ready-to-mix desserts; or any products covered by the definitions of the grain products industry, the candy and related products manufacturing industry, or the sugar and related products industry, contained in the administrative orders appointing committees for those industries.

§ 638.5 Scope of the definition. The definition of the canned fruits and vegetables and related products industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping, and selling occupations; *Provided, however*, That this definition does not cover clerical, maintenance, shipping and selling occupations when carried on in a wholesaling or selling department, physically segregated from the other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale; *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.

§ 638.6 *Effective date.* This wage order shall become effective October 18, 1943.

Signed at New York, New York, this 21st day of August 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-14900; Filed, September 11, 1943; 2:44 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

PART 622—CLASSIFICATION

[Amdt. 172]

DEFINITION OF CERTAIN RELATIVES

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

1. Amend paragraph (a) of § 622.33 (7 F.R. 5343; 8 F.R. 1346, 3081, 7759) to read as follows:

§ 622.33 *Certain relatives defined.* (a) The term "child" includes:

(1) A legitimate child (also a legitimate unborn child from the date of its conception);

(2) A child legally adopted;

(3) A stepchild, if a member of a man's household, including a stepchild who continues as a member of the man's household after death of the mother or termination of the marriage;

(4) An illegitimate child (also an illegitimate unborn child from the date of its conception);

(5) A person who is supported in good faith by the registrant in a relationship similar to that of parent and child;

but shall not include any person 18 years of age or over unless he is physically or mentally handicapped.

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

LEWIS B. HERSHY,
Director.

SEPTEMBER 9, 1943.

[F. R. Doc. 43-14898; Filed, September 11, 1943; 2:23 p. m.]

Chapter VIII—Office of Economic Warfare

Subchapter B—Export Control*

[Amdt. 102]

PART 805—SELECTED DESTINATIONS CLEARANCE PROCEDURE

PORTUGUESE COLONY OF GOA

Section 805.2 *Selected destinations* is hereby amended by adding to the list of designated selected destinations the following (8 F.R. 1570, 5143):

Portuguese Colony of Goa..... G-83

(Sec. 6, 54 Stat. 714; Public Law 75, 77th Cong.; Public Law 638, 77th Cong.; Order No. 3 and Delegation of Authority No. 25, 7 F.R. 4951; Delegation of Authority No. 47, 8 F.R. 8529; Executive Order No. 9361, 8 F.R. 9861 and Order No. 1, 8 F.R. 9938)

C. VICTOR BARRY,
Chief of Office,
Office of Exports.

SEPTEMBER 6, 1943.

[F. R. Doc. 43-14861; Filed, September 11, 1943; 10:52 a. m.]

Chapter IX—War Production Board

Subchapter A—General Provisions

PART 903—DELEGATIONS OF AUTHORITY

[Directive 16 as Amended Sept. 9, 1943]

AIRCRAFT INVENTORY TRANSFERS

§ 903.28 *Directive 16—(a) Control of aircraft inventory transfers.* Notwithstanding the provisions of Priorities Regulations Nos. 1 and 13 or any other order or regulation of the War Production Board inconsistent herewith, all persons listed on Schedule A attached, as revised August 30, 1943, (Persons listed on Schedule A and affected by this directive have been mailed complete copies of this directive.) are directed not to sell, trade, give or otherwise transfer any material listed on Schedule B to any other person without authorization of the Director of the Aircraft Resources Control Office, Aircraft Production Board, or the undersigned, except to fulfill the purpose for which it was obtained.

(b) *Delegation of authority.* The Director of the Aircraft Resources Control Office is hereby delegated the power to authorize the transfer of materials affected by this directive and is authorized to redelegate this authority to such persons as he may deem proper.

(c) *Effective date.* This directive shall become effective the 25th day of April, 1943.

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

Issued this 9th day of September 1943.

C. E. WILSON,
Executive Vice Chairman and
Chairman, Aircraft Production Board.

SCHEDULE B

NOTE: Paragraph A. redesignated; paragraphs B. 9. through B. 13. revoked and subsequent paragraphs redesignated Sept. 9, 1943.

A. All primary forms and non-assembled, partially or wholly fabricated forms of the following metals:

1. Aluminum and aluminum base alloys.
2. Copper and copper base alloys.
3. Steel (including carbon, alloy, stainless and tool steels).

B. Standard items of aircraft hardware and components on the following list:

1. Bolts, nuts, pins, and screws.
 - a. Hex. Hd. bolts. Specifications: AN-3 through AN-16.
 - b. Clevis bolts. Specifications: AN-21 through AN-36.
 - c. Eye bolts. Specifications: AN-42 through AN-49.
 - d. Hex. Hd. bolts. Specifications: Air Corps Drawing No. 60, Air Corps Drawing No. 65.
 - e. Drilled Hex. Hd. bolts. Specifications: AN-73 through AN-81.
 - f. Close tolerance bolts. Specifications: NAS-53 through NAS-60, NAS-62, NAS-64, NAS-66.
 - g. Phillips Hd. bolts, specifications: NAS-200, NAS-202.
 - h. Frearson Hd. Bolts. Specifications: NAS-201, NAS-203.
 - i. Nuts. Specifications: AN-310, AN-315, AN-316, AN-320. Air Corps Drawing No. 325, Air Corps Drawing No. 330, Air Corps Drawing No. 335, AN-340, AN-345, AN-350, AN-355, AN-360.
 - j. Cotter pins. Specifications: AN-380.
 - k. Taper pins. Specifications: AN-385, AN-386.
 - l. Clevis pins. Specifications: AN-392, through AN-400, AN-402, AN-404, AN-406.
 - m. Screws. Specifications: Air Corps Drawing No. 500, Air Corps Drawing No. 501, AN-502, Air Corps Drawing No. 503, AN-505, AN-510, AN-515, AN-520 Air Corps Drawing No. 525, AN-526, Air Corps Drawing No. 530, Air Corps Drawing No. 531, AN-535, Air Corps No. 540, AN-545, AN-550, Air Corps Drawing No. 560, Air Corps Drawing No. 565, Air Corps Drawing No. 566, Air Corps Drawing No. 570, NAF-1164, NAF-1175, NAF-1176, NAF-1177, NAA-1178, NAF-1193.
 - n. Phillips hd. screws. Specifications: 42B4937 through 42B4945, 42A-4946, 42A4947, 42B5184.
 - o. Frearson hd. screws. Specifications: 42A5700, 42A5701, 42B5702 through 42B5711.
 2. Turnbuckle assemblies and parts. Specifications: AN-130, AN-135, AN-140, Air Corps Drawing No. 150, AN-155, AN-160, Air Corps Drawing No. 161, AN-165, AN-170, NAF-1084.
 3. Rod end adjusting clevis. Specifications: AN-665.
 4. Threaded clevis type tie rod terminals. Specifications: AN-665.
 5. Swaged cable terminals. Specifications: AN-666 through AN-669.
 6. Dzus fasteners or equivalent. Standard or Equivalent Catalog Parts Only. (No special drawing parts to be incl.)
 7. Elastic stop nuts or equivalent. Standard or Equivalent Catalog Parts Only. (No special drawing parts to be incl.)
 8. Boots self-locking nuts or equivalent. Standard or Equivalent Catalog Parts Only. (No special drawing parts to be incl.)
 9. Aircraft valves ("Parker," "Weatherhead," etc.). Standard AN, AC, and NAF part numbers only, but not including oxygen valves or high pressure valves.
 10. Aircraft fittings ("Parker," "Weatherhead," etc.). Standard AC 811, AN and NAF part numbers only.

11. Spencer thermostats. Standard NAF and manufacturers catalog numbers, (including specifications).

12. Flexible conduit. Standard AN numbers all sizes.

13. Conduit couplings. Standard AN numbers all sizes.

14. Aircraft switches and circuit breakers. Standard AN numbers or equivalent catalog parts numbers.

15. Plugs (cannon, breeze, amphenol, etc.). Standard AN numbers or equivalent catalog parts numbers only. (No special drawing parts to be included.)

16. Connectors. (Cannon, Breeze, Amphenol, etc.). Standard AN or equivalent catalog parts numbers only. (No special drawing parts to be included.)

17. Motors (electric). Fractional motors to 1 1/4 horse. Standard manufacturers catalog numbers.

18. Micro switches. Standard catalog numbers including special drawing parts numbers.

19. Temperature and pressure control bellows. Standard AN, AC and NAF part numbers only.

20. Resistors. Specifications NAF 1099 and standard catalog numbers only. No special drawings to be included.

21. Rheostats and potentiometers. Specifications NAF 1099 and standard catalog parts numbers only. No special drawings to be included.

22. Bearings as listed.

Guide rollers
Needle rollers
Fair-Leads
Bell cranks
Rod ends
A-500
Metric metal shielded
Metric felt sealed
Metric series
Miscellaneous
S-K
S-D
S-DD
200S
Cable and fittings

List manufacturers name and catalog numbers where AN numbers do not apply.

23. Tachometer shafts. 2', 4', 5', 7', 8' lengths. Specification AN 94-9205 series.

24. Tachometer leads. 10', 15', 35', 40', 50' lengths. Specifications AN 94-27971.

25. High pressure air valves. "Parker," "Schrader" or "Dill." Specifications AN 812-1.

DEFINITIONS

1. "Primary form" means those forms in which metals are received from the mill, for example: ingot forging billets, sheet, tube, bar, wire, standard extruded shapes, etc., (and not including special extruded shapes, castings, or forgings); or mill forms which have been subjected to such fabrication as mills customarily provide upon specification of standard extras (such as cutting to length, tempering, etc.)

2. "Nonassembled, partially or wholly fabricated forms" means any nonassembled forms, (including special extruded shapes, castings and forgings) whether purchased parts or materials which have been fabricated by or for you, produced entirely from a single primary form, and which has been subjected to any fabrication beyond the extent specified for Primary Form as defined above.

3. "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy; for example, brass, bronze, nickel-silver, etc.

4. "Aluminum base alloy" means any alloy metal in the composition of which the percentage of aluminum metal by weight equals

or exceeds 50% of the total weight of the alloy; for example, Alcoa alloy No. 2508, 2108, etc.

[F. R. Doc. 43-14868; Filed, September 11, 1943; 12:02 p. m.]

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-423]

C. W. BRUCE

C. W. Bruce, of 536 Fordham Avenue, Brookline, Pennsylvania, is engaged in the business of selling heating and plumbing equipment. Between May 29, 1942 and October 13, 1942 he violated Limitation Order L-79 by making over 40 sales and deliveries of new metal heating and plumbing equipment, as defined in that order, to ultimate consumers who did not furnish him with preference rated orders, certificates, or authorizations of the War Production Board to purchase such equipment. During this time C. W. Bruce knew that sales of plumbing and heating equipment were subject to regulation by the War Production Board, but he nevertheless wilfully failed to comply with Limitation Order L-79.

The aforesaid acts of C. W. Bruce have hampered and impeded the war effort of the United States. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.423 Suspension Order No. S-423. (a) C. W. Bruce, his successors or assigns, shall not, directly or indirectly, sell, or make delivery of, any new metal heating or plumbing equipment, as defined in Limitation Order L-79.

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

(c) This order shall take effect on September 11, 1943, and shall expire on January 11, 1944.

Issued this 4th day of September 1943.

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

[F. R. Doc. 43-14868; Filed, September 11, 1943; 12:03 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-427]

PICAYUNE SUPPLY COMPANY

Picayune Supply Company, a corporation, is engaged in the retail furniture and hardware business in Picayune, Mississippi. Between June 1, 1942 and January 21, 1943 it violated Limitation

Order L-79 by making numerous sales and deliveries of new metal heating equipment, as defined in that order, to ultimate consumers who did not furnish it with preference rated orders, certificates, or authorizations from the War Production Board to purchase such equipment. During this period Picayune Supply Company, through its officers, had general knowledge that the sale of such equipment was subject to regulation, and these violations were wilful.

These violations of Limitation Order L-79 have hampered and impeded the war effort of the United States. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.427 Suspension Order No. S-427. (a) Picayune Supply Company, its successors or assigns, shall not order, purchase, sell, make or accept deliveries of, or otherwise deal in new metal heating equipment, as defined in Limitation Order L-79.

(b) Nothing contained in this order shall be deemed to relieve Picayune Supply Company, 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 terms hereof.

(c) This order shall take effect on September 11, 1943, and shall expire on December 11, 1943.

Issued this 4th day of September 1943.

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

[F. R. Doc. 43-14867; Filed, September 11, 1943; 12:03 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Direction 22 as Amended Sept. 11, 1943, to CMP Reg. 1]

SPECIAL ALLOTMENTS

The following Direction 22 is issued pursuant to CMP Regulation 1.

(a) **Purpose.** (1) This direction outlines the way in which a manufacturer of Class A products who does not receive allotments from his customers in time to permit him to make full use of them, may apply for a special allotment.

(2) Special allotments will not be granted except in extraordinary cases of urgent need where a clear showing is made that failure to make the allotment will actually cause an interruption of production to the detriment of the war effort and that the applicant has made a diligent effort to obtain allotments from his customers and has been unable to do so. The showing of these facts must be set up in the letter of transmittal covering the application.

(3) Usually manufacturers applying for a special allotment will be either those who are several steps removed from a prime consumer and where unavoidable delay is involved in passing allotments down or those engaged in long cycle operations whose customers are not able to furnish them with advance allotments.

(4) Special allotments will not be granted to prime consumers.

(b) **How to apply for special allotments.** Applications for special allotments should be

made on Form CMP-4B (revised August 20, 1943). The following variations from the instructions for preparing the form must be observed:

(1) Mark the application "Special Allotment Procedure" in Item 3 of the heading.

(2) Insert in Item 4 of the heading the description of the A product covered by the application.

(3) The applicant must show in Section B his total anticipated production schedule for the Class A product covered by the application to be produced from the allotments for the quarters for which application is made.

(4) The applicant must show in Section C his total requirements during the quarters covered by the application to fill the total anticipated production schedule shown in Section B.

(5) Section D must be filled out in accordance with the instructions.

(6) The applicant must show in Section E the quantity of controlled materials for which a special allotment is required which will be the difference between the quantities shown in Section C and the quantities shown in Section D.

(7) All other information called for on the CMP-4B application, including shipment by preference ratings and Claimant Agencies (Section A), must be given by the applicant. The application should be filed with the War Production Board Ref: Special Allotment Procedure, and must be accompanied by a letter of transmittal explaining fully why the applicant feels he is entitled to special treatment.

(8) In those cases where the applicant has been instructed by a particular Claimant Agency or Industry Division to file an application for a special allotment he should indicate the name of the Claimant Agency or Industry Division in Item 1 of the heading.

(c) *Conditions on use of special allotments.* Conditions on the use of special allotments will be imposed in the letter of transmittal accompanying Form CMPL-150 on which the special allotment will be made. Among the conditions will be the following:

(1) A consumer receiving a special allotment must not use any allotment received from his customers to purchase controlled materials or Class A products needed in manufacturing the Class A product covered by the special allotment. This restriction applies only to the quarter or quarters covered by the special allotment.

(2) Authorized controlled material orders placed, or allotments made, on the basis of allotments received from customers (including SO orders received) prior to receiving the special allotment need not be changed, but the consumer receiving the special allotment must deduct from it the quantity of such orders and allotments for the same quarter.

(3) A manufacturer receiving a special allotment must not deliver any Class A product made out of controlled materials covered by the allotment to any customer unless the customer furnishes the manufacturer with an allotment and an authorized production schedule.

(4) A consumer receiving a special allotment must, not later than the fifth day of each calendar month following receipt of the special allotment, return to the Claimant Agency or Industry Division making the special allotment all allotments received from his customers for the manufacture of the Class A product covered by the special allotment, and must report allotments received and used prior to receipt of the special allotment. The return of allotments and reports must be made on Form CMP-28.

(d) *Quarters for which special allotments will be made.* This special allotment procedure will be used only to make allotments for

the third and fourth quarters of 1943, and the first and second quarters of 1944.

Issued this 11th day of September 1943.

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

[F. R. Doc. 43-14872; Filed, September 11, 1943; 12:02 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Direction 26 to CMP Reg. 1]

WHEN ALLOTMENTS MAY BE RETURNED BY A SECONDARY CONSUMER DIRECTLY TO A CLAIMANT AGENCY OR INDUSTRY DIVISION

The following direction is issued pursuant to CMP Regulation 1.

(a) A consumer who reduces or cancels an allotment due to an overstatement or change in his requirements is directed under paragraph (1) of CMP Regulation No. 1 (§ 3175.1) to notify the person from whom he received it. This notification amounts to a return of the allotment to the person who originally made it. In the case of a prime consumer making an A or a B product, the return is made directly to the Claimant Agency or Industry Division which made the allotment. In the case of a secondary consumer, the return is made to the prime or secondary consumer who made the allotment.

(b) In those cases where it is impractical for a secondary consumer to return an allotment to the person from whom he received it, he may make the return directly to the Claimant Agency whose symbol appears on the allotment or to the War Production Board in the case of allotments bearing the symbols B, F, G, J, K, S and V. This situation may occur where a secondary consumer produces the same product for a relatively large number of customers whose schedules are all identified by the same abbreviated allotment number. For example, a manufacturer of metal stampings receives orders from many manufacturers accompanied by allotments all bearing the allotment number N-6. As a practical matter, he places all of the allotments in a single allotment account designated N-6. If his requirements for the manufacture of metal stampings are reduced, for any reason, it will be very difficult for him to figure out what portion of the total allotment should be returned to each customer and furthermore the amount returned to each will probably be small. Under this direction, he is permitted to make a return directly to the Navy.

(c) Form CMP-32, "Consumers Return of Allotments", must be used for making direct returns of allotments under this direction.

(d) Returns of allotments under this direction bearing the symbols B, F, G, J, K, S and V should be mailed to the War Production Board, Washington 25, D. C. Returns of allotments under this direction bearing the symbols listed below should be mailed to the addresses indicated:

Symbol	Address
A	Controlled Materials Officer, War Food Administration, Room 1417 South Agriculture Building, Washington, D. C.
C	The Administrator, Aircraft Scheduling Unit, Wright Field, Dayton, Ohio. Attention: Captain W. D. Selby.
D	Material Control Officer, Canadian Division, Room B-129, Tempo 3 Building, Ottawa, Ontario, Canada.
E	Material Control Officer, Office of Economic Warfare, Room 1407 Tempo U, Washington, D. C.

Symbol **Address**
H Material Control Officer, National Housing Agency, 910 17th St. NW, Washington, D. C.

L Control Material Officer, Office of Lease Administration, Room 515, 22d St., NW, Washington, D. C.

M Material Control Officer, % U. S. Maritime Commission, Room 4024 Commerce Building, Washington, D. C.

N Material Control Officer, Office of Procurement & Material, Navy Department, Washington, D. C.

P Material Control Officer, Petroleum Administration for War, Room 1444 South Interior Building, Washington, D. C.

R Material Control Officer, Office of the Rubber Director, Room 4034 New Municipal Center Building, Washington, D. C.

T Material Control Officer, Office of Defense Transportation, Room 2123 Interstate Commerce Commission Building, Washington, D. C.

U Material Control Officer, Office of War Utilities, Room 2735 Tempo R Building, Washington, D. C.

W or O CMP Control Officer, Army Service Forces, 4-D-574 Pentagon Building, Washington, D. C.

Issued this 11th day of September, 1943.

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

[F. R. Doc. 43-14870; Filed September 11, 1943; 12:02 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Direction 27 to CMP Reg. 1]

RIGHT TO SPECIFY ALLOTMENT QUARTER

The following direction is issued pursuant to CMP Regulation 1.

(a) A manufacturer of a Class A product has the right to ask for an allotment from his customer for the quarter in which he needs it to obtain delivery of the material for the manufacture of the product or, if he is asking for an allotment to replace in inventory materials he will use in producing the product, he may ask for an allotment for the quarter in which the order is placed or for any of the next three quarters. A manufacturer does not have to accept an order unless his request for an allotment, within the above time limit, is complied with.

(b) A manufacturer of a Class A product must not ask for an allotment for a quarter in which he cannot accept delivery of the controlled material under the provisions of CMP Regulation No. 2, which limits inventories of controlled materials.

(c) It is stated in Interpretation No. 11 to CMP Regulation No. 1 that if a manufacturer of Class A products has an inventory so large that he would not be permitted to accept delivery of controlled materials under CMP Regulation No. 2, he must fill an order out of his excess inventory. Regardless of that interpretation, the manufacturer can insist on an allotment before accepting an order for a Class A product even if he has an excess inventory at the time, so long as he specifies a quarter, within the time-limit mentioned in paragraph (a) above, in which he could accept delivery of the controlled materials under CMP Regulation No. 2.

Issued this 11th day of September 1943.

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

[F. R. Doc. 43-14871; Filed, September 11, 1943; 12:02 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Direction 28 to CMP Reg. 1]

CONTROLLED MATERIAL LOST OR STOLEN IN TRANSIT

The following direction is issued pursuant to CMP Regulation 1.

(a) Where controlled material is shipped to fill an authorized controlled material order, and is lost or stolen in transit, it must be replaced by the person with whom the order was placed without requiring a new authorized controlled material order from the customer.

(b) The replacement order should be treated by a producer in the same way a replacement order for defective controlled material is treated under the provisions of Direction No. 16 to CMP Regulation No. 1 issued June 14, 1943.

(c) A warehouse must give the replacement order precedence over all other orders, in absence of specific instructions to the contrary. However, if the warehouse is unable to fill the replacement order immediately, the customer may, if he desires, and without further charge to his allotment account, cancel the order with the warehouse and place a new authorized controlled material order with another warehouse which can make immediate delivery.

(d) This direction does not affect the rights or liabilities of any person with respect to the lost or stolen material.

Issued this 11th day of September 1943.

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

[F. R. Doc. 43-14873; Filed, September 11, 1943; 12:02 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Interpretation 16 to CMP Reg. No. 1]

FURNISHING MATERIALS TO SUBCONTRACTORS

The following interpretation is issued with respect to CMP Regulation 1.

(a) Instead of making an allotment of controlled material to a manufacturer of Class A products, a manufacturer operating under the Controlled Materials Plan may use any of the following alternatives with the consent of his supplier:

(1) He may sell the material to his supplier from his own inventory.

(2) He may furnish the material to his supplier on toll or processing agreement, retaining title in himself.

(3) He may place an authorized controlled material order for delivery to himself and trans-ship the material to his supplier, either by sale or under toll or processing agreement.

(4) He may place an authorized controlled material order for delivery direct to the supplier.

(b) In each of the above cases, the customer does not make any allotment, and the supplier does not have to keep any allotment records. The supplier must, however, keep sufficiently accurate records to show that he is using the material for the purpose for which it was received. The customer furnishing the material includes it in his own requirements in the same way as if he were going to allot it, and he may not furnish it to his supplier except under conditions where he could make an allotment under CMP Regulation No. 1.

(c) The making of allotments by customers to suppliers of Class B products is for-

bidden by paragraph (g) of CMP Regulation 1, since these allotments are made directly to the Class B producers by the War Production Board and duplicating allotments would make inaccurate the Board's figures as to requirements and supply. For the same reason, a customer may not furnish any controlled material to the producer of a Class B products in any of the ways mentioned in paragraph (a) above without getting special permission from the War Production Board.

Issued this 11th day of September 1943.

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

[F. R. Doc. 43-14869; Filed, September 11, 1943; 12:02 p. m.]

PART 3270—CONTAINERS

[Conservation Order M-221, as Amended Sept. 11, 1943]

TEXTILE BAGS

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

§ 3270.23 Conservation Order M-221.

Definitions

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

(1) "Textile bag" means any hand- or machine-sewed bag made of cotton, burlap, or other textile fabric, excepting bale covers, textile wrappings, and combination textile-paper bags (bags made of textile laminated with paper).

(2) "New textile bag" means any textile bag when neither the fabric nor the bag has been previously used.

(3) "Used textile bag" means any textile bag when the bag or the fabric previously has been used one or more times.

(4) "Bag maker" means any person engaged in the business of manufacturing new textile bags.

(5) "Dealer" means any person whose principal business is that of buying, selling, or reconditioning empty textile bags.

(6) "User" means any person who acquired 500 or more empty new or used textile bags for use in his business during 1942 or who acquires such amount during any subsequent calendar year.

(7) A person shall be deemed a "commercial emptier" at such times when in any of the three immediately preceding calendar months he acquired in his business and emptied 400 filled textile bags.

(8) "Export" means any shipment from the continental United States (the 48 states and the District of Columbia).

General Restrictions for All Persons

(b) *Joint responsibility.* No person shall deliver textile bags to any other person if he has reason to believe that the other person is not entitled to accept them under the provisions of this order or that they will be used for any purpose prohibited by this order.

(c) *Sampling bag-contents.* No person shall sample the contents of any new

or used textile bag except by opening the closure or by inserting a probe or trier without damage to the fabric.

(d) *Sand bags.* No person shall purchase or accept delivery of any new or used textile bag to be used for protection against air raids or other war hazards.

(e) *Size-changing.* No dealer, user, or commercial emptier shall change the size of any burlap textile bag while it has a commercial use as a bag, with or without mending.

(f) *Processing of used bags for sale.* No dealer, user, or commercial emptier shall sell or deliver any used textile bag to any person for his own use unless the bag has been processed and repaired and all holes, including trier or probe holes, properly mended or patched. Nothing in this paragraph shall prevent the delivery of any bag for the purpose of repair or delivery to the owner. For the purposes of this provision, "process" means to clean a used textile bag by washing, vacuuming, or any other method sufficient to prepare the bag for further re-use.

NOTE: Paragraph (g) amended, Sept. 11, 1943.

(g) *Sale of used raw sugar bags.* No dealer, user, or commercial emptier shall sell or deliver any #1 burlap sugar bag to any person for any use other than packing raw sugar. For the purposes of this paragraph, a "#1 burlap sugar bag" is a burlap bag which (1) has been used for packing raw sugar, (2) has no holes at all or has no more than 7 trier holes, all of which have been patched and mended, and (3) is suitable for containing 250 lbs. of Puerto Rican sugar or 325 lbs. of Cuban raw sugar.

(h) *Export of empty bags.* Unless specifically authorized by the War Production Board, no person shall export any empty new or used burlap textile bag. The requirement for such authorization is in addition to, and not in place of, any applicable export licensing requirements of the Office of Economic Warfare. Application for authorization for such export shall be made by letter or telegram to the War Production Board stating the pertinent facts, including (1) the destination of the bags and (2) the source from which the bags have been or are to be acquired. Such applications concerning exports which also require licensing by the Office of Economic Warfare should be submitted through that agency to the War Production Board. The restriction of this paragraph shall not apply to:

(i) *Foreign re-users.* The export of empty used bags which previously contained any of the following products and which, in accordance with established practice of the industry involved, are being exported in the expectation that they will be re-used by foreign suppliers of the same product for further packing of that product: sugar, asbestos, or any other product designated by the War Production Board because it so impregnates the bag material as to make the bag unsuitable for packing any other commodity without excessive cleaning.

(2) *Transshipment.* Completing the transshipment of textile bags which are in transit from a point outside the continental United States to another such point and which have been landed in the continental United States (in a free zone or free port or in bond) pending such transshipment.

(3) *Exports to Canada.* The export of empty new or used burlap textile bags to Canada.

Additional Restrictions for Bag Makers

(i) *Overstitching.* No bag maker shall overstitch the raw edge or selvage edge of any new textile bag.

(j) *Eyelets, grommets.* No bag maker shall manufacture any new textile bags with metal eyelets or metal grommets.

(k) *Bag sizes for certain commodities—*

(1) *Sizes permitted.* No bag maker shall manufacture any new textile bag designed for packing any commodity listed below, except in any size of more than 100 lbs. or in any of the sizes specified below for that commodity:

NOTE: Chart amended Sept. 11, 1943.

Bag designed for packing commodity specified	Bag size (net weight capacity unless otherwise specified)
(1)	(2)
Beans	2-5-10-25-50-100 lbs.
Cement (standard portland)	94 lbs.
Flour (milled wheat) ¹	2-5-10-25-50-100 lbs.
Meal	2-5-10-25-50-100 lbs.
Plaster (gypsum)	2-5-10-25-50-100 lbs. (gross weight).
Potatoes	2-5-10-15-25-50-100 lbs.
Processed feed (mixed, mill)	2-5-10-25-50-100 lbs.
Rice	2-3-5-10-15-25-50-100 lbs.
Salt	2-4-10-25-50-100 lbs.
Seeds	2-5-10-25-50-100 lbs., 1, 2 bu. ²
Starch (corn)	2-5-10-25-50-100 lbs.
Sugar (refined cane, beet)	2-5-10-25-50-100 lbs.

¹ "Flour (milled wheat)" means any flour product produced by milling wheat, including blends of wheat flours and bleached, bromated, enriched phosphated, and self-rising flours, but excluding durum wheat products (semolina), farina, pancake flour, and cake flour.

² Additional sizes are permitted as follows: $\frac{1}{2}$ bu. for hybrid seed corn; 3 bu. for cotton seed.

(2) *Exception for export by bag maker.* The size restrictions of paragraph (k) (1) above shall not apply to the manufacture of bags to be exported, empty, by the bag maker. However, the export-authorization requirement of paragraph (h) above shall apply if the bags are made of burlap.

(3) *Exception for export by user.* The size restrictions of paragraph (k) (1) above shall not apply to the manufacture of bags ordered by any person for packaging any listed commodity to be exported by him, provided the bag maker receives from such person a written certification as provided for in Exhibit A attached to this order. However, the export-authorization requirement of paragraph (h) above shall apply if the bags are made of burlap.

Additional Restrictions for Commercial Emptiers

(1) *Emptying bags.* No commercial emptier shall remove the contents of any textile bag except by opening the closure, unless the contents have become so

caked or solidified that salvage of the bag is not practicable.

(m) *Time-limit on holding empty bags.* Within 60 days after emptying any number of textile bags, a commercial emptier shall use, or transfer to dealers or users, an equal number of empty used textile bags from his inventory. Such disposition may be deferred beyond the 60-day period in the following cases:

(1) *Seasonal re-use.* If the commercial emptier needs the bags for packing a seasonal product (whether or not produced by him), he may retain them until the product becomes available for packing, subject, however, to the inventory restriction of paragraph (n) below.

(2) *Carload accumulation.* If, in accordance with his past practice, the commercial emptier wishes to accumulate a carload quantity of such bags for return to users for further packing of the kind of product last packed in them, he may retain such bags until he has accumulated a carload quantity.

Additional Restrictions for Users

(n) *Inventory restriction.* No user shall accept delivery of any empty new or used textile bags at a time when, or when by virtue of the delivery, his inventory of new or used empty textile bags is or will be in excess of a practical minimum working inventory for the uses which are not prohibited by this order. Except in the case of bags required by a user for packing a seasonal product (whether or not produced by him), such inventory shall not exceed the aggregate number of new or used empty textile bags which will be required to carry on his business during the next 60 days.

NOTE: Paragraph (o) amended Sept. 11, 1943.

(o) *Quota restriction on acceptances of burlap bags.* During 1943, no user shall accept delivery of more than his quota of new burlap textile bags for packing the products below. His quota shall be the larger of the following amounts: (1) 500 such bags for all the products or (2), for each class of product listed below, the specified percentage of the number of such bags he accepted during the calendar year 1941 for packing that class:

Class of product (1):	Quota percentage (2)
Petroleum waxes	100
Stearic acid (cakes or slabs)	100
Salt	100

The above restriction does not apply to bags made of "scrim" (burlap weighing less than 7 ounces per yard—40" width) nor to bags for packing mohair, wool, or wool products. The number of any such bags accepted by any user during 1941 shall not be included in computing any quota above.

NOTE: In paragraph (p) item "salt" deleted Sept. 11, 1943.

(p) *Products permitted for burlap bags.* No user shall use any new textile bag made of burlap for packing any products other than the following:

Mohair; wool; wool products; petroleum waxes; stearic acid (cakes or slabs); agricultural products (except refined sugar, tankage, or fertilizer).

(q) *Products permitted for cotton bags.* No user shall use any new textile bags made of cotton for packing any products other than the following:

Agricultural products; cement; chemicals; core sand; currency, coin, or securities; fertilizer; glues; gypsum; malt; meats; metal abrasives; metal parts; pastes; plaster; sand; shellfish; tire chains; or such other products as may be authorized by the War Production Board, pursuant to application on Form WPB-1319 (PD-556).

"Agricultural products" includes, but is not limited to, beans; coffee; cotton; feed; flour; fruits; grain; meal; nuts; potatoes; poultry grits; rice; salt; seeds; starch; sugar; tobacco; vegetables.

(r) *Mohair bags.* No user shall use any new or used textile bag for packing mohair unless the word "Mohair" appears in legible type on both sides of the bag.

(s) *Use of wool bags.* No user shall use any wool bag except as provided below. A "wool bag" is any new or used textile bag, made of burlap, between 5 $\frac{1}{2}$ and 7 $\frac{1}{2}$ feet in length, ordinarily used to package wool. Such bag shall not be considered a wool bag when no longer capable of carrying any of the following: grease wools, scoured wools, noils, wool wastes or mohair.

(1) *General.* Wool bags shall be used only for packing or wrapping wool or wool products and only in accordance with the further restrictions of paragraphs (s) (2), (3), and (4) below.

(2) *Heavy #1 wool bags.* A "heavy #1 wool bag" is a new or used wool bag made of 12-ounce or heavier burlap and capable of being packed or repacked to its intended capacity with any of the types of wool listed below in this subparagraph. Heavy #1 wool bags shall be used only for packing any of the following types of wool:

Graded wools; Territory, California, or Texas grease wools or mohair.

(3) *Light #1 wool bags.* A "light #1 wool bag" is a new wool bag made of burlap lighter than 12-ounce weight. Light #1 wool bags shall be used only for packing any of the following types of wool:

Territory, California, or Texas grease or scoured wools or mohair; carbonized wool; carbonized noils; carbonized card waste; fine white garnets; fine white laps; cut wool tops; broken wool tops; wool backings; rayon; synthetic fibers.

(4) *#2 Wool bags.* A "#2 wool bag" is any used wool bag other than a heavy #1 wool bag. #2 wool bags shall be used only for packing any of the following types of wool:

Grease wools; fleece wools; pulled wools; scoured wools or noils; carbonized or uncarbonized wool wastes.

General Exceptions

(t) *Bags for certain Government agencies.* The restrictions of this order shall not apply (1) to the manufacture

of textile bags manufactured to meet the packaging specifications of, and for delivery to or for the account of, the government agencies listed below or (2) to the purchase, acceptance, use, or export of textile bags by those agencies: the Army, Navy, Maritime Commission, United States Post Office, Federal Reserve System, United States Treasury Department (for Lend-Lease requirements and for coin, currency, and securities requirements), War Shipping Administration, or any agency procuring for delivery pursuant to the Act of Congress of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(u) [Revoked July 17, 1943.]

Miscellaneous Provisions

(v) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington 25, D. C., Ref.: M-221.

(w) *Appeals.* Appeals from the quota restrictions of paragraph (o) above shall be made by application in triplicate on Form WPB-2907 (PD-188-c). Appeals from any other restriction 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 appeal.

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

(y) *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, materials under priority control and may be deprived of priorities assistance.

(z) [Revoked July 17, 1943.]

Issued this 11th day of September 1943.

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

EXHIBIT A

The certification provided for in paragraph (k) (3) shall be substantially the following form, signed manually or as provided in Priorities Regulation No. 7:

"The bags ordered herewith are for packaging commodities for export by the undersigned and therefore need not correspond with the sizes specified in Order M-221 for the commodities concerned."

Company _____ By _____
Date _____ Title _____"

Any such certification shall constitute a representation to the War Production Board and to the bag manufacturer. The bag manufacturer shall be entitled to rely thereon unless he has reason to believe it is not true.

[F. R. Doc. 43-14874; Filed, September 11, 1943; 12:02 p. m.]

PART 3270—CONTAINERS

[Revocation of Supplementary Order M-221-a]

TEXTILE BAGS QUOTAS

Section 3270.24, *Supplementary Order M-221-a*, having been superseded by an amendment of the quota provisions of Order M-221, is hereby revoked. This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said Supplementary Order M-221-a.

Issued this 11th day of September 1943.

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

[F. R. Doc. 43-14875; Filed, September 11, 1943; 12:02 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER¹

[Conservation Order M-312 as Amended Sept. 11, 1943]

COIR CORDAGE FIBER, CORDAGE YARN, AND CORDAGE PRODUCTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of coir fiber and products 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:

§ 3290.231¹ *Conservation Order M-312—(a) Definitions.* For the purposes of this order:

(1) "Coir" means the fiber obtained from the fibrous shell of the coconut.

(2) "Coir yarn" means single or plied yarn or roving, twisted or spun, by hand or by machine, from coir.

(3) "Coir rope" means a rope formed of single or plied coir yarns laid or twisted together.

(4) "Coir product" means any product processed from coir or from coir yarn.

(b) *Restriction on processing, use and deliveries.* (1) No person shall put any of the following grades of coir yarn or their equivalent to any commercial use except the manufacture of rope:

Special superior Anjengo Star

Superior Anjengo A-AA-AAA

Superior Aratary A-AA-AAA

Real Allapat A-AA-AAA

(2) No person shall put coir yarn (of grades other than those listed in subparagraph (1) above), or coir fiber to any commercial use except as specifically authorized by the War Production Board, or except to produce:

(i) A coir product for ultimate delivery to, or for incorporation into any material for ultimate delivery to the Army

or Navy of the United States (including post exchanges and ship's service stores), the Maritime Commission or the War Shipping Administration.

(ii) Sugar bags, if the coir yarn is spun from coir produced in Puerto Rico.

(iii) Rope or matting for use in ships fenders.

(3) No person shall accept delivery of, deliver, purchase, or sell any coir or coir yarn or fiber for any use not permitted by this order, and no person shall sell or deliver any coir yarn to any person who he has reason to believe will put such material to a use not permitted by this order.

(c) *Importation.* The importation of coir and coir products shall be made in conformity with the provisions of General Imports Order M-63, as amended from time to time.

(d) *Control and allocation.* No manufacturer of coir products shall make or accept delivery of or use or process coir fiber or coir yarn in violation of orders of the War Production Board issued pursuant to this paragraph. The War Production Board may from time to time allocate the supply of coir yarn and coir fiber and specifically direct the time, manner and quantities in which deliveries to or by particular manufacturers shall be made or withheld. Directions issued pursuant to this paragraph may take precedence over any preference rated orders.

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

(f) *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.

(g) *Communications.* 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., Reference: M-312.

(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.

Issued this 11th day of September 1943.

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

[F. R. Doc. 43-14876; Filed, September 11, 1943; 12:03 p. m.]

¹Formerly Part 3242, § 3242.6.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-434]

GILL ELECTRIC MANUFACTURING CORPORATION

Gill Electric Manufacturing Corporation, a corporation of Redlands, California, is engaged in the business of manufacturing storage batteries. During the first calendar quarter of 1943, it manufactured approximately 400 automotive replacement storage batteries in excess of its permitted quota as established by Limitation Order L-180. The responsible officers of the corporation were aware of the provisions of Limitation Order L-180.

These violations of Limitation Order L-180 have diverted scarce materials to use unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.434 Suspension Order No. S-434. (a) Gill Electric Manufacturing Company, its successors and assigns, shall restrict its total manufacture of automotive replacement storage batteries for civilian use during the balance of the third calendar quarter of 1943 and in the fourth calendar quarter of 1943 to the following numbers (unless otherwise hereafter specifically authorized in writing by the War Production Board):

Calendar quarter of 1943:	Quota hereby assigned
July 1 to September 30	1,000
October 1 to December 31	800

In the event that the Company has by the date of issuance of this Suspension Order exceeded said quota of 1,000 batteries for the third quarter of 1943, its said quota of 800 batteries for the fourth quarter shall be reduced by it by so many as it shall on October 1, 1943, have exceeded said quota of 1,000 batteries during the third quarter of 1943.

(b) Nothing contained in this order shall be deemed to relieve Gill Electric Manufacturing Corporation, a corporation, its successors or assigns from any restriction or provision contained in any other order or regulation of the War Production Board except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect as of the date of issuance and shall expire on December 31, 1943.

Issued this 11th day of September 1943.

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

[F. R. Doc. 43-14936; Filed, September 11, 1943; 5:08 p. m.]

PART 937—ZINC

[General Preference Order M-11-a as Amended Sept. 13, 1943]

Section 937.2 Supplementary Order M-11-a is hereby amended to read as follows:

§ 937.2 General Preference Order M-11-a—(a) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable provisions of the regulations of

the War Production Board, as amended from time to time.

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

(1) "Zinc oxide" means all grades of zinc oxide, including lead-free and leaded, produced from ores, concentrates, metallic zinc, or other primary material and from scrap, dross, ashes, skimmings, or other secondary material.

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

(3) "Producer" means any person producing zinc oxide and any person who has zinc oxide produced for him under toll agreement.

(c) Restrictions—(1) *Allocated production.* Each producer of zinc oxide shall set aside from his production each month, quantities of zinc oxide, to be determined from time to time by the War Production Board, to be delivered only upon express direction in writing of the War Production Board.

(2) *Other production.* No producer of lead-free zinc oxide shall ship any of his production of lead-free zinc oxide not set aside pursuant to paragraph (c) (1), except

(i) To fill orders rated AA-5 or higher; or

(ii) To a person certifying to him that the lead-free zinc oxide called for in any purchase order, together with all other lead-free zinc oxide which such person will receive from all sources during the calendar month in question, will be less than one ton; or

(iii) As otherwise specifically authorized in writing by the War Production Board.

(d) *Applications for allocations.* Any person who in any month cannot otherwise obtain zinc oxide in quantities required to fill his preference rated orders may apply for an allocation of zinc oxide for that month by filing with the War Production Board, Zinc Division, Ref: M-11-a not later than the 15th of the month preceding the month in which the allocation is desired, an application on Form WPB-410 (formerly PD-62).

(e) *Interdepartmental shipments.* The restrictions, limitations and prohibitions in paragraph (c) of this order shall apply to any shipments of zinc oxide from any producing branch, division or department of any business enterprise to another branch, division or department in the same or any other business enterprise owned or controlled by the same person.

(f) *Limitation of inventories.* Unless specifically authorized in writing by the War Production Board, no person shall knowingly make delivery of zinc oxide, and no person shall accept delivery thereof, if the inventory of zinc oxide of the person accepting delivery is, or will by virtue of such acceptance become in excess of a forty-five day inventory on the basis of his current method and rate of operation.

(g) *Addressing of communications.* All applications, statements or other communication filed pursuant to this order or concerning the subject matter

hereof, should be addressed to: War Production Board, Zinc Division, Washington 25, D. C., Ref: M-11-a.

(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.

Issued this 13th day of September 1943.

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

[F. R. Doc. 43-14957; Filed, September 13, 1943; 11:49 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-428]

ANN LEWIS SHOPS

Louis Silver, Abbott Silver, Ira Silver and Joseph Silver, doing business as Ann Lewis shops, are engaged in the sale of women's wearing apparel in fifteen stores in various cities, including Worcester, Massachusetts. On or about April 6, 1943, they applied on form PD-200 for authority to begin construction in the Worcester store on a project described as extending the show windows into the store, at an estimated cost of \$2500.00, which application was granted. They then proceeded with construction which, as the work progressed, went beyond the show window project, greatly exceeded the estimated cost and required materials not mentioned in the application. By causing the work to continue after these facts became apparent, the respondents wilfully violated Conservation Order L-41.

This violation of Conservation Order L-41 has hampered and impeded the war effort of the United States by diverting materials to uses unauthorized by the War Production Board. In view of the foregoing, *It is hereby ordered*, That:

§ 1010.428 Suspension Order No. S-428. (a) Neither Louis Silver, Abbott Silver, Ira Silver or Joseph Silver, individually, or doing business as Ann Lewis Shops, or under any other name, their successors or assigns, nor any other person shall order, purchase, accept delivery of, withdraw from inventory, or in any other manner secure or use any material or construction plant in order to complete any construction, as defined in Conservation Order L-41, on the premises located at 16-20 Front Street, Worcester, Massachusetts, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Louis Silver, Abbott Silver, Ira Silver, or Joseph Silver, their successors or assigns, from any restriction, prohibition, or provision con-

tained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the terms hereof.

(c) This order shall take effect on September 13, 1943.

Issued this 6th day of September 1943.

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

[F. R. Doc. 43-14958; Filed, September 13, 1943; 11:48 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Direction 29 to CMP Regulation No. 1]

OEW AND LEND-LEASE ORDERS

The following direction is issued pursuant to CMP Regulation 1.

Brass mills, copper wire mills and copper and copper-base alloy foundries may accept orders, for copper or copper-base alloy controlled materials, bearing allotment numbers of the Office of Economic Warfare or the Office of Lend-Lease Administration, even though the date and point of delivery are not specified: *Provided*, Such orders are complete in all other details and the orders are validated with allotment numbers for the quarter in which the material is to be produced. In such event the producer may hold such material for the account of his customer and may make delivery to him at such time and place as the customer may later specify.

Issued this 13th day of September 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,

[F. R. Doc. 43-14959; Filed, September 13, 1943; 11:48 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Direction 30 to CMP Regulation 1]

COPPER WATER TUBING

The following direction is issued pursuant to CMP Regulation 1.

(a) The Copper Recovery Branch of the War Production Board has had reported to it considerable quantities of copper water tubing, types K, L and M, which are available for redistribution.

(b) Consequently, no order for copper water tubing, types K, L, or M, shall hereafter be produced by you until you have received a specific authorization in writing from the War Production Board to fill the order. Such an authorization may be applied for by you from the Copper Recovery Branch, War Production Board, 200 Madison Avenue, New York, New York. The application should state the name of the person seeking to place or who has placed the order, and the quantity, type and size of copper water tubing required to fill it. Notwithstanding the above, until September 20, 1943, copper water tubing, types K, L, or M may be produced against orders accepted before the date on which this directive is issued.

Issued this 13th day of September 1943.

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

[F. R. Doc. 43-14960; Filed, September 13, 1943; 11:48 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Direction 31 to CMP Regulation 1]

AMMUNITION BRASS STRIP, ROD AND TUBE

The following direction is issued pursuant to CMP Regulation 1.

(a) To enable brass mills to best schedule mills at capacity, the services have agreed to a cut-off date on directives covering ammunition brass strip, rod, and tube.

(b) Accordingly, on the last day of each month each brass mill is to close its order books for the following month for ammunition brass strip, rod, and tube. Immediately thereafter it must report any open capacity for producing brass strip, rod, and tube (whether or not reserved for ammunition) in its mill for that month by telephone to the Copper Division, War Production Board.

(c) The War Production Board will immediately schedule such open capacities.

NOTE: This reporting requirement has been passed pursuant to the Federal Reports Act of 1942.

Issued this 13th day of September 1943.

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

[F. R. Doc. 43-14961; Filed, September 13, 1943; 11:48 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Direction 12 to CMP Reg. 5]

RERATING NOT COMPULSORY

The following direction is issued pursuant to CMP Regulation 5.

(a) Notwithstanding the provisions of Priority Regulation No. 12, orders placed for maintenance, repair and operating supplies prior to August 16, 1943, for delivery in the third or fourth quarter, are not required to be down-rated in the case of any producer of a product, or a business which has been moved from Schedule I to Schedule II, or eliminated from Schedule I and Schedule II by the Amendment to CMP Regulation No. 5 dated September 13, 1943.

Issued this 13th day of September 1943.

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

[F. R. Doc. 43-14963; Filed, September 13, 1943; 11:49 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Regulation No. 5, as Amended May 14, 1943, Amdt. 4]

MAINTENANCE, REPAIR AND OPERATING SUPPLIES

Section 3175.5, CMP Regulation No. 5, as amended May 14, 1943, is amended as follows:

1. The following footnotes are inserted in the regulation. The place for the footnote number is indicated by the reference to the paragraph in the regulation and will appear at the end of that paragraph unless otherwise indicated. The numbered footnote follows the paragraph reference.

(a) Paragraph (b) (1). "(1) See also Interpretation No. 8: Repairs which are capitalized must be treated as capital additions."

(b) Paragraph (b) (2). "(2) See also Interpretation No. 4: Material for the manufacture of containers is a production material; Direction No. 2: Steel shoe wire is to be treated as an operating supply; Direction No. 4: Stitching wire is to be treated as an operating supply; Direction No. 7: Welding rod is not an operating supply when used in manufacturing; Direction No. 9: Employees may use their employer's rating to buy hand tools and (Direction 11) safety equipment."

(c) Paragraph (b) (3). "(3) See also Interpretation No. 9: Relationship of L-41 and CMP Regulation No. 5."

(d) Paragraph (c) (1). Insert the footnote number "4" after the phrase "in the conduct of such business" appearing in the ninth and tenth lines of the paragraph. Footnote: "(4) See also Interpretation No. 5: Conduct of business includes general offices, branch offices, salesrooms, etcetera."

(e) Paragraph (d) (1) (iii). "(5) See also: Direction No. 3: Rerating of orders placed before May 16 is not compulsory; Direction No. 5: Farmers are not entitled to use AA-5 rating."

(f) Paragraph (f) (1). "(6) See also Direction No. 8: Quota may be determined on a receipt basis.

2. The Schedules are amended as follows:

(A) Under the general heading "Unfabricated and semi-fabricated Metal Products":

(a) Change the item "I Ferro-alloys" by adding "(except producers to whom serial numbers have been issued under Order P-68)"

(b) Strike the period appearing at the end of the item "I Iron products including pig iron, pipe, wire, wrought iron and foundry products" and add the following: "(except producers to whom serial numbers have been issued under Order P-68)"

(c) Change the item "I Non-ferrous metal and non-ferrous metal alloy unfabricated and semi-fabricated products, including castings, ingots, shot, bar, forgings, sheet, strip, tubing, extrusions and wire" by striking the period and adding thereafter: "and wire products".

(d) Strike the period appearing at the end of the item "I Steel, rolling mill and foundry products including semi-finished steel, bars, pipe, plates, sheets, strip, castings, forgings, structural shapes, piling, terne plate, black plate, tubing, reels, track accessories, wheels, tires, axles, wire and wire products" and add the following: "(except producers to whom serial numbers have been issued under Order P-68)".

(B) Change the general heading reading "Intermediate products" to read "Intermediate Metal Products".

(C) Under the general heading "Intermediate Metal Products":

(a) Insert the item "II Metal stamping" after the item "I Gaskets, packings and grease retainers".

(b) Change the item "I Tanks, metal" by striking the period and add the word "storage".

(D) Under the general heading "Chemical Products":

(a) Strike from the first item appearing thereunder the words "except printing ink" appearing in the eighth line; and the word "and" appearing in the phrase "hair dressings and dyes" and insert a comma.

(b) Insert the item "II Printing ink" after the item "I Paints, varnishes and lacquers".

(E) Under the general heading "General Industrial Equipment":

(a) Insert as the first item thereunder the item "I Air conditioning and refrigeration equipment; industrial and commercial".

(b) Strike the period appearing at the end of the item "I Heat exchangers", insert a comma, and add thereafter "as defined in official CMP B Product List".

(c) Change the item "I Machine tools and metal working machinery, equipment, attachments and accessories; including bending, die casting, die molding, extruding, forging machines; foundry machinery equipment and supplies; heat treating equipment; hydraulic and mechanical presses; rolling mills and allied equipment; shears, punches and nibblers; welding equipment and apparatus; wire drawing and wire-working machinery; diamond dies; metal cutting tools; and welding rods and electrodes" by striking the words "Machine tools and" appearing in the first line thereof; inserting the words "machine tools" between the words "including" and "bending"; by striking the comma and inserting the word "and" between the words "extruding" and "forging machines"; and adding a comma between the words "foundry machinery" and "equipment and supplies".

(d) Change the item "I Meters", by striking the period, inserting a comma, and adding thereafter "gas and water".

(e) Strike the items "I Pumps, industrial" and "I Pumps, measuring and dispensing" and insert instead the item "I Pumps".

(f) Strike all of the sentence appearing after the words "I Pressure vessels" appearing in the item beginning with the same words, and insert instead "as defined in official CMP B Product List".

(g) Strike all of the sentence appearing after the words "I Safety equipment, industrial" appearing in the item beginning with the same words.

(h) Strike the word "industrial" in the item "I Stokers, industrial".

(i) Strike the period appearing at the end of the item "I Trucks and tractors, industrial", add a semi-colon, and add "hand and power operated".

(F) Under the general heading "Special Industry Machinery":

(a) Strike the item "I Animal and fish oil machinery and equipment".

(b) Strike all of the sentence after the words "I Chemicals producing machinery" appearing in the item beginning with the same words.

(c) Add the word "compressing" between the words "Cotton ginning" and "and delinting" appearing in the item "II Cotton ginning and delinting machinery".

(d) Change the item "I Dry kilns and redriers, wood" by striking the comma and the word "wood" and inserting instead: "for wood treatment".

(e) Insert the item "II Hemp, flax and similar fibre decorticating machinery" after the item "I Glass making machinery".

(f) Add the item "I Oil machinery and equipment: animal, fish, vegetable" after the item "I Mining machinery and equipment".

(g) Strike the item "I Vegetable oil machinery and equipment".

(h) Change the item "II Water conditioning equipment" to "I Water conditioning equipment".

(i) Change the item "II Wooden box-making machinery" by substituting the word "Wood" for the word "Wooden".

(j) Strike all of the item appearing after the words "I Woodworking machinery" appearing in the item beginning with the same words.

(G) Under the general heading "Construction Machinery and Equipment", strike out everything appearing after the words "I Drilling and boring" in the item beginning with the same words, and insert thereafter the words "machinery, earth and rock".

(H) Under the general heading "Military Type Products", insert the item "I Airplane landing mats" after the item "I Aircraft, including airframes, engines, propellers, instruments, components, maintenance, and concurrent spares, and air borne equipment"; and strike the item "I Landing mats, airplane".

(I) Under the general heading "Electrical Products":

(a) Strike the item "II Cases, flashlight"; and insert the item "II Flashlight cases" after the item "I Electroplating equipment".

(b) Add the item "I Electrical connectors" after the item "I Electrical apparatus for internal combustion engines".

(c) Add the item "I Instruments, electrical measuring" after the item "I Infra-red heating and drying equipment".

(d) Change the item "II Lighting equipment and accessories, airport and marine" by adding the word "aircraft," between the words "accessories" and "airport".

(e) Change the item "I Synchronous converters and frequency changers" by striking the word "converters" and substituting "condensers".

(J) Under the general heading "Communication Equipment", strike the item "I Telegraph and telephone equipment" and insert instead the item "I Wire communication equipment".

(K) Under the general heading "Transportation Equipment":

(a) Change the item "I Bicycles and parts" by striking the words "and parts".

(b) Change the item "I Brakes actuating mechanisms, air" to read "I Brakes, air, and airbrake actuating mechanism".

(c) Strike everything appearing after the word "I Hardware" in the item beginning with the same word, strike the semicolon appearing after the word "Hardware", insert a comma; and insert thereafter "transportation equipment".

(d) Change the item "I Locomotives, parts and accessories (railroad)" to read "I Locomotives, railroad; parts and accessories".

(L) Under the general heading "Building Materials":

(a) Change the item "II Building mesh, metal" by striking the word "metal".

(b) Change the item "II Doors and windows, metal" by striking the word "metal".

(c) Strike the item "II Fence, posts and gates (wire)"; and insert the item "II Wire fence, posts and gates" after the item "II Weatherstripping".

(d) Add the item "II Gypsum building products" after the item "II Doors and windows".

(e) Change the item "II Moulding and trim, metal" to read "II Metal moulding and trim".

(f) Add the item "II Mineral wool, industrial" after the item "II Metal moulding and trim".

(g) Change the item "II Screen cloth, metal" by striking the word "metal".

(h) Add the item "II Structural insulation and fibre board" after the item "II Sheet metal building products".

(M) Under the general heading "Miscellaneous Products":

(b) Insert the item "I Asbestos textiles" after the item "I Analytical and industrial testing instruments and apparatus"; and strike the item "I Textiles, asbestos".

(c) Change the item "II Baby carriages" by striking the period and adding thereafter "(and similar equipment)".

(d) Change the item "II Bag, ties, metal" to read, "II Bag and bale ties".

(e) Change the item "II Bells and gongs, non-electric" to read "II Bells, gongs and other non-electric signalling devices".

(f) Change the item "I Blast detonating equipment" by striking the period, inserting a comma, and adding the word "industrial".

(g) Change the item "I Coke and coke oven by-products" by striking the period and adding: "(except producers to whom a serial number has been issued under Order P-68)".

(h) Change the item "I Cooking equipment, commercial (except electric)" by striking "(except electric)".

(i) Change the item "II Dishwashing machinery" by striking the period, inserting a comma, and adding "commercial".

(j) Insert the item "II Findings, apparel and shoe" after the item "II Fans, ventilating, commercial".

(k) Change the item "II Floor finishing and floor maintenance machines"

by striking the period, inserting a comma, and adding "as defined by WPB Order L-222".

(1) Change the item "II Food preparation and serving fixtures and equipment" to read "II Food preparation and serving fixtures, equipment and appliances, commercial".

(m) Strike everything appearing after the word "II Hardware" in the item beginning with the same word, strike the colon, insert a comma, and add "not elsewhere listed".

(n) Change the item "I Heating equipment" by striking the period and adding "(except electric) including heating system controls and hot water equipment".

(o) Add the item "II Houses, mobile and prefabricated" after the item "II Hooks and eyes, slide and snap fasteners, buckles, buttons and miscellaneous apparel findings".

(p) Change the item "I Ice" to "II Ice".

(q) Change the item "I Identification plates, emblems, badges, pin tickets and tags" to read "II Identification badges, emblems, pin tickets, plates, tags not military".

(r) Change the seven items each beginning with the word "Instruments" to read as follows:

I Instruments, apparatus, equipment supplies and appliances: dental

I Instruments and apparatus: laboratory

I Instruments and equipment: engineering (including surveyors' drawing and mathematical)

I Instruments and apparatus: analytical and industrial testing

I Instruments, equipment, supplies: surgical and medical, including orthopedic appliances

I Instruments and lenses: optical

II Instruments: musical

(s) Add the item "I Lenses and instruments: optical" after the item "II Leather and leather products".

(t) Add the item "II Morticians' goods" after the item "II Loose leaf binders".

(u) Add the item "II Plastic products: moulding and laminating" after the item "II Pins, common and safety".

(v) Strike the item "I Refrigerators and refrigeration and air conditioning machinery and equipment".

(w) Strike the item "I Refrigerator equipment (commercial)".

(x) Strike all that appears after the words "I Rubber and rubber products" in the item beginning with the same words.

(N) Under the general heading "Conduct of the following businesses or activities":

(a) Strike the items "II Aeronautical training (Civilian)", "I Aircraft repair and maintenance", and "I Civilian air patrol".

(b) Change the item "I Electrical and mechanical repair shops for industrial, commercial, agricultural and public transportation equipment excluding repair of private automobiles" to read "I Electrical and mechanical repair shops for industrial, commercial and agricultural equipment; and public, industrial and commercial transportation equipment", and add footnote No. 7 at the end of the column as follows:

(7) See also Interpretation No. 6: Public transportation means common carriers; Direction No. 10: Welding rods for service repair shops".

(c) Change the item "I Feed (stock and poultry) and grain processing and storage" to read "I Feed and grain (stock and poultry) processing and storage".

(d) Change the item "I Industrial food manufacturing, processing, packaging, preservation and storage, (except soft drinks and alcoholic beverages, tobacco and chewing gum). Restaurants, hotels, retail stores and farms are not included in this category" by striking the word "tobacco", and add the footnote number "8" at the end of the item, and add at the bottom of the column the following footnote:

(8) See also Interpretation No. 7 relating to distribution of food products".

(e) Strike the item "I Mining and quarrying".

(f) Add the footnote number "9" after the item "Operation of ships, vessels, and other craft, except pleasure vessels", and add at the bottom of the column the following footnote:

(9) See also Direction No. 6: ships of friendly foreign nations.

(g) Strike the item: "ore milling".

(h) Change the item "I Public Utilities; gas, light, power, water and central heating" by striking the period at the end and add: "and sanitation. (except producers as defined in Utilities Order U-1)".

(i) Add the footnote number "10" after the item "Public transportation, terminal and dock facilities including stevedoring" and add at the bottom of the column the following footnote:

(10) See also Interpretation No. 6: Public Transportation means common carriers".

(j) Change the item "I Petroleum and natural gas production, transportation, refining and marketing (except retail)" by striking the words "(except retail)" and substituting therefor: "(except to the extent covered by P-98-b)".

(k) Change the item "I Smelting and refining" by striking the period and adding: "(except producers to whom a serial number has been issued under P-78)".

(l) Change the item "II Solid fuel distribution and marketing, except retail" by striking the words "except retail" and

substituting "including only those dealers with equipped yards"; and adding thereafter: "(a dealer with an equipped yard is one who regularly maintains storage and sorting facilities as a part of his own operations, and loading, carrying and other machinery for handling and weighing)".

(m) Add the item "II Tire and tube recapping, retreading and vulcanizing" after the item "II Solid fuel distribution, and marketing, except retail".

(n) Change the item "I Wire communications industries" by adding: "(except operators as defined in Utilities Orders U-3 and U-4)".

Issued this 13th day of September 1943.

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

[F. R. Doc. 43-14962; Filed, September 13, 1943; 11:48 a. m.]

PART 3268—UREA AND MELAMINE ALDEHYDE RESIN AND MOLDING COMPOUND

[Interpretation 1 to Allocation Order M-331]

The following interpretation is issued with respect to Allocation Order M-331:

This order covers urea aldehyde resin, melamine aldehyde resin, urea aldehyde molding compound and melamine aldehyde molding compound. The word "urea" as used in the term "urea or melamine aldehyde resin" and in the term "urea or melamine aldehyde molding compound" modifies the words "aldehyde resin" and "aldehyde molding compound" respectively. Crystal urea is not subject to this order but to General Preference Order M-164 (Synthetic Ammonia).

Issued this 13th day of September 1943.

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

[F. R. Doc. 43-14964; Filed, September 13, 1943; 11:49 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L-79, as Amended September 13, 1943]

METAL PLUMBING AND HEATING EQUIPMENT

§ 3288.31 General Limitation Order No. L-79—(a) Definitions. For the purpose of this order:

(1) "Plumbing equipment" means any fixture, material, device or apparatus, including component parts thereof, used as a unit or included in a system designed for the supply of water for drinking or sanitary purposes, for heating or storage of domestic hot water, or for the re-

removal of waste water or water-borne wastes, and the gases therefrom, including water, gas and sewer piping, or designed for the chemical treatment of waste matter. It does not include equipment operated for general use as a public utility, equipment designed for industrial processing, or fire protection systems, or for use in aircraft, railroad vehicles or ships, or equipment using electricity as a fuel.

(2) "Heating equipment" means any material, device or apparatus, including component parts thereof, used as a unit or included in a system designed for generating, conveying, circulating, distributing, transferring, or controlling heat, and designed for, but not necessarily limited to, heating air spaces or controlling temperature within building or other structures, excluding ships.

It shall not include critical heat exchanges as defined in L-172, fans and blowers as defined in L-280, equipment designed primarily for refrigeration or dehumidification as defined in L-38, steel power boilers of the types defined in L-117, steel boilers designed for locomotive or for marine shipboard use, equipment exterior to a building which is heated by steam or hot water distributed from a central source for general use as a public utility, equipment designed for industrial processing, equipment for generating power, equipment using electricity as a fuel, or equipment designed for heating aircraft or automotive or railroad vehicles, but it shall include trailer and caboose stoves.

It shall not include heating system controls as specified in Schedule A.

(3) "Consumer" means any person who purchases for use but not for resale any material, equipment or parts included in the definitions of "plumbing equipment" and "heating equipment" above.

(b) *Plumbing and heating equipment to be delivered only on rated orders.* On and after September 1, 1943 no person shall deliver or accept delivery of plumbing and heating equipment except on an order rated A-10 or higher.

(c) *Exceptions.* The restrictions of this order shall not apply to the following:

(1) Any unit of non-metallic plumbing equipment or heating equipment including any such unit of non-metallic equipment the construction or assembly of which (into the form as sold by its producer) calls for incorporation of metallic components of the kind needed to permit connection to the unit of water and waste pipes, faucets, valves, fittings, or plumbing trim.

(2) The minimum quantity of metal items or parts needed to install and hold in place any unit of the kind described in subparagraph (c) (1) including, but not limited to, nuts, bolts, screws, clamps, rivets, and other items of joining hardware (excluding chair carriers) provided such use is not pro-

hibited by any other order of the War Production Board. This exception does not include the running of any water, steam, gas, oil or drain pipes to the unit or any metal items or parts needed to connect the unit to an existing piping system.

(3) Any item of plumbing equipment or heating equipment the cost of which to the purchaser is not more than \$5.00.

(4) Plumbing equipment or heating equipment to be incorporated in a project for which the consumer has been given authority to begin construction on Form GA-235 (formerly PD-443). In such a case, the purchaser's order shall contain the following signed statement, listing the items of equipment to be sold or delivered:

The following equipment _____ is required for the completion of the erection, construction, remodeling or rehabilitation of a building, structure or project, or additions, extensions or alterations thereof, which have been specifically authorized by the War Production Board on Form GA-235.

Dated _____
Signed _____

This statement shall constitute a representation to the War Production Board and to the person supplying such equipment that the stated facts are true and that the listed equipment will be used for the purpose stated.

(5) Power-driven coal stokers approved on Form WPB 1612 (formerly PD-668).

(6) Oil burners approved on Form WPB 2727.

(7) Equipment rationed by a certificate issued by a local War Rationing Board.

(8) Plumbing equipment or heating equipment which has previously been used by a consumer.

(9) Steel and wrought iron pipe.

(d) *Applicability of other orders.* Insofar as any other order issued, or to be issued, limits the production, delivery or use of any plumbing equipment or heating equipment to a greater extent than the limits imposed by this order, the restrictions of such other orders shall govern unless otherwise specified therein.

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

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

(g) *Violations and false statements.* 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 or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any person affected by this order may appeal from its provisions by filing Form WPB 1477 (formerly PD-500) with a field office of the War Production Board.

(i) *Communications.* All reports to be filed and other communications concerning this order, except appeals, shall be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L-79.

Issued this 13th day of September 1943.

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

SCHEDULE A—HEATING SYSTEM CONTROLS

Automatic temperature control equipment used in steam, warm air and hot water heating systems.
Thermostats (indoor and outdoor types).
Draft and damper regulators.
Draft adjustors, barometric and mechanical.
Motor-operated valves (steam and hot water).
Pressure reducing valves (steam heating system).
Induced and forced draft blowers.
Draft gauges.
Flue gas thermometers.
Thermometers (space heating and domestic hot water type only).
Thermostatic valves, capillary tube and self contained types to control the flow of steam or hot water.
Air vent valves and eliminators.
Thermostatic traps, radiator and drip.
Radiator valves having cast iron bodies only.
Thermostatic valves and checks.
Orifices and other proportioning devices.
Low pressure heating pumps, single only (vacuum, condensation and hot water circulating).
Hot water flow checks and balancing elbows.
Time switches.
Air filters (warm air heating).
Zone (single) temperature control systems.
Heating system temperature control panel boards.
Flue gas analyzers and CO ₂ meters.

[F. R. Doc. 43-14986: Filed, September 13, 1943; 11:48 a. m.]

PART 3293—CHEMICALS¹

[Conservation Order M-333, As Amended Sept. 13, 1943]

TAPIOCA FLOUR

Section 3271.1 Conservation Order M-333 is hereby amended to read:

¹ Formerly Part 3271, § 3271.1.

§ 3293.471¹ *Conservation Order M-333*—(a) *Definitions.* (1) "Tapioca flour" means the starch or farinaceous substance derived from the cassava root (sometimes called yucca or manioc), whether rated in the grade as high, medium or low. The term does not include pearl, flake or granulated tapioca.

(2) "Derivatives" means tapioca dextrine and any modification of tapioca flour, obtained either through mixture with other chemicals or other starches and flours, or through modification of the starch itself by hydrolyzation or chemical reaction. The term "derivatives" does not include pearl, flake or granulated tapioca.

(3) "Distributor" means any person who purchases tapioca flour or derivatives for resale.

(4) "Processor" means a manufacturer of derivatives.

(b) *Prohibited deliveries and use.* (1) No person shall use tapioca flour or derivatives, and no person shall accept delivery of tapioca flour or derivatives for use:

(i) In the paper industry as a beater size;

(ii) In the paper industry as a surface or tub size;

(iii) In the textile industry as a warp size, except for:

Synthetic fibre

Combed cotton yarns 40 and finer

Cordage fibers;

(iv) In the textile industry as a finishing or loading medium, except where required to meet specifications of the United States Army or Navy;

(v) As a foodstuff, or as an ingredient in manufacture of prepared food (including the manufacture of pearl, flake or granulated tapioca);

(vi) As an adhesive for posting billboards.

(2) The provisions of paragraph (b) (1) hereof shall not prevent:

(i) Acceptance of delivery or use by any person in any calendar month of not more than 600 pounds of tapioca flour and derivatives in the aggregate. But no distributor or processor may sell in such limited lots more than 5% of his previous monthly sales of tapioca flour and derivatives.

(ii) The use by any person other than a distributor or processor of material which that person had in inventory on June 19, 1943.

(c) *Limitation on use in plywood manufacture.* No plywood manufacturer may use in any calendar half year, beginning with the half year commencing July 1, 1943, more tapioca flour and its derivatives than he used during the first six months of the year 1943.

(d) *Restrictions on inventories.* No person shall accept delivery of tapioca flour and its derivatives if he then owns or has in his possession a supply of tapioca flour and its derivatives, exceeding

one-eighth of the quantity of tapioca flour and its derivatives which he used, or in the case of a distributor resold, during the two year period January 1, 1941 to December 31, 1942.

(e) *Exceptions in favor of Government agencies.* The restrictions of paragraphs (b) and (d) shall not be applicable to acceptance of delivery or use by the United States Army or Navy.

(f) *Reports.* Within ten days of the close of each calendar quarter, each distributor and processor shall file Form WPB-3215 with War Production Board.

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

(2) *Forms.* Form WPB-3215 provided for in paragraph (f), has been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

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

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

(5) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M-333.

Issued this 13th day of September 1943.

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

[F. R. Doc. 43-14965; Filed, September 13, 1943; 11: 49 a. m.]

Chapter XI—Office of Price Administration

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

[MPR 131,¹ Amdt. 5]

CAMELBACK

A² statement of the considerations involved in the issuance of this amend-

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In § 1315.1310 (a) (1), the sentence immediately following the colon, which begins with the word "Provided", is amended to read as follows: *Provided, That the maximum prices for camelback which is produced by the Denman Tire and Rubber Company of Warren, Ohio, for the Webster Rubber Company of Warren, Ohio, and which is predesigned for use with the open steam method of retreading or recapping by cutting a non-skid pattern therein, shall be determined by adding 8¢ per pound to the prices set forth in the following table:*

This amendment shall become effective September 16, 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 10th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14835; Filed, September 10, 1943; 4:39 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53,¹ Amdt. 6]

FATS AND OILS

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

Section 3.1 (a) is amended to read as follows:

(a) *Crude cottonseed oil.* F. o. b. mill, in tank cars in cents per pound, as follows:

California (except Los Angeles)	13.125
Los Angeles, California	13.40
Arizona	12.875

Illinois, North Carolina, South Carolina, Tennessee, Crittenden and Mississippi Counties, Arkansas, New Madrid and Scott Counties, Missouri, Morgan County, Alabama	12.75
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Alabama (except Morgan County), Arkansas (except Crittenden and Mississippi Counties), Florida, Georgia, Louisiana, Mississippi, Missouri (except New Madrid and Scott Counties), New Mexico, Muskogee and Tulsa Counties, Oklahoma, Bowie, Dallas, El Paso and Tarrant Counties, Texas	12.625
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Oklahoma (except Muskogee and Tulsa Counties), Texas (except Bowie, Dallas, El Paso and Tarrant Counties)	12.50
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*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 10727, 11150, 11508, 11296, 11739, 12022.

¹ Formerly Part 3271, § 3271.1.

(1) These crude cottonseed oil maximum prices shall be adjusted on a 9% settlement basis as provided in Rule 142 of the 1942-1943 rules of the National Cottonseed Products Association, Inc.

(2) Where (i) crude cottonseed oil is sold and delivered to a buyer to whom it may be shipped for no more than a switching charge, and (ii) where prior to price control it was customary for such oil to take a premium when sold by a seller in that locality to a buyer located within that locality's switching limits, the maximum price shall be the prices set forth above, plus the premium that customarily prevailed in that locality on such sales prior to price control.

This amendment shall become effective September 16, 1943.

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

Issued this 10th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14838; Filed, September 10, 1943; 4:39 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 11, Amdt. 77]

FUEL OIL RATIONING REGULATIONS

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

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

1. Section 1394.5001 (a) (20) is amended to read as follows:

(20) "Occupation" means business or profession, or gainful work, or work or activity which contributes to the war effort or to the public welfare.

2. Section 1394.5151 (b) is amended to read as follows:

(b) The provisions of paragraph (a) of this section shall not apply to equipment with respect to which an exception has been granted by the Petroleum Administration for War pursuant to Petroleum Distribution Order No. 13, as amended.

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

¹7 F.R. 8480, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9764, 10153, 10081, 10379, 10520, 10531, 10780, 10707, 11118, 11071; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 608, 977, 1203, 1316, 1235, 1282, 1681, 1636, 1859, 2194, 2432, 2781, 2871, 2730, 2942, 2993, 2887, 3106, 3521, 3628, 3733, 3848, 3948, 4255, 4137, 4350, 4784, 4890, 5678, 6064, 6262, 6960, 7588, 6137, 9059, 9219, 9458, 9382, 10082, 10089, 10304, 10435, 11380, 11687, 11756.

3. Section 1394.5151 (d) is added as follows:

(d) No ration shall be issued or used for furnishing heat or hot water to premises which are not used for residential or occupational purposes.

4. Section 1394.5256 (b) is amended to read as follows:

(b) If one or more children less than four (4) years of age regularly occupy private dwelling premises other than a house trailer, the allowable ration for the operation of the oil-burning equipment heating such premises shall be increased by:

(1) 125 gallons, in Thermal Zone A and in Zones A-1, A-2, and A-3.

(2) 100 gallons, in Thermal Zone B and in Zones B-1, B-2, and B-3.

(3) 75 gallons, in Thermal Zone C and in Zones C-1, C-2, and C-3.

(4) 50 gallons, in Thermal Zone D and in Zone D-1.

5. Section 1394.5261 (e) (7) is added to read as follows:

(7) This paragraph (e) shall apply only to rations issued for the 1942-43 heating year.

6. Section 1394.5266 (i) is added as follows:

(i) No application under this section may be made after September 12, 1943.

7. Section 1394.5267 (c) is added as follows:

(c) No application under this section may be made after September 12, 1943.

8. An undesignated center headnote is added preceding § 1394.5292 as follows:

NEW APPLICANTS FOR HEAT AND HOT WATER RATIONS FOR THE 1943-44 HEATING YEAR

9. Sections 1394.5292 to 1394.5297 are added as follows:

§ 1394.5292 Who is a new applicant. A new applicant is a person who applies after September 12, 1943 for a ration for heat or hot water, or both, for the 1943-44 heating year for use in a private dwelling or in premises other than a private dwelling, where application for a renewal ration under § 1394.5280 may not be made. The new applicant must be the person controlling the use of the equipment, but he may authorize someone to make the application for him.

§ 1394.5293 How a new applicant applies for a ration. (a) The new applicant who needs a ration for use in a private dwelling must apply to his Board on Form OPA R-1100 or Form OPA R-1100 (Revised).

(b) The new applicant who needs a ration for use in premises other than a private dwelling must apply to his Board on Form OPA R-1101 or Form OPA R-1101 (Revised), except that if he needs

a ration for use in residential premises heated by a space heater, he must apply on Form OPA R-1100 or Form OPA R-1100 (Revised).

(c) The new applicant must, except for good cause shown, submit with his application the name of the person to whom a ration for heating the premises was issued for the 1942-43 heating year.

(d) The provisions of paragraphs (b) and (c) of § 1394.5252 shall apply with respect to the number of applications which may be made by new applicants.

§ 1394.5294 How the new applicant's heat or hot water ration for a private dwelling is figured—(a) Heat. The new applicant's ration for heating a private dwelling (other than a house trailer) for the 1943-44 heating year shall be the amount of fuel he needs to meet his minimum heating requirements. However, the ration shall not be more than the maximum of the range for heating the dwelling nor less than the smaller of the following: the minimum of the range or 85% of the fuel oil consumed for heating the dwelling during the base period adjusted to normal according to § 1394.5257.

(1) The maximum and minimum of the range for heating the dwelling shall be figured according to Table IC (instead of Table I) in § 1394.5851, (a) (3), and in Areas A and B according to Table ID (instead of Tables IA and IB) in § 1394.5851 (a) (4);

(2) The total floor area which may be included under § 1394.5258 (determination of range) for central heating equipment shall not exceed 3,000 square feet (instead of 2,000 square feet) for the first person, plus 600 square feet for the second person and 300 square feet for each additional person regularly occupying the dwelling;

(3) If the dwelling is regularly occupied by any child under 4 years of age, the ration shall be increased by the amount specified in § 1394.5256 (b) for the zone in which the dwelling is located.

(b) **Hot water.** The new applicant's ration for domestic hot water in a private dwelling (other than a house trailer) for the 1943-44 heating year shall be figured according to § 1394.5259.

§ 1394.5295 How the new applicant's ration for heating a house trailer is figured. The new applicant's ration for heating a house trailer by means of a space heater for the 1943-44 heating year shall be the amount of fuel oil the applicant needs for the purpose. However, the ration shall not exceed twice the maximum of the range for the house trailer, figured according to § 1394.5258. In determining the range by using sub-column (b) of column (2) of Table I, the figures for subzone 18 shall apply to subzone 19; those for subzone 19 to sub-

zone 20; those for subzone 20 to subzone 21; and those for subzone 21 to subzone 22. In Areas A and B, Table ID shall be used to figure the maximum of the range.

§ 1394.5296 How the new applicant's ration for heat or hot water, or both, for premises other than a private dwelling is figured. The new applicant's ration for furnishing heat or hot water, or both, to premises other than a private dwelling for the 1943-44 heating year shall be figured as follows:

(a) **Residential premises using central heating equipment and non-residential premises.** (1) If the ration is needed for residential premises using central heating equipment or for non-residential premises, the ration shall be figured according to paragraphs (a) to (c) inclusive, of § 1394.5261.

(2) The new applicant need not establish consumption during the base period if such consumption was established for the purpose of figuring the ration for the 1942-43 heating year. In such case, the base period consumption shall be the amount thus established. However, if no ration was issued for the purpose for the 1942-43 heating year, the new applicant must establish fuel oil consumption, if any, during the base period, in the manner provided in § 1394.5253, and the Board will determine such consumption in the manner provided in § 1394.5254. In any case, if the circumstances specified in paragraph (c) of § 1394.5260 are found to exist, the new applicant must furnish to the Board the certification described in paragraph (b) of that section. The term "the heating year" wherever appearing in § 1394.5253, 1394.5254, 1394.5260 and 1394.5261 shall be deemed for the purpose of this section to mean the 1943-44 heating year.

(b) **Residential premises using space heater.** If the ration is needed in premises used for residential purposes heated by a space heater, the ration for heat shall be figured in the same way as though the new applicant used a space heater in a private dwelling, that is, according to § 1394.5294, and the ration for hot water shall be figured according to § 1394.5259.

§ 1394.5297 Issuance of rations for heat or hot water to new applicants. (a) Heat and hot water rations for the 1943-44 heating year shall be issued to new applicants in the manner provided for the issuance of renewed rations in §§ 1394.5285 to 1394.5288, inclusive.

(b) The coupon sheets or fuel oil deposit certificates issued to the new applicant shall be equal to the amount of the ration allowed less the amount of fuel oil he has on hand for the operation of the equipment for which the application is made.

(c) No ration issued to an applicant who was required to apply for a ration for the operation of the equipment in the premises for the 1942-43 heating year and omitted to do so, shall be deemed a waiver of any violation by him of § 1394.5603.

10. Section 1394.5310 (a) is amended by inserting the phrase "before Septem-

ber 13, 1943" before the phrase "apply to his Board for a supplemental heating or heating and hot water ration."

11. Section 1394.5553 (a) is amended by inserting the phrase "before September 13, 1943" before the phrase "apply for a substitute ration for such purpose if".

12. Section 1394.5554 (a) is amended by inserting the phrase "before September 13, 1943" before the phrase "apply for a substitute ration for such purpose if".

This amendment shall become effective on September 13, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub. Law 421, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supplementary Directive No. 1-0, as amended, 7 F.R. 8416; E.O. 9125, 7 F.R. 2719)

Issued this 10th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14829; Filed, September 10, 1943; 4:42 p. m.]

PART 1399—CONSTRUCTION, OIL FIELD, MINING AND RELATED MACHINERY

[MPR 134, Amdt. 11]

CONSTRUCTION AND ROAD MAINTENANCE EQUIPMENT RENTAL PRICES AND CHARGES FOR OPERATING AND MAINTENANCE OR REPAIR AND REBUILDING SERVICE

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 134, including Amendment 9, issued July 1, 1943, is amended in the following respects:

1. In § 1399.1, the following words are added at the beginning of the first sentence: "On or after July 1, 1943."

2. In § 1399.5 (b) (2) the clause in the forepart of the first sentence reading "for which a report is filed as hereafter provided" is amended to read "for which a report is filed as hereafter required".

3. In § 1399.5 (d) (2) the clause in the second sentence reading "but final settlement shall be made only in accordance with the action of the Office of Price Administration" is amended to read "but no payment shall be made or received for such services except in accordance with the final action or acquiescence of the Office of Price Administration in respect to such report".

4. In § 1399.12 (a) (9) (iii) the phrase "pursuant to the terms of a written contract" is amended to read "pursuant to the terms of a written, or provable, contract".

5. In § 1399.5, Appendix A, various Tables of Rates are amended as follows:

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

¹ 7 F.R. 3203, 3411, 3447, 7001, 8386, 9054, 8948, 9785; 8 F.R. 1975, 3789, 5981, 9140, 10759.

a. The tables for "Air Compressors—portable" and "Air Compressors—stationary" are amended to read as follows:

AIR COMPRESSORS, PORTABLE

[Maximum rental prices calculated upon the basis of the following rates shall apply to the equipment with or without any one or more of the following: idler, unloader, automatic oiler, and starter]

Two-stage and new design single-stage, water-cooled or air-cooled

HIGH-PRESSURE, GASOLINE

From and not including (cubic feet)—	To and including (cubic feet)—	Per month	Per week	Per day
60	60	\$90.00	\$30.00	\$7.50
65	65	100.00	33.00	8.25
75	75	115.00	38.00	9.50
85	105	140.00	47.00	11.75
105	100	185.00	62.00	15.50
160	210	260.00	87.00	21.75
210	315	360.00	120.00	30.00

HIGH-PRESSURE, DIESEL

105	105	\$162.00	\$54.00	\$13.50
160	210	224.00	75.00	19.00
210	315	298.00	99.00	25.00
315	365	414.00	138.00	34.50
365	425	450.00	150.00	37.50
425	500	495.00	165.00	41.00
500	600	608.00	203.00	51.00

Single-stage (over 5 years)

Maximum rental per month \$1.00 per cubic foot of free air delivered at 100 pounds pressure. Maximum rate per week one-third of maximum rate per month. Maximum rate per day one-twelfth of maximum rate per month.

AIR COMPRESSORS, STATIONARY

[Maximum rental prices calculated upon the basis of the following rates shall apply to the equipment with or without any one or more of the following: idler, unloader, automatic oiler, and starter]

HIGH PRESSURE, WITH ELECTRIC MOTOR AND BELT OR COUPLING

Piston displacement—	From and not including (cubic feet)—	To and including (cubic feet)—	Per month	Per week	Per day
46	46	\$46.00	\$15.00	\$3.50	
55	55	50.00	17.00	4.50	
72	72	60.00	20.00	5.00	
95	95	80.00	27.00	7.00	
125	125	92.00	31.00	7.75	
160	160	125.00	42.00	10.50	
215	215	155.00	52.00	13.00	
270	270	188.00	63.00	15.75	
370	370	220.00	70.00	19.25	
470	470	250.00	83.00	21.00	
570	570	280.00	93.00	23.00	

LOW-PRESSURE, WITH ELECTRIC MOTOR AND BELT OR COUPLING

[40 pounds and under]

Piston displacement—	From and not including (cubic feet)—	To and including (cubic feet)—	Per month	Per week	Per day
900	900	\$250.00	\$83.00	\$21.00	
1,200	1,200	365.00	121.00	30.00	

HIGH-PRESSURE, WITH GASOLINE ENGINE AND BELT OR COUPLING

Piston displacement—		Per month	Per week	Per day
From and not including (cubic feet)—	To and including (cubic feet)—			
30.....	40.....	\$40.00	\$13.00	\$3.50
30.....	46.....	60.00	20.00	5.00
46.....	55.....	75.00	25.00	6.50
55.....	72.....	85.00	28.00	7.00
72.....	95.....	100.00	33.00	8.50
95.....	125.....	130.00	43.00	10.75
125.....	160.....	163.00	54.00	13.50
160.....	215.....	220.00	73.00	18.25
215.....	270.....	267.00	89.00	22.00
270.....	370.....	359.00	117.00	29.00
370.....	470.....	450.00	150.00	37.00
470.....	570.....	550.00	183.00	46.00

b. The heading of the tables for "Air Tools" is amended to read "Air Tools and Accessories" and the tables for "Air Tools" and "Drill Steels" are amended to read as follows:

AIR TOOLS

[Air hose includes couplings on both sides. Tools do not include air hose which is separate item]

From and not including (cubic feet)—		Per month	Per week	Per day
From and not including (cubic feet)—	To and including (cubic feet)—	Per month	Per week	Per day
Chippers.....	\$20.00	\$6.00	\$2.50	
Clay spades (1 scoop) small.....	20.00	10.00	2.50	
Clay spades (1 scoop) large.....	25.00	12.00	3.00	
Drifters.....	65.00	22.00	6.00	
Grinders.....	30.00	12.00	3.00	
Hoists-air 1 to 1,500 pounds inclusive, single drum.....	50.00	18.00	4.50	
Hoists-air 1,501 to 2,500 pounds inclusive, single drum.....	65.00	22.00	5.50	
Hoists-air 1,500 to 2,500 pounds inclusive, double drum.....	80.00	27.00	6.50	
Hose-air up to and including $\frac{1}{2}$ inch per 50' length.....	5.00	2.50	1.00	
Hose-air over $\frac{1}{2}$ to 1 inch per 50' length.....	6.00	3.00	1.50	
Hose whip.....	3.00	1.00	.50	
Jackhammer 1 to 50 lbs. inclusive.....	30.00	14.00	3.50	
Jackhammer 51 to 68 lbs. inclusive.....	35.00	16.00	3.75	
Jackhammer 69 to 80 lbs. inclusive.....	40.00	18.00	4.00	
Mounted jackhammer.....	60.00	20.00	5.00	
Paving breakers 1 to 69 pounds, inclusive.....	30.00	14.00	3.50	
Paving breakers 70 to 90 pounds, inclusive.....	35.00	15.00	3.50	
Rivet buckerup.....	14.00	5.00	1.50	
Rivet hammers.....	25.00	10.00	3.50	
Saws-air.....	50.00	20.00	5.00	
Sheeting drivers-air.....	54.00	18.00	4.50	
Stoppers.....	60.00	20.00	5.00	
Tampers.....	25.00	12.50	3.50	
Wagon drills (with air hoist).....	165.00	50.00	10.00	

DRILL STEELS

Drill steels have rose point bits or are threaded for jack-bits.

Rates include threads on steel.

From and not including—	To and including—	Diameter	Per month	Per week
Feet	Feet	Inches		
3.....	7 $\frac{1}{2}$	7 $\frac{1}{2}$	\$1.00	\$0.50
5.....	7 $\frac{1}{2}$	1.25	.60	
5.....	7.....	2.00	.80	
7.....	9.....	2.25	1.00	
9.....	11.....	2.50	1.25	

c. The table for "Brooms, Road Towed" is amended to read as follows:

BROOMS, ROAD, TOWED

(Brush wear may be invoiced in addition to rental rate)

ENGINE-DRIVEN

Per month	Per week	Per day
\$82.00	\$27.25	\$6.80

TRACTION-DRIVEN

Per month	Per week	Per day
\$64.00	\$21.25	\$5.25

h. Under the general heading of "Derricks" the headings of the tables for "Stiff Leg-With Sills" and "Stiff Leg-Without Sills" are amended to read "Stiff Leg Steel, With Sills" and "Stiff Leg Steel, Without Sills" and the tables for "Circle Swing", "Pole", "Setter" and "Tripod" are amended to read as follows:

CIRCLE SWING

Maximum rental prices calculated upon the basis of these rates shall apply to equipment with the following items: winch, cable, and load block.

From and not including (pounds)—	To and including (pounds)—	Per month	Per week	Per day
1,400.....	1,400.....	\$15.00	\$5.00	\$1.50
2,200.....	2,200.....	17.00	6.00	1.50
2,200.....	3,000.....	20.00	7.00	2.00

POLE

[Maximum rental prices calculated upon the basis of these rates shall apply to the above equipment with the following items: winch, cable, and load block]

	Per month	Per week	Per day
4 x 6—22 foot.....	\$10.00	\$4.00	\$2.00
6 x 6—22 foot.....	12.50	4.00	4.00
6 x 8—22 foot.....	15.00	4.50	4.50
8 x 8—22 foot.....	17.50	5.00	5.00

SETTER

[Maximum rental prices calculated upon the basis of these rates shall include winch, cable, and load block]

	Per month	Per week	Per day
22-foot top point.....	\$15.00	\$5.00	\$3.00
22-foot regular.....	15.00	5.00	3.00

TRIPOD

[Maximum rental prices calculated upon the basis of these rates shall apply to equipment with the following items included: cable, load block, and hand winch]

Width	Capacity	Per month	Per week	Per day
12 feet.....	2-4,000 pounds.....	\$20.00	\$7.00	\$2.00
14 feet.....	2-4,000 pounds.....	25.00	8.50	2.00

i. The tables for "Drills, Rotating" are amended to read as follows:

DRILLS, ROTATING

AIR, CLOSE-QUARTER

Inches	Per month	Per week
7 $\frac{1}{2}$	\$15.00	\$5.00
1 $\frac{1}{4}$	25.00	8.50
2.....	35.00	12.00

AIR, METAL

	Per month	Per week
7 $\frac{1}{2}$	\$12.00	\$4.00
7 $\frac{1}{2}$	15.00	5.00
1 $\frac{1}{4}$	25.00	8.50
2.....	35.00	12.00
3.....	40.00	13.00

The above rates are based on crusher being furnished with good, serviceable manganese jaws. Lessor may require Lessee to return equipment with jaws in the same condition.

These crusher rates do not include such equipment as elevators, screens, or motive power. Elevators and screens are not generally rented. When they are rented the maximum monthly rate shall not exceed 10 per cent of the highest maximum price established by any regulation issued by the Office of Price Administration for the sale of the nearest equivalent new elevators and screens to any domestic class of purchasers.

The maximum weekly rate may not exceed one-third of the maximum monthly rate; the maximum daily rate shall not exceed one-twelfth of the maximum monthly rate.

DRILLS, ROTATING—Continued
AIR, WOOD

From and not including (inches)—	To and including (inches)—	Per month	Per week
1	1 1/2	\$10.00	\$3.50
1 1/4	3	20.00	7.00
3	5	20.00	10.00

Maximum rental prices calculated upon the basis of the above rates shall include equipment with boring chuck mandrel or plate for attaching or holding these items included.

Drill bits, augers, or grinding wheels are not included.

ELECTRIC

Maximum rental prices calculated upon the basis of these rates shall apply to equipment with standard length electric cable included.

Inches	Per month	Per week
1 1/4	\$6.00	\$2.00
1 1/2	8.00	2.75
1 3/4	11.00	3.75
2	12.00	4.00
2 1/4	13.00	4.25
2 1/2	17.00	5.75

j. In the footnote to the table for "Forms" the word "without" is amended to read "within".

k. The heading of the table for "Graders—Motor" is amended to read "Graders".

l. In the table for "Electric" under the heading of "Hammers" the figures "\$25.00" appearing in the last line of the column of rates "Per week" is amended to read "28.00".

m. The table for "Concrete" under the heading of "Heaters" is amended to read as follows:

CONCRETE

For mixer		Per month	Per week	Per day
From and not including (cubic feet)—	To and including (cubic feet)—			
7	21	\$25.00	\$8.00	\$2.50
		35.00	10.00	3.50

n. The tables for "Hoists" are amended to read as follows:

HOISTS

GASOLINE, SINGLE-DRUM

From and not including (horse-power)—	To and including (horse-power)—	Per month	Per week	Per day
8	8	\$35.00	\$12.00	\$3.00
14	14	55.00	18.00	4.50
22	22	60.00	20.00	5.00
29	29	75.00	25.00	6.50
42	42	95.00	32.00	8.00
42	55	130.00	43.00	11.00
55	65	140.00	47.00	12.00
67	78	160.00	53.00	13.00
78	92	190.00	63.00	16.00
92	112	250.00	83.00	21.00

GASOLINE, DOUBLE-DRUM

		\$80.00	\$27.00	\$7.00
22	28	100.00	33.00	8.50
28	45	125.00	42.00	10.50
45	55	160.00	53.00	13.00
55	65	175.00	58.00	15.00
65	75	185.00	62.00	16.00
75	90	220.00	73.00	18.00
90	110	270.00	90.00	22.00

HOISTS—Continued

GASOLINE, THREE-DRUM

From and not including (horse-power)—	To and including (horse-power)—	Per month	Per week	Per day
42	42	\$130.00	\$43.00	\$10.75
57	57	190.00	63.00	15.75
57	72	230.00	77.00	19.25
72	87	295.00	98.00	25.00
87	112	340.00	113.00	28.00
112	127	400.00	133.00	33.00

ELECTRIC, SINGLE-DRUM

[Electric hoist rates include grid resistor and drum-type controller and are based on normal range of line speeds]

	12	\$48.00	\$16.00	\$4.00
12	17	60.00	20.00	5.00
17	27	75.00	25.00	6.50
27	37	100.00	33.00	8.50
37	47	115.00	38.00	9.50
47	57	130.00	43.00	11.00
57	67	150.00	50.00	12.50
67	92	160.00	53.00	13.00
92	112	200.00	67.00	17.00
112	137	300.00	100.00	25.00
137	177	380.00	127.00	32.00
177	222	440.00	157.00	37.00

ELECTRIC, DOUBLE-DRUM

[Electric hoist rates include grid resistor and drum-type controller and are based on normal range of line speeds]

	12	\$58.00	\$19.00	\$5.00
12	17	72.00	24.00	6.00
17	27	90.00	30.00	7.50
27	37	120.00	40.00	10.00
37	47	138.00	46.00	11.50
47	57	156.00	52.00	13.00
57	67	171.00	57.00	14.00
67	92	192.00	64.00	16.00
92	112	240.00	80.00	20.00
112	137	350.00	117.00	29.00
137	177	450.00	150.00	37.00
177	222	525.00	175.00	44.00

ELECTRIC, THREE-DRUM

[Electric hoist rates include grid resistor and drum-type controller and are based on normal range of line speeds]

	37	\$123.00	\$41.00	\$10.25
37	47	165.00	55.00	13.75
47	57	185.00	62.00	15.50
57	67	235.00	78.00	20.00
67	82	295.00	98.00	25.00
82	112	360.00	120.00	30.00
112	137	485.00	162.00	40.00
137	177	545.00	182.00	45.00
177	222	620.00	207.00	52.00

STEAM, NO BOILERS, SINGLE-DRUM

HOISTS—Continued

STEAM, WITH BOILERS, SINGLE-DRUM

Size (inches)	Fees	
	Per month	Per week
4 3/4 x 6	\$60.00	\$20.00
7 x 10	100.00	33.25
8 3/4 x 10	125.00	41.75
9 x 10	137.00	45.75
10 x 12	174.00	58.00

STEAM, WITH BOILERS, DOUBLE-DRUM

	Per month	Per week
7 x 10	\$125.00	\$41.75
8 3/4 x 10	150.00	50.00
9 x 10	162.00	54.00
10 x 12	199.00	66.25

STEAM, WITH BOILERS, THREE-DRUM

	Per month	Per week
7 x 10	\$150.00	\$50.00
8 3/4 x 10	175.00	58.25
9 x 10	187.00	62.25
10 x 12	224.00	74.75

AIR

Size	Per month	Per week	Per day
1 to 1,500 pounds, inclusive, single drum	\$50.00	\$18.00	\$4.50
1,501 pounds to 2,500 pounds, inclusive, single drum	65.00	22.00	5.50
1,500 pounds to 2,500 pounds, inclusive, double drum	80.00	27.00	6.50

Air-hoist rates do not include hose.

CHAIN

From and not including (tons)—	To and including (tons)—	Per month	Per week	Per day
1 1/2	1 1/2	\$15.00	\$5.00	\$1.50
2	2	20.00	7.00	2.00
2 1/2	2 1/2	25.00	8.50	2.00
3	3	30.00	10.00	2.50
3 1/2	3 1/2	50.00	17.00	4.50
4	4	30.00	20.00	5.00

o. The tables for "Hose, Discharge", "Hose, Jetting" and "Hose-Suction" are amended to read as follows:

HOSE

DISCHARGE—COUPLINGS ATTACHED

Diameter (inches)	Length (feet)	Per month	Per week	Per day
1 1/2	10	\$2.00	0.65	\$0.15
	15	2.75	.90	.25
	20	3.75	1.25	.30
2	10	2.45	.80	.20
	15	3.50	1.15	.30
	20	4.75	1.60	.40
2 1/2	10	3.20	1.05	.25
	15	4.30	1.45	.35
	20	6.00	2.00	.50
3	10	4.00	1.35	.30
	15	4.65	1.55	.40
	20	6.75	2.25	.55
4	10	5.20	1.75	.45
	15	7.15	2.40	.60
	20	9.00	3.00	.75
6	10	11.20	3.75	.90
	15	15.30	5.10	1.30
	20	20.00	6.65	1.65

For lengths greater than 20 feet the maximum rental rate shall be the product of the length in feet and $\frac{1}{20}$ of the rate for a 20-foot length.

HOSE—CONTINUED
JETTING—COUPLINGS ATTACHED

Diameter (inches)	Length	Per month	Per week
2½	Per foot	\$0.33	\$0.11
3	Per foot	.90	.30

SUCTION—COUPLINGS ATTACHED

Diameter (inches)	Length (feet)	Per month	Per week	Per day
1½	10	\$3.40	\$1.10	\$0.30
1½	12	4.00	1.30	.35
1½	15	4.80	1.60	.40
1½	20	6.25	2.10	.50
2	10	4.20	1.40	.35
2	12	4.90	1.60	.40
2	15	6.00	2.00	.50
2	20	7.75	2.60	.65
2½	10	5.25	1.75	.45
2½	12	6.10	2.00	.50
2½	15	7.40	2.50	.60
2½	20	9.60	3.20	.80
3	10	6.00	2.00	.50
3	12	7.00	2.30	.60
3	15	8.50	2.80	.70
3	20	11.00	3.75	.90
4	10	8.00	2.75	.65
4	12	9.40	3.10	.80
4	15	11.25	3.75	.95
4	20	14.50	4.80	1.20
6	10	16.50	5.50	1.40
6	12	22.00	7.20	1.80
6	15	23.00	7.75	1.95
6	20	30.00	10.00	2.50

For lengths greater than 20 feet the maximum rate shall be the product of the length in feet and $\frac{1}{2}$ of the rate for 20-foot lengths.

p. The footnote to the tables for "Jacks" is deleted and inserted as a headnote at the beginning of the tables and is amended to read as follows:

The following rates are maximum regardless of the number of hours used within the rental period.

q. Under the general heading of "Mixers-Bituminous", the heading of the table for "Travelling Bituminous Plant-Non-Self Propelling-Gasoline or Diesel (Without Dryer and Gradation Control Units)" is amended to read as follows:

"Travelling Bituminous Plant-Non-Self-Propelling, Gasoline or Diesel Engine (Without Dryer or Gradation Control Unit)".

r. The table for "Portable" under the heading of "Mixers, Concrete" is amended to read as follows:

PORTABLE

Size (cubic feet)	Per month	Per week	Per day
4½ and under, low charger	\$35.00	\$12.00	\$3.00
4½ and under, power charger	47.00	15.00	4.00
Over 4½ to 6, inclusive, low charger	52.00	17.50	4.50
Over 4½ to 6, inclusive, power charger	65.00	21.00	5.00
Over 6 to 8½, inclusive, low charger	71.00	24.00	6.00
Over 6 to 8½, inclusive, power charger	85.00	28.00	7.00
Over 8½ to 12, inclusive, low charger	90.00	30.00	7.50
Over 8½ to 12, inclusive, power charger	120.00	40.00	10.00
Over 12 to 16, inclusive, power charger	155.00	52.00	13.00
Over 25 to 30, inclusive, batch hopper	210.00	70.00	17.50
Add for batchmeter ¹	5.00	3.00	.50
Add for pump	4.00	1.50	.50

¹ Rates include measuring tank but do not include batchmeter or pump.

s. The footnotes to the tables for "Squirrel Cage" and "Constant or Variable Speed, Wound Rotor (Slip Ring Type)" under the heading of "Motors-Electric" are respectively amended to read as follows:

A maximum of 10 percent of the highest maximum price established by any regulation issued by the Office of Price Administration for the sale of the nearest equivalent new motor starting equipment to any domestic class of purchasers, may be added to each month's rental rate when motor starting equipment is included with the motor. The maximum weekly rate shall not exceed one-third of the maximum monthly rate; the maximum daily rate shall not exceed one-twelfth of the maximum monthly rate.

t. In the heading of the table for "Pump For Hydraulic Tractor Accessories" the word "Hydraulic" is stricken out.

u. In the table for "Jetting (Self Priming)" under the heading of "Pumps" the letters "G. P. M." appearing at the top of the first column are stricken out.

v. In the tables for "Intermediate Type-Maximum Live Load 3500 Pounds or 28 Cubic Feet-Concrete Bucket-2 or 3 Wheelbarrows (Single Tower)", under the heading of "Towers, Steel Tubular", the figures "10.00" appearing in the sixth line of the column for rates "Per week", opposite the figures "123'6'", are amended to read "19.00".

w. In the table for "Crawler-Gasoline Engine", under the heading of "Tractors", the figures "525.00" appearing in the fifth line of the column of rates "Per month", opposite the figures "66---85", are amended to read "425.00".

x. The heading of the table for "Rigid Type", under the general heading of "Vibrators", is amended to read "Pneumatic Powered-Rigid Type".

6. Section 1399.16 (b) (2) is amended to read as follows:

(2) Determination of truck capacities and application of the foregoing rates shall be governed by the provisions of paragraphs (a) (2), (3), (4), and (9) of this section.

This amendment shall become effective September 16, 1943.

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

Issued this 10th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14830; Filed, September 10, 1943; 4:42 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[R.O. 17¹; Amdt. 361]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith,

¹ 8 F.R. 1749, 2040, 2487, 2943, 3315, 3371, 3853, 4129, 3948, 4716, 5589, 5678, 5679, 5567, 5756, 6046, 6687, 7198, 7261, 8061, 8064, 8357, 8601, 9062, 9422, 9567, 9884, 10269, 10762, 11445, 11515.

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

Ration Order 17 is amended in the following respects:

1. Section 1.4b (c) is amended by adding to the end of the first sentence the following: "or, if OPA Form R-1708A is used, the date of the end of the valid period of the current War ration shoe stamp."

2. Section 1.5 (c) is amended to read as follows:

(c) If a special shoe stamp is issued, the Board will write on it the serial number of the applicant's War Ration Book then being used for shoes or, if the applicant has no book, the words "No book." If the application is for a stamp to secure safety shoes the words "Safety shoes" shall be written on the stamp. If OPA Form R-1708 is used, the Board shall write on it the date of its issue. If OPA Form R-1708A is used it shall write on it the date of its expiration for consumer use, which is 30 days after the date it is issued.

3. Section 1.6 is amended by deleting the first sentence and substituting instead the following:

A consumer who gets a special shoe stamp in a way permitted by this order may use it within 30 days from the date it was issued to get one pair of shoes. Where the use to which a special shoe stamp may be put is specified on the stamp, it shall not be valid for any other use by the consumer.

4. Section 1.7a (b) is amended by adding after the first sentence the following:

The person or committee so appointed shall have no connection with the sale of safety shoes and the place at which stamps are issued may not be in the same part of the plant as a location where safety shoes are sold.

5. Section 1.7a (b) is amended by deleting the second sentence and substituting instead the following:

When a stamp is issued to an employee by such person (or committee), he shall write on it the words "Safety shoes", and the number of the employee's war ration book or, if the employee does not have a war ration book, he shall write on it the words, "No book". If OPA Form R-1708 is used, he shall write on it the date of its issue. If OPA Form R-1708A is used, he shall write on it the date of its expiration for consumer use, which is 30 days after the date it is issued.

6. Section 1.10 (a) is amended to read as follows:

(a) Any consumer may return new shoes to the establishment from which he got them and with the latter's consent may get another pair in exchange or may get back a special shoe stamp if the establishment accepts the shoes returned and also refunds the full purchase price. If the establishment gives

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

him a special shoe stamp on OPA Form R-1708, it shall write on the stamp the date it is issued. If OPA Form R-1708A is used, the establishment shall write on the stamp the date of its expiration for consumer use, which is 30 days from the date it is issued.

7. Section 2.7 (a) is amended by adding before the last sentence the following:

Where the use to which a special shoe stamp may be put is specified on the stamp, it shall not be valid for any other use by the consumer.

8. Section 2.10 (a) is amended by deleting the third sentence and substituting instead the following:

If a stamp on OPA Form R-1708 is refunded, the establishment shall write on it the date it is issued. If OPA Form R-1708A is used, it shall write on the stamp the date of its expiration for consumer use, which is 30 days from the date it is issued.

This amendment shall become effective September 15, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.; WPB Directive 1, 7 F.R. 562, Supp. Directive 1-T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

Issued this 10th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14831; Filed, September 10, 1943; 4:43 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17.¹ Amdt. 37]

SHOES

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

Ration Order 17 is amended in the following respects:

1. Section 1.2 is amended by designating the material in the section as paragraph (a) and adding paragraph (b) to read as follows:

(b) Any consumer who has inadvertently detached a shoe stamp from his War Ration Book or who did so without knowing this action rendered the stamp void for over-the-counter transfers, may surrender it to the Board during the time it is valid for shoes and the Board may issue him a special shoe stamp in exchange.

2. Section 1.3 is amended by deleting from the first sentence the words "Ration Order No. 12 (coffee)" and substituting instead the words "General Ration Order No. 5".

3. Section 1.4 is amended by deleting from the first sentence the following:

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

¹8 F.R. 1749, 2040, 2487, 2943, 3315, 3371, 3851, 4129, 3948, 4716, 5589, 5678, 5679, 5867, 5756, 6046, 6607, 7198, 7261, 8060, 8064, 8357, 8601, 9062, 9422, 9884, 10289, 10762, 11515.

"(or temporary shoe purchase certificates)".

4. Section 1.4a is amended by deleting from the first sentence the following: "(or temporary shoe purchase certificates)".

5. Section 1.5 (a) is amended by deleting from the first sentence the following: "(or temporary shoe purchase certificate)" and by deleting the fourth sentence (in parenthesis).

6. Section 1.5 (c) is amended by deleting from the first sentence the following: "(or temporary shoe purchase certificate)" and by deleting all of the last sentence.

7. Section 1.7a (a) is amended by deleting from the first sentence the following: "(or temporary shoe purchase certificates)".

8. Section 1.7a (c) is revoked.

9. Section 1.8 is amended by deleting from the first sentence the following: "(including a temporary shoe purchase certificate)".

10. Section 1.9 is revoked.

11. Section 1.10 (a) is amended by deleting the matter in parenthesis.

12. Section 1.10 (b) is amended by deleting from the first sentence the following: "(or a Temporary shoe purchase certificate)".

13. Section 1.11 is amended by deleting the following: "(Before the regular forms are available the District Office or National Office will issue temporary shoe purchase certificates and the welfare agency may apply by writing a letter to the District or National Office showing the need for shoes)".

14. Section 1.12 is amended by deleting the designation "(a)" before the material in paragraph (a) and deleting all of paragraph (b).

15. Section 2.1 is revoked.

16. Section 2.2 is revoked.

17. Section 2.9 (a) is amended by deleting from the second sentence the following: "(including the temporary shoe purchase certificate)".

18. Section 2.10 is amended by deleting the last sentence (in parenthesis).

19. Section 3.5 (a) (2) is amended by deleting the words "Board of Economic Warfare" and substituting instead the words "Office of Economic Warfare."

20. Section 3.6 (b) (11) is amended by deleting the words "Board of Economic Warfare" and substituting instead the words "Office of Economic Warfare".

21. Section 3.10 is amended by deleting the words "State Director, District Manager" and substituting instead the words "District Director."

22. Section 3.13 (a) is amended by deleting from the definition of "Certificate" the words "or a temporary shoe purchase certificate, or both, as the language indicates"; deleting from the definition of "Ration currency" the words "temporary shoe purchase certificates"; and deleting the definition of "Temporary shoe purchase certificate".

This amendment shall become effective September 15, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 421, and 507, 77th Cong.;

WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

Issued this 10th day of September, 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14832; Filed, September 10, 1943; 4:43 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13.¹ Amdt. 64]

PROCESSED FOODS

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

Ration Order 13 is amended in the following respects:

1. Section 2.4 (d) is amended by inserting, between the first and the second sentence, the following sentence:

However, a consumer may give up the certificate at or before the time when the processed foods are acquired.

2. Section 9.4 (c) is amended by adding the following sentence:

(Exceptions to this rule are covered in paragraphs (f) and (g) of this Section.)

3. Section 9.4 (f) is amended by adding the following sentence:

A certificate may be accepted from a consumer at or before the time when the processed foods are transferred.

This amendment shall become effective September 15, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 10th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14833; Filed, September 10, 1943; 4:43 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16.² Amdt. 63]

MEATS, FATS, FISH AND CHEESES

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

Section 4.11 (b) is amended by deleting the fifth sentence and inserting in its place the following:

A primary distributor who reports on OPA Form R-1609 must file the report

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

¹8 F.R. 11048, 11383, 11483, 11563, 11513, 11753.

²8 F.R. 6446, 6614, 6620, 6637, 6640, 6960, 6961, 7115, 7268, 7281, 7455, 7492, 8357, 8540, 8614, 8844, 8869, 9014, 9025, 9217, 9305, 9888, 10085, 10511, 10665, 10763, 11563, 11513, 11754.

within fifteen days after the end of the reporting period it covers. A primary distributor who reports on OPA Form R-1606 must file the report within thirty days after the end of the reporting period it covers, but he may not file the report before the sixteenth day after the end of that period unless he has received all points due him for the transfers reported for that period and has paid all points owed by him for the acquisitions reported for that period.

This amendment shall become effective September 30, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 10th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14834; Filed, September 10, 1943; 4:42 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,¹ Amdt. 64]

MEAT, FATS, FISH AND CHEESES

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

Ration Order 16 is amended in the following respects:

1. Section 2.3 (d) is amended by inserting, between the first and the second sentence, the following sentence:

However, a consumer may give up the certificate at or before the time when the foods are acquired.

2. Section 10.4 (e) is amended by adding the following sentence:

(Exceptions to this rule are covered in paragraphs (h), (i) and (j) of this section.)

3. Section 10.4 (h) is amended by adding the following sentence:

A certificate may be accepted from a consumer at or before the time when the foods are transferred.

This amendment shall become effective September 15, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 10th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14837; Filed, September 10, 1943; 4:41 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,¹ Amdt. 16 to Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (j) is added to read as follows:

(j) For the allotment period from October 1, 1943 through December 31, 1943 the commodity groups and the industrial user factors, referred to in section 7.6 (c) of Ration Order 16, are as follows:

Commodity groups: Factors

(1) Meat commodity groups:	
(i) Bone in and separated suet	3.9
(ii) Boned and boneless (and canned meat and canned fish)	5.1
(iii) Edible offal (include only hearts, livers, tongues, and sweet-breads)	2.0
(iv) Edible bones	0.0
(2) Cheese commodity groups:	
(i) American cheese (cheddar)	4.5
(ii) All other "rationed cheeses"	4.0
(3) Fats and oils commodity groups:	
(i) Butter	9.0
(ii) Margarine	4.0
(iii) Lard	3.0
(iv) Shortening	4.0
(v) Cooking and salad oils	4.0

This amendment shall become effective September 14, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 10th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14838; Filed, September 10, 1943; 4:39 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 288,² Amdt. 8]

SPECIFIC MAXIMUM PRICES IN ALASKA

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.*

§ 1418.355 (a) (6) is added to read as follows:

¹ 8 F.R. 3591, 3714, 4892, 5408, 5758, 6840, 7264, 7456, 7492, 8869, 9203, 10090, 10728, 11688.

² 7 F.R. 10581, 11012; 8 F.R. 23, 567, 2158, 2445, 6964, 3844, 8184.

(6) "Maximum price", except where the context otherwise requires, means the maximum price established by Maximum Price Regulation 288: *Provided, however, That where pennies are not generally used or available in the course of ordinary retail transactions, adjustments to the nearest nickel may be made by the seller on the total of the combined purchase prices of one or more commodities sold at a single sale, or the total of the combined purchase prices of one or more commodities sold in a series of sales but billed at the end of a period; that the prices of all commodities shall be posted according to the "maximum price" as herein defined.*

This amendment shall become effective September 16, 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 10th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14839; Filed, September 10, 1943; 4:40 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[Rev. MPR 183,¹ Amdt. 5]

PUERTO RICO

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

Revised Maximum Price Regulation 183 is amended in the following respects:

1. Section 45 Table 37 is amended by adding the item "Smoked ham, skinned" to the category "Pork" to read as follows:

	Sales to whole- salers	Sales at whole- sale	Sales at retail
	Price per pound \$0.36	Price per pound \$0.40	Price per pound \$0.48
Smoked ham, skinned			

2. Section 50 is added to read as follows:

SEC. 50. Maximum prices for certain fresh vegetables sold or delivered in the Territory of Puerto Rico.

TABLE 41.—MAXIMUM PRICES FOR FRESH VEGETABLES IMPORTED FROM THE CONTINENTAL UNITED STATES

	Sales to whole- salers	Sales at wholesale		Sales at retail
		At sellers ware- house	Deliv- ered to retailer	
Potatoes	Per 100 pounds \$4.65	Per 100 pounds \$5.00	Per 100 pounds \$5.10	Per pound \$0.07

This amendment shall become effective as follows:

1 8 F.R. 9532, 10763, 10906, 10937, 11437, 11847.

*Copies may be obtained from the Office of Price Administration

¹ 8 F.R. 6446, 6614, 6620, 6687, 6840, 6960, 6961, 7115, 7268, 7281, 7455, 7492, 8357, 8540, 8614, 8844, 8869, 9014, 9025, 9217, 9305, 9886, 10085, 10511, 10665, 10763, 11563, 11513, 11754.

(a) As to section 45, as of August 26, 1943.

(b) As to section 50, as of August 23, 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 10th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14840; Filed, September 10, 1943; 4:40 p. m.]

PART 1443—BRASS MILL PRODUCTS AND SERVICES

[MPR 408, Amdt. 1]

DISTRIBUTORS' PRICES FOR BRASS MILL PRODUCTS AND SERVICES

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

Section 5 is amended by adding the following sentences at the end of the section as now in effect:

However, there are cases in which the distributor obtains a brass mill product from a producer whose price for the product is not listed in the above catalogs or is different from that in the above catalog. In such a case, "mill list price" shall mean the particular price paid by the distributor to the specific producer for the product in question, even though that price differs from the catalog price of other producers of the same product. Where Rule 1, 2 or 3 under section 8 (b) of this Regulation No. 408 is applied to such a mill list price (that is, a price other than one of the above catalog prices) the mill list price to be used shall be the particular price paid for the product in question instead of the mill list price on the first day of the month preceding the current pricing.

This amendment shall become effective September 16, 1943.

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

Issued this 10th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14841; Filed, September 10, 1943; 4:40 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 1-4, Amdt. 2]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN DESIGNATED COUNTIES IN MASSACHUSETTS

For the reasons set forth in a statement of considerations issued simultaneously herewith, Restaurant Maximum

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

¹8 F.R. 8601.

Price Regulation No. 1-4 is hereby amended in the following respects:

1. Section 7 (f) is amended by the addition of the following subparagraph:

(5) If you operate a hotel, you may discontinue offering distilled liquor in bottles and you may sell such liquor only by the drink if your purpose is to conserve and ration in good faith your inventory and available liquor. If you do so, you must not discriminate among customers, nor use this permission to discontinue bottle sales as a means of getting a higher price for the commodity. You must continue, however, at all times to make a list of your bottle prices available to your customers.

2. Section 13 is amended to read as follows:

SEC. 13. Relation to other maximum price regulations. The provisions of this regulation shall supersede other regulations, including the General Maximum Price Regulation, now or hereafter issued by the Office of Price Administration, insofar as they establish maximum prices for meals and food items sold by eating and drinking places. However, a price charged during the base period of this regulation shall not become a maximum price under this regulation to the extent that it exceeded the maximum price established by another regulation applicable at that time.

This amendment shall become effective September 1, 1943.

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

Issued this 27th day of August 1943.

F. L. H. SJOSTROM,
Acting District Director.

[F. R. Doc. 43-14842; Filed, September 10, 1943; 4:41 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. Supp. Reg. 14, ¹ to GMPR, ² Amdt. 25]

READY-MADE GLASS CURTAINS

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 3.7 to read as follows:

SEC. 3.7 Sales of ready-made glass curtains by manufacturers. The maximum price for the sale by a manufacturer of any ready-made glass curtains heretofore subject to § 1499.2 (a) (1) of the General Maximum Price Regulation (except lace curtains and curtains woven on a Nottingham loom) shall be the maximum price established for such curtains by § 1499.2 (a) (1) adjusted by adding thereto (i) the difference between the cost of materials used in the same

¹8 F.R. 8787, 9880, 10432, 10566, 10433, 10566, 10668, 10731, 10759, 10763, 10939, 10674, 10984, 10758, 11174, 11183, 11217, 11215, 11479, 11572, 11754, 11873.

²8 F.R. 3096, 3849, 4347, 4724, 4486, 4848, 4978, 6047, 6962, 8511, 9025, 9991, 11955.

curtains delivered during March 1942 and the prevailing ceiling price for such materials, as determined under the applicable regulation, at the time the sales contract for the curtains is made; and (ii) the difference between the cost of labor used in manufacturing the same curtains delivered during March 1942 and the cost of labor used, or which would have been used, in manufacturing the same curtains between September 1 and 15, 1942. A maximum price determined in accordance with the foregoing shall be deemed a maximum price established under § 1499.2 (a) (1) for the purposes of § 1499.3 (b) (1) of the General Maximum Price Regulation.

This amendment shall become effective September 16, 1943.

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

Issued this 10th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14843; Filed, September 10, 1943; 4:39 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 55]

GROCERY PRODUCTS AND TOBACCO

A statement of the reasons for the issuance of this Supplementary Order has been issued simultaneously herewith and filed with the Division of the Federal Register.*

It is hereby ordered, That:

§ 1305.81 Amendment of preamble of certain maximum price regulations covering grocery products and tobacco with respect to use of specifications and standards. (a) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

Regulation and Federal Register Citations

RPS 50; 7 F.R. 1305, 2132, 2945, 5462, 6387, 6685, 8948, 1047; 8 F.R. 5477.

RPS 51; 8 F.R. 2335, 5633.

RPS 52; 7 F.R. 1308, 2132, 8948.

RPS 16; 7 F.R. 1239, 2133, 2132, 8948; 8 F.R. 6842.

RPS 60; 7 F.R. 1320, 2132, 2510, 5664, 6787, 8928, 8949, 8948; 8 F.R. 5809, 6044, 6424, 9288, 10079.

RPS 91; 8 F.R. 1981, 3178.

MPR 227; 7 F.R. 7531, 8948; 8 F.R. 1971, 3197, 6445.

MPR 231; 7 F.R. 7844, 8948, 9130.

MPR 233; 8 F.R. 4632, 4628.

MPR 242; 7 F.R. 8354, 10108.

RMPR 270; 8 F.R. 1061, 2335, 3106, 3370, 4732, 5810, 9335, 10986.

RMPR 271; 8 F.R. 7017, 7494, 8075, 9160, 10731.

MPR 283; 8 F.R. 4841, 7260, 10988.

MPR 291; 7 F.R. 11002; 8 F.R. 2718, 2714, 3621, 6618.

MPR 292; 8 F.R. 135, 543, 2869, 3367, 6134, 10432.

MPR 308; 8 F.R. 1136, 7260.
 MPR 312; 8 F.R. 1266, 2032, 4841, 6052, 6445, 8844.
 RMPR 335; 8 F.R. 6834, 10264, 10987.
 MPR 362; 8 F.R. 4519.
 MPR 363; 8 F.R. 4260.
 MPR 428; 8 F.R. 10358.
 MPR 440; 8 F.R. 10264.
 MPR 441; 8 F.R. 10443.

(b) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

Regulation and Federal Register Citations

MPR 275; 7 F.R. 9955; 8 F.R. 542, 1228, 2337, 3947, 8502, 9218.

This supplementary order shall become effective September 11, 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 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14877; Filed, September 11, 1943; 11:56 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 56]

GRAINS AND FERTILIZERS

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

It is hereby ordered, That:

§ 1305.82 Amendment of preamble of certain maximum price regulations covering certain grains and fertilizers with respect to use of specifications or standards. (a) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

Regulation and Federal Register Citations

Revised Price Schedule No. 73; 7 F.R. 2475, 2637, 8591; 8 F.R. 877, 9286.

Revised Maximum Price Regulation No. 74; 8 F.R. 9226, 10905.

Revised Maximum Price Regulation No. 135; 8 F.R. 1459, 3621, 8540, 10572.

Revised Maximum Price Regulation No. 150; 8 F.R. 4788, 10758.

Maximum Price Regulation No. 205; 7 F.R. 6482, 8948, 3255.

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

Maximum Price Regulation No. 240; 7 F.R. 8283, 8948; 8 F.R. 3056, 3370.
 Maximum Price Regulation No. 315; 8 F.R. 1586, 2350, 4187.
 Revised Maximum Price Regulation No. 370; 8 F.R. 10733.
 Maximum Price Regulation No. 401; 8 F.R. 7567, 9774.
 Maximum Price Regulation No. 404; 8 F.R. 8087.
 Maximum Price Regulation No. 442; 8 F.R. 10736.
 Maximum Price Regulation No. 443; 8 F.R. 10759.
 Maximum Price Regulation No. 444; 8 F.R. 10903.

(b) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation have previously been promulgated and their use lawfully required by another Government agency.

Regulation and Federal Register Citations

Maximum Price Regulation No. 331; 8 F.R. 2343, 2781, 3837.

Maximum Price Regulation No. 397; 8 F.R. 6840, 7392, 10757.

Revised Maximum Price Regulation No. 346; 8 F.R. 4924, 7354, 8186, 9300.

(c) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

Regulation and Federal Register Citations

Maximum Price Regulation No. 296; 8 F.R. 158, 612, 2598, 3703, 7567, 7599, 8544, 9159, 10362, 10758.

Maximum Price Regulation No. 298; 8 F.R. 365, 5589, 6440.

Revised Maximum Price Regulation No. 322; 8 F.R. 8500.

This supplementary order shall become effective September 11, 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 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14878; Filed, September 11, 1943; 11:57 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 57]

DAIRY AND POULTRY PRODUCTS

A statement of the reasons for the issuance of this supplementary order has been issued simultaneously herewith and filed with the Division of the Federal Register.*

§ 1305.83 Amendment of preamble of certain maximum price regulations covering dairy and poultry products with respect to use of specifications or standards. (a) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected or had previously been promulgated and their use lawfully required by another Government agency.

Regulation and Federal Register Citations

MPR 280; 8 F.R. 5165, 7566, 6357, 7196, 7699, 7670, 8065, 8180, 9521, 9386, 9883, 10513.

MPR 289; 7 F.R. 10996; 8 F.R. 490, 1458, 1885, 1972, 3252, 3327, 4335, 4513, 4337, 4338, 4918, 6440, 7586, 7593, 8276, 8751, 9380, 9229, 10667.

MPR 329; 8 F.R. 2038, 2874, 3252, 3621, 4726, 5933, 5907, 5933, 6737, 8063, 9884, 10731.

(b) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

Regulation and Federal Register Citations

RMPR 269; 7 F.R. 10708, 10864, 11118; 8 F.R. 567, 856, 878, 2239, 3318, 3419, 3792.

MPR 333; 8 F.R. 2488, 3002, 3070, 3735.

(c) The following preamble is added to Supplementary Regulation No. 14A (8 F.R. 9885, 10514):

Supplementary Regulation No. 14A to the General Maximum Price Regulation contains all the provisions relating to milk and milk products which were formerly contained in Supplementary Regulation No. 14. Supplementary Regulation No. 14A adjusts maximum prices for fluid milk and fluid cream sold at retail and at wholesale in glass or paper containers and also adjusts maximum prices for ice cream and ice cream mix sold at wholesale and retail.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected or have previously been promulgated and their use lawfully required by another Government agency.

This supplementary order shall become effective September 11, 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 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14879; Filed, September 11, 1943; 11:57 a. m.]

PART 1305—ADMINISTRATION
[Supp. Order 58]PETROLEUM PRODUCTS AND ASPHALT AND
ASPHALT PRODUCTS

A statement of the reasons for the issuance of this supplementary order has been issued simultaneously herewith and filed with the Division of the Federal Register.*

It is hereby ordered, That:

§ 1305.84 Amendment of preamble of certain maximum price regulations covering petroleum products and asphalt and asphalt products. (a) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

Regulation and Federal Register Citations

Revised Price Schedule No. 88; 8 F.R. 3718.
Maximum Price Regulation No. 137; 8 F.R. 4092, 4511, 4335, 5583, 6120.

Maximum Price Regulation No. 323; 8 F.R. 2101, 3841, 5383, 6109.

Revised Price Schedule No. 42; 7 F.R. 2000, 2132, 3430, 4853, 8202, 8948, 8783; 8 F.R. 5483.

This supplementary order shall become effective September 11, 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 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14880; Filed, September 11, 1943; 11:57 a. m.]

PART 1305—ADMINISTRATION
[Supp. Order 59]

CONSUMER DURABLE GOODS

A statement of the reasons for the issuance of this Supplementary Order has been issued simultaneously herewith and filed with the Division of the Federal Register.*

It is hereby ordered, That:

§ 1305.85 Amendment of preamble of certain maximum price regulations covering consumer durable goods with respect to use of specifications and standards. (a) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

Regulation and Federal Register Citations

Revised Maximum Price Regulation No. 213; 8 F.R. 150, 4850.

Maximum Price Regulation No. 380; 8 F.R. 5929, 7114.

Revised Maximum Price Regulation No. 139; 8 F.R. 3706, 5484, 9779, 10079.

Maximum Price Regulation No. 294; 8 F.R. 139, 3528, 8979.

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

(b) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected or have previously been promulgated and their use lawfully required by another Government agency.

Regulation and Federal Register Citations

Maximum Price Regulation No. 318; 8 F.R. 1682, 2029, 6476.

(c) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardizations, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

Regulation and Federal Register Citations

Maximum Price Regulation No. 372; 8 F.R. 5233.

Maximum Price Regulation No. 429; 8 F.R. 9877.

Revised Maximum Price Regulation No. 162; 8 F.R. 9779.

This Supplementary Order No. 59 shall become effective September 11, 1943.

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

Issued this 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14881; Filed, September 11, 1943; 11:58 a. m.]

PART 1305—ADMINISTRATION
[Supp. Order 60]

SPECIFIED BUILDING MATERIALS

A statement of the reasons for the issuance of this supplementary order has been issued simultaneously herewith and filed with the Division of the Federal Register.*

It is hereby ordered, That:

§ 1305.86 Amendment of preamble of certain maximum price regulations covering specified building materials with respect to use of specifications and standards. (a) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

Regulation and Federal Register Citations

Revised Price Schedule 45, as amended; 8 F.R. 1369, 3853, 5590.

Revised Price Schedule 96; 7 F.R. 1387, 2132, 3774, 5360, 8383, 8948.

Maximum Price Regulation 175; 7 F.R. 5188, 5310, 8948.

Maximum Price Regulation 206; 7 F.R. 6424, 8948, 8944; 8 F.R. 1813.

Maximum Price Regulation 224; 7 F.R. 7396, 8650, 8944, 9495; 8 F.R. 8275.

Maximum Price Regulation 272; 7 F.R. 9486, 8972, 10618; 8 F.R. 6356.

Maximum Price Regulation 382; 8 F.R. 6275, 8839, 10618.

(b) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation have previously been promulgated and their use lawfully required by another Government agency.

Regulation and Federal Register Citations

Revised Price Schedule 100; 7 F.R. 5182, 5276, 8383, 8948; 8 F.R. 6176.

(c) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected and have previously been promulgated and their use lawfully required by another Government agency.

Regulations and Federal Register Citations

Maximum Price Regulation 317; 8 F.R. 1800, 1983, 6357.

Maximum Price Regulation 413; 8 F.R. 8948, 9774.

(d) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

Regulation and Federal Register Citations

Maximum Price Regulation 416; 8 F.R. 8940.

This supplementary order shall become effective September 11, 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 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14882; Filed, September 11, 1943; 11:58 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 61]

LOGS, LUMBER, AND LUMBER PRODUCTS

A statement of the reasons for the issuance of this supplementary order has been issued simultaneously herewith and filed with the Division of the Federal Register.*

It is hereby ordered, That:

§ 1305.87 *Amendment of preamble of certain maximum price regulations covering logs, lumber, and lumber products with respect to use of specifications and standards.* (a) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

Regulation and Federal Register Citations

MPR 13—Douglas Fir Plywood; 7 F.R. 10017; 8 F.R. 1588, 2993, 4779, 5319.

MPR 19—Southern Pine Lumber; 8 F.R. 5536, 6619, 6544, 8948, 10732.

MPR 26—Douglas Fir Lumber; 8 F.R. 7570, 9519.

RPS 44—Douglas Fir Doors; 7 F.R. 1288, 7963, 8948.

MPR 94—Western Pine Lumber; 7 F.R. 10848; 8 F.R. 859, 1138, 4118, 7352, 8009, 8756.

MPR 97—Southern Hardwood Lumber; 8 F.R. 142, 3530, 5177; 5479, 8860, 10762.

MPR 146—Appalachian Hardwood Lumber; 7 F.R. 3776, 4179, 4852, 5520, 6053, 6998, 7600, 7747, 8198, 8350, 8384, 8948; 8 F.R. 3056, 5479, 9998.

MPR 155—Central Hardwood Lumber; 7 F.R. 4109, 7202, 7780, 8385, 8948; 8 F.R. 3056, 3848, 9417.

Regulation and Federal Register Citations

MPR 164—Red Cedar Shingles; 7 F.R. 4541, 8384, 8948; 8 F.R. 2876, 2992, 4514.

MPR 176—Rotary Cut Southern Hardwood Box Lumber; 7 F.R. 5180, 7243, 7454, 8949; 8 F.R. 2993, 4720, 7490.

MPR 186—Western Wooden Agricultural Containers; 8 F.R. 1591, 3529, 3842, 4479, 6177, 7505, 8505, 9778.

MPR 216—Railroad Ties; 7 F.R. 10782; 8 F.R. 434, 7268.

MPR 218—Eastern Wooden Mine Materials and Industrial Blocking; 7 F.R. 7824; 8 F.R. 493, 1028, 2887, 2993, 6362.

MPR 219—Northeastern Softwood Lumber; 8 F.R. 4948, 6620, 9779.

MPR 222—Northern Softwood Lumber; 8 F.R. 8362, 9382, 9779, 10937.

MPR 223—Northern Hardwood Lumber; 7 F.R. 7445, 8945; 8 F.R. 121, 2783, 5480, 5629, 8915, 10939.

MPR 253—Redwood Lumber and Millwork; 7 F.R. 9230, 10848; 8 F.R. 1139, 4136, 4720, 7197.

MPR 284—Western Primary Forest Products; 8 F.R. 6544, 10560.

MPR 290—Sitka Spruce Lumber; 8 F.R. 19, 2270, 6959.

MPR 293—Stock Millwork; 8 F.R. 167, 8947.

MPR 368—Northeastern Hardwood Lumber; 8 F.R. 4968, 8541, 10660.

MPR 381—Stock Screen Goods; 8 F.R. 6159, 7198.

MPR 402—Western Red Cedar Lumber; 8 F.R. 7662.

MPR 412—Tidewater Red Cypress; 8 F.R. 8712.

MPR 424—Tight Cooperage Stock and Sawed Tight Cooperage; 8 F.R. 9516.

MPR 432—Maple, Birch, and Beech Flooring; 8 F.R. 10079.

(b) The preambles of the price regulations listed below are amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected or have previously been promulgated and their use lawfully required by another Government agency.

Regulation and Federal Register Citations

MPR 109—Aircraft Spruce Lumber; 7 F.R. 10100; 8 F.R. 270, 2872, 4325, 4717, 6833, 8614. MPR 217—Walnut Gunstock Blanks; 7 F.R. 7244, 8946.

MPR 281—Navy Oak Ship Stock; 7 F.R. 10290; 8 F.R. 2107, 8678.

(c) The preamble of the price regulation listed below is amended by adding thereto the following sentence:

In so far as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or in so far as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

Regulation and Federal Register Citation

MPR 313—Prime Grade Hardwood Logs; 8 F.R. 1453, 2209, 2992, 5564, 6359, 10825.

This supplementary order shall become effective September 11, 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 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14883; Filed, September 11, 1943; 11:58 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 62]

IRON AND STEEL

A statement of the reasons for the issuance of this supplementary order has been issued simultaneously herewith and filed with the Division of the Federal Register.*

It is hereby ordered, That:

§ 1305.88 *Amendment of preamble of certain maximum price regulations covering iron and steel with respect to use of specifications and standards.* (a) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

Regulation and Federal Register Citations

Revised Price Schedule No. 6; 6 F.R. 2004, 3081; 7 F.R. 785, 930, 1215, 2132, 2153, 2299, 2997, 3115, 3841, 4780, 7240, 8948; 8 F.R. 6042, 6440, 7257.

Revised Price Schedule No. 10; 8 F.R. 1236, 2482, 4627.

Revised Price Schedule No. 41; 8 F.R. 2275, 3844, 8675, 9750.

Revised Price Schedule No. 43; 6 F.R. 65961; 7 F.R. 206, 618, 656, 1287, 2132, 4297, 8948, 10527; 8 F.R. 3188, 4968, 5809.

Maximum Price Regulation No. 46; 6 F.R. 6185; 7 F.R. 656, 809, 904, 1295, 2132, 2508, 3446, 8948, 10528; 8 F.R. 5529.

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

Revised Price Schedule No. 49; 8 F.R. 4608, 4542, 7257, 7595, 7769, 7909, 9750.

Maximum Price Regulation No. 113; 7 F.R. 2680, 2760, 4854, 8948, 10108; 8 F.R. 4644.

Maximum Price Regulation No. 147; 7 F.R. 3808, 3905, 8948; 8 F.R. 8361.

Maximum Price Regulation No. 159; 7 F.R. 4339, 4428, 5710, 8948; 8 F.R. 970, 1202.

Maximum Price Regulation No. 214; 7 F.R. 7001, 8948, 10302.

Maximum Price Regulation No. 310; 8 F.R. 1225, 5808.

(b) The preamble to the price regulation listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected or have previously been promulgated and their use lawfully required by another Government agency.

Regulation and Federal Register Citation

Maximum Price Regulation No. 350; 8 F.R. 3781.

(c) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

Regulation and Federal Register Citations

Revised Price Schedule No. 4; 8 F.R. 1952, 2431, 7264.

Revised Maximum Price Regulation No. 230; 7 F.R. 7731, 7914, 8935; 8 F.R. 1621, 3520.

Maximum Price Regulation No. 411; 8 F.R. 8851.

This supplementary order shall become effective September 11, 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 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14884; Filed, September 11, 1943; 11: 59 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 63]

MEAT AND MEAT PRODUCTS

A statement of the reasons for the issuance of this Supplementary Order has been issued simultaneously herewith and filed with the Division of the Federal Register.*

It is hereby ordered, That:

§ 1305.89 *Amendment of preamble of certain maximum price regulations covering meat and meat products with respect to use of specifications or standards.* The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

Regulation and Federal Register Citations

Revised Maximum Price Regulation No. 148; 7 F.R. 8609, 9005, 8948; 8 F.R. 544, 2922, 3367, 4785, 7322, 7671, 7826, 8376, 8677, 10571, 10732.

Revised Maximum Price Regulation No. 169; 8 F.R. 4097, 4787, 4844, 5170, 5478, 5634, 6058, 6427, 7109, 6845, 7199, 7200, 8011, 8677, 8756, 9066, 9300, 9995.

Revised Maximum Price Regulation No. 239; 7 F.R. 10688; 8 F.R. 3589, 4786, 7679, 8677, 9066.

Maximum Price Regulation No. 247; 7 F.R. 8653, 8948, 11811.

Maximum Price Regulation No. 252; 7 F.R. 8875, 10476; 8 F.R. 3706.

Maximum Price Regulation No. 299; 8 F.R. 364, 6440, 7489.

Maximum Price Regulation No. 303; 8 F.R. 619, 2107.

Maximum Price Regulation No. 311; 8 F.R. 1269.

Maximum Price Regulation No. 336; 8 F.R. 2855, 4253, 5317, 5634, 6212, 7682, 8944, 9366.

Maximum Price Regulation No. 389; 8 F.R. 5903, 6958, 6945, 8185, 8677.

Maximum Price Regulation No. 355; 8 F.R. 4423, 4922, 6214, 6428, 7199, 7827, 8185, 8945, 9366.

Maximum Price Regulation No. 364; 8 F.R. 4640, 5586, 7592, 11175, 12023.

Maximum Price Regulation No. 384; 8 F.R. 6110, 7489.

Maximum Price Regulation No. 394; 8 F.R. 6364.

Maximum Price Regulation No. 398; 8 F.R. 6945, 7351.

This supplementary order shall become effective September 11, 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 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14885; Filed, September 11, 1943; 11:52 a.m.]

PART 1305—ADMINISTRATION
[Supp. Order 64]

PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

A statement of the reasons for the issuance of this supplementary order has been issued simultaneously herewith and filed with the Division of the Federal Register.*

It is hereby ordered, That:

§ 1305.90 *Amendment of preamble of certain maximum price regulations covering paper, paper products, raw materials for paper and paper products, printing and publishing with respect to use of specifications and standards.* (a) The preamble to each of the price regulations

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

listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

Regulation and Federal Register Citations

RPS 32; 7 F.R. 1264, 2000, 2132, 2740, 3182, 8949.

MPR 129; 7 F.R. 3178, 3242, 3482, 3554, 4176, 4668, 5172, 5780, 5712, 5943, 7974, 8939, 8948, 9131, 9724, 10152, 10812.

RMFR 257; 8 F.R.

MPR 307; 8 F.R. 1389, 2335

MPR 349; 8 F.R. 3617, 6110, 7266

MPR 359; 8 F.R. 4635, 4727, 6736

MPR 365; 8 F.R. 4721

MPR 369; 8 F.R. 5174

MPR 387; 8 F.R. 8507

(b) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected and have previously been promulgated and their use lawfully required by another Government agency.

Regulation and Federal Register Citations

MPR 114; 7 F.R. 2843, 3576, 5059, 5564, 8997, 8948; 8 F.R. 321, 2334, 8877, 10558

MPR 400; 8 F.R. 7553

(c) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

Regulation and Federal Register Citations

MPR 30; 7 F.R. 9732; 8 F.R. 3845, 6109, 7350, 7199, 7821

MPR 47; 8 F.R. 270

MPR 130; 7 F.R. 9251, 10255; 8 F.R. 1586, 2670, 7766

MPR 266; 7 F.R. 9229, 10379, 11009; 8 F.R. 164, 606, 9380

MPR 344; 8 F.R. 3198, 6109

MPR 182; 7 F.R. 5712, 6048, 7974, 8997, 8948, 9724.

This supplementary order shall become effective September 11, 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 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14886; Filed, September 11, 1943; 11:52 a.m.]

PART 1305—ADMINISTRATION

[Supp. Order 65]

APPAREL

A statement of the reasons for the issuance of this supplementary order has been issued simultaneously herewith and filed with the Division of the Federal Register.*

It is hereby ordered, That:

§ 1305.91 *Amendment of preamble of certain maximum price regulations covering apparel with respect to use of specifications and standards.* (a) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were prior to such use, in general use in the trade or industry affected.

Regulation and Federal Register Citations

Maximum Price Regulation 95—Women's Nylon Hosiery; 7 F.R. 8521, 8948, 9492; 8 F.R. 8502.

Maximum Price Regulation 274—Women's Silk Hosiery; 7 F.R. 9951, 10378, 10791; 8 F.R. 8512, 8860.

(b) The preamble to the price regulation listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected and have previously been promulgated and their use lawfully required by another Government agency.

Regulation and Federal Register Citations

Maximum Price Regulation 385—Specified Military Uniforms; 8 F.R. 6614, 8009, 10661.

(c) The preamble to the price regulation listed below is amended by adding thereto the following sentence:

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

Regulation and Federal Register Citations

Maximum Price Regulation 208—Staple Work Clothing; 7 F.R. 6649, 8940, 8948, 10015; 8 F.R. 4887.

This supplementary order shall become effective September 11, 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 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14887; Filed, September 11, 1943; 11:54 a.m.]

PART 1305—ADMINISTRATION

[Supp. Order 66]

NONFERROUS METALS

A statement of the reasons for the issuance of this supplementary order has been issued simultaneously herewith and filed with the Division of the Federal Register.*

It is hereby ordered, That:

§ 1305.92 *Amendment of preamble of certain maximum price regulations covering nonferrous metals with respect to use of specifications or standards.* (a) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

§ 1305.94 Amendment of preamble of certain maximum price regulations covering rubber and rubber products with respect to use of specifications and standards. (a) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

Regulation and Federal Register Citations

Revised Price Schedule 87, as amended; 7 F.R. 4781, 5177, 6002, 8700, 8948; 8 F.R. 4623, 5986.

Maximum Price Regulation 301; 8 F.R. 9212.

(b) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected or have previously been promulgated and their use lawfully required by another Government agency.

Regulation and Federal Register Citations

Maximum Price Regulation 131; 8 F.R. 10566.

Maximum Price Regulation 300; 8 F.R. 867, 1369, 1388, 1585.

(c) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

Regulation and Federal Register Citations

Revised Price Schedule 63; 8 F.R. 2110, 2663, 4332, 5746, 7597.

Revised Price Schedule 66, as amended; 7 F.R. 8803, 8948; 8 F.R. 3174, 7381.

Maximum Price Regulation 107; 7 F.R. 1838, 1981, 2394, 3391, 5177, 7365, 8586, 8799, 8802, 8948; 8 F.R. 1584, 2206.

Maximum Price Regulation 143; 8 F.R. 4326, 5746.

This supplementary order shall become effective September 1, 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 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14890; Filed, September 11, 1943; 11:55 a.m.]

PART 1305—ADMINISTRATION

[Supp. Order 69]

LEATHER, WOOL AND MISCELLANEOUS FIBER PRODUCTS

A statement of the reasons for the issuance of this supplementary order has

been issued simultaneously herewith and filed with the Division of the Federal Register.*

It is hereby ordered, That:

§ 1305.95 Amendment of preamble of certain maximum price regulations covering leather, wool and miscellaneous fiber products with respect to use of specifications and standards. (a) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

Regulation and Federal Register Citations

Revised Price Schedule No. 9, As Amended; 7 F.R. 1227, 2000, 2132, 5706, 8948; 8 F.R. 2997.

Revised Price Schedule No. 18, As Amended; 7 F.R. 1241, 1600, 2000, 2132, 5138, 7435, 8948.

Revised Price Schedule No. 24; 7 F.R. 1254, 2000, 2132, 8948, 9430.

Revised Maximum Price Regulation No. 55; 7 F.R. 10104, 10554, 10585.

Revised Price Schedule No. 59, As Amended; 7 F.R. 1319, 2000, 2132, 8948.

Maximum Price Regulation No. 106, As Amended; 7 F.R. 1648, 2245, 2397, 4338, 8948.

Maximum Price Regulation No. 145, As Amended; 7 F.R. 3746, 3889, 5771, 5835, 8948, 11074; 8 F.R. 5724.

Maximum Price Regulation No. 357; 8 F.R. 4474.

Maximum Price Regulation No. 360, As Amended; 8 F.R. 4484, 6182.

Maximum Price Regulation No. 420, As Amended; 8 F.R. 9331.

(b) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected and/or have previously been promulgated and their use lawfully required by another Government agency.

Regulation and Federal Register Citations

Revised Price Schedule No. 58, As Amended, 8 F.R. 5988.

Maximum Price Regulation No. 123, As Amended, 7 F.R. 3088, 3330, 3829, 6477, 8948, 9325, 10708; 8 F.R. 9530.

Maximum Price Regulation No. 141, As Amended, 7 F.R. 3520, 8949, 9812.

This supplementary order shall become effective September 11, 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 11th day of September, 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14891; Filed, September 11, 1943; 11:52 a.m.]

PART 1305—ADMINISTRATION

[Supp. Order 70]

MACHINERY AND TRANSPORTATION EQUIPMENT

A statement of the reasons for the issuance of this supplementary order has

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

been issued simultaneously herewith and filed with the Division of the Federal Register.*

It is hereby ordered, That:

§ 1305.96 Amendment of preamble of certain maximum price regulations covering machinery and transportation equipment with respect to use of specifications and standards. (a) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

Regulation and Federal Register Citation

Revised Maximum Price Regulation 341, Maximum Price Regulation 375; 8 F.R. 5887, 7114.

(b) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation have previously been promulgated and their use lawfully required by another Government agency.

Regulation and Federal Register Citation

Revised Price Schedule 85; 7 F.R. 1364, 1675, 2134, 2132, 6048, 6897, 7100, 7436, 7942, 8948, 9899; 8 F.R. 1450, 2040, 3213.

(c) The preamble to each of the price regulations listed below is amended by adding thereto the following sentence:

Insofar as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another Government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

Regulation and Federal Register Citations

Maximum Price Regulation 1; 8 F.R. 10116, 1675, 2134, 2132, 6048, 6897, 7100, 7436, 7942, 8948, 9899; 8 F.R. 134, 2286, 10503.

Maximum Price Regulation 136, as amended; 7 F.R. 5047.

This supplementary order shall become effective September 11, 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 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14892; Filed, September 11, 1943; 11:54 a.m.]

PART 1305—ADMINISTRATION

[Supp. Order 71]

COTTON AND SYNTHETIC TEXTILES AND TEXTILE PRODUCTS

A statement of the reasons for the issuance of this supplementary order has been issued simultaneously herewith and

filed with the Division of the Federal Register.*

It is hereby ordered, That:

§ 1305.97 Amendment of preamble of certain maximum price regulations and revised price schedules covering cotton and synthetic textiles and textile products with respect to use of specifications and standards. (a) The preamble to each of the price regulations or schedules listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation or schedule were, prior to such use, in general use in the trade or industry affected.

Regulation and Federal Register Citations

Maximum Price Regulation No. 11—Fine Cotton Goods; 8 F.R. 361, 2206, 4629, 4725, 5477, 8065, 7615, 8937.

Revised Price Schedule No. 23—Rayon Grey Goods; 7 F.R. 2899, 2966, 2945, 3242, 3481, 6771, 8948.

Maximum Price Regulation No. 90—Rayon Waste; 8 F.R. 2036.

Maximum Price Regulation No. 167—Rayon Yarn and Staple Fiber; 7 F.R. 4662, 6895, 7493, 8948, 10449, 8 F.R. 1642.

Maximum Price Regulation No. 168—Converted Rayon Yarn and Converting Charges; 7 F.R. 4663, 8193, 8948, 8 F.R. 373, 6673.

Maximum Price Regulation No. 325—Rayon Tops and Rayon Noils; 7 F.R. 8961, 8 F.R. 2037, 6957, 9331.

Maximum Price Regulation No. 358—Insulation Cambric and Separator Cloth; 8 F.R. 4481.

(b) The preamble to each of the price regulations or schedules listed below is amended by adding thereto the following sentence:

Such specifications and standards as are used in this regulation or schedule were, prior to such use, in general use in the trade or industry affected or have previously been promulgated and their use lawfully required by another government agency.

Regulation and Federal Register Citations

Revised Price Schedule No. 35—Carded Grey and Colored Yarn Cotton Goods; 8 F.R. 1963, 5306.

Maximum Price Regulation No. 118—Cotton Products; 7 F.R. 3038, 3211, 3522, 3578, 3824, 3905, 4405, 5224, 5405, 5567, 5836, 6005, 6484, 7451, 8217, 8941, 9002, 8948, 9969; 8 F.R. 274, 2338, 4137, 5306, 7267.

Maximum Price Regulation No. 127; 8 F.R. 3057, 4851, 6181, 9023.

(c) The preamble to each of the price regulations or schedules listed below is amended by adding thereto the following:

Insofar as this regulation or schedule uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, or insofar as their use was not lawfully required by another government agency, the Administrator has determined, with respect to such standardization, that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation or schedule.

Regulation and Federal Register Citations

Revised Price Schedule No. 7—Combed Cotton Yarns and the Processing Thereof;

7 F.R. 1221, 2000, 2132, 2277, 2393, 2509, 2737, 3160, 3551, 3664, 5481, 8948, 9732, 10469; 8 F.R. 972, 5755, 9285.

Maximum Price Regulation No. 33—Carded Cotton Yarns and the Processing Thereof; 7 F.R. 7557, 8948, 10070; 8 F.R. 2345, 3526, 9750.

Revised Price Schedule No. 89—Bed Linens; 7 F.R. 2107, 2000, 2132, 2299, 2739, 3163, 3327, 8447, 3962, 4176, 4732, 7599, 8937, 8948; 8 F.R. 8070, 11245.

This supplementary order shall become effective September 11, 1943.

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

Issued this 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14893; Filed, September 11, 1943; 11:54 a. m.]

PART 1340—FUEL

[MPR 120, Amdt. 62]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

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

Maximum Price Regulation No. 120 is amended in the following respect:

1. The preamble is amended by the addition thereto of the following sentence:

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected and have been previously promulgated and their use lawfully required by another Government agency.

This amendment shall become effective September 11, 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 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14894; Filed, September 11, 1943; 11:56 a. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 1, Amdt. 1]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION BY DINING CARS

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 preamble to Restaurant MPR 1 is amended by adding thereto the following sentence:

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

¹7 F.R. 3168.

²8 F.R. 10116.

In so far as this regulation uses specifications and standards which were not, prior to such use, in general use in the trade or industry affected, the Administrator has determined with respect to such standardizations that no practicable alternative exists for securing effective price control with respect to the commodities subject to this regulation.

This amendment shall become effective September 11, 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 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14895; Filed, September 11, 1943; 11:56 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14, Amdt. 27]

STANDARDS AND SPECIFICATIONS

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

Revised Supplementary Regulation No. 14 is amended by adding to the preamble thereof the following paragraph:

Such specifications and standards as are used in this regulation either were, prior to such use, in general use in the trade or industry affected or had theretofore been promulgated and their use lawfully required by another Government agency.

This amendment shall become effective September 11, 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 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14896; Filed, September 11, 1943; 11:56 a. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5, Amdt. 36]

FOOD RATIONING FOR INSTITUTIONAL USERS

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

General Ration Order No. 5 is amended in the following respects:

1. A new section 10.4 is added to read as follows:

SEC. 10.4. Supplemental allotments for certain seasonal Group II or III

¹8 F.R. 9787, 9880, 10432, 10566, 10433, 10668, 10731, 10759, 10763, 10939, 10674, 10984, 10758, 11174, 11182, 11247, 11215, 11479, 11572, 11754, 11873.

²8 F.R. 10002, 11676, 11480, 11479.

users. (a) Until a seasonal Group II or III user has been in operation after February 1943 in three calendar months prior to the allotment period in which application for a supplemental allotment is made, his eligibility to receive a supplemental allotment shall be determined, and such allotment shall be computed, in accordance with section 11.2 (a) or 11.3 (a) and (b), whichever is applicable. Thereafter, his eligibility to receive a supplemental allotment shall be determined, and such allotment shall be computed, in accordance with section 11.2 (c) or 11.4, whichever is applicable.

2. A new section 13.6 is added to read as follows:

SEC. 13.6 *Supplemental allotment for new Group-II or III users for allotment period subsequent to their first period of operations.* (a) If a new Group II or III user who applies for a supplemental allotment did not operate in three calendar months prior to the allotment period in which application is made, his eligibility to receive a supplemental allotment shall be determined, and such allotment shall be computed, in accordance with section 11.2 (a) or 11.3 (a) and (b), whichever is applicable. When such an institutional user has operated in three calendar months prior to the allotment period in which application is made, his eligibility to receive a supplemental allotment shall be determined, and such supplemental allotment shall be computed, in accordance with section 11.2 (c) or 11.4, whichever is applicable. (However, this section does not apply to such an institutional user's first period of operations, since he may apply, in the same manner that he applied to be registered, for permission to correct his estimate of the number of persons to be served during that period, and for an additional allotment computed on the basis of his corrected estimate).

This amendment shall become effective September 16, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14915; Filed, September 11, 1943; 4:38 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 11, Amdt. 4]

REPLACEMENT OF RATIONED FOODS USED IN PRODUCTS ACQUIRED BY DESIGNATED AGENCIES

A rationale for this amendment has been issued simultaneously herewith and

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

General Ration Order 11 is amended in the following respects:

1. The first sentence of section 3.1 (a) is amended to read as follows:

An industrial user may obtain in advance the amount of rationed foods which he must use in manufacturing products to be acquired by a designated agency, if he has a contract or order for those products from:

(1) The designated agency, or

(2) A person who is not an industrial user and who has a contract with or an order from the designated agency for those products or for products which will include those products.

2. Section 3.2a is added to read as follows:

SEC. 3.2a *Applicant must also obtain certification from person who has contract with designated agency.* (a) If the last industrial user wishes to apply for an advance on the basis of a contract with or an order from a person described in section 3.1 (a) (2), he must first obtain from that person a certification as to the nature and amount of the last industrial user's products which that person will transfer to the designated agency. The certification must contain:

(1) The name and address of the person;

(2) The name and address of the designated agency with which that person has the contract or order;

(3) An identification of the contract or order;

(4) The nature and amount of the last industrial user's products which that person will transfer to the designated agency pursuant to the contract or order.

The last industrial user must keep the certification and the person making it must keep a copy for his records.

3. Section 3.3 (a) (4) is amended by inserting, between the word "order" and the semi-colon, the words "or a statement that the applicant has a contract with or an order from a person described in section 3.1 (a) (2), and an identification of that person's contract with or order from the designated agency".

4. Section 3.4 (a) is amended by adding the following sentence:

If he used the rationed food in manufacturing products transferred to a person described in section 3.1 (a) (2) and that person does not transfer to the designated agency all the products for which the advance was obtained, the industrial user must account for the balance to the designated agency.

5. Section 4.1 (a) (1) is amended by inserting between the word "agency" and the word "for" the words "or a person described in section 3.1 (a) (2)".

6. Section 4.1 (a) (2) is amended by inserting between the word "applicant"

and the semi-colon the words "or a person described in section 3.1 (a) (2)".

7. Section 5.8 (a) is amended by inserting between the word "agency" and the word "for" the words "or a person described in section 3.1 (a) (2)".

This amendment shall become effective September 16, 1943.

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

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; WPB Supp. Dir. 1-E, 7 F.R. 2965; WPB Supp. Dir. 1-M, 7 F.R. 8234; WPB Supp. Dir. 1-R, 7 F.R. 9684; Food Directive 1, 7 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 11th day of September, 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14916; Filed, September 11, 1943; 4:38 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 54]

EXEMPTION OF SALES OF COMMODITIES PRODUCED AND SERVICES SUPPLIED BY STATE OF OHIO PENAL INSTITUTIONS

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

For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is hereby ordered:*

§ 1305.80 Removal of sales by the State of Ohio of commodities produced and services supplied by State of Ohio Penal Institutions from the operation of price regulations. (a) Sales and deliveries by the State of Ohio to the United States or any agency thereof or to the State of Ohio or any Department, agency, institution or political subdivision thereof of any commodity produced or service supplied by the State of Ohio penal institutions shall not be subject to any price regulation heretofore issued, or which hereafter may be issued by the Office of Price Administration, unless specific provision making a price regulation applicable to such sales and deliveries shall hereafter be included in such price regulation.

(b) "Price regulation," as used in this Supplementary Order, means a price schedule effective in accordance with the provisions of Section 206 of the Emergency Price Control Act of 1942, a maximum price regulation or temporary maximum price regulation issued by the Office of Price Administration, or any

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

amendment or supplement thereto or order issued thereunder.

(c) This supplementary Order No. 54 may be revoked or amended by the Price Administrator at any time.

(d) This Supplementary Order No. 54 shall become effective September 17, 1943.

Issued this 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14904; Filed, September 11, 1943; 4:32 p. m.]

PART 1340—FUEL

[RPS 88.¹ Amdt. 128]

PETROLEUM AND PETROLEUM PRODUCTS

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

Section 1340.159 (b) (11) (iv) (b) (1) (ii) is amended to read as follows:

(ii) 60,000 gallons and more, three-quarters cent (3/4¢) per gallon less than the maximum prices established under (i): *Provided, however,* That on or after the 11th day of September, 1943 and until either the date of further amendment of this inferior subdivision or, until October 15, 1943, whichever date shall be earlier, a seller may agree to deliver and may deliver at the maximum commercial consumer's tank wagon price, as determined under other provisions of this price schedule, of the reference tank wagon seller named hereunder on condition that the seller delivers to the purchaser a copy of this inferior subdivision and that at the time of making each delivery the seller also delivers to the purchaser a duly executed written agreement wherein the seller duly agrees to refund promptly to the purchaser the difference, if any, between the price charged at the time of such delivery and the maximum price that may be provided in any further amendment to this inferior subdivision issued prior to October 15, 1943, or, if such an amendment is not issued, the difference between the price charged at the time of such delivery and the maximum price in this inferior subdivision as hereinabove first provided.

This amendment shall become effective September 11, 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 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14905; Filed, September 11, 1943; 4:32 p. m.]

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

[MPR 129.¹ Amdt. 18]

CUTTER BOX OR HOUSEHOLD ROLLS, ETC.

Cutter box or household rolls

Envelopes

Paper cups and paper containers

Sanitary closures and milk bottle caps

Drinking straws

Certain sulphate and certain sulphite papers

Certain tissue papers

Rope and jute papers

Technical papers

Gummed papers

Tags, pin tickets and marking machine tickets

Glazed and fancy papers

Unprinted single weight crepe paper in folds

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. 129 is amended in the following respects:

1. The words "Resale book matches" in the title are revoked.

2. Section 1347.12 (b) is revoked.

3. Section 1347.22 (a) (18) is revoked.

This amendment shall become effective September 27, 1943.

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

Issued this 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14906; Filed, September 11, 1943; 4:33 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53.² Amdt. 7]

FATS AND OILS; LINSEED OIL PRODUCTS

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

Section 17.1 (a) (2) is amended to read as follows:

(2) December 1, 1943, are exempt from the provisions of this Maximum Price Regulation No. 53, and from the provisions of the General Maximum Price Regulation.

Section 17.1 (b) (2) is amended to read as follows:

(2) December 1, 1943, are exempt from the provisions of this Maximum Price Regulation No. 53, and from the provisions of the General Maximum Price Regulation.

This amendment shall become effective September 11, 1943.

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

¹ 7 F.R. 3178, 3242, 3482, 3554, 4176, 4668, 5712, 5780, 5943, 7974, 8939, 8948, 9131, 9724, 10152, 10182; 8 F.R. 1389, 2237, 4635, 11807.

² 8 F.R. 1200, 1972, 2875, 3251, 3784, 4335, 4348, 4349, 4514, 5267, 5566, 5589.

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

Issued this 11th day of September 1943.

CHESTER A. BOWLES,
Acting Administrator.

[F. R. Doc. 43-14907; Filed, September 11, 1943; 4:32 p. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RO 2B.¹ Amdt. 8]

PASSENGER AUTOMOBILES

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

Ration Order 2B is amended in the following respects:

1. Section 1.2 (b) is amended by deleting from the second sentence "the following statement" and by substituting therefor "a statement substantially in the following form".

2. Section 1.3 (a) is amended by substituting for the first three words "The following persons" the words "The following persons, or their employers".

3. The first sentence of section 1.3 (c) is amended to read as follows: "In deciding under this section whether the car which an applicant has the use of is serviceable, the Board should consider the purpose for which he requires the car and any facts which bear upon its condition".

4. Section 1.4 is amended by adding the following sentence to follow the first sentence: "However, the American National Red Cross, agencies of the Federal Government, persons who require cars for experimental purposes and body builders who propose to alter the cars obtained must file applications directly with the Office of Price Administration, Washington, D. C., as provided in section 3.1."

5. Section 1.5 (a) is amended by deleting the last sentence therefrom.

6. The first sentence of section 1.7 (b) is amended to read as follows: "A person disposing of a car under this section must clear the transaction with his Board."

7. Section 1.9 (d) is amended to read as follows:

(d) *Cars acquired before ration controls.* Any person who owns an unregistered car which he acquired and had actual possession of before January 2, 1942 (or February 2, 1942, if he acquired the car from a person other than a dealer) may obtain a clearance statement to register the car in his name. This section does not apply to a person who was a dealer at the time he acquired the car or who is a dealer at the time application is made.

8. Section 1.9a (b) is amended by deleting from the first sentence "before June 30, 1943" and by deleting from the second sentence the following language which now appears immediately after

¹ 8 F.R. 2483, 5317, 5531, 5678, 7197, 8008, 10727.

¹ 8 F.R. 9365, 9530, 9774, 9876, 10901, 10731, 9515, 11149, 11374, 11871, 11948, 11956.

the word "application": "shall be supported by written evidence, wherever possible, and".

9. Section 1.9b is added to read as follows:

§ 1.9b *Former dealers may obtain clearance statements from Office of Price Administration, Washington, D. C.—(a) Personal and business cars acquired before ration controls.* A person who was the sole owner of a dealership and, at the time he went out of business as a dealer, had a car which he acquired and set aside for his use before January 2, 1942, or, in the case of a demonstrator car, which was set aside and used prior to January 2, 1942 by him or his employee for the purpose of demonstrating it to a prospective customer, may obtain a clearance statement to register that car in his own name. However, no clearance statement may be obtained under this section by a person who, at the time he went out of business as a dealer, had a car for which he obtained a clearance statement under section 1.9a of this order or § 1360.407 of Ration Order 2A.

(b) *Where and how to apply for clearance statement.* Application for a clearance statement under this section shall be made by letter to the Office of Price Administration, Washington, D. C. The application, supported by written evidence, shall give the following information:

(1) The make, body type, serial number and engine number of the car.

(2) The date the car was delivered to the applicant.

(3) When and how the car was set aside for use from cars held for sale by the applicant.

(4) Whether the car was reported to the OPA in the inventory taken in February, 1942.

(5) Whether a clearance statement was issued to the applicant for any car under section 1.9a of this order or under § 1360.407 of Ration Order 2A.

(c) If the applicant satisfies the requirements of this section, the Office of Price Administration, Washington, D. C., will issue a clearance statement on Part B of Form R-212 (Revised) for the registration of the car.

10. Section 1.11 is amended by inserting immediately after the word "decision", the words "of a Board".

11. The title to Article II is amended by deleting therefrom the words "Of The Trade".

12. The title to section 2.5 (a) is amended to read as follows: "Transfers for resale or other transfer".

13. Section 3.1 (a) (1) is amended by deleting from the last sentence the words and figures "Form R-217" and substituting therefor the words and figures "Form R-214 (Revised)".

14. Section 3.1 (a) (2) is amended by deleting from the last sentence the words and figures "Form R-217" and substituting therefor the words and figures "Form R-214 (Revised)".

15. The definition of "Agency of the Federal Government" in section 4.10 is amended to read as follows: "Agency of the Federal Government" includes any

corporation wholly owned by the Federal Government.

16. The definition of "Person" in section 4.10 is amended to read as follows: "Person" means any individual, partnership, corporation, association, government, government unit or subdivision, or any other organized group or enterprise.

This amendment shall become effective September 16, 1943.

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

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. 1, 7 F.R. 563; Supp. Dir. 1A, 7 F.R. 695, 1493, 2229, 2729; Supp. Dir. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14917; Filed, September 11, 1943; 4:39 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,¹ Amdt. 66]

MEAT, FATS, FISH AND CHEESES

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

Section 19.1 (a) is amended by deleting the words "manager, state".

This amendment shall become effective September 16, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14920; Filed, September 11, 1943; 4:41 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3,² Amdt. 88]

SUGAR RATIONING REGULATIONS

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

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

¹ 8 F.R. 6446, 6614, 6620, 6687, 6840, 6960, 6961, 7115, 7268, 7281, 7455, 7492, 8357, 8540, 8614, 8844, 8869, 9014, 9025, 9217, 9305, 9886, 10085, 10511, 10665, 10763, 11563, 11513, 11754, 11813.

² 8 F.R. 5909, 5846, 6135, 6442, 6626, 6961, 7351, 7380, 8010, 8189, 8678, 8811, 9304, 9458, 10304, 10512, 10937, 11382, 11291, 11292, 11252.

Ration Order No. 3 is amended in the following respects:

1. Section 1407.86e is amended by deleting the words "drugs and medicines" wherever they appear therein and substituting therefor the words "drugs, medicines, and cough drops."

2. Section 1407.92 (a) is amended by revising Class 7 to read as follows: "Class 7—Drugs, medicines, cough drops, and insecticides."

3. Section 1407.242, Schedule B, is amended by deleting the words "drugs and medicines" appearing in line (m) thereof and substituting therefor the words "drugs, medicines, and cough drops."

This amendment shall become effective September 16, 1943.

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

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14918; Filed, September 11, 1943; 4:38 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,¹ Amdt. 65]

PROCESSED FOODS

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

Section 18.1 (a) is amended by deleting the words "manager, state".

This amendment shall become effective September 16, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14919; Filed, September 11, 1943; 4:37 p. m.]

PART 1434—MATCHES

[MPR 365,² mdt. 2]

WOOD MATCHES AND RESALE BOOK MATCHES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

¹ 8 F.R. 11048, 11383, 11483, 11563, 11513, 11753, 11812.

² 8 F.R. 4721, 9520.

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

Maximum Price Regulation No. 365 is amended in the following respects:

1. The title is amended to read as follows:

Wood Matches and Resale Book Matches.

2. In the first sentence of the preamble, the words "and resale book matches" are inserted after the words "wood matches."

3. Section 1434.1 is amended to read as follows:

§ 1434.1 Maximum prices for wood matches and resale book matches. Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 365 (Wood Matches and Resale Book Matches), which is annexed hereto and made a part hereof, is hereby issued.

4. In section 1, the headnote is amended to read as follows:

SECTION 1. *Prohibition against dealing in wood matches and resale book matches at prices above the maximum prices.* On and after April 14, 1943, in the case of wood matches, and on and after September 27, 1943, in the case of resale book matches, regardless of any contract, agreement, lease or other obligation:

5. Section 1 (a), (b), and (c) are amended to read as follows:

(a) No person for whom maximum prices are established under this regulation shall sell, deliver or transfer wood matches and resale book matches at prices higher than the appropriate maximum prices set forth in Appendices A, B, and C of this Maximum Price Regulation No. 365.

(b) No person shall buy or receive wood matches and resale book matches in the course of trade or business at higher prices than the appropriate maximum prices set forth in Appendices A, B, and C of this Maximum Price Regulation No. 365.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That the provisions of this Maximum Price Regulation No. 365 shall not apply to sales or deliveries of wood matches and resale book matches to a purchaser if prior to April 14, 1943, in the case of wood matches or if prior to September 27, 1943, in the case of resale book matches, such wood or resale book matches had been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

The basic pricing provisions of this regulation for different types of sellers are as follows:

Strike-anywhere wood matches:

For manufacturers Appendix A (a)
For distributors Appendix A (b)
For retailers Appendix A (c)

Strike-on-box wood matches:

For manufacturers Appendix B (a)
For distributors Appendix B (b)
For retailers Appendix B (c)

Resale book matches:

For manufacturers Appendix C (a)
For distributors Appendix C (b)
For retailers Appendix C (c)

6. Section 9 (g) is added to read as follows:

(g) The manufacturer shall attach a copy of Appendix C (b) to all billings on sales of resale book matches made to distributors for a period of ninety (90) days after September 27, 1943.

7. Section 9 (h) is added to read as follows:

(h) The manufacturer shall insert a copy of Appendix C (c) in each case of resale book matches shipped for a period of ninety (90) days after September 27, 1943, except that no such notice need be inserted in cases already prepared for shipment on that date.

8. Section 12 (a) (10) is added to read as follows:

(10) "Resale book matches" includes paper matches in books which are intended for distribution to and through retailers. They contain advertising other than that of the purchaser and over which the distributor or retailer has no control; or they contain patriotic or other non-commercial slogans. They do not include paper matches which light automatically as they are removed from the package and which are known as "pull-quick" matches.

9. Section 12 (a) (11) is added to read as follows:

(11) "Thank you" type book matches include resale book matches which contain a blank space in place of any advertising matter or of patriotic or other non-commercial slogans.

10. Section 12 (a) (12) is added to read as follows:

(12) "West Coast Area" includes Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, Wyoming, Colorado, New Mexico, and that portion of Texas which lies west of the Eastern boundary of New Mexico, extended southward.

11. Appendix C is added to read as follows:

APPENDIX C—MAXIMUM DELIVERED PRICES FOR RESALE BOOK MATCHES

(a) Types and packing	Manufacturers' maximum delivered price per case	
	West coast area	Elsewhere
Resale Book Matches—packed 50's—2500 per case.	\$3.75	\$3.00
Resale Book Matches (Handi-packs)—packed 15's—1500 per case.	2.59	2.50
Resale Book Matches ("Thank-you" type)—packed 50's—2500 per case.	4.25	4.10

(1) "Resale book matches". Handi-pack type, packed 15 books to a package, and 1500

such books to the case, must be free of paid advertising, and not be of the "Thank you" type.

(b) *Distributors' maximum delivered prices for resale book matches.* (1) The distributor's maximum delivered price for full cases of resale book matches packed 2500 books to the case, shall be the actual price charged by the manufacturer, plus \$.50 per case.

The distributor's maximum delivered price for less-than-case quantities of resale book matches packed 2500 books to the case, shall be the actual price charged by the manufacturer, plus an amount at the rate of \$.90 per case.

The distributor's maximum delivered price for full cases of resale book matches packed 1500 books to the case, shall be the actual price charged by the manufacturer, plus \$.35 per case.

In determining such manufacturer's actual price charged the distributor shall:

(i) Deduct all discounts except the discount for prompt payment.

(ii) Not include any charge which he may have incurred for local unloading and/or local trucking.

(iii) Not include Federal Excise Tax.

(2) Federal Excise Tax may be added to the distributor's maximum price.

EXAMPLES:

1. Assume the distributor's total acquired cost of a case of resale book matches is \$4.65 made up of \$3.60 manufacturer's price, \$1.00 Federal Excise Tax, and \$.05 local inbound trucking. He must deduct the \$1.00 and the \$.05, leaving \$3.60 as the manufacturer's price.

\$3.60 Manufacturer's delivered price

Adding .50

\$4.10 Distributor's maximum delivered price

1.00 Federal Excise Tax

Total \$5.10

2. Assume a distributor's total acquired cost is \$4.65 per case, made up of \$3.60 manufacturer's price, \$1.00 Federal Excise Tax and \$.05 local inbound trucking. He must deduct the \$1.00 and the \$.05 leaving \$3.60 as the manufacturer's price. He now wishes to determine his maximum delivered price for less-than-case quantities:

\$3.60 Manufacturer's delivered price .90

\$4.50 Distributor's maximum delivered price 1.00 Federal Excise Tax

Total \$6.50

Divide \$5.50 by 50 (number of caddies per case) to determine distributor's maximum price for each caddy (\$.11)

3. The term "distributor's maximum delivered price" includes free delivery within the limits of the free delivery zone recognized by the distributor during March 1942. On shipments made beyond such free delivery zone, the distributor may add to his maximum delivered price, as determined above, his customary delivery charges, or the applicable local common carrier rate, whichever is less; and such expense shall be separately included in the invoice or other evidence of sale.

(b) *Retailers' maximum delivered price*
(1) *Independent stores* Maximum price

Caddy of 50 books .14
Handi-packs of 15 books .05
Less than caddy sales—Two (2) books of matches for .01

Chain stores and supermarkets Item	Maximum price
Caddy of 50 books	.13
Two (2) caddies of 50 books	.25
Handi-packs of 15 books	.05
Less than caddy sales—Three (3) books of matches for	.01

(2) The term "chain stores and supermarkets" shall include all retail stores which are in a group of four (4) stores centrally owned, or any retail store, however, owned or grouped, which individually did a gross sales volume of \$250,000 or more in the calendar year 1942.

(3) The term "independent stores" shall include all retail stores which do not qualify as chain stores or supermarkets, in accordance with the definition in subparagraph (2) above.

(4) The term "retailer's maximum delivered price" means a price for the item delivered into the hands of the consumer, except that on mail order sales, postage, when incurred, may be added to the maximum prices set forth in paragraph (c) (1) above.

(5) The Office of Price Administration has ruled that retailers who during March 1942 gave away book matches to purchasers of tobacco products must continue this practice. This includes sales made through vending machines. The establishment of these maximum prices on resale book matches shall in no event relieve the retailer of his responsibility for continuing this practice.

This amendment shall become effective September 27, 1943.

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

Issued this 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14910; Filed, September 11, 1943; 4:33 p. m.]

PART 1445—LIVESTOCK

[MPR 469]

LIVE HOGS

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 469 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation. In the judgment of the Price Administrator, the maximum prices established by this maximum price regulation are and will be generally fair and equitable, and comply with the requirements of section 3 and the other requirements of the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and will effectuate the purposes of said Act and Executive Orders.

§ 1445.1 Maximum prices for live hogs. Under the authority vested in the

Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 469 (Live Hogs), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1445.1 issued under Pub. Laws 421 and 729, 77th Cong.; and Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 469—LIVE HOGS

ARTICLE I—GENERAL PROVISIONS

Sec.

1. What this regulation does.
2. How ceiling prices on live hogs are fixed.
3. How to find the ceiling prices for live hogs.
4. Dealer's service charge to buyers.
5. Ceiling prices for live hogs sold for export.
6. When the new ceilings take effect.
7. Conditions of sale.
8. Records and reports.
9. Indirect price increases.
10. Prohibitions.

ARTICLE II—SPECIAL PROVISIONS

11. Fill practice.
12. Duty of seller to furnish invoice.
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Article I—General Provisions

SECTION 1. *What this regulation does.* This regulation fixes dollar-and-cents ceiling prices for live hogs, including live pigs. It does not apply

(a) To sales or deliveries of live hogs for breeding or for serum production, or of live hogs weighing less than 140 lbs. for feeding for more than one month;

(b) To sales of live hogs outside of the 48 states of the United States and the District of Columbia; or

(c) To sales or deliveries of live hogs by members of 4-H Clubs, Future Farmers of America, or other recognized farm youth organizations, if the sales are duly approved and are made at the place and time of a fair, show or exhibition. Prior approval of the sales must be obtained from a state office of the Office of Price Administration by a county agent, county club agent, vocational agricultural instructor or the chief administrator of the state department of agriculture.

SECTION 2. *How ceiling prices on live hogs are fixed.* (a) The ceiling price for any live hog sold depends on the location of the scales upon which the hog is weighed for sale. All hogs sold must be weighed at a terminal market, interior market, or buying station.

(b) "Terminal market" means one of the municipalities named in Schedule I of Appendix A (section 13), and includes all of the public markets, slaughterhouses and all other places where hogs are sold in such municipality.

(c) "Interior market" means one of the municipalities named in Schedule II of Appendix A (section 13), and includes all of the public markets, slaughterhouses and all other places where hogs are sold in such municipality.

(d) "Buying station" means any fixed place of business, other than a terminal market or interior market, where live hogs are weighed for sale and sold to the buyer and a regular market is maintained.

(e) No place shall be deemed a terminal market, interior market or buying station unless it is equipped with scales adapted to the weighing of livestock.

SEC. 3. *How to find the ceiling prices for live hogs.* (a) First, find the location of the terminal market, interior market or buying station where the hogs are weighed for sale.

(b) Second, refer to Appendix A (section 13) for the ceiling price.

(1) The ceiling prices for live hogs which are weighed at a terminal market for sale are found in Schedule I of Appendix A (section 13).

(2) The ceiling prices for live hogs which are weighed at an interior market for sale are found in Schedule II of Appendix A (section 13).

(3) The ceiling prices for live hogs which are weighed at a buying station for sale are found in Schedule III of Appendix A (section 13).

SEC. 4. *Dealer's service charge to buyers.* (a) The ceiling price for any lot of live hogs sold by a dealer shall be the applicable ceiling price determined as required by the provisions of section 3: *Provided*, That the dealer may collect from the buyer a buying service charge of not to exceed \$15 per rail carload of hogs, where such hogs are purchased from the producer in the dealer's name and resold directly to the slaughterer.

(b) A dealer is a person who has a fixed place of business equipped with livestock scales and who buys live hogs from the producer elsewhere than at a public market and resells the hogs to a slaughterer. The charge permitted by paragraph (a) of this section shall apply only to hogs weighed at such fixed place of business for the purchase by the dealer.

SEC. 5. *Ceiling prices for live hogs sold for export.* The ceiling price for any lot of live hogs sold to be exported out of the United States shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation¹ issued by the Office of Price Administration.

SEC. 6. *When the new ceiling prices take effect.* On October 4, 1943, the ceiling prices fixed by this regulation take effect. On and after October 4, 1943, no person shall sell or deliver and no person in the course of trade or business shall buy or receive live hogs at a price higher than the ceiling price fixed by this regulation; and no person shall offer to sell live hogs in excess of these ceiling prices.

SEC. 7. *Conditions of sale.* (a) All live hogs sold shall be weighed at a terminal market, interior market or buying station, and all sales of live hogs shall be deemed made on the day of weighing.

¹8 F.R. 4132, 5987, 7662, 9988.

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

Live hogs sold to different buyers must be weighed separately.

(b) No sale of live hogs shall be made except at the weight so determined.

(c) All expenses of transporting the hogs to the place of weighing shall be paid by the seller.

(d) The person weighing each live hog or lot of live hogs sold shall write on the invoice of such sale or the receipt evidencing such sale the weight and number of hogs weighed, his name, and the place and date of weighing.

SEC. 8. Records and reports. (a) Every person who on or after October 4, 1943, sells, or in the course of trade or business buys or receives live hogs, and every agent of such a person for sale or purchase, shall make and preserve for so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of each such sale or purchase, showing the date, the name and address of the buyer and the seller, the place at which the live hogs sold were weighed, the weight and number of hogs, and the price charged or received therefor.

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

SEC. 9. Indirect price increases. The price limitations set forth in this regulation shall not be evaded directly or indirectly. An example of an indirect price increase forbidden by this section is a sale of some other commodity to the buyer in conjunction with the sale of live hogs, where the buyer did not normally buy this commodity from the seller in the past. No payments, commissions or allowances for any service or for transportation or shrinkage or for any other purpose shall be made by the buyer of live hogs to the seller, unless the total sales price, including such payment, commission or allowance, is equal to or less than the maximum price.

SEC. 10. Prohibitions. On and after October 4, 1943, the date this regulation takes effect, if any person sells or delivers, or in the course of trade or business buys or receives live hogs at prices higher than the ceiling prices or otherwise violates any of the provisions of this regulation, he is subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

Article II—Special Provisions

SEC. 11. Fill practice. (a) Fill practice at any public stockyard shall be the same as that in effect during the week commencing June 20, 1943.

(b) Except at a public stockyard, no hog may be fed or watered on the day of sale prior to weighing; but hogs may be fed or watered after the weighing referred to in section 7 of Article I.

SEC. 12. Duty of seller to furnish invoice. (a) Every person selling live hogs

shall furnish the buyer with an invoice or accept from the buyer a receipt, or both, showing the name and address of the buyer and seller, the place at which the hogs sold were weighed, the weight and number of hogs sold, and the price charged or received therefor, including all allowances and payments for all services rendered in connection with the sale.

(b) The invoice shall be delivered to the buyer or the receipt shall be delivered to the seller on the day of weighing of the hogs sold or on the day of delivery of the hogs to the buyer, whichever day is later; and no invoice shall be delivered to the buyer or receipt delivered to the seller until the person weighing the hogs has endorsed on the invoice or receipt the weight and number of hogs weighed, his name and the place and date of weighing.

(c) If the seller does not deliver an invoice, but accepts a buyer's receipt pursuant to the provisions of this section, the seller shall be estopped from denying the truth of the facts stated on such receipt in any action relating to the enforcement of the maximum prices fixed by this regulation.

SEC. 13. Appendix A.

SCHEDULE I—CEILING PRICES FOR LIVE HOGS WHICH ARE WEIGHED AT TERMINAL MARKETS FOR SALE

	Per cwt.
Atlanta, Ga.	\$14.50
Baltimore, Md.	15.30
Billings, Mont.	15.05
Birmingham, Ala.	14.60
Boston, Mass.	15.30
Buffalo, N. Y.	15.15
Bushnell, Ill.	14.50
Chattanooga, Tenn.	14.60
Cheyenne, Wyo.	14.75
Chicago, Ill.	14.75
Cincinnati, Ohio	14.90
Circleville, Ohio	14.80
Cleveland, Ohio	14.95
Columbia, S. C.	14.75
Columbus, Ohio	14.80
Cudahy, Wis.	14.65
Dayton, Ohio	14.80
Denver, Colo.	14.75
Detroit, Mich.	14.90
E. St. Louis, Ill.	14.70
El Paso, Tex.	14.65
Evansville, Ind.	14.65
Fort Wayne, Ind.	14.70
Fort Worth, Tex.	14.55
Houston, Tex.	14.55
Indianapolis, Ind.	14.80
Jersey City, N. J.	15.30
Joplin, Mo.	14.40
Kansas City, Kans.	14.50
Kansas City, Mo.	14.50
Knoxville, Tenn.	14.60
Lafayette, Ind.	14.70
Lancaster, Pa.	15.30
Los Angeles, Calif.	15.75
Louisville, Ky.	14.75
Memphis, Tenn.	14.60
Milwaukee, Wis.	14.65
Montgomery, Ala.	14.45
Muncie, Ind.	14.70
Nashville, Tenn.	14.60
Newark, N. J.	15.30
New Orleans, La.	14.30
Newport, Minn.	14.45
New York, N. Y.	15.30
N. Salt Lake, Utah	15.05
Ogden, Utah	15.05

SCHEDULE I—CEILING PRICES FOR LIVE HOGS WHICH ARE WEIGHED AT TERMINAL MARKETS FOR SALE—Continued

	Per cwt.
Oklahoma City, Okla.	\$14.40
Omaha, Nebr.	14.45
Parsons, Kans.	14.45
Pasco, Wash.	15.50
Peoria, Ill.	14.60
Philadelphia, Pa.	15.30
Pine Bluff, Ark.	14.45
Pittsburgh, Pa.	15.15
Portland, Oreg.	15.75
Pueblo, Colo.	14.65
Richmond, Va.	14.85
St. Joseph, Mo.	14.50
St. Louis, Mo.	14.70
San Antonio, Tex.	14.55
Seattle, Wash.	15.75
Sioux City, Iowa	14.40
Sioux Falls, S. D.	14.30
So. St. Paul, Minn.	14.45
So. San Francisco, Calif.	15.75
Spokane, Wash.	15.50
Springfield, Ill.	14.60
Springfield, Mo.	14.40
Stockton, Calif.	15.55
Toledo, Ohio	14.80
Tulsa, Okla.	14.40
W. Fargo, N. D.	14.25
Washington Court House, Ohio	14.75
Wichita, Kans.	14.40

SCHEDULE II—CEILING PRICES FOR LIVE HOGS WHICH ARE WEIGHED AT INTERIOR MARKETS FOR SALE

Albany, Ga.	\$14.35
Albany, N. Y.	15.10
Albert Lea, Minn.	14.40
Allentown, Pa.	15.10
Altoona, Pa.	15.10
Amarillo, Tex.	14.35
Austin, Minn.	14.40
Caldwell, Idaho	14.85
Cedar Rapids, Iowa	14.45
Chester, Pa.	15.10
Columbus, Ga.	14.35
Columbus, Ohio	14.75
Dallas, Tex.	14.50
Des Moines, Iowa	14.40
Dothan, Ala.	14.35
Dubuque, Iowa	14.45
Duluth, Minn.	14.20
Eau Claire, Wis.	14.40
Enid, Okla.	14.25
Fort Dodge, Iowa	14.35
Harrisburg, Pa.	15.10
Henderson, Ky.	14.45
Jacksonville, Fla.	14.35
Kimberton, Pa.	15.10
Kingston, N. Y.	15.10
Madison, Wis.	14.55
Marshalltown, Iowa	14.40
Mason City, Iowa	14.40
McKeesport, Pa.	14.95
Moultrie, Ga.	14.35
New Haven, Conn.	15.10
Ottumwa, Iowa	14.45
Phoenix, Ariz.	15.35
Phoenixville, Pa.	15.10
Poughkeepsie, N. Y.	15.10
Punxsutawney, Pa.	14.95
Reading, Pa.	15.10
Reno, Nev.	15.35
Salem, Va.	14.65
San Diego, Calif.	15.55
Secaucus, N. J.	15.10
Tacoma, Wash.	15.55
Tifton, Ga.	14.35
Topeka, Kans.	14.40
Union City, Tenn.	14.40
Utica, N. Y.	15.10
Waterloo, Iowa	14.45
Wheeling, W. Va.	14.85
Wilmington, Del.	15.10

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SCHEDULE III—CEILING PRICES FOR LIVE HOGS WHICH ARE WEIGHED AT BUYING STATIONS FOR SALE

1. Washington		Per cwt.	13. South Dakota—Continued.	Per cwt.	18. Minnesota—Continued.	Per cwt.
(a) Counties of Ferry, Stevens, Pend Oreille, Lincoln, Spokane, Adams, Whitman, Franklin, Walla Walla, Columbia, Garfield, Asotin	\$15.15	Minnehaha, Hutchinson, Turner, Lincoln, BonHomme, Yankton, Clay, Union	\$14.15	(c) Sibley, Scott, Dakota, Nicollet, LeSueur, Rice, Goodhue, Wabasha, Brown, Watonwan, Blue Earth, Waseca, Steele, Dodge, Olmstead, Martin, Faribault	\$14.25	
(b) All counties except those cited in 1 (a) and 1 (c)	15.45	(b) All counties except those cited in 13 (a)	14.05	(d) Freeborn, Mower, Fillmore, Houston, Winona	14.30	
(c) Okanogan, Douglas, Chelan, Kittitas, Grant, Yakima, Benton, Klickitat	15.30	(a) Knox, Cedar, Dixon, Antelope, Pierce, Wayne, Dakota, Thurston, Madison, Stanton, Cuming, Burt, Platte, Colfax, Dodge, Washington, Butler, Saunders, Douglas, Sarpy, Seward, Saline, Lancaster, Cass, Otoe, Jefferson, Gage, Johnson, Newaha, Pawnee, Richardson	14.15	(a) Lyon, Osceola, Dickinson, Sioux, O'Brien, Clay, Plymouth, Cherokee, Buena Vista, Woodbury, Ida, Sac, Monona, Crawford, Carroll, Harrison, Shelby, Audubon, Pottawattamie, Cass, Mills, Montgomery, Adams, Fremont, Page, Taylor	14.20	
2. Oregon		(b) Keyapaha, Boyd, Brown, Rock, Holt, Blaine, Loupe, Garfield, Wheeler, Custer, Valley, Sherman, Greeley, Howard, Boone, Nance, Merrick, Polk, Dawson, Buffalo, Hall, Hamilton, York, Gosper, Pheips, Kearney, Adams, Clay, Fillmore, Furnas, Harlan, Franklin, Webster, Nuckolls, Thayer	14.10	(b) Emmet, Palo Alto, Kossuth, Winnebago, Hancock, Pocahontas, Humboldt, Wright, Calhoun, Webster, Hamilton, Greene, Boone, Guthrie, Dallas, Adair, Madison, Union, Clarke, Ringgold, Decatur, (c) Worth, Mitchell, Cerro Gordo, Floyd, Franklin, Butler, Hardin, Grundy, Story, Marshall, Tama, Polk, Jasper, Poweshiek, Warren, Marion, Mahaska, Lucas, Monroe, Wayne, Appanoose	14.25	
(a) Umatilla, Union, Walla Walla, Grant, Baker, Harney, Malheur, Crook, Josephine, Jackson, Klamath, Lake	15.15	(c) All counties except those cited in 14 (a) and 14 (b)	14.20	(d) All counties except those cited in 19 (a), 19 (b) and 19 (c)	14.35	
(b) All counties except those cited in 2 (a) and 2 (c)	15.30	15. Kansas		20. Missouri		
(c) Clatsop, Columbia, Washington, Multnomah, Tillamook, Yamhill, Clackamas, Polk, Marion, Linn, Benton, Lincoln	15.45	(a) Nemaha, Brown, Donophan, Jackson, Atchison, Jefferson, Leavenworth, Wyandotte, Shawnee, Douglas, Johnson, Osage, Franklin, Miami, Coffey, Anderson, Linn, Woodson, Allen, Bourbon, Wilson, Neosho, Crawford, Montgomery, Labette, Cherokee	14.20	(a) All counties except those cited in 20 (b), 20 (c), and 20 (d) and 20 (e)	14.25	
3. California		(b) Republic, Washington, Marshall, Cloud, Clay, Riley, Pottawatomie, Ottawa, Saline, Dickinson, Geary, Wabaunsee, Morris, McPherson, Marion, Chase, Lyon, Harvey, Sedgwick, Butler, Greenwood, Elk, Sumner, Cowley, Chautauqua	14.15	(b) Putnam, Schuyler, Sullivan, Adair, Linn, Macon, Chariton, Randolph, Howard, Boone, Cooper, Morgan, Moniteau, Cole, Miller, Camden, Pulaski, Dallas, Laclede, Webster, Wright, Douglas, Ozark	14.30	
(a) Del Norte, Humboldt, Trinity, Shasta, Lassen, Siskiyou	15.15	(c) Norton, Phillips, Smith, Jewell, Graham, Rooks, Osborne, Mitchell, Trego, Ellis, Russell, Lincoln, Ellsworth, Ness, Rush, Barton, Rice, Hodewan, Ford, Pawnee, Edwards, Stafford, Reno, Clark, Kiowa, Comanche, Pratt, Barber, Kingman, Harper	14.05	(c) Scotland, Clark, Knox, Lewis, Shelby, Marion, Monroe, Ralls, Audrian, Callaway, Osage, Maries	14.35	
(b) Mendocino, Tehama, Glenn, Butte, Plumas	15.25	(d) All counties except those cited in 15 (a), 15 (b) and 15 (c)	14.20	(d) Phelps, Dent, Texas, Shannon, Reynolds, Wayne, Stoddard, Scott, Mississippi, Howell, Oregon, Carter, Ripley, Butler, Dunk, New Madrid, Peniscot	14.45	
(c) Sutter, Yuba, Sierra, Nevada, Placer, Eldorado, Amador, Calaveras, Alpine, Tuolumne, Lake, Colusa	15.35	16. Oklahoma	14.15	(e) Pike, Montgomery, Lincoln, Warren, St. Charles, Gasconade, Franklin, St. Louis, Jefferson, Crawford, Washington, St. Francois, St. Genevieve, Perry, Iron, Madison, Boiling, Cape Girardeau	14.40	
(d) Monterey, San Benito, Merced, Mariposa, Mono, Madera, Fresno, Kings, Tulare, Inyo	15.25	17. Texas		21. Arkansas	14.15	
(e) San Luis Obispo, Kern, Santa Barbara, Ventura, Los Angeles, Orange, San Bernardino, Riverside, San Diego	15.45	(a) Dallam, Sherman, Hansford, Ochiltree, Lipscombe, Hartley, Moore, Hutchinson, Roberto, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Farmer, Castro, Swisher, Brisco, Hall, Childress, Bailey, Lamb, Hale, Floyd, Motley, Cottle, Cochran, Hockley, Lubbock, Crosby, Dickens, King, Yoakum, Terry, Lynn, Garza, Kent, Stonewall, Gaines, Dawson, Borden, Scurry, Andrews, Martin, Howard, Mitchell, Loving, Winkler, Ector, Midland, Glasscock, Sterling, Ward, Crave, Upton, Reagan, Irion, Crockett, ValVerde, Terrell, Pecos, Brewster, Presidio, Jeff Davis, Reeves, Culberson, Hudspeth, El Paso	14.25	22. Louisiana	14.00	
(f) Imperial	15.35	(b) All counties except those cited in 17 (a)	14.40	23. Wisconsin		
(g) All counties except those cited in 3 (a), 3 (b), 3 (c), 3 (d), 3 (e) and 3 (f)	15.45	18. Minnesota		(a) Douglas, Bayfield, Ashland, Iron, Vilas, Burnett, Washburn, Sawyer, Rice, Oneida, Polk, Barron, Rusk, St. Croix, Pierce, Dunn, Chippewa, Taylor, Lincoln	14.20	
4. Nevada	15.25	(a) Kittson, Roseau, Lake of Woods, Marshall, Pennington, Red Lake, Polk, Clearwater, Beltrami, Koochiching, Itasca, St. Louis, Lake, Cook, Norman, Mahnomen, Clay, Becker, Hubbard, Wadena, Cass	14.10	(b) Vernon, Crawford, Richland, Sauk, Grant, Iowa, Lafayette	14.35	
5. Idaho	14.75	(b) All counties except those cited in 18 (a), 18 (c) and 18 (d)	14.15	(c) Florence, Forest, Langlade, Marinette, Pepin, Eau Claire, Clark, Marathon, Buffalo, Trempealeau, Jackson, Wood, Portage, LaCrosse, Monroe, Juneau, Adams	14.30	
6. Montana	14.75			(d) Shawano, Oconto, Waupaca, Outagamie, Brown, Kewaunee, Door	14.35	
7. Wyoming	14.45			(e) All counties except those cited in 23 (a), 23 (b), 23 (c) and 23 (d)	14.45	
8. Utah	14.75			24. Illinois		
9. Colorado				(a) Jo Daviess, Stephenson, Carroll, Whiteside, Rock Island, Mercer, Henry, Bureau, Henderson, Warren, Knox, Stark, Marshall, Putnam, Peoria, Woodford, Hancock, McDonough, Fulton, Tazewell, Adams, Schuyler, Brown, Cass, Mason, Menard, Logan, Sangamon	14.40	
(a) Logan, Sedgwick, Phillips, Yuma, Kit Carson, Cheyenne, Kiowa, Otero, Bent, Prowers, Huerfano, Las Animas, Baca	14.25			(b) All counties except those cited in 24 (a) and 24 (c)	14.45	
(b) Larimer, Weld, Morgan, Washington, Lincoln, Crowley, Pueblo, Fremont, Custer	14.35					
(c) Boulder, Gilpin, Clear Creek, Jefferson, Denver, Adams, Arapahoe, Park, Douglas, Elbert, Teller, El Paso	14.45					
(d) All counties except those cited in 9 (a), 9 (b) and 9 (c)	14.35					
10. Arizona	15.25					
11. New Mexico						
(a) Colfax, Union, Mora, Harding, San Miguel, Guadalupe, Quay, Curry, De Baca, Roosevelt, Chaves, Lea, Eddy	14.45					
(b) All counties except those cited in 11 (a)	14.75					
12. North Dakota						
(a) All counties except those listed in 12 (b)	13.95					
(b) Cavalier, Pembina, Ramsey, Walsh, Nelson, Grand Forks, Eddy, Foster, Griggs, Steele, Traill, Stutsman, Barnes, Cass, LaMoure, Ransom, Dickey, Sargent, Richland	14.05					
13. South Dakota						
(a) Brown, Marshall, Day, Roberts, Spink, Clark, Codington, Hamlin, Grant, Deuel, Beadle, Kingsbury, Brookings, Sanborn, Miner, Lake, Moody, Davison, Hanson, McCook						

24. Illinois—Continued.	Per cwt.	29. Tennessee	Per cwt.
(c) Christian, Fayette, Effingham, Jasper, Crawford, Pike, Scott, Morgan, Calhoun, Green, Jersey, Macoupin, Montgomery, Madison, Bond, Monroe, St. Clair, Clinton, Washington, Marion, Clay, Richland, Lawrence, Jefferson, Wayne, Edwards, Randolph, Perry, Franklin, Hamilton, White, Jackson, Williamson, Saline, Gallatin, Union, Johnson, Pope, Hardin, Pulaski, Massac, Alexander, Wabash	\$14.40	(a) Johnson, Carter, Sullivan, Washington, Union, Hawkins, Greene, Hancock, Grainger, Hamblen, Jefferson, Sevier, Claiborne, Unicoi, Knox, Blount, Anderson, Campbell, Cooke	\$14.45
25. Michigan		(b) All counties except those cited in 29 (a)	14.30
(a) Upper Peninsula	14.20	30. Mississippi	14.15
(b) Lower Michigan		31. Alabama	
(1) Emmet, Cheboygan, Presque Isle, Charlevoix, Otsego, Montmorency, Alpena, Leelan, Benzie, Grand Traverse, Kalkaska, Crawford, Oscoda, Alcona, Manistee, Wexford, Missaukee, Roscommon, Mason, Lake, Antrim, Ogemaw, Iosco	14.50	(a) Choctaw, Washington, Mobile, Marengo, Clarke, Baldwin, Wilcox, Monroe, Dallas, Conecuh, Escambia, Autauga, Lowndes, Butler, Covington, Crenshaw, Montgomery, Elmore, Lee, Macon, Russell, Bullock, Pike, Barbour, Coffee, Dale, Henry, Geneva, Houston	14.25
(2) All other counties in Lower Michigan	14.60	(b) All counties except those cited in 31 (a)	14.40
26. Indiana		32. Maine	15.00
(a) La Porte, Stark, St. Joseph, Marshall, Elkhart, Kosciusko, La Grange, Noble, Steuben, DeKalb, Pulaski, Fulton, Whitley, Allen, White, Cass, Miami, Wabash, Huntington, Wells, Adams, Carroll, Howard, Grant, Blackford, Jay, Randolph, Wayne, Fayette, Union, Franklin, Ripley, Dearborn, Ohio, Switzerland	14.55	33. New Hampshire	15.00
(b) Knox, Davies, Martin, Lawrence, Jackson, Jennings, Jefferson, Scott, Clark, Washington, Harrison, Orange, Crawford, Perry, Dubois, Spencer, Pike, Warrick, Gibson, Vanderburgh, Posey, Floyd	14.45	34. Vermont	15.00
(c) All counties except those cited in 26 (a) and 26 (b)	14.50	35. Massachusetts	15.00
27. Ohio		36. Connecticut	15.00
(a) Ashtabula, Trumbull, Mahoning, Columbiana, Carroll, Coshocton, Tuscarawas, Harrison, Jefferson, Muskingum, Guernsey, Belmont, Perry, Morgan, Noble, Monroe, Hocking, Athens, Washington, Vinton, Meigs, Jackson, Gallia, Scioto, Lawrence	14.70	37. Rhode Island	15.00
(b) Lake, Geauga, Portage, Stark, Summit, Cuyahoga, Medina, Wayne, Holmes, Lorain, Erie, Huron, Ashland, Richland, Knox, Morrow, Delaware, Licking, Franklin, Fairfield, Pickaway, Fayette, Ross, Highland, Pike, Adams	14.65	38. New York	
(c) All counties except those cited in 27 (a) and 27 (b)	14.60	(a) Niagara, Orleans, Monroe, Erie, Genesee, Wyoming, Livingston, Chautauqua, Cattaraugus, Allegany	14.85
28. Kentucky		(b) All counties except those cited in 38 (a)	15.00
(a) Hancock, Ohio, Butler, Warren, Simpson, Logan, Todd, Muhlenberg, McLean, Daviess, Henderson, Union, Webster, Hopkins, Christian, Trigg, Lyon, Caldwell, Crittenden, Livingston, Marshall, Calloway, Graves, McCracken, Ballard, Carlisle, Hickman, Fulton	14.85	39. New Jersey	15.00
(b) Robertson, Mason, Lewis, Greenup, Carter, Boyd, Bourbon, Nicholas, Fleming, Bath, Rowan, Elliott, Lawrence, Clark, Montgomery, Menifee, Morgan, Johnson, Martin, Powell, Wolfe, Magoffin, Madison, Estill, Lee, Breathitt, Floyd, Pike, Rockcastle, Jackson, Owsley, Laurel, Whitley, Clay, Knox, Bell, Perry, Leslie, Harlan, Knott, Letcher	14.55	40. Pennsylvania	
(c) All counties except those cited in 28 (a) and 28 (b)	14.45	(a) Erie, Crawford, Warren, McKean, Potter, Mercer, Venango, Forest, Elk, Cameron, Lawrence, Butler, Clarion, Jefferson, Clearfield, Beaver, Armstrong, Indiana, Washington, Allegheny, Westmoreland, Cambria, Greene, Fayette, Somerset	14.85
No. 182—6		(b) All counties except those cited in 40 (a)	15.00
		41. Delaware	15.00
		42. Maryland	15.00
		43. Virginia	
		(a) Frederick, Clarke, Loudoun, Fairfax, Arlington, Prince William, Fauquier, Warren, Shenandoah, Rockingham, Page, Rappahannock, Madison, Greene, Culpepper, Orange, Stafford	14.75
		(b) All counties except those cited in 43 (a)	14.55
		44. West Virginia	14.75
		45. North Carolina	14.55
		46. South Carolina	14.40
		47. Georgia	
		(a) Harris, Talbot, Upson, Crawford, Ribb, Twiggs, Wilkinson, Washington, Jefferson, Glascock, Richmond, Muscogee, Chattahoochee, Marion, Taylor, Peach, Houston, Macon, Bleckley, Lawens, Johnson, Burke, Schley, Stewart, Webster, Sumter, Dooly, Pulaski, Dodge, Wheeler, Treutlen, Emanuel, Jenkins, Sciven, Qutman, Randolph, Terrell, Lee, Crisp, Wilcox, Telfair, Montgomery, Toombs, Candler, Bullock, Effingham, Evans, Tattnall, Clay, Calhoun, Dougherty, Worth, Turner, Bon Hill, Jeff Davis, Appling, Wayne, Long, Liberty, Bryan, Chatham, Early, Baker, Miller, Seminole, Decatur, Mitchell, Grady, Thomas, Colquitt, Tift, Irwin, Coffee, Bacon, Cook, Berrien, Atkinson, Ware, Pierce, McIntosh, Glynn, Brooks, Lowndes, Lanier, Echols, Clinch, Charlton, Brantley, Camden	14.25
		(b) All counties except those cited in 47 (a)	14.40
		48. Florida	14.25
		49. District of Columbia	14.55

Effective date: This regulation shall become effective October 4, 1943.

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

Issued this 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

Approved: September 7, 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-14921; Filed, September 11, 1943; 4:32 p. m.]

PART 1448—EATING AND DRINKING

[Restaurant MPR 5-2]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

In the judgment of the Houston, Texas District Director of Region V the prices of food and beverages sold for immediate consumption in the following counties:

Angelina	Liberty
Austin	Madison
Brazoria	Matagorda
Brazos	Milam
Burleson	Montgomery
Chambers	Nacogdoches
Colorado	Newton
Fayette	Orange
Fort Bend	Polk
Galveston	Robertson
Grimes	Sabine
Hardin	San Augustine
Harris	San Jacinto
Houston	Shelby
Jackson	Trinity
Jasper	Tyler
Jefferson	Walker
Lavaca	Waller
Lee	Washington
Leon	Wharton

have risen, and are threatening further to rise, to an extent and in a manner inconsistent with the purpose of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328.

In the judgment of the District Director of the Houston, Texas District, the maximum prices established by this regulation are generally fair and equitable and are necessary to and will check inflation and effectuate the purposes of the Act. So far as practicable, the District Director of the Houston, Texas, District gave due consideration to prices prevailing between October 1 and 15, 1941, and consulted with the representatives of those affected by this regulation.

A statement of the considerations involved in the issuance of this regulation is issued simultaneously herewith.

Therefore, in accordance with the direction of the President to take action which will stabilize prices affecting the cost of living, and under the authority therewith delegated by the President pursuant to the Act of Congress approved October 2, 1942, entitled "An Act to Aid in Stabilizing the Cost of Living," 77th Congress, Second Session, and under the authority of Executive Order 9250, Executive Order 9328, and the Emergency Price Control Act of 1942,

the District Director of the Houston, Texas, District hereby issues this Restaurant Maximum Price Regulation No. 5-2, establishing as maximum prices for food and drink sold for immediate consumption in the counties mentioned above the prices prevailing therefor during the seven-day period beginning April 4, 1943, and ending April 10, 1943.

§ 1448.402 Maximum prices for food and drink sold for immediate consumption. Under the authority vested in the District Director of the Houston, Texas, District by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, and General Order No. 50 issued by the Office of Price Administration, Restaurant Maximum Price Regulation No. 5-2 (Food and Drink Sold for Immediate Consumption), which is annexed hereto and made part hereof, is hereby issued.

AUTHORITY: § 1448.402 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

RESTAURANT MAXIMUM PRICE REGULATION NO. 5-2—FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION

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SECTION 1. Sales at higher than ceiling prices prohibited. If you own or operate a restaurant, hotel, cafe, bar, delicatessen, soda fountain, boarding house, or any other eating or drinking place, you must not offer or sell any "food item" (including any beverage) or "meal" at a price higher than the ceiling price which you figure according to the directions in the next two sections (sections 2 and 3). You may, of course, sell at lower than ceiling prices.

SEC. 2. How you figure ceiling prices for food items and meals you offered in the seven-day period from April 4, 1943, to April 10, 1943. Your ceiling price for

any food item or meal which you offered in the seven-day period beginning Sunday, April 4, 1943, and ending Saturday, April 10, 1943, is the highest price at which you offered the same food item or meal in that seven-day period.

SEC. 3. How you figure ceiling prices for food items and meals you did not offer in the seven-day period. You must figure your ceiling price for a food item or meal which you did not offer during the seven-day period as follows:

(a) If you offered the same food item or meal at any time during the four weeks from March 7 to April 3, 1943, inclusive, and if you have adequate records of the prices you then charged, take as your ceiling price the highest price at which you offered that food item or meal during that four-week period.

(b) If you did not offer the food item or meal during the five-week period from March 7 to April 10, 1943, inclusive, or if you do not have adequate records of prices charged prior to the seven-day period you must proceed as follows:

(1) Determine the cost of the raw food which you use in preparing the new food item or meal.

(2) From the food items and meals for which you have already established ceiling prices, choose a food item or meal which currently has a raw food cost equal to or less than the raw food cost of the new food item or meal.

(3) Take as your ceiling price for the new food item or meal your ceiling price for the food item or meal chosen for comparison. The food item or meal chosen for such comparison should be of the same class as the new food item or meal. If, however, you can find no food item or meal of the same class, you may use for comparison the most similar food item or meal of another class having a food cost equal to or less than your food cost for the new food item or meal. "Currently" as used herein means current on the day you figure your price.

(c) Once your ceiling price for a food item or meal has been fixed, it may not be changed except as provided in section 4.

SEC. 4. How you figure your prices for seasonal items. First, determine your ceiling price for a "seasonal food item" (defined in section 20 (f)) in accordance with the appropriate rule of sections 2 and 3 of this regulation. Thereafter, this price must be varied in proportion to any seasonal change in the raw food cost of the item, provided that in no event shall the price be higher than the ceiling price as originally determined. If in the past it has been your practice to maintain one price throughout the season, you need not vary your ceiling price according to this rule provided the ceiling price was based upon estimated average raw food cost of the item for the entire season.

SEC. 5. No ceiling price for any food item or meal to be higher than the highest ceiling price for a food item or meal of the same class in the base period. Under no circumstances are you permitted to charge a higher price for a food item or a meal than:

(a) Your highest ceiling price for food items or meals of the same class offered in the seven-day period; or

(b) The last price at which you sold the same food item or meal prior to April 4, 1943, provided you first file with the appropriate War Price and Rationing Board a menu or certified copy of a record showing the last price charged. The provisions of this section shall not apply to seasonal dessert specialities specified in section 21A, Class 24a.

Example 1. If your highest ceiling price for any soup offered by you during the seven-day period is 15 cents, you may not offer any other soup at a higher price than 15 cents.

Example 2. You served sirloin steak in March at \$1.50. You did not serve sirloin steak during the base period. The highest price at which you can now serve sirloin steak is \$1.50.

SEC. 6. Substitution of food items in meals. If you have already determined your ceiling price for a meal you may substitute for any food item other than the entree (or main dish) in that meal any other food item of the same class without refiguring your ceiling price, provided the new food item costs you approximately as much and offers customers about the same value as the food item which it replaces. A meal becomes a "new" meal whenever the entree (or main dish) is changed or a new food item is substituted which costs you less or offers your customers lower value than the food item which it replaces, and you must therefore determine its ceiling price in accordance with the rules established by section 3.

SEC. 7. Prohibition against manipulation of meal offerings. You must not manipulate your meal offerings in a manner which will force your customers to pay more than they did during the seven-day period. Among other things you must not:

(a) Reduce the number of meals offered at prices equal to or below your "middle price" for meals of the same class without making a corresponding reduction in the number of meals offered at prices above that middle price. By "middle price" is meant the price most nearly at the mid-point of your price range for meals of the same class.

(b) Cease to offer at least as many different meals at or below the lowest price charged by you for meals of the same class on any day you select in the seven-day period, as you did on that day.

Example: If you select Friday, April 9, 1943, to determine the lowest price and the number of week-day meals offered at that price, and if on that day you offered six week-day dinners, of which two were priced at 85¢, and one each at 90¢, \$1.00, \$1.10, \$1.15, you must continue to offer two week-day dinners at 85¢. Note that Sunday meals and week-day meals are meals of a different class.

SEC. 8. Evasion. (a) You must not evade or avoid the provisions of this regulation by any scheme or device whatsoever. Some, but not all, practices which will be regarded as evasive are:

(1) Dropping food items from meals, deteriorating quality or reducing quan-

tity without making sufficient reduction in price so as to maintain the raw food cost ratio at least equal to such ratio prior to the deterioration or reduction;

(2) Withdrawing the offer, or increasing the price, of any meal ticket, weekly rate, or other arrangement by which customers may buy food items or meals at less than the prices they must pay when purchasing by item or meal;

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or making such charges when they were not in effect in the seven-day period except that a cover or minimum charge in effect during the base period may be increased in accordance with customary practice, where it was the practice to vary the charge in accordance with the type of entertainment offered and the increase does not cause the charge to go above the highest charge made during the last twelve-month period;

(4) Requiring as a condition of sale of an item or meal the purchase of other items or meals when such condition was not in effect during the base period except that you may refuse to sell coffee unless a customer also purchases another food item;

(5) Reducing the selection of meals offered at table d'hôte prices when the food items which you customarily offered in such meals are being offered at a la carte prices which when added together total more than the table d'hôte price for the complete meal or give your customers less value for their money.

Example 1. If you customarily offered fish on table d'hôte dinners at \$1.10, you may not now offer fish a la carte and refuse to offer it on a table d'hôte dinner priced at \$1.10.

Example 2. If you offered table d'hôte dinners during the base period at 85¢ to \$1.25 which included dessert and beverage, you may now offer the same food item excluding dessert and beverage at 65¢ to \$1.05, providing you also offer dessert and beverage to be served with the meals at prices which do not total more than 20¢.

(b) You will not be considered evading the provisions of this regulation, however, if you do any of the following things, even though you did not do any of these things during the seven-day period:

(1) You may limit your customers to one cup of coffee per meal.

(2) You may limit your customers to one pat of butter per meal.

(3) You may reduce the quantity, or eliminate altogether, condiments (such as catchup, chili sauce, etc.) which you may have customarily placed at the disposal of your customers and which now are, or may hereafter be, subject to any rationing order or rationing regulation of the Office of Price Administration.

(4) You may reduce the amount of sugar served with each cup of coffee or tea, or each bowl of cereal, fruit, or other similar food items with which sugar is served, to, but not less than, one teaspoonful except that less than that may be given if required by your available supply.

You may not, however, make the curtailment authorized in the foregoing subparagraphs and furnish these curtailed items at an additional charge. For example, if during the seven-day period you furnished catchup, you may not now discontinue furnishing this item free, and at the same time offer to furnish it for an additional charge.

SEC. 9. Rules for new proprietors. (a) If you acquire another's business subsequent to the effective date of this regulation and continue the business in the same place, you are subject to the same ceiling prices and duties as the previous proprietor. Prior to acquiring another's business, however, you may apply to the Office of Price Administration for permission to price under paragraph (b) of this section. If such permission is granted it may be subject to such conditions as the Office of Price Administration deems necessary.

(b) If you open an eating or drinking place after the seven-day period, you must fix ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. If the ceiling prices so fixed are too high and threaten to have an inflationary effect on the price of food or drink, the Office of Price Administration may issue an order requiring you to reduce your ceiling prices. You are subject to the record requirements of section 12 and the posting requirements of section 13 immediately upon the opening of your place.

SEC. 10. Seasonal eating and drinking places—(a) Exempt places. If you are the proprietor of a seasonal eating or drinking place that:

(i) Was not open during the base period from April 4 to 10, 1943;

(ii) Receives 90 percent or more of its total annual revenue during four calendar months of the year;

(iii) Is located in an area for which no maximum rent regulation has been issued;

the prices for food items and meals offered by you in that place are exempt from control.

You must not regard this exemption as relieving you from the obligations imposed upon you by General Order 50, and you are still subject to the provisions of section 22 of this regulation. Pursuant to this latter section the administrator will by special order establish maximum prices for any seasonal eating or drinking place which takes undue advantage of the exemption.

(b) *Non-exempt places.* If you are the proprietor of a seasonal eating or drinking place which is not exempt under the terms of paragraph (a), you must figure your ceiling prices as follows:

(1) If the place was in operation during the base period from April 4 to April 10, 1943, use the rules set forth in sections 2, 3 and 4.

(2) If the place was not in operation during the base period from April 4 to April 10, 1943, but another place of the same type and within a reasonable distance was in operation during that period, fix your ceiling prices as a new proprietor under the terms of section 9 (b).

(3) If you cannot price under subparagraphs (1) or (2) above, you must apply for a price to the OPA District Office for the area in which your place is located. Your application must be filed ten days prior to the date you plan to commence operations and present the following information:

(i) Your name and address.

(ii) A brief description of your business and the manner of operation.

(iii) A list showing the prices you charged during the previous season as well as the prices you propose to charge during the coming season.

(iv) The date when you plan to commence operations.

(v) The names of two establishments similar to yours.

You may charge the prices listed if they are not disapproved by the Office of Price Administration prior to the date specified for the commencement of operations. That Office may at any time, after proper investigation and hearing, establish such maximum prices for your business as it deems proper.

SEC. 11. Taxes. If in the seven-day period you stated and collected the amount of any tax separately from the price you charged, you may continue to do so. You may also separately state and collect the amount of any new tax or of any increase in the amount of a previous tax on the sale of food or drink or on the business of selling food or drink, if the tax is measured by the number or price of items or meals.

SEC. 12. Records. (a) You must observe all the record keeping and filing requirements of General Order No. 50 which are hereby made a part of this regulation by reference.

(b) *Customary records.* You must preserve all your existing records relating to your prices, costs and sales. You must also continue to maintain such records as you ordinarily kept. All such records shall be subject to examination by the Office of Price Administration.

(c) *Records of the seven-day period.* You must make available for examination by any person during ordinary business hours a copy of each menu used by you in the seven-day period. If you did not use menus, you must make available for such examination a list of the highest prices you charged in the seven-day period.

(d) *Filing by new proprietors.* The proprietor of an eating or drinking place which was not open during the seven-day period (including newly-opened places) shall file menus or a price list in accordance with paragraph (a), (of General Order 50) except that (1) the filing shall be for the seven-day period beginning with the first Sunday that place is open after April 4, 1943, and (2) the filing shall be made within three weeks of such first Sunday.

(e) *Future records.* Beginning with the effective date of this regulation, you must keep, for examination by the Office of Price Administration, two each of the menus used by you each day. If you do not use menus you must prepare in duplicate, and preserve for such examination, a record of the prices charged by you each day, except that you need not

record prices which are the same as, or less than, prices you previously recorded for the same items or meals. Proprietors who operate a number of eating or drinking places in the same city which have customarily been subject to central control may keep the records required by this paragraph for those places at a central office or the principal place of business within the city.

SEC. 13. Posting. (a) Beginning September 4, 1943, each menu must have clearly and plainly written on or attached to it the following statement:

All prices listed are our ceiling prices or below. By the Office of Price Administration regulation, our ceilings are based on our highest prices from April 4, 1943, to April 10, 1943. Records of these prices are available for your inspection.

(b) If you made menus available to customers in the seven-day period, you shall continue to make them available.

(c) In addition to requirements in (a) and (b) you must post in a conspicuous place, preferably at or near the cash register, a sign or poster when furnished by the Office of Price Administration. You must enter after each meal or food item in this list your ceiling price for such meal or food item.

SEC. 14. Operation of several places. If you own or operate more than one eating or drinking place, you must do everything required by this regulation for each place separately.

SEC. 15. Relation to other maximum price regulations. The provisions of this regulation shall supersede other regulations, including the General Maximum Price Regulation, now or hereafter issued by the Office of Price Administration, insofar as they establish maximum prices for meals and food items sold by eating and drinking places. However, a price charged during the base period of this regulation shall not become a maximum price under this regulation to the extent that it exceeded the maximum price established by another regulation applicable at that time.

Sec. 16. Geographical application. This Restaurant Maximum Price Regulation No. 5-2 applies to the following counties:

Angelina	Liberty
Austin	Madison
Brazoria	Matagorda
Brazos	Milam
Burleson	Montgomery
Chambers	Nacogdoches
Colorado	Newton
Fayette	Orange
Fort Bend	Polk
Galveston	Robertson
Grimes	Sabine
Hardin	San Augustine
Harris	San Jacinto
Houston	Shelby
Jackson	Trinity
Jasper	Tyler
Jefferson	Walker
Lavaca	Waller
Lee	Washington
Leon	Wharton

Sec. 17. Enforcement. Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses, provided for by the

Emergency Price Control Act of 1942, as amended.

SEC. 18. Exempt sales. Sales by the following eating or drinking places are specifically exempt from the provisions of this regulation:

(a) Eating and drinking places located on church premises and operated in connection with special church, Sunday school and other religious occasions.

(b) Hospitals, except for food items and meals served to persons other than the patients when a separate charge is made for such food items and meals.

(c) Eating and drinking places located on board common carriers (when operated as such), including railroad dining cars, club, bar and buffet cars, and peddlers aboard railroad cars traveling from station to station.

SEC. 19. Adjustments. (a) The Office of Price Administration may adjust the maximum prices for any eating establishment under the following circumstances:

(1) The establishment will be forced to discontinue operations unless it is granted an adjustment of the maximum prices established by this regulation.

(2) Such discontinuance will result in serious inconvenience to consumers in that they will either be deprived of all restaurant service or will have to turn to other establishments that present substantial difficulties as to distance, hours of service, selection of meals or food items offered, capacity, or transportation.

(3) By reason of such discontinuance, the same meals or food items will cost the customers of the eating establishment as much or more than the proposed adjusted prices.

(b) If you are the proprietor of an eating establishment which satisfies the requirements specified above, you may apply for an adjustment of your maximum prices by submitting to your OPA District Office a statement setting forth:

(1) Your name and address.

(2) A description of your eating establishment including type of service rendered (such as cafeteria, table service, etc.), classes of meals offered (such as breakfast, lunch and dinner), number of persons served per day during the most recent thirty-day period, and such other information that may be useful in classifying your establishment.

(3) The reasons why your customers will be seriously inconvenienced if you discontinue operations.

(4) The names and addresses of the three nearest eating places of the same type as yours.

(5) A list showing your present maximum prices and your requested, adjusted prices.

(6) A profit and loss statement for your restaurant business for the most recent three-month accounting period, and a copy of your last income tax return if one was filed separately for your restaurant business.

Applications for adjustment under this section may be acted upon by any

¹In counting the number of persons served, anyone who was served more than once is to be counted separately for each occasion he was served.

district office that has been authorized to do so by order of the regional office.

SEC. 20. Definitions and explanations.

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

(b) "Meal" means a combination of food items sold at a single price. Examples of meals are a five-course dinner, a club breakfast, and a blue-plate special. Two or more kinds of food which are prepared or served to be eaten together as one dish are not a "meal". Examples of such dishes are: ham and eggs, bread and butter, apple pie and cheese.

(c) "Offered" means offered for sale and includes the listing or posting of prices for items and meals even though the items and meals so offered were not actually on hand to be sold.

(d) "Food items" means an article or portion of food (including beverages) sold or served by an eating or drinking place for consumption in or about the place or to be taken out for eating without change in form or additional preparation. It includes two or more kinds of food which are prepared or served to be eaten together as one dish, such as ham and eggs, bread and butter, apple pie and cheese.

(e) "Seasonal food items" means a food item (including beverage) not generally offered for sale throughout the year and normally available in quantity only during certain seasonal production periods of each year. Examples are: certain shell-fish such as oysters; certain fresh fish such as salmon, trout and shad; certain vegetables such as summer squash; and certain fruits such as berries and melons.

(f) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 and in the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms used herein.

SEC. 21. Classes of food items and meals. (See definition of "food item" and "meal" contained in section 18).

A. The classes of food items.

BREAKFAST ITEMS

1. Fruits, fruit juices and vegetable juices
2. Cereals
3. Entrees: egg and combination egg dishes served at breakfast
4. Entrees: meat and meat combination dishes served at breakfast
5. Entrees: all other dishes served at breakfast
6. Bread, rolls, buns, Danish-pastries, etc., served at breakfast
7. All other breakfast dishes including jams, jellies, and preserves

OTHER ITEMS

8. Appetizers, except alcoholic cocktails
9. Soups, including soups in jelly
10. Beef; steaks and roasts
11. Veal; steaks, chops and roasts
12. Pork; loin, chops, steaks, and roasts
13. Lamb or mutton; chops, roasts
14. Poultry and fowl
15. Fish and shell-fish

16. Game
 17. Miscellaneous and variety meats, including liver and kidneys
 18. Prepared dishes such as stews, casseroles, ragouts, curries, etc.
 19. Egg and cheese dishes and combinations thereof
 20. All other dishes such as spaghetti and combinations, vegetable platter, baked beans and combinations, chop suey, etc.
 21. Vegetables, including potatoes
 22. Salads (except as served as a main course or appetizer course in a meal)
 23. Desserts: cakes, cookies, pies, pastries, and other baked goods
 24. Desserts: ice creams, sherbets, water ices, including combinations with syrups, creams, fruits and nuts
 24a. Desserts: Seasonal dessert specialties such as watermelon and cantaloupe
 25. Desserts: all others, including fruits, puddings and cheese
 26. Cold sandwiches, including garnishings, salads and vegetables
 27. Hot sandwiches, including garnishings, salads and vegetables
 28. All other food items served in a meal including mints and preserves
 29. Beverage foods, including coffee, cocoa, chocolate, tea and milk

BEVERAGES

30. Non-alcoholic beverages, including sparkling and mineral waters
 31. Alcoholic malt beverages, including beer and ale
 32. Wines, including sparkling wines
 33. Liquors, including whiskeys, gins and brandies
 34. Cordials, including fruit liqueurs
 35. All other alcoholic beverages

B. The classes of meals.

For purposes of this regulation there shall be thirteen classes of meals, namely, breakfast, lunch, tea, dinner and supper during week days, and breakfast, lunch, tea, dinner and supper on Sundays, children's breakfast, lunch and dinner.

SEC. 22. Special orders. The provisions of this regulation to the contrary notwithstanding, the Office of Price Administration may from time to time issue special orders providing for the establishment or reduction of the maximum price of any food item or items or meal or meals sold or offered by any seller or sellers when, in the judgment of the Administrator, such action is necessary or desirable to prevent inflation, to stabilize prices affecting the cost of living, or to carry out the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328.

SEC. 23. Licensing. The licensing provisions of §§ 1499.15 and 1499.16 of the General Maximum Price Regulation shall apply to all persons whose maximum prices are regulated by this regulation.

SEC. 24. Revocation and amendment. (a) This regulation may be revoked, amended or corrected at any time.

(b) You may petition for an amendment of any provision of this regulation (including a petition pursuant to Supplementary Order 28) by proceeding in accordance with Revised Procedural Regulation No. 1, except that the petition shall be filed with and acted upon by the District Director.

This regulation shall become effective September 4, 1943.

NOTE: The reporting and record keeping requirements of this regulation have been

approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

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

Issued this 31st day of August 1943.

BEN TAUR,
District Director.

[F. R. Doc. 43-14922; Filed, September 11, 1943; 4:40 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 611 Under § 1499.3 (b) of GMPR]

QUAKER OATS CO.

For the reasons set forth in an opinion issued simultaneously herewith it is ordered:

§ 1499.2148 Authorization of maximum price for sales of precooked barley by the Quaker Oats Company, 141 W. Jackson Boulevard, Chicago, Illinois. (a) On and after September 13, 1943, the maximum selling price for sales by The Quaker Oats Company, 141 W. Jackson Boulevard, Chicago, Illinois, of precooked barley, processed by it and sacked in 50-pound bags, shall be \$12.20 per 100 pounds, f. o. b. mill.

(b) The Quaker Oats Company shall apply to the maximum selling price authorized by paragraph (a) the same discounts, allowances and price differentials, including price differentials between different classes of purchasers, which it customarily applies to sales of comparable items, unless a change therein results in a lower selling price.

(c) This Order No. 611 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 611 shall become effective September 13, 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 11th day of September, 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14911; Filed, September 11, 1943; 4:34 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 612 Under 1499.3 (b) of GMPR]

THE MARVEL CO.

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

§ 1499.2149 Authorization of maximum prices for sales of "Marvel Whip" by W. G. Turbyfill and Sidney Katz, co-partners doing business under the firm name and style "The Marvel Company," 614 N. San Vicente Blvd., Los Angeles, California, and by wagon wholesalers. (a) On and after September 13, 1943, the maximum selling price for sales by W. G. Turbyfill and Sidney Katz, co-partners doing business under the firm name and style "The Marvel Company," 614 N. San

Vicente Blvd., Los Angeles, California, of "Marvel Whip", packed in one-half ounce packages, one dozen packages to the display carton, shall be \$1.08 per dozen packages, delivered to purchasers' receiving stations, subject to a one percent discount for prompt payment.

(b) Wagon wholesalers shall determine their maximum selling prices for "Marvel Whip," manufactured by W. G. Turbyfill and Sidney Katz, co-partners doing business under the firm name and style "The Marvel Company," by adding to their net cost of the item a markup of 25 percent of their net cost. Where a maximum price per dozen determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per dozen shall be lowered to the next lower cent; and where the fraction is one-half cent or larger, the wagon wholesaler may increase his maximum price per dozen to the next higher cent.

A "wagon wholesaler" is one who purchases the item being priced and distributes it to retailers or to commercial, industrial or institutional users from an inventory stocked in trucks or other conveyances which are under the supervision of a driver salesmen who make delivery at the time and place of sale. Such wholesaler is a wagon wholesaler only for sales made in this manner.

Wagon wholesalers shall apply to their maximum prices for "Marvel Whip" the same discounts, allowances and price differentials, including price differentials between different classes of purchasers, which they customarily apply to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in a lower selling price.

(c) With the first delivery on or after September 13, 1943, W. G. Turbyfill and Sidney Katz, co-partners doing business under the firm name and style "The Marvel Company", shall supply each wagon wholesaler who purchases "Marvel Whip" from them with written notice as set forth below:

(Insert date).

NOTICE TO WAGON WHOLESALERS

The OPA has authorized us to charge for our "Marvel Whip" a maximum selling price of \$1.08 per dozen one-half ounce packages, one dozen packages to the display carton, delivered to purchasers' receiving stations, subject to a one percent discount for prompt payment. Wagon wholesalers are authorized by OPA to determine their maximum selling prices for "Marvel Whip" by adding to their net cost of the item a markup of 25 percent of their net cost. Where a maximum price per dozen determined by a wagon wholesaler is a fractional cent price and the fraction of a cent is less than one-half cent, the maximum price per dozen shall be lowered to the next lower cent; and where the fraction is one-half cent or larger, the wagon wholesaler may increase his maximum price per dozen to the next higher cent. OPA requires that you keep this notice for examination.

(d) This Order No. 612 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 612 shall become effective September 13, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7271; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14912; Filed, September 11, 1943; 4:34 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 613 Under § 1499.3 (b) of GMPR]

GENERAL FOODS CORPORATION

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

§ 1499.2150 *Authorization of maximum delivered prices for sales of "Teem" by the Maxwell House Division of General Foods Corporation, New York, N. Y.*

(a) The Maxwell House Division of General Food Corporation, 250 Park Avenue, New York, N. Y., may sell and deliver to wholesalers "Teem", 200 Bags to the pound in sizes as below at the maximum delivered prices set out below:

Price per-case
delivered to
buyers station

8 bags to a package, 36 packages to a case	\$1.92
16 bags to a package, 24 packages to a case	2.52

(b) The above prices are before discounts. The Maxwell House Division of the General Foods Corporation shall reduce these prices by applying to them the same discounts and allowances which it customarily applied to similar sales of Maxwell House Tea Bags.

(c) Wholesalers and retailers as defined in Maximum Price Regulations Nos. 421, 422 and 423, shall determine their maximum prices for "Teem" by reference to "tea" in those regulations.

(d) This Order No. 613 may be revoked or amended by the Administrator at any time.

(e) This Order No. 613 shall become effective September 13, 1943.

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

Issued this 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14913; Filed, September 11, 1943; 4:34 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Order 99 Under § 1499.75 (a) (3) of GMPR]

KELL BROTHERS OF LANDISBURG, PA.

Order No. 99 under § 1499.75 (a) (3) of Supplementary Regulation No. 15 to the General Maximum Price Regulation. (Docket No. GF3-3312)

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

§ 1499.1399 *Adjustment of maximum prices for contract carrier services*

of Lester Kell and Ray A. Kell co-partners doing business as Kell Brothers of Landisburg, Pennsylvania. (a) Lester Kell and Ray A. Kell, co-partners doing business as Kell Brothers of Landisburg, Pennsylvania, may sell and deliver contract carrier services to the Davison Chemical Corporation of Baltimore, Maryland, at prices not higher than those set forth below:

(1) *Maximum prices, dollars and cents per 2,000-lb. ton, for delivery from Baltimore, Maryland.*

To—	Minimum rate or charge
Blain, Pa.	\$ 4.25
Bridgeport, Pa.	4.00
Centerville, Pa.	4.25
Greenpark, Pa.	4.00
Kistler, Pa.	4.10
Landisburg, Pa.	4.00
Liverpool, Pa.	4.25
Loysville, Pa.	4.00
Markelsville, Pa.	4.10
New Bloomfield, Pa.	4.00
Roseglen, Pa.	4.00
Shermansdale, Pa.	4.00

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

(c) This Order No. 99 (§ 1499.1399) may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 99 (§ 1499.1399) shall become effective September 13, 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 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14914; Filed, September 11, 1943; 4:42 p. m.]

Chapter XIII—Petroleum Administration
For War

[Petroleum Directive 69]

PART 1585—TRANSPORTATION

USE OF INLAND WATERWAY EQUIPMENT IN
GREAT LAKES-NEW YORK AREA

To minimize the effects of the tanker shortage on the Atlantic Seaboard, it is necessary to insure the most efficient utilization of available inland waterway equipment operating on the Great Lakes, the New York State Barge Canal and the Hudson River as far south as and including Rensselaer, New York, and the following operating directive is deemed necessary for the prosecution of the war.

§ 1585.1 *Petroleum Directive 69—(a) Appointment of Joint Great Lakes-New York State Barge Canal Subcommittee.* The Chairmen of the Transportation Committees for District One and Two shall appoint, subject to the approval of the Petroleum Administrator for War or the Deputy Petroleum Administrator, a Joint Great Lakes-New York State Barge Canal Subcommittee for Districts One and Two, comprised of nine members, of which four shall be appointed to represent each District and one shall be appointed as a member-at-large, which subcommittee shall be charged with the responsibility of obtaining maximum efficiency in the use of all inland waterway

equipment employed by the petroleum industry on the Great Lakes, New York State Barge Canal, and Hudson River as far south as and including Rensselaer, New York, and of assuring that all such inland waterways equipment is utilized to meet the critical problems of petroleum supply in each district.

b. *Surveys and investigations.* The Joint Great Lakes-New York State Barge Canal Subcommittee shall make such surveys and investigations and shall obtain such information with respect to the use, location, port-to-port movement and availability of inland waterways equipment operated in the inland waterways specified in paragraph (a) as may be necessary or desirable to accomplish the objective specified in paragraph (a). All users of inland waterways equipment in, or available for, the service of the petroleum industry on the inland waterways specified in paragraph (a) shall furnish such information to the Subcommittee upon request.

(c) *Plans for the allocation and use of inland waterways equipment.* The subcommittee shall obtain and analyze all pertinent available facts, figures, and other data with respect to the operation and utilization of inland waterways equipment operating on the inland waterways specified in paragraph (a), including facts, figures, and other data with respect to the past and present utilization of such equipment by specific persons, natural or artificial, for the transportation of petroleum, petroleum products, and other commodities, with the object in view of submitting plans to the Director of Transportation of the Petroleum Administration for War for the more efficient use and equitable distribution among all persons, natural and artificial, affected, of the inland waterways equipment available for the transportation of petroleum products on the inland waterways specified in paragraph (a).

(d) *Meetings.* Meetings of the Transportation Committees for Districts One and Two, the Great Lakes-New York State Barge Canal Subcommittee, representatives of the persons, natural and artificial, engaged in the petroleum industry in Districts One and Two and all other persons wherever located who may be affected may be held from time to time for the purpose of gathering information, rendering reports, and preparing plans provided in paragraph (c). The aforesaid committees, subcommittees, representatives, and persons, or any of them, may meet from time to time for the purpose of doing all things necessary to carry into effect any plan issued in accordance with the provisions of this directive.

(e) *Effectuating plans and schedules.* All suggested plans required to be submitted hereunder shall, after such modification or revision as the Director of Transportation shall determine to be necessary to accomplish the objectives of this directive, be transmitted to the Chief Counsel of the Petroleum Administration for War. No plan provided for herein shall become effective until it has been approved by the Chief Counsel of the Petroleum Administration for War

and issued by the Petroleum Administrator for War or the Deputy Petroleum Administrator. Upon the approval of any such plan by the Chief Counsel and the issuance of such plan by the Petroleum Administrator for War or the Deputy Petroleum Administrator, copies thereof shall be forwarded to the appropriate committees, subcommittees and all persons named therein, and all committees, subcommittees, and persons, natural or artificial, who may be affected by such plan, shall carry into effect such plan according to its terms, conditions and intent.

(f) *Supervision of inland waterways equipment operations.* The subcommittee created pursuant to paragraph (a) shall investigate and keep informed concerning the loading, unloading, routing and handling of all inland waterways equipment used in petroleum service on the inland waterways specified in paragraph (a) and, subject to the supervision of the District Director of Transportation for the District in which the recommendation is to be carried out, shall make appropriate recommendations to the owners, users, and handlers of such equipment to the end that maximum efficiency in use of inland waterways equipment in appropriate supply services may be attained.

(g) *Administration.* In carrying out the duties, responsibilities, and functions provided under this directive and any approved plan authorized herein, the Great Lakes-New York State Barge Canal Subcommittee shall consult with other appropriate Committees and Subcommittees in Districts One and Two to the extent that plans or activities hereunder may affect such other committees and, to this end, all such committees and subcommittees shall provide the Great Lakes-New York State Barge Canal Subcommittee with such information, material, and assistance as may be necessary or desirable to carry into effect the provisions of this directive. The Great Lakes-New York State Barge Canal Subcommittee shall maintain such staff, and appoint such persons as it finds necessary to carry out its duties, responsibilities, and functions under this directive or any plan adopted pursuant thereto. Any vacancies in membership of the said Subcommittee shall be filled through appointment of new members by the appropriate Chairman of the Transportation Committee of the District involved, subject to the approval of the Petroleum Administrator for War or the Deputy Petroleum Administrator.

(h) *Reports.* The Great Lakes-New York State Barge Canal Subcommittee shall file a weekly progress report with the Chairmen of the Transportation Committees for Districts One and Two. A copy of all reports, schedules or other documents prepared pursuant to the terms of this directive shall be forwarded to the Director of Transportation in the Petroleum Administration for War and to all other appropriate Directors in that Office.

(i) *Expenses.* Any expenses incurred by any committee or subcommittee pursuant to the operation of this directive shall be defrayed by the appropriate

General Committee or Committees pursuant to the provisions of Recommendation No. 7.

(j) *Transfer of functions from Joint Barge Subcommittee for Districts One, Two and Three.* The functions of the Joint Barge Subcommittee for Districts One, Two and Three with respect to all inland waterways equipment operating on the Great Lakes, New York State Barge Canal, and Hudson River as far south as and including Rensselaer, New York, are hereby transferred to the Joint Great Lakes-New York State Barge Canal Subcommittee for Districts One and Two, and Recommendation No. 51 of the Office of Petroleum Coordinator for War (§ 1505.88 through § 1505.96, inclusive) is hereby amended accordingly. (E.O. 9276, 7 F.R. 10091)

Issued this 3d day of September 1943.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 43-14857; Filed, Sept. 11, 1943; 10:01 a. m.]

[Recommendation 45 as Amended Oct. 5, 1942, Revocation]

PART 1508—MARKETING

USE OF ASPHALT OR TAR PRODUCTS ON ROADS AND HIGHWAYS

Sections 1508.44 to 1508.48, inclusive (Recommendation No. 45 as amended October 5, 1942) are hereby revoked, effective immediately.

(E.O. 9276, 7 F.R. 10091)

Issued this 9th day of September 1943.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 43-14863; Filed, September 11, 1943; 11:45 a. m.]

[Petroleum Directive 72]

PART 1530—MARKETING ROAD OIL

DELIVERY AND USE OF ROAD-OIL PROHIBITED

The fulfillment of the requirements for the defense of the United States has created in certain areas a shortage of petroleum for defense, for private account and for export; and the following directive is deemed necessary for the prosecution of the war and to provide adequate supplies of petroleum for military and other essential uses.

§ 1530.1 *Petroleum Directive 72*—(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Road oil" means crude petroleum or any product derived therefrom (except medium curing cutback asphalt, or flux oil when used exclusively for fluxing natural rock or native asphalt, or when mixed with powdered asphalt for the purpose of preparing plant-mixed

paving mixtures) which, upon distillation to 680 degrees Fahrenheit, will yield a residue having a penetration greater than 350 at 77 degrees, 100 grams, 5 seconds.

(b) *Delivery and use of road oil prohibited.* (1) No person shall deliver or accept delivery of road oil for use as a paving material or as a dust palliative on roads or any other surfaces.

(2) No person shall use road oil as a paving material or a dust palliative on roads or any other surfaces, and no person shall deliver or otherwise supply, directly or indirectly, any road oil which he knows or has reason to believe is intended for such uses.

(c) *Communications.* All communications concerning this directive shall, unless otherwise directed, be addressed to: The Director of Marketing, Petroleum Administration for War, Interior Building, Washington, D. C., Ref: PD 72.

(d) *Area of applicability.* This directive shall apply to the Continental United States.

(E.O. 9276, 7 F.R. 10091)

Issued this 9th day of September 1943.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 43-14865; Filed September 11, 1943; 11:45 a. m.]

[PAO 11, Supp. Order 4]

PART 1515—PETROLEUM PRODUCTION OPERATIONS

DRILLING OF NEW WELLS

NOTE: Amendment 1 to Exhibit A of Supplementary Order No. 4 to Petroleum Administrative Order No. 11 as amended April 19, 1943 (8 F.R. 5319) was filed with the Division of the Federal Register as F. R. Doc. 43-14864 on September 11, 1943 at 11:45 a. m. Copies may be obtained from the Petroleum Administration for War, Interior Building, Washington, D. C., or Subway Terminal Building, Los Angeles, Calif. Ref.: Supp. Order 4 to PAO 11.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Service Order 147, Amdt. 2]

PART 95—CAR SERVICE

ICING RESTRICTIONS, FRUIT AND VEGETABLES FROM WESTERN STATES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 11th day of September, A. D. 1943.

Upon further consideration of Service Order No. 147 (8 F.R. 11390) of August 13, 1943, as amended, (8 F.R. 12518) and it appearing that an acute shortage of ice is affecting both the intrastate and interstate movement of perishables in refrigerator cars originating in points in Arizona, California, Colorado, New Mex-

ico, Oregon, Utah, or Washington; in the opinion of the Commission an emergency exists requiring immediate action: *It is ordered, That:*

Section 95.317 *Icing restrictions on fruits and vegetables from western States*, of Service Order No. 147 (8 F.R. 11390) of August 13, 1943, as amended, (8 F.R. 12518) be further amended by designating paragraph (a) therein as (a)(1), and by adding the States of Oregon and Washington to said amended paragraph (a)(1), also by adding a paragraph (a)(2) reading as follows:

(2) No common carrier by railroad subject to the Interstate Commerce Act shall initially ice with more than enough ice to bring ice to $\frac{3}{4}$ of the refrigerator car bunker capacity, a refrigerator car or cars loaded with fresh or green fruits, melons, or vegetables originating at and destined to any point or points in Oregon, or originating at and destined to any point or points in Washington. No reicing shall be allowed or permitted under this paragraph.

And by adding a note to said amended paragraphs (a)(1) and (a)(2) reading as follows:

NOTE: Restrictions on icing perishable traffic originating in Oregon or Washington in paragraph (a)(1) and (a)(2) shall apply only on fresh or green fruits, melons, or vegetables originating on the Northern Pacific Railway Company or the Union Pacific Railroad Company, and restrictions on icing in paragraph (a)(1) on shipments originating on the Union Pacific Railroad Company shall apply only to initial icing and reicing performed by that carrier within the States of Oregon or Washington.

(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 immediately; 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. 48-14956; Filed, September 13, 1943; 11:44 a. m.]

Chapter II—Office of Defense Transportation

[General Order ODT L-1]

PART 504—DIRECTION OF MOTOR TRAFFIC MOVEMENT

MOTOR TRANSPORTATION OF DRY ONIONS FROM OR WITHIN CERTAIN STATES

General outline. This order applies to the transportation of dry onions, from or within certain States, by common, contract and private carriers by motor

vehicle. It prohibits such transportation, in quantities exceeding 100 pounds, unless a permit authorizing the shipment has been issued pursuant to, or is not required by, Food Distribution Order 77 of the War Food Administrator (8 F.R. 11889). Issuance of such a permit, as well as the determination of whether or not in a given situation such a permit is required, rests with the War Food Administration, not with the Office of Defense Transportation. Application for such a permit, and any inquiry regarding the requirements or effect of Food Distribution Order 77, should be addressed to the Regional Director, War Food Administration, serving the (8 F.R. 9315) in which the person affected by that order resides or does business.

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, and to Executive Orders 8989 and 9156, War Production Board Directive 21, and an authorization and request contained in a Certificate dated September 8, 1943, of the War Food Administrator; *It is hereby ordered, That:*

Sec.

504.1 Permit required for transportation by motor vehicle of dry onions from or within certain States.

504.2 Exemptions.

504.3 Definitions.

504.4 Communications.

AUTHORITY: §§ 504.1 to 504.4, inclusive, issued under Act of May 31, 1941, as amended by the Second War Powers Act, 1942, 56 Stat. 176, 50 U. S. Code §§ 631 through 645a; E.O. 8989 and 9156, 6 F.R. 6725, 7 F.R. 3349; War Production Board Directive 21, 8 F.R. 5834; Certificate dated September 8, 1943, of War Food Administrator.

§ 504.1 Permit required for transportation by motor vehicle of dry onions from or within certain States. No person shall transport by motor vehicle, as a common carrier, contract carrier or private carrier, dry onions in quantities in excess of 100 pounds from or within the States of California, Colorado, Idaho, Indiana, Michigan, Minnesota, New York, Nevada, North Dakota, Oregon, Utah or Washington, unless the shipper thereof presents to such common carrier or contract carrier, or such private carrier obtains, a permit authorizing the shipment of such onions, as provided in Food Distribution Order 77 issued by the War Food Administrator on August 27, 1943 (8 F.R. 11889), or in any supplement thereto or amendment or reissue thereof.

§ 504.2 Exemptions. The requirements of § 504.1 of this order shall not apply to any transportation of onions for the shipment of which no permit is required by the provisions of Food Distribution Order 77 or by reason of any relief granted pursuant to § 1405.22 (e) of that order.

§ 504.3 Definitions. As used in this order (§§ 504.1 to 504.4, inclusive), the term:

(a) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any depart-

ment or agency of the United States, any State, the District of Columbia, or any other political, governmental or legal entity.

(b) "Dry onions" means all onions except onion sets and onions with green tops.

(c) "Motor vehicle" means any rubber-tired vehicle propelled or drawn by mechanical power.

(d) "Common carrier" means any person that holds itself out to the general public to engage in transportation of property by motor vehicle for compensation.

(e) "Contract carrier" means any person that, under individual contracts or agreements, engages in the transportation of property by motor vehicle for compensation.

(f) "Private carrier" means any person not included in the term "common carrier" or "contract carrier" that transports by motor vehicle property of which such person is the owner, lessee, or bailee, when such transportation is for the purpose of sale, lease, rent, or bailment, or in furtherance of any commercial enterprise.

§ 504.4 Communications. Communications concerning this order should refer to "General Order ODT L-1," and, unless otherwise directed, should be addressed to the Director, Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This General Order ODT L-1 shall become effective September 13, 1943.

Issued at Washington, D. C., this 9th day of September 1943.

JOSEPH B. EASTMAN,
Director,

Office of Defense Transportation.

[F. R. Doc. 48-14897; Filed, September 11, 1943; 12:04 p. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

PART 22—MOUNTAIN REGION NATIONAL WILDLIFE REFUGES

SNAKE RIVER NATIONAL WILDLIFE REFUGE, IDAHO

Under authority of section 84 of the act of March 4, 1909, as amended by the act of April 15, 1924, 43 Stat. 98, and in extension of § 12.9 of the Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940 (5 F.R. 5284), the following is hereby ordered:

§ 22.851 Snake River National Wildlife Refuge, Idaho; hunting. Until further notice the Snake River National Wildlife Refuge, Idaho, shall be open to hunting as follows: (1) migratory waterfowl (except those species for which no open season is prescribed by the Migratory Bird Treaty Act regulations) and coots may be taken during the period prescribed for the taking of such birds in Idaho, in accordance with the regula-

tions promulgated pursuant to the authority contained in the Migratory Bird Treaty Act of July 3, 1918, as amended, when, in manner, by means, and to the extent not prohibited by either Federal or State law or regulation; (2) pheasants, rabbits, and upland game may be taken in accordance with and as permitted by the State game laws and regulations during the period from September 1 to the following January 31, inclusive; (3) hunting as permitted by this section shall be in accordance with the provisions of the Regulations for the Administration of National Wildlife Refuges under the jurisdiction of the Fish and Wildlife Service, dated December 19, 1940, and subject to the following special provisions, conditions, restrictions, and requirements:

(a) *State laws.* Any person while hunting within the refuge must comply with the applicable State laws and regulations.

(b) *Hunting licenses and permits.* Any person who hunts within the refuge shall be in possession of a valid hunting license issued by the State of Idaho, if such license is required, and, if hunting migratory waterfowl, a properly validated migratory-bird hunting stamp. The said license and the stamp shall serve as a Federal permit for hunting on the refuge and must be carried on the person of the licensee while so hunting. The said license and the stamp must be exhibited upon the request of any representative of the Idaho Fish and Game Commission authorized to enforce the State game laws or any representative of the Department of the Interior. Upon request of the officer in charge of the refuge, the licensee must also exhibit for inspection all birds and game killed by him or in his possession.

(c) *Disorderly conduct; intoxication.* No person who is intoxicated will be permitted to enter or remain upon the refuge for the purpose of hunting hereunder, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

(d) *Hunting dogs.* Each person hunting on the refuge will be permitted to take his hunting dogs, not to exceed two in number, upon any area of the refuge for the purpose of hunting upland game or of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large unattended on the refuge.

(e) *Firearms.* Persons entering the refuge for the purpose of hunting shall not be in possession of rifled firearms, and the use of single-ball or slug-loaded shotgun shells on the refuge is prohibited.

(f) *Forfeiture of privileges.* Failure of any person hunting on the refuge to comply with any of the provisions, conditions, restrictions, or requirements of the regulations in this section or the violation by him of any of the provisions of State or Federal law or regulations applicable to hunting on the refuge not only will render such person liable to prosecution under the law but also will be sufficient cause for removing him from

the refuge and for refusing him further hunting privileges on the refuge.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.
SEPTEMBER 3, 1943.

[F. R. Doc. 43-14952; Filed September 13, 1943; 11:09 a. m.]

PART 23—SOUTHWESTERN REGION NATIONAL WILDLIFE REFUGES

HAVASU LAKE NATIONAL WILDLIFE REFUGE, ARIZONA AND CALIFORNIA

Pursuant to section 84 of the act of March 4, 1909, as amended by the act of April 15, 1924, 43 Stat. 98; 18 U.S.C. 145, and section 10 of the Migratory Bird Conservation Act, of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), as amended, and in extension of § 12.9 of the Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940 (5 F.R. 5284), the following is hereby ordered:

Section 23.409 *Havasu Lake National Wildlife Refuge, Arizona and California, hunting* (7 F.R. 7695), is amended by striking out all of paragraph (a) thereof, entitled "Area open to hunting", and inserting in lieu thereof the following:

(a) *Areas open to hunting.* All the lands of the United States, designated by suitable posting by the officer in charge of the refuge, within the following-described area of the refuge, except those required for military purposes by the United States Army, shall be open to hunting:

Area No 1. That part of the refuge lying between the south section line of sections 4, 5, and 6, extended, T. 12 N., R. 19 W., and the north line extended of T. 14 N., R. 20 1/2 W., Gila and Salt River Meridian.

Area No. 2. That part of the refuge lying between the north line of the south halves of sections 27 and 28, extended, T. 7 N., R. 24 E., San Bernardino Meridian, and the northern boundary of the refuge, excepting therefrom the following-described lands: All that part of the refuge lying and being north of the south line of sections 15, 16, and 17, extended, and east of the west line of sections 5, 8, and 17, extended, T. 16 N., R. 21 W., Gila and Salt River Meridian.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.
SEPTEMBER 3, 1943.

[F. R. Doc. 43-14953; Filed, September 13, 1943; 11:08 a. m.]

PART 29—PLAINS REGION NATIONAL WILDLIFE REFUGES

LOWER SOURIS NATIONAL WILDLIFE REFUGE, NORTH DAKOTA

Under authority of section 84 of the act of March 4, 1909, as amended by the act of April 15, 1924, 43 Stat. 98; 18 U.S.C. 145, and section 10 of the Migratory Bird Conservation Act, of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), as amended, and in extension of § 12.9 of the Regulations for the Administration of National Wildlife Refuges under the

Jurisdiction of Fish and Wildlife service, dated December 19, 1940 (5 F.R. 5284), the following is hereby ordered:

§ 29.573a *Lower Souris National Wildlife Refuge, North Dakota; hunting of deer.* Deer may be taken during the open season prescribed therefor by the Game and Fish Department of the State of North Dakota during the calendar year 1943 on certain lands, hereinafter specified, of the United States within the Lower Souris National Wildlife Refuge, North Dakota, in accordance with the provisions of the Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940, and subject to the following special provisions, conditions, restrictions, and requirements:

(a) *Area open to hunting.* The following-described lands of the United States within the Lower Souris National Wildlife Refuge shall be open to the hunting of deer: That part of the refuge lying south and east of Dam No. 320 except the area north of the Souris River between Dam No. 320 and the line common to secs. 29 and 30, and 31 and 32, T. 159 N., R. 76 W., fifth principal meridian, North Dakota.

(b) *Compliance with State laws and regulations.* Any person who hunts on the refuge shall be in possession of a valid hunting license issued by the State of North Dakota authorizing him to hunt deer and a permit issued by the officer in charge of the refuge authorizing him to enter the refuge. Said license and permit must be carried on the person of the licensee while so hunting and must be exhibited upon the request of any representative of the North Dakota Game and Fish Department authorized to enforce the State game laws or of any representative of the Department of the Interior. The licensee must comply in every respect with the State laws and regulations governing the hunting of deer and upon the request of any of the aforesaid representatives must exhibit for inspection all game killed by him or in his possession.

(c) *Disorderly conduct; intoxication.* No person who is intoxicated will be permitted to enter or remain upon the refuge for the purpose of hunting hereunder, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

(d) *Entry upon refuge.* Persons entering the refuge for the purpose of hunting, as permitted by the regulations in this section, shall use such routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge.

(e) *Limitation on firearms.* Deer may be taken only by the use of rifled firearms of .25 caliber or larger, shooting a projectile of not less than one hundred grains.

(f) *Forfeiture of privileges.* Failure of any person hunting on the refuge to comply with any of the provisions, conditions, restrictions, or requirements of the regulations in this section or the violation by him of any of the provisions of

State or Federal laws or regulations applicable to hunting on the refuge not only will render such person liable to prosecution under the law but also will be sufficient cause for removing him from the refuge and for refusing him further hunting privileges on the refuge.

(g) *State cooperation in management of the shooting area.* The provisions of the regulations in this section shall be incorporated in and deemed to be a part of any cooperative agreement between the Director of the Fish and Wildlife Service and the Commissioner of the Game and Fish Department of North Dakota for the regulation, management, and operation of the shooting area established hereunder, the details of which shall be mutually agreed upon between said Director and Commissioner.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.
SEPTEMBER 3, 1943.

[F. R. Doc. 43-14954; Filed, September 13, 1943; 11:09 a. m.]

PART 29—PLAINS REGION NATIONAL WILDLIFE REFUGES

UPPER SOURIS NATIONAL WILDLIFE REFUGE,
NORTH DAKOTA

Under authority of section 84 of the act of March 4, 1909, as amended by the act of April 15, 1924, 43 Stat. 98; 18 U. S. C. 145, and section 10 of the Migratory Bird Conservation Act of February 18, 1929, (45 Stat. 1222; 16 U.S.C. 715i), as amended, and in extension of § 12.9 of the Regulations for the Administration of National Wildlife Refuges, under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940 (5 F.R. 5284), the following is hereby ordered:

§ 29.919a *Upper Souris National Wildlife Refuge, North Dakota; hunting of deer.* Deer may be taken during the open season prescribed therefor by the Game and Fish Department of the State of North Dakota during the calendar year 1943 on certain lands, hereinafter specified, of the United States within the Upper Souris National Wildlife Refuge, North Dakota, in accordance with the provisions of the Regulations for the Administration of National Wildlife Refuges under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940, and subject to the following special provisions, conditions, restrictions, and requirements:

(a) *Areas open to hunting.* The following-described lands of the United States within the Upper Souris National Wildlife Refuge shall be open to the hunting of deer: That part of the refuge lying south of the Renville County line and that part lying north of the line between townships 159 and 160, north.

(b) *Compliance with State laws and regulations.* Any person who hunts on the refuge shall be in possession of a valid hunting license issued by the State of North Dakota authorizing him to hunt deer and a permit issued by the officer in charge of the refuge authorizing him to enter the refuge. Said license and

permit must be carried on the person of the licensee while so hunting and must be exhibited upon the request of any representative of the North Dakota Game and Fish Department authorized to enforce the State game laws or of any representative of the Department of the Interior. The licensee must comply in every respect with the State laws and regulations governing the hunting of deer and upon the request of any of the aforesaid representatives must exhibit for inspection all game killed by him or in his possession.

(c) *Disorderly conduct; intoxication.* No person who is intoxicated will be permitted to enter or remain upon the refuge for the purpose of hunting hereunder, and any person who indulges in any disorderly conduct on the refuge will be removed therefrom by the officer in charge and dealt with as prescribed by law.

(d) *Entry upon refuge.* Persons entering the refuge for the purpose of hunting, as permitted by the regulations in this section, shall use such routes of travel as may be designated by suitable posting by the officer in charge and shall not otherwise enter upon the refuge.

(e) *Limitation on firearms.* Deer may be taken only by the use of rifled firearms of .25 caliber or larger, shooting a projectile of not less than one hundred grains.

(f) *Forfeiture of privileges.* Failure of any person hunting on the refuge to comply with any of the provisions, conditions, restrictions, or requirements of the regulations in this section or the violation by him of any of the provisions of State or Federal laws or regulations applicable to hunting on the refuge not only will render such person liable to prosecution under the law but also will be sufficient cause for removing him from the refuge and for refusing him further hunting privileges on the refuge.

(g) *State cooperation in management of the shooting area.* The provisions of the regulations in this section shall be incorporated in and deemed to be a part of any cooperative agreement between the Director of the Fish and Wildlife Service and the Commissioner of the Game and Fish Department of North Dakota for the regulation, management, and operation of the shooting area established hereunder, the details of which shall be mutually agreed upon between said Director and Commissioner.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.
SEPTEMBER 3, 1943.

[F. R. Doc. 43-14955; Filed, September 13, 1943; 11:09 a. m.]

Notices

NAVY DEPARTMENT.

EMERGENCY MATERNITY AND INFANT CARE
FOR WIVES AND INFANTS OF ENLISTED
MEN IN THE ARMED FORCES

1. The Navy has been advised by the Children's Bureau of the Department of Labor that the subject services an-

nounced in the notice filed with the Division of the Federal Register (8 F.R. 11391) as being available to the wives and infants of enlisted personnel of the fourth, fifth, sixth or seventh pay grades are now available to the wives and infants of enlisted personnel of the first, second, or third pay grades when similar services are not otherwise provided by the Navy or through facilities provided by official State or local health agencies, and when circumstances in the individual cases warrant.

2. The below-listed States and Territories have plans in operation in connection with this program. Requests should be submitted to the Director of Maternal and Child Health, State Health Department.

Alabama	Missouri
Alaska	Montana
Arizona	Nebraska
Arkansas	Nevada
California	New Hampshire
Connecticut	New Jersey
District of Columbia	New Mexico
Delaware	New York
Florida	North Carolina
Georgia	Ohio
Hawaii	Oklahoma
Idaho	Rhode Island
Illinois	South Carolina
Indiana	South Dakota
Iowa	Tennessee
Kansas	Utah
Kentucky	Vermont
Maine	Virginia
Maryland	Washington
Michigan	West Virginia
Minnesota	Wisconsin
Mississippi	Wyoming

[Bu. Pers. Circular Letter No. 166-43, Aug. 26, 1943]

JAMES FORRESTAL,
Acting Secretary of the Navy.

[F. R. Doc. 43-14950; Filed, September 13, 1943; 11:17 a. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

SANTA BARBARA COUNTY PROJECT,
CALIFORNIA

FIRST FORM RECLAMATION WITHDRAWAL

JULY 9, 1943.

The SECRETARY OF THE INTERIOR.

Sir: It is recommended that the following described lands be withdrawn from public entry under the first form of withdrawal, as provided in section 3 of the Act of June 17, 1902 (32 Stat. 388).

SANTA BARBARA COUNTY PROJECT, CALIFORNIA
SAN BERNARDINO MERIDIAN

ROUND CORRAL RESERVOIR SITE

T. 9 N., R. 30 W.,
Secs. 17, 18, 21, 22, 23, 25, 26 and 27;
That part in Sisquoc Rancho (Lot 37).

T. 9 N., R. 31 W.,
That part in Sisquoc Rancho (Lot 38).

SANTA ROSA RESERVOIR SITE

T. 6 N., R. 31 W.,
That part in Rancho Nojocui (Lot 44);
That part in Rancho San Carlos de Jonata (Lot 45).

T. 6 N., R. 32 W.
 Secs. 9 to 13, inclusive;
 Sec. 14, N½;
 That part in Rancho Nojoqui (Lot 37);
 That part in Rancho Santa Rosa de Cota
 (Lot 39);
 That part in Rancho San Carlos de Jonata
 (Lot 40).
 T. 6 N., R. 33 W.
 Sec. 3, Lots 5 to 8, inclusive, N½ S½;
 Sec. 4, Lots 4, 5, 6, NE½ SE½;
 That part in Rancho Canada de Salsipuedes
 (Lot 37);
 That part in Rancho Santa Rita (Malo)
 (Lot 38);
 That part in Rancho Santa Rosa (Lot 40).

NARROWS RESERVOIR SITE

T. 7 N., R. 33 W.,
 That part in Rancho Santa Rita (Lot 37).
 T. 6 N., R. 34 W.,
 That part in Rancho Canada de Salsipuedes
 (Lot 37);
 That part in Rancho La Mission Vieja de la
 Purisima (Lot 41).
 T. 7 N., R. 34 W.,
 That part in Rancho Santa Rita;
 That part in Rancho La Mission Vieja de la
 Purisima.

VAQUERO RESERVOIR SITE

T. 10 N., R. 32 W.,
 That part in Rancho de Suey (Lot 37).
 T. 11 N., R. 32 W.,
 Secs. 15, 16, 17, secs. 19 to 22, inclusive, secs.
 29 and 30. (in Rancho de Suey).
 T. 10 N., R. 33 W.,
 That part in Rancho de Suey (Lot 37).
 T. 11 N., R. 33 W.,
 Secs. 14 and 15;
 That part in Rancho de Suey (Lot 37);
 That part in Rancho Huasna (Lot 39).
 T. 12 N., R. 33 W.,
 That part in Rancho Huasna (Lot 37).

H. W. BASHORE,
Acting Commissioner.

I concur: July 27, 1943.

FRED W. JOHNSON,
*Commissioner of the General
 Land Office.*

The foregoing recommendation is hereby approved, as recommended, and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

MICHAEL W. STRAUSS,
First Assistant Secretary.

AUGUST 3, 1943.

[F. R. Doc. 43-14951; Filed, September 13,
 1943; 11:08 a.m.]

Coal Mines Administration.

[Order No. T-41]

ARROW COAL CORP., ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION
 AND CONTROL

SEPTEMBER 8, 1943.

On May 1, 1943, by virtue of the authority vested in me by the President of the United States, I signed Orders Nos. 1809 and 1810 (8 F.R. 5767), taking possession of anthracite and bituminous

coal mines in which I found from the available information that a strike or stoppage had occurred or was threatened. Since May 1, 1943, operations at the coal mines of the mining companies listed in Appendix A have ceased, and the companies are no longer engaged in producing coal. It is unnecessary to retain possession of the aforesaid coal mines.

Accordingly, I order and direct that possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to the coal mines during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines Under Government Control, as amended (8 F.R. 6655, 10712, 11344), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner; And provided further, That except as otherwise ordered, the appointments of the Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX A

Name of Mining Company and Address

Arrow Coal Corporation, Rockingham, Pa.
 Barrowman Coal Company, Praise, Ky.
 Christopher Mining Company, Morgantown, W. Va.
 Follansbee Steel Corporation, Pittsburgh, Pa.
 Glenn Carbon Coal Company, RFD #2, Collingsville, Ill.
 Hickory Hill Coal Company, Junction, Ill.
 Kentucky Hayslen Coal Company, Blue Diamond, Ky.
 M & L Company, Bokoshe, Okla.
 Mahan Jellico Coal Company, Williamsburg, Ky.
 Norwood-White Coal Company, 907 Bankers Trust Building, Des Moines, Iowa.
 O' Elliott Producers Association, Moberly, Mo.
 Pryor Coal Mining Company, Continental Oil Building, Denver, Colo.
 Stirling Coal Company, Daniel Boone, Ky.
 Tartan Coal Mining Company, P. O. Box 170, Kittanning, Pa.
 West Spadra Coal Company, Clarksville, Ark.
 Willard Coal Company, Willard, Ky.
 Wilton-Jellico Coal Company (A. M. Greene), Woodbine, Ky.

[F. R. Doc. 43-14844; Filed, September 11,
 1943; 9:53 a. m.]

[Order No. T-43]

BUCKEYE COAL CO., ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION
 AND CONTROL

SEPTEMBER 9, 1943.

The Operating Managers for the United States for the coal mines listed in Appendix A have advised the Coal Mines Administrator that there has been no interruption in the operation of such mines since April 30, 1943, as a result of a strike or other labor disturbance, and have submitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that the possession and control by the Government of such mines are not necessary to insure the operation of such mines in the interest of the war effort, and that it is practicable to terminate the possession and control of such mines.

Accordingly, I order and direct that possession and control by the Government of the mines listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner; And provided further, That except as otherwise ordered, the appointments of the Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX A

Name and Location of Mines and Name and Address of Mining Company

Grove City Strip Mine, Mine Index No. 3033, Mercer County, Pennsylvania, Buckeye Coal Company, Youngstown 1, Ohio.

Morgan Mine, Mine Index No. 100, Millstadt, Illinois, Morgan Coal Company, 19 West 38th Street, Indianapolis, Ind.

FEDERAL REGISTER, Tuesday, September 14, 1943

Morgan Mine, Mine Index No. 106, Kingman, Indiana, Morgan Coal Company, 19 West 38th Street, Indianapolis, Ind.

Morgan Mine, Mine Index No. 739, Corsica, Pennsylvania, Morgan Coal Company, 19 West 38th Street, Indianapolis, Ind.

[F. R. Doc. 43-14846; Filed, September 11, 1943; 9:53 a. m.]

[Order No. T-43a]

MORGAN COAL CO., ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION AND CONTROL

SEPTEMBER 9, 1943.

The Operating Managers for the United States for the coal mines listed in Appendix A have advised the Coal Mines Administrator that the productive efficiency of each of those mines prevailing prior to the taking of possession by the Government has been restored, and have submitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that, in accordance with the provisions of the War Labor Disputes Act of June 25, 1943 (Pub. No. 89, 78th Cong. 1st Sess.), the possession and control by the Government of such mines should be terminated.

Accordingly, I order and direct that possession and control by the Government of the mines listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner: And provided further, That except as otherwise ordered, the appointments of the Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX A

Name and Location of Mines and Name and Address of Mining Company

Morgan Mine, Mine Index No. 186, Santillo, Ohio. Morgan Coal Company, 19 West 38th Street, Indianapolis, Ind.

Morgan Mine, Mine Index No. 1485, Bryant, Illinois. Morgan Coal Company, 19 West 38th Street, Indianapolis, Ind.

Nemacolin Mine, Mine Index No. 164, Nemacolin, Pennsylvania. Buckeye Coal Company, Youngstown 1, Ohio.

[F. R. Doc. 43-14847; Filed September 11, 1943; 9:53 a. m.]

[Order No. T-44]

AVONMORE COAL & COKE CO., ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION AND CONTROL

SEPTEMBER 9, 1943.

The Operating Managers for the United States for the coal mines of the mining companies listed in Appendix A have advised the Coal Mines Administrator that the productive efficiency of each of those mines prevailing prior to the taking of possession by the Government has been restored, and have submitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that, in accordance with the provisions of the War Labor Disputes Act of June 25, 1943 (Pub. No. 89, 78th Cong. 1st Sess.), the possession and control by the Government of such mines should be terminated.

Accordingly, I order and direct that possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner; And provided further, That except as otherwise ordered, the appointments of the Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX A

Name of Mining Company and Address

Avonmore Coal and Coke Co., Leechburg, Pa. Beaver Coal & Mining Co., The, Toledo,

Ohio. Bell Coal Co., Inc., Rella, Ky. Black Eagle Smokeless Coal Co., Inc., Mullens, W. Va. Bowman Coal Co., Leechburg, Pa. Buffalo Chilton Coal Co., Amherstdale, W. Va. Butler Consolidated Coal Co., Butler, Pa. Corley, Jr., W. D., Colorado Springs, Colo. Christopher National Coal Co., Morgantown, W. Va. Christopher Mining Corporation, Morgantown, W. Va. Christopher Mining Company, Morgantown, W. Va. Christopher Coal Company, Morgantown, W. Va. Clear Branch Mining Co., The, Toledo, Ohio. East Windber Coal Company, Johnstown, Pa. Elk Creek Coal Co., Amherstdale, W. Va. Fleming & Co., Inc., Robert, Banner, Va. French Coal Co., Streator, Ill. Gulf Smokeless Coal Company, Tams, W. Va. Guyan Eagle Coal Co., Amherstdale, W. Va. Hardy-Burlingham Mining Co., Inc., Newport, Ky. HiHat Elkhorn Mining Co., Inc., Ashland, Ky. Home Creek Smokeless Coal Co., Bluefield, W. Va. Imperial Colliery Co., Lynchburg, Va. Jeffries Coal Company, Roundup, Mont. Leechburg Collieries Co., Inc., Leechburg, Pa. Low Moisture Coal Co., Inc., Providence, Ky. Mallory Coal Co., Huntington, W. Va. Montana Coal & Iron Co., Billings, Mont. North-East Coal Co., Inc., Philadelphia, Pa. Peerless Coal & Coke Co., The, Vivian, W. Va. Pine Run Co., Leechburg, Pa. Princess Elkhorn Coal Co., Mallory, W. Va. Pruden Coal & Coke Co., Pruden, Tenn. Rocky Mountain Fuel Co., Denver, Colo. Royal Gorge Coal Co., Canon City, Colo. S. and U. Coal Co., Wyano, Pa. Semet-Solvay Company, New York, N. Y. Shearn Coal Co., Inc., St. Louis, Mo. Snow Hill Coal Corp., Terre Haute, Ind. Southern Coal Corp., Bluefield, W. Va. Three Point Coal Corp., Three Point, Ky. Washington Coal Co., Leechburg, Pa. Winslow Coal Corp., Petersburg, Ind. Peter White Coal Company, Bluefield, W. Va.

[F. R. Doc. 43-14848; Filed September 11, 1943; 9:53 a. m.]

[Order No. T-45]

AMERICAN COAL CO. OF ALLEGHENY COUNTY, ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION AND CONTROL

SEPTEMBER 10, 1943.

The Operating Managers for the United States for the coal mines of the mining companies listed in Appendix A have advised the Coal Mines Administrator that the productive efficiency of each of those mines prevailing prior to the taking of possession by the Government has been restored, and have submitted factual evidence to that effect. Based on such evidence and advice, and after consideration of all the circumstances, I find that, in accordance with the provisions of the War Labor Disputes Act of June 25, 1943 (Pub. No. 89, 78th Cong. 1st Sess.), the possession and control by the Government of such mines should be terminated.

Accordingly, I order and direct that possession and control by the Government of the mines of the mining companies listed in Appendix A, attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines and the distribution and sale of their products, be, and they are hereby, terminated and that there be conspicuously displayed at the mining properties copies of a poster to be

supplied by the Coal Mines Administration and reading as follows:

Notice: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Provided, however, That nothing contained herein shall be deemed to preclude the Administrator from requiring the submission of information relating to operations during the period of Government possession and control as provided in section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9340 (8 F.R. 5695) may be concluded in an orderly manner; And provided further, That except as otherwise ordered, the appointments of the Operating Managers for the mines of the companies listed in Appendix A shall continue in effect.

HAROLD L. ICKES,
Secretary of the Interior.

APPENDIX A

Name of Mining Company and Address

American Coal Co. of Allegheny county, McComas, West Virginia. Anchor Coal Co., Cleveland, Ohio. Ayrshire Patoka Collieries Corp., Indianapolis, Ind. Myers No. 3 Mine, George K. Brennen, Scottdale, Pennsylvania. Walter Bledsoe & Co., Terre Haute, Ind. Coleman Fuel Co. Inc., Field, Bell County, Ky. Davis-Wilson Coal Co., Morgantown, West Virginia. DeBardeleben Coal Corp., Birmingham, Alabama. Enos Coal Mining Co., The, Cleveland, Ohio. Fairview Collieries Corp., Indianapolis, Ind. Robert Gage Coal Co., Bay City, Michigan. Louise Coal Co., Morgantown, West Virginia. Mill Creek Coal & Coke Co., Coopers, West Virginia. Moffit Coal Co., Daisytown, Pennsylvania. Old Home Fuel Co., Uniontown, Pennsylvania. Page Mining Co., Cincinnati, Ohio. Rupert Smokeless Coal Co., Rupert, West Virginia. Saxton Coal Corp., Williamsburg, Kentucky. Stonega Coke and Coal Co., Inc., Philadelphia, Pennsylvania. Three Fork Coal Co., Elamore, West Virginia. Adamsburg Mine, Edward Tomajko, Adamsburg, Pennsylvania. Morris Mine, Paul H. Weise, Pittsburgh, Pennsylvania. Westmoreland Coal Co., Philadelphia, Pennsylvania. West Virginia Coal & Transportation Co., St. Paul, Minnesota. Whipple Coals, Inc., Pineville, Ky., Pineville, Kentucky. Winisle Coal Corp., Amherstdale, West Virginia.

[F. R. Doc. 43-14949: Filed, September 13, 1943; 11:06 a.m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LOGGING, LUMBER AND TIMBER AND RELATED PRODUCTS INDUSTRIES

NOTICE OF HEARING ON MINIMUM WAGES

Notice of hearing on the minimum wage recommendation of Industry Committee No. 64 for the logging, lumber and timber and related products industries; to be held October 1, 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 August 5, 1943, by Administrative Order No. 209, appointed Industry Committee No. 64 for the logging, lumber and timber and related products industries, composed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas, Industry Committee No. 64, on August 30, 1943, recommended a minimum wage rate for the logging, lumber and timber and related products industries and duly adopted a report containing such recommendation and reasons therefor and filed such report with the Administrator on September 1, 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. 64 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. 64 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 Logging, Lumber and Timber and Related Products Industries (as defined in Administrative Order No. 209) who is engaged in commerce or in the production of goods for commerce.

II. The definition of the logging, lumber and timber and related products industries as set forth in Administrative Order No. 209, issued August 5, 1943, is as follows:

Logging: wood saw milling and surfacing; wood preserving; wood re-working, including but without limitation kiln or air drying, and the manufacture of planing mill products, dimension stock, boxes and other containers including cigar boxes and vegetable and fruit baskets, and wood turnings and shapings; and the manufacture of shingles, cooperage and cooperage stock, veneer, plywood, insulation board made of any vegetable fiber, prefabricated building units, and all other products made from wood, reed, cork, rattan, and related materials and from such other materials as bone, shell, horn, and ivory.

Provided, however, That the definition shall not include any products or operation included in the Wood Furniture Manufacturing Industry, Button and Buckle Manufacturing Industry or the Metal, Plastics, Machinery, Instrument, and Allied Industries (as defined in the wage orders for those industries); or in the Pens and Pencils Manufacturing Industry (as defined in Administrative Order No. 168).

III. The full text of the report and recommendation of Industry Committee No. 64 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.

Philadelphia, Pennsylvania: 1216 Widener Building, Chestnut and Juniper Streets.

New York, New York: Parcel Post Building, 341 Ninth Avenue.

Richmond, Virginia: 215 Richmond Trust Building.

Atlanta, Georgia: Fifth Floor, Carl Witt Building, 249 Peachtree Street, N. E.

Birmingham, Alabama: 1007 Comer Building.

Cleveland, Ohio: 4094 Main Post Office, West Third and Prospect Avenue.

Newark, New Jersey: Essex Building, 31 Clinton Street.

Baltimore, Maryland: 401-411 Old Town Building, Gay and Fallsway Streets.

Jacksonville, Florida: 456 New Post Office Building.

Cincinnati, Ohio: 1312 Traction Building, Fifth and Walnut Streets.

Chicago, Illinois: 1200 Merchandise Mart, 222 West North Bank Drive.

St. Louis, Missouri: 316 Old Customs House, 815 Olive Street.

San Francisco, California: 800 Humboldt Bank Building, 785 Market Street.

Denver, Colorado: 300 Chamber of Commerce Building, 1726 Champa Street.

Seattle, Washington: 305 Post Office Building, Third Avenue and Union Street.

Columbia, South Carolina: Federal Land Bank Building, Hampton and Marion Streets.

Jackson, Mississippi: 404 Deposit Guaranty Bank Building, 102 Lamar Street.

Detroit, Michigan: David Stott Building, 1150 Griswold Street.

Pittsburgh, Pennsylvania: Clark Building, Liberty Avenue and Seventh Street.

Raleigh, North Carolina: North Carolina Department of Labor, Salisbury and Edenton Streets.

New Orleans, Louisiana: 916 Union Building.

Nashville, Tennessee: 509 Medical Arts Building.

Minneapolis, Minnesota: 406 Pence Building, 730 Hennepin Avenue.

Dallas, Texas: Rio Grande National Building, 1100 Main Street.

Kansas City, Missouri: 3000 Fidelity Building, 911 Walnut Street.

Los Angeles, California: 417 H. W. Hellman Building, Spring and Fourth Streets.

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 October 1, 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 3229, United States Department of Labor Building, 14th Street and Constitution Avenue, N. W., Washington, D. C. for the purpose of taking evidence on the following question: Whether the recommendation of Industry Committee No. 64 should be approved or disapproved.

FEDERAL REGISTER, Tuesday, September 14, 1943

V. Any interested person supporting or opposing the recommendation of Industry Committee No. 64 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 September 28, 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. 64.
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. 64 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 Logging, Lumber and Timber and Related Products Industries will be made available on request for inspection by any interested person who intends to appear at the aforesaid hearing. Report entitled, "Economic Factors Bearing on the Establishment of Minimum Wages in the Logging, Lumber and Timber and Related Products Industries", prepared by the Economics Branch, Wage and Hour Division, United States Department of Labor, August 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 the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice, he will not be permitted to offer evidence at any other time except by special permission of the Presiding Officer.

3. At the discretion of the Presiding Officer, the hearing may be continued from day to day, or adjourned to a later date, or to a different place by announcement thereof at the

hearing by the Presiding Officer or by other appropriate notice.

4. At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the hearing has been closed, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

5. All evidence must be presented under oath or affirmation.

6. Written documents or exhibits, except as otherwise permitted by the Presiding Officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.

7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the Presiding Officer. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the Presiding Officer the original document together with two copies of those portions of the document intended to be put in evidence.

8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

10. The rules of evidence prevailing in the courts of law or equity shall not be controlling.

11. The Presiding Officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person insofar as is practicable, and to object to the admission or exclusion of evidence by the Presiding Officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the Presiding Officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage order based upon such approval must be made at the hearing before the Presiding Officer.

12. Before the close of the hearing, written requests shall be received from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings and shall designate the

time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

14. On the close of the hearing, a complete record of the proceedings shall be filed with the Administrator. No intermediate report shall be filed unless so directed by the Administrator. If a report is filed it shall be advisory only and have no binding effect upon the Administrator.

15. No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at New York, this 4th day of September 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-14827; Filed, September 11, 1943; 2:44 p. m.]

[Administrative Order 215]

BAKERY, BEVERAGE, AND MISCELLANEOUS FOOD INDUSTRIES

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO INDUSTRY COMMITTEE

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignations of Fred L. Cobb of Green Bay, Wisconsin; J. Frank Rushton, Jr. of Birmingham, Alabama; and Edward H. Crawford of Newport, Kentucky, from Industry Committee No. 65 for the Bakery, Beverage, and Miscellaneous Food Industries, and do appoint in their stead, respectively, A. D. Spier of Omaha, Nebraska, and L. W. Dawley of Jackson, Mississippi, as representatives for the Employers; and Joseph Caliro of Providence, Rhode Island, as representative for the Employees on such Committee.

Signed at New York, New York, this 8th day of September 1943.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 43-14899; Filed, September 11, 1943; 2:44 p. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6541]

IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS (WOI)

ORDER ON PETITION FOR RECONSIDERATION

In re Iowa State College of Agriculture and Mechanic Arts (WOI), Ames, Iowa, for special service authorization.

At a session of the Federal Communications Commission held at its offices

in Washington, D. C. on the 7th day of September, 1943;

Upon consideration of the petition for reconsideration filed August 20, 1943 by Earle C. Anthony, Inc. (KFI), Los Angeles, California directed against the action of the Commission August 3, 1943 granting the application of Iowa State College of Agriculture and Mechanic Arts (WOI), Ames, Iowa, for special service authorization (B4-SSA-79) to operate on the frequency 640 kc from 6 a. m. to local sunrise, central standard time, with 1 kw power for the period ending February 1, 1944; and no opposition having been filed by Iowa State College (WOI) and the time under § 1.273 of the Commission's Rules of Practice and Procedure within which such opposition might have been filed having expired;

It is ordered: (1) That the petition for reconsideration filed by Earle C. Anthony, Inc. (KFI), Los Angeles, California be, and it is hereby, granted; (2) that the action of the Commission of August 3, 1943 granting the application of Iowa State College of Agriculture and Mechanic Arts (WOI), Ames, Iowa, for special service authorization (B4-SSA-79) be, and it is hereby set aside; (3) that this application be, and it is hereby, designated for hearing upon the following issues:

1. To determine the extent of any interference which would result from the simultaneous operation of Station WOI, Ames, Iowa with either 1 kw or 5 kw power operating as proposed and Station KFI, Los Angeles, California, operating under its present assignment.

2. To determine the areas and populations which may be expected to lose primary or secondary service particularly from Station KFI, should Station of radio service as contemplated by either 1 kw or 5 kw power as proposed and what other broadcast service is available to those areas.

3. To determine whether the granting of this application would tend toward a fair, efficient, and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

4. To determine the nature and character of the program service proposed by Station WOI from 6 a. m. to local (Ames, Iowa) sunrise, and the nature and character of the service of Station KFI which may be restricted or impaired through the operation of Station WOI as proposed.

5. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

It is further ordered, That Earle C. Anthony, Inc. (KFI), Los Angeles, California be, and it is hereby, made a party to such hearing.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 43-14858; Filed, September 11, 1943; 10:34 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-460 and G-461]

CABOT GAS CORPORATION AND GODFREY
L. CABOT, INC.

ORDER FIXING DATE OF HEARING ON APPLICATION FOR INTERIM ORDER

SEPTEMBER 10, 1943.

It appearing to the Commission that:

On June 14, 1943, Cabot Gas Corporation filed an application in the above proceeding requesting an order under section 7 (b) of the Natural Gas Act permitting the applicant forthwith to abandon service from, and to remove, its 19.48 miles of 14-inch line between Perry and the Monroe County line in the State of New York;

The Commission orders That:

(A) A public hearing be held in the County Court House in the City of Rochester, New York, commencing on September 24, 1943, at 10 a. m. (e.w.t.) on the said application;

(B) The representative designated by the Commission to preside at such hearing is authorized (1) to conduct hearings in conjunction with the hearing of the New York Public Service Commission and work out with Commissioner Burritt the best method of procedure; and (2) to hold such other and further hearings, if such be necessary, to complete the record for the purposes of final determination upon the said application here pending.

By the Commission.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-14937; Filed, September 13, 1943; 11:06 a. m.]

[Docket No. G-497]

NORTHERN NATURAL GAS CO.

NOTICE OF APPLICATION

SEPTEMBER 9, 1943.

On September 4, 1943, Northern Natural Gas Company, a Delaware corporation having its principal place of business at Omaha, Nebraska, filed with the Federal Power Commission an application seeking authority under section 7 of the Natural Gas Act, as amended, for the sale of natural gas to its affiliate, Peoples Natural Gas Company, for resale to the Ford Motor Company and Waldorf Paper Products Company for industrial use in their plants at St. Paul, Minnesota. Applicant has engaged in the sale of natural gas to the Ford Motor Company and Waldorf Paper Products Company at St. Paul, either directly or through affiliates, since January 2, 1936 and August 11, 1938, respectively. No new construction is involved in the application, as the authorization sought pertains only to the aforesaid services.

Any person desiring to be heard or to protest this application should, on or before September 25, 1943, file with the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, 25 D. C., a petition or protest in accordance with the provisional rules of practice and regulations.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-14938; Filed September 13, 1943; 11:06 a. m.]

[Docket No. G-486]

UNITED GAS PIPE LINE COMPANY

ORDER POSTPONING HEARING

SEPTEMBER 11, 1943.

Upon consideration of the application filed by United Gas Pipe Line Company in this matter on September 8, 1943, requesting an indefinite postponement of the hearing ordered to be held September 15, 1943, and requesting an extension of time for Applicant to answer the petition for intervention filed in this matter by Southern Natural Gas Company; and

It appearing to the Commission that:

Southern Natural Gas Company, the intervener herein, stated by telegram of September 9, 1943, that it has no objection to the granting of the said application;

The Commission orders that:

The hearing in this matter now scheduled to commence on September 15, 1943, at 2 p. m. (e. w. t.), in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C., be and it hereby is postponed subject to further order of the Commission; and the time for filing answer to the petition for intervention is extended subject to further order of the Commission.

By the Commission.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-14943; Filed, September 13, 1943; 11:18 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Amendment of Vesting Order 1546]

SILVIO PETRETTI & MARIA BARTOLOMEI

Re: Real property and bank account owned by Silvio Petretti and Maria Bartolomei.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known addresses of Silvio Petretti and Maria Bartolomei are Pescaglia, Lucca, Italy and No. 10 Nationale Foranca de Braga, Italy, respectively, and that they are residents of Italy and are nationals of a designated enemy country (Italy);

2. That Silvio Petretti is the owner of the property described in subparagraph 4-a hereof;

3. That Silvio Petretti and Maria Bartolomei are the owners of the property described in subparagraphs 4-b and 4-c hereof;

4. That the property described as follows:

a. Real property situated in Memphis, Shelby County, Tennessee, known as 797-819 Neptune Street, Memphis, Tennessee, and 790-816 Lucas Street, Memphis, Tennessee, particularly described in Exhibits A and B, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property;

b. Real property situated in Memphis, Shelby County, Tennessee, known as 439-441 East Georgia Avenue, Memphis, Tennessee, and 672-680 Wright Street, Memphis, Tennessee, particularly described in Exhibit C, attached hereto and by reference made a part

hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

c. All right, title, interest and claim of any name or nature whatsoever of Silvio Petretti and Maria Bartolomei, and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to either or both of them by the National Bank of Commerce, Memphis, Tennessee, including but not limited to all security rights in and to any and all collateral for any or all such obligations, and the right to enforce and collect such obligations, and including particularly the bank account in said bank, which bank account is due and owing to, and held for, Silvio Petretti and Maria Bartolomei, in the name of Arthur Gemignani, Agent for Silvio Petretti and Mrs. Maria Bartolomei.

is property within the United States owned or controlled by nationals of a designated enemy country (Italy);

And determining that the property described in subparagraph 4-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 4-a and 4-b hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this Order) pursuant to Section 2 of said Executive Order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Italy);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances and other rights of record, held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This Order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this Order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this Order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 6, 1943.

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

EXHIBIT A

All that certain parcel and tract of land situate in the City of Memphis, County of Shelby and State of Tennessee, and more particularly described as follows:

All of Lots 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 and 12 and the South 28 feet of Lot 1 of the First Addition to Joy Subdivision of Lots 83 and 84 and the south half of Lot 85 of H. W. Hill Subdivision of 52 acres being described as follows:

Beginning in the west line of Neptune Street 214.28 feet south of the south line of Heiskell Place; thence south with the west line of Neptune Street 214.28 feet to the north line of Broadway or Railroad Avenue; thence west 172 $\frac{1}{2}$ feet to the east line of Joy Place as shown in plat book 9 page 69 of the Register's Office of Shelby County, Tennessee; thence north with the east line of Joy Place 206.78 feet to the south line of a 7 $\frac{1}{2}$ foot easement in the north part of Lot 1; thence east parallel with Broadway or Railroad Avenue 86.25 feet; thence north parallel with Neptune Street 7 $\frac{1}{2}$ feet; thence east parallel with Broadway or Railroad Avenue 86.25 feet to the point of beginning.

Also all rights of the grantor in the streets, alleys, or easements upon which said property abuts.

EXHIBIT B

All that certain parcel and tract of land situate in the City of Memphis, County of Shelby and State of Tennessee, and more particularly described as follows:

The North 7.5 feet of Lot No. 1 First Addition to Joy Subdivision and part of Lot No. 85 H. W. Hill Subdivision, being described as follows:

Beginning at a stake in the east line of Joy Street 206.78 feet north of the north line of Railroad Avenue; thence north with the said east line of Joy Street 33 feet to a stake; thence east parallel with Railroad Avenue 86.25 feet to a stake; thence south parallel with Joy Street 33 feet to a point; thence west 86.25 feet to the point of beginning.

EXHIBIT C

All that certain parcel and tract of land situate in the City of Memphis, County of Shelby and State of Tennessee, and more particularly described as follows:

Lots 1 and 2 Block 2 A. Wright Subdivision; Beginning at the southeast intersection of Georgia Avenue and Wright Street; thence east with the south line of Georgia Avenue 60 feet to a stake; thence south 157.5 feet to a stake; thence west 60 feet to a crow's-foot cut in sidewalk; thence north parallel with Wright Street; to the point of beginning as shown by an unrecorded plot of said property made December 8, 1936.

On said lots there are situated the following houses: Nos. 439 and 441 East Georgia Avenue and Nos. 672, 674, 678 and 680 Wright Street.

[F. R. Doc. 43-14944; Filed, September 11, 1943; 11:06 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

TRANSPORTATION AND DELIVERY OF FLOWERS IN ASHTABULA, OHIO

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, 10910), Ashtabula Floral Shop and five other florists of Ashtabula, Ohio, named in the Appendix hereof, have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of flowers and related articles in Ashtabula, Ohio.

The six participants, owners and operators of wholesale and retail florist shops in the city of Ashtabula and suburbs, plan to eliminate wasteful operations in the transportation and delivery of flowers and related articles. Deliveries will be confined to Ashtabula County and the eastern parts of Geauga and Lake Counties, except that wholesale deliveries may be made in Cuyahoga County. Each participant may utilize his vehicle in the transportation of commodities purchased at wholesale in Cuyahoga County. More than one daily delivery in any direction will be made only when absolutely necessary. The participants will eliminate Sunday deliveries where practical and will make no deliveries to hospitals on Sunday. Orders destined to points east, south and west will be transferred to florists at the nearest delivery point. It is estimated that the adoption of the plan will accomplish an over-all savings of approximately 35% in 1943 when compared with 1941 mileage.

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 recommended 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.¹

Issued at Washington, D. C., this 6th day of September 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

APPENDIX 1

1. Ashtabula Floral Shop.
2. Kuntels Flower Shop.
3. Reapleys Flower Shop.
4. Silvius Floral Co.
5. Sunnyside Nurseries Co.
6. The Tony & Weeks Floral Co., Inc.

[F. R. Doc. 43-14853; Filed, September 11, 1943; 10:01 a. m.]

¹ *Infra.*

TRANSPORTATION AND DELIVERY OF FLOWERS IN DETROIT, MICH.

RECOMMENDATION OF JOINT ACTION PLAN; HART FLORIST, ET AL.

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, 10910), Allen D. Hart, doing business as Hart Florist, and six other florists of Detroit, Michigan, named in Appendix 1 hereof, have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of flowers and related articles in Detroit and Redford Township, Michigan.

The seven participating florists plan to eliminate wasteful operations in the transportation and delivery of flowers and related articles by pooling their deliveries and using a for-hire carrier to make three limited delivery trips daily in the metropolitan area of Detroit and Redford Township. The participants estimate that effectuation of the plan will result in a saving to them of approximately 143,162 truck-miles annually. The chosen for-hire carrier will be able to make these deliveries with fewer trucks and by operating considerably fewer truck-miles.

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.¹

Issued at Washington, D. C., this 7th day of September 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

APPENDIX 1

- Allen D. Hart, doing business as Hart Florist
- Clifford B. Fox and Stanley J. Somers, doing business as Beverly Flower Shop
- John E. McClure and George B. McClure, doing business as McClure Greenhouses
- Reginald Leslie, doing business as Leslie's Greenhouses
- Karl T. Rabe Greenhouses, Inc.

¹Infra.

6. Wendell Brown, as Co-General Guardian, doing business as A. J. Stahelin Greenhouses
7. Leonard Young

[F. R. Doc. 43-14854; Filed, September 11, 1943; 10:01 a. m.]

TRANSPORTATION AND DELIVERY OF FLOWERS IN DETROIT, MICH.

RECOMMENDATION OF JOINT ACTION PLAN; DINSER'S FLOWERS, ET AL.

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, 10910), Joseph B. Dinser, doing business as Dinsers Flowers, and five other florists of Detroit, Michigan, named in Appendix 1 hereof, have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of flowers and related articles in Detroit.

The six participating florists plan to eliminate wasteful operations in the transportation and delivery of flowers and related articles by pooling their deliveries and using a for-hire carrier to make three limited delivery trips daily in the metropolitan area of Detroit. The participants estimate that effectuation of the plan will result in a saving to them of approximately 44,000 truck-miles annually. The chosen for-hire carrier will be able to make these deliveries with fewer trucks and by operating considerably fewer truck-miles.

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.¹

Issued at Washington, D. C., this 7th day of September 1943.

JOSEPH B. EASTMAN,
Director,
Office of Defense Transportation.

APPENDIX 1

- Joseph B. Dinser, doing business as Dinsers Flowers
- Edward Lutey, Jr., doing business as Ed Lutey Florist
- Harold Lutey
- Russell Lutey
- Michael Gross, doing business as Michaels Flowers
- George W. Defenthaler, doing business as Wrights Floral Shop

[F. R. Doc. 43-14855; Filed, September 11, 1943; 10:02 a. m.]

OFFICE OF PRICE ADMINISTRATION.

LIST OF INDIVIDUAL ORDERS GRANTING ADJUSTMENT, ETC. UNDER PRICE REGULATIONS

The following orders were filed with the Division of the Federal Register on September 9, 1943.

Order Number and Name

MPR 53, Order 21; R-B-H Dispensions, Inc.
MPR 120, Revised Order 96; Houck Reider Bros. Coal Mining Co.

RMPR 125, Order 45; Ewing Foundry Co.
RMPR 125, Order 46; Krodel Foundry Co.
RMPR 125, Order 47; Grimm Foundry Co., Inc.

RMPR 161, Order 13, Revocation; Consolidated Timber Co.

MPR 188, Order 15, Amendment 1; Keasbey & Mattison Co.

MPR 377, Order 2; Western Die Casting 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. 43-14828; Filed September 10, 1943; 4: 43 p. m.]

WILLMARK SERVICE SYSTEM, INC. AND DALE SYSTEM, INCORPORATED

EXCEPTIONS UNDER RATION ORDERS

Administrative Exception Orders No. 1 and 2 under General Ration Order 6, Administrative Exception Order No. 1 under Ration Order 13 and Administrative Exception Order No. 3 under Ration Order 16 are revised and amended, and a new Administrative Exception Order No. 1 under General Ration Order 12 is issued, to read as follows:

The Willmark Service System, Inc., and Dale System, Incorporated, are business enterprises engaged in rendering services to clients, consisting principally of owners of retail stores, to test the efficiency and honesty of the client's sales-clerks. The method used involves the making of a complete purchase of an article and observing the actions of the salesclerk in the course of the transaction. The article purchased is later returned to the owner of the store for refund, at the same or another establishment of the client in a way to prevent revealing to the client's employees the identity of the individual making the test. Each of these corporations, through their employees, normally make a substantial number of test purchases of processed food and foods covered by Ration Order 16 each year. They request authority to secure ration currency to enable them to continue to make test purchases of such foods in the course of their business.

The granting of the request in these and all similar cases would not defeat or impair the effectiveness or the policy of the Ration Order because it would not increase the quantity of processed foods withdrawn from civilian supply.

It is hereby ordered, That the applicants Willmark Service System, Inc., of 250 West 57th Street, New York, N. Y., and Dale System, Incorporated, of 1776 Broadway, New York, N. Y. are authorized to receive from the office of the Ex-

ecutive Officer for Rationing, Office of Price Administration, Washington, D. C., War Ration Books Two and Three which their employees may use to make purchases of processed foods and foods covered by Ration Order 16¹ in the manner otherwise permitted by Ration Orders 13² and 16 respectively. They must each open a processed foods ration bank account and a meat and fats ration bank account at a bank in which they have dollar checking accounts, in accordance with the provisions of Revised General Ration Order 3A.³

Each applicant must comply with the following requirements:

As soon as practicable after making a purchase of foods covered by Ration Orders 13 or 16 the applicant shall return the foods to the client from whom the rationed commodity was purchased. Upon the return of the foods, the client shall issue to the applicant a ration check drawn on its appropriate bank account, for the points represented by the stamps given for the foods so returned. The applicant shall deposit in its processed foods ration bank account all such ration checks received upon the return of processed foods to the client, and shall deposit in its meat and fats ration bank account all such ration checks received upon the return of foods covered by Ration Order 16 to the client. The applicant shall not use the War Ration Books Two or Three issued to it under this order to acquire processed foods or foods covered by Ration Order 16 from anyone who does not have a ration bank account under the ration order covering the particular food acquired. At or before the end of each calendar month the applicant shall deposit in its appropriate ration bank account all unused processed foods and meat and fats stamps which expired during that month. Between the 1st and 10th days of each month, the applicant must issue and send to the Executive Office for Rationing, Office of Price Administration, Washington, D. C., a certified ration check, drawn on the appropriate ration bank account, equal in value to the points provided by unused processed foods or meat and fats stamps which it was required to deposit during the previous calendar month plus the point value of all processed foods or meat and fats which it was required to return to its clients during that month. However, the amount of each check required to be issued between the 1st and 10th day of October 1943, shall be reduced to the extent that the amount of any check previously issued by the applicant to the Executive Officer under these orders included points provided by unused processed foods or meat and fats stamps expiring in September 1943 or points equal to the point value of foods which it was required to return to its clients during that month. The amount of such checks shall be increased by the points provided by such unused stamps expiring before September 1943 and the points equal to

the point value of foods which it was required to return to its clients before that month, to the extent that they were not included in any check previously issued by the applicant to the Executive Office under these orders. The applicants and each of their clients shall keep complete records of the transactions entered into under these orders and the records shall show separately with respect to processed foods and foods covered by Ration Order 16, the points received, the foods purchased and returned, the ration checks issued, and the date of each transaction. No stamps in War Ration Book Three, other than those which have been or shall be made valid for the purchase of processed foods or foods covered by Ration Order 16 shall be used by the applicant. Those stamps which may not be used for the acquisition of any rationed product shall be retained in the War Ration Books Three, and must be returned to the Office of Price Administration on demand. Those which may be used to acquire a rationed product other than foods covered by Ration Orders 13 and 16 shall, if they have already been validated, or, if not, as soon as they are validated, be deposited in a ration bank account for that product which the applicant must open. Between the 1st and 10th days of each month, the applicant must issue and send to the Executive Officer for Rationing a certified ration check drawn against each such account equal in value to the points provided by the stamps required to be deposited in such account during the preceding month.

It is further ordered, That any other person similarly situated may be authorized on similar conditions to open ration bank accounts and to be issued War Ration Books Two and Three. Such authority may be granted in writing by the Director of the Food Rationing Division, Office of Price Administration, Washington, D. C.

This order shall become effective September 11, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive No. 1, 7 F.R. 562, and Supplemental Directive)

Issued this 11th day of September 1943.

PAUL M. O'LEARY,
Deputy Administrator in
Charge of Rationing.

[F. R. Doc. 43-14923; Filed, September 11, 1943; 4:41 p. m.]

LIST OF INDIVIDUAL ORDERS GRANTING ADJUSTMENTS, ETC., UNDER PRICE REGULATIONS

The following orders were filed with the Division of the Federal Register on September 10, 1943.

Order Number and Name

RPS 29, Order 4, Philadelphia Coke Co.
MPR 120, Order 241, Tennessee Jellico Coal Co.

MPR 121, Order 23, Philadelphia Coke Co.
MPR 136, as amended, Order 96, General Tungsten Mfg. Co., Inc.

Copies of these orders may be obtained from the Office of Price Administration.

ERVIN H. POLLACK,
Head, Editorial and Reference Section.
[F. R. Doc. 43-14924; Filed, September 11, 1943; 4:42 p. m.]

[MPR 188, Rev. Order 172]

OTARION HEARING AID

ADJUSTMENT OF MAXIMUM PRICES

Revised Order No. 172 under § 1499.161
(a) (1) of Maximum Price Regulation No. 188—Manufacturers' Maximum Price for Specified Building Materials and Consumers' Goods Other Than Apparel; Docket Nos. 3188-25 and 1188-4-P. *Granting adjustment of maximum prices for sales of the Otarion hearing aid.*

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328 and § 1499.161 (a) (1) of Maximum Price Regulation No. 188, Order No. 172 is revised to read as follows:

(a) On and after September 11, 1943, the maximum prices for sales and deliveries of the Otarion hearing aid, manufactured by Otarion, Incorporated, 448 North Wells Street, Chicago, Illinois, shall be as follows:

(1) For sales by the manufacturer, the maximum prices are those set forth below:

For sales to dealers:
Without ear mold..... \$67.50
With ear mold..... 70.00

For sales to consumers:
Without ear mold..... \$130.00
Complete with fitted ear mold..... 138.50

(2) For sales by dealers, the maximum prices are these set forth below:

Without ear mold..... \$130.00
Complete with fitted ear mold..... 138.50

The maximum retail price of \$138.50 for sales by the manufacturer and dealers established by this order includes impression fee and ear molds. No charges may be added to that price for ear mold or impression.

(b) At or prior to its first invoice to each purchaser for resale after September 11, 1943, Otarion, Incorporated shall send a written notice to each purchaser for resale of the maximum prices set by this order for resales by that purchaser. This written notice may be given in any convenient form.

(c) All relief not granted herein is denied.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on September 11, 1943. Issued this 11th day of September 1943.

CHESTER BOWLES,
Acting Administrator.

[F. R. Doc. 43-14925; Filed, September 11, 1943; 4:31 p. m.]

¹8 F.R. 11563, 11513, 11754, 11813, 11955.

²8 F.R. 11048, 11383, 11483, 11563, 11513, 11753, 11812, 12026.

³8 F.R. 11669.

Regional, State and District Office Orders.

[Region IV Order G-2 Under MPR 154]

ICE IN WALNUT GROVE, MISS.

Order No. G-2 issued under Maximum Price Regulation 154—Ice.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Mississippi District Office of the Office of Price Administration by § 1393.8 of Maximum Price Regulation 154 and by Regional Delegation Order No. 4, issued by Region IV of the Office of Price Administration, dated April 15, 1943; *It is hereby ordered:*

(a) Regardless of any contract, agreement, or other obligation, the Foster Ice Company, Walnut Grove, Mississippi, its dealers and peddlers, shall not sell any ice at a price higher than the maximum price permitted by this order. Neither shall the Foster Ice Company, its dealers and peddlers, agree, offer solicit or attempt to sell any ice at prices higher than those permitted under this order. The price limitations of this order shall not be evaded by direct or indirect methods, by means of, or in connection with, any offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to ice, alone or in conjunction with any commodities, or by way of, or in connection with, any commission, service, transportation, or other charge or discount, premium, or privilege, or change in any business or trade practice. Lower prices may be charged, demanded, or offered.

(1) The maximum prices established for sales by the Foster Ice Company, its dealers and peddlers, under this order, are as follows:

Platform Sales

To peddlers for resale	30¢ cwt.
To consumers:	
100 lbs.	50¢
50 lbs.	25¢
25 lbs.	13¢
12½ lbs.	7¢

Delivered Sales by Peddlers

To consumers:	
100 lbs.	60¢
50 lbs.	30¢
25 lbs.	15¢
12½ lbs.	8¢

(b) Except as otherwise provided herein, all transactions subject to this order remain subject to all provisions of Maximum Price Regulation 154, together with all amendments and orders which heretofore have been or hereafter may be issued, and all definitions set forth in such regulation, amendments or orders, shall be applicable herein, unless otherwise provided.

(c) This order may be revoked, amended, or corrected at any time.

(d) This order shall become effective the 25th day of August 1943.

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

Issued this the 23d day of August 1943.

WILLIAM E. HOLCOMB,
District Director.

[F. R. Doc. 43-14812; Filed, September 10, 1943; 11:49 a. m.]

[Region V Order G-1 under 18 (c)]

FUEL WOOD IN BENTON COUNTY, ARK.

Order No. G-1 under § 1499.18 (c), as amended of the General Maximum Price Regulation. Prices for fuel wood sold in Benton County, Arkansas.

For the reasons set forth in the opinion issued simultaneously herewith and under authority vested in the Regional Administrator, Region V, Office of Price Administration, by section 18 paragraph (c) of the General Maximum Price Regulation, as amended, *It is hereby ordered:*

(a) The maximum prices of all fuel wood sold in Benton County Arkansas are established to be as follows:

(1) *Maximum prices of fuel wood sold at wholesale, f. o. b. seller's customary place of business.* (These prices do not cover loading.

	16 inches and under	Over 16 inches
1 cord	\$5.00	\$4.50
½ cord	2.75	2.50
¼ cord	1.75	1.60

(2) *Maximum prices of fuel wood sold at retail. (Delivered to Purchaser's Premises)*

	16 inches and under	Over 16 inches
1 cord	\$9.00	\$8.50
½ cord	4.75	4.50
¼ cord	3.50	3.35

(3) *Maximum prices for cookstove wood.* 1. In sales of cookstove wood at wholesale or retail the following differentials may be added to the maximum prices set forth in (1) and (2).

1 cord	\$1.50
½ cord	.75
¼ cord	.50

(4) Except as specified above all services, terms and other incidents of sale in connection with the sale of fuel wood in Benton County, Arkansas, shall be frozen in accordance with the customary practices in existence in Benton County, Arkansas, in March 1942.

(b) *Definitions.*—(1) *Retail sales.* For the purpose of this order the same definition of retail sale is used as is contained in paragraph (o) of § 1499.20 of the General Maximum Price Regulation.

(2) *Wholesale sale.* For the purpose of this order a wholesale sale is defined so as to include all sales other than sales at retail, whether by sellers commonly designated as mills, wood dealers, contractors, wholesalers or truckers.

(3) *Cookstove wood.* For the purpose of this order cookstove wood is defined to mean any wood in lengths of 16 inches or less provided the diameter at the small end is not more than 3½ inches and not less than 1½ inches. Whether the wood has been split or not is irrelevant.

(c) This order is subject to revocation or amendment by the Price Administrator at any time hereafter, either by special order or by any price regulation issued hereafter, or by any amendment

or supplement hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(d) All fuel wood sellers selling fuel wood in Benton County, Arkansas, shall keep a copy of this Order and the attached opinion in their establishments and make them available for inspection by any person during business hours.

(e) Except as specifically provided in this order the provisions of the General Maximum Price Regulation, as amended, are in no way affected and shall continue in full force and effect.

This order shall become effective on the 30th day of August, 1943.

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

Issued this 24th day of August, 1943.

MAX McCULLOUGH,
Regional Administrator.

[F. R. Doc. 43-14811; Filed September 10, 1943; 11:49 a. m.]

[Region VII G-36 Under 18 (c) of GMPR, Amdt. 2]

FLUID MILK IN NEW MEXICO

Order No. G-36 under § 1499.18 (c) of the General Maximum Price Regulation, Amendment No. 2. General order modifying wholesale and retail prices for fluid milk in the State of New Mexico.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in an opinion issued simultaneously herewith, Order No. G-36 as referred to in the caption hereof, is hereby amended as follows:

1. Paragraph (2) entitled, "Maximum prices for fluid milk and buttermilk at wholesale and retail in District No. 2 of the State of New Mexico," is hereby amended by making the price schedule thereof read as follows:

Container size	Wholesale price in glass bottles or paper containers	Retail price in glass bottles or paper containers or in bulk
Milk:		
1½ pints	3½¢	6¢
Pints	7¢	9¢
Quarts	12¢	14¢
Half gallons	23¢	26¢
In any suitable container		
Gallons	4¢	52¢
Buttermilk:		
Quarts	11¢	13¢
Half gallons	21¢	27¢
In bulk:		
Gallons	40¢	48¢

2. *Effective date.* This amendment shall become effective on August 23, 1943.

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

Issued this 23d day of August 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-14818; Filed September 10, 1943; 11:48 a. m.]

[Region VI Order G-7 Under Rev. MPR 122]

SOLID FUELS IN WILLMAR, MINN.

Order No. G-7 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in Willmar, Minnesota.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.259 and by § 1340.260 of Revised Maximum Price Regulation No. 122, and for reasons stated in the opinion issued herewith, *It is ordered:*

(a) *What this order does.* This order establishes maximum dollars-and-cents prices for sales of specified solid fuels made within the corporate city limits of Willmar, Minnesota. These are the highest prices that any dealer may charge when he delivers any of such fuel at or to a point in Willmar, Minnesota or from a coal yard within such city; they are also the highest prices that any buyer in the course of trade or business may pay for such solid fuels.

(b) *What this order prohibits.* Regardless of any obligation, no person in Willmar, Minnesota shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-7; but less than the maximum prices may at any time be charged, paid, or offered.

(2) Obtain a higher than maximum price by

(i) Charging for a service unless expressly requested by the buyer and unless specifically authorized to do so by this order.

(ii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Maximum dollar-and-cents prices.*

(1) The maximum prices for the solid fuels specified below when made by any dealer when he delivers any of such fuels at or to a point in Willmar, Minnesota, or from a coal yard within such city, determined on a net ton basis, shall be as follows:

Description	Direct delivery price	Price at yard
I. Low Volatile Bituminous from Dist. #7 (W. Va.):		
1. Egg 8" x 2" and smaller.....	\$13.95	\$13.20
2. Stove 3" x 5&1/2" and larger.....	13.95	13.20
II. Hi Volatile Bituminous from Dist. #8 (W. Va. and E. Ky.):		
1. Lump 5" and larger.....	13.10	12.35
2. Lump 4" and larger.....	12.10	11.35
3. Egg 5" x 2" and larger.....	13.10	12.35
4. Stove 2" x 1&1/4" and larger.....	13.10	12.35
5. Stoker 5&1/2" x 3&1/4" and larger.....	12.10	11.35
6. Screenings 1&1/4".....	11.35	10.60
III. Hi Volatile Bituminous from Dist. #10 (So. Sub Dist.):		
1. Egg 3" x 2" and larger.....	11.00	10.25
IV. Pennsylvania Anthracite:		
1. Egg, Stove, Nut.....	17.50	16.75
V. By Product Coke:		
1. Egg, Stove, Nut.....	13.75	13.00
VI. Briquettes made from Low Volatile Bituminous & Bituminous Anthracite Mixed:		
1. Briquettes—all types.....	13.60	12.85

To the above prices may be added the exact cost of calcium chloride treatment or other dust treatment when a charge for such service has been made to the dealer by its supplier.

(2) The maximum prices for all sales by dealers of solid fuel not specifically herein provided for shall be the maximum prices applicable for such sales under Revised Maximum Price Regulation No. 122, as amended, plus \$1.00 per ton.

(d) *The transportation tax.* The transportation tax imposed by § 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement.

(e) *Addition of increases in supplier's price prohibited.* Notwithstanding the provisions of Revised Maximum Price Regulation No. 122, the maximum prices set by this order may not be increased and need not be decreased by a dealer to reflect increases or decreases in purchase costs or in his supplier's maximum prices occurring after the effective date hereof; but increases or decreases in the maximum prices set hereby, to reflect such changes, are within the discretion of the Regional Administrator.

(f) *Petitions for amendments.* This order may be revoked, amended or modified at any time. Any dealer may at any time file with the Twin Cities District Office of the Office of Price Administration a petition for amendment to this order in accordance with the provisions of Revised Procedural Regulation No. 1.

(g) *Records.* Every dealer subject to this order shall preserve, keep, and make available for examination by the Office of Price Administration, the same records he was required to preserve and keep under § 1340.262 (a) and (b) of Revised Maximum Price Regulation No. 122.

(h) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, the price charged, and separately stating any transportation tax or service charge.

(3) In the case of all other sales, every dealer who, during December 1941, customarily gave buyers sales slips or receipts shall continue to do so. Every dealer must, on request of a purchaser, provide a receipt containing the information required in the preceding paragraph (2).

(i) *Definitions and explanations.* (1) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage

space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at the point nearest and most accessible to the buyer's bin or storage space.

(2) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard or any place other than by his truck.

(3) "Pennsylvania anthracite" means only coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Egg, stove, nut," etc. sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Committee, effective December 15, 1941.

(5) "District No." refers to the geographical bituminous coal-producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended.

(6) "Low volatile bituminous coal" refers to coal produced in the low volatile sections of the producing districts specified herein.

(7) "Hi volatile bituminous coal" refers to coal produced in the high volatile sections of the producing districts specified herein.

(8) "Egg, stove, nut," etc., sizes of bituminous coal received entirely by rail refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior.

(9) "Egg, stove, nut", etc. sizes of bituminous coal received via the Great Lakes refer to the sizes of coal sold at the docks under such designations during December 1941.

(10) Whenever in this order, any reference is made to "minimum price schedules", "Price classifications", "sizes", "district no." or "coal producing districts", etc., those terms shall be construed to have the same meaning, definition, force and effect which they had under the Bituminous Coal Act of 1937, or under any order, schedule, rule or regulation issued by the Bituminous Coal Division of the United States Department of the Interior, and which was established or in effect as of midnight August 23, 1943.

(11) Except as otherwise provided herein or as the context may otherwise require, all terms used in this order shall bear the meaning given them in Revised Maximum Price Regulation No. 122, as amended, or the Emergency Price Control Act of 1942; or if not therein defined, they shall be given their ordinary and popular trade meaning.

(j) *Effect of order on Revised Maximum Price Regulation No. 122.* Except as herein otherwise provided, the provisions of Revised Maximum Price Regulation No. 122, as amended, shall remain in full force and effect.

This Order No. C-7 shall become effective September 13, 1943.

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

Issued this 10th day of September 1943.

RAYMOND S. McKEOUGH,
Regional Administrator.

[F. R. Doc. 43-14813; Filed, September 10, 1943; 11:50 a. m.]

[Region VI Order G-13 Under MPR 329]

MILK IN HASTINGS, NEBR.

Order No. G-13 under Maximum Price Regulation No. 329. Purchase of milk from producers for resale as fluid milk. Producers' milk prices in Hastings, Nebraska.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 of Maximum Price Regulation No. 329; *It is hereby ordered:*

(a) The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be \$2.75 per cwt. for 3.5% milk plus 4¢ for each one tenth of a pound of butterfat in excess of 3.5% and less 4¢ for each one tenth of a pound of butterfat below 3.5%.

(b) This order shall apply to all purchases of milk by distributors selling 50% or more of their total volume of milk within Hastings, Nebraska.

(c) Unless the context otherwise requires, the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) This order may be revoked, amended or corrected at any time.

This order shall be effective August 27, 1943.

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

Issued this 23d day of August 1943.

RAYMOND S. McKEOUGH,
Regional Administrator.

[F. R. Doc. 43-14815; Filed, September 10, 1943; 11:55 a. m.]

[Region VI Order G-87 Under 18 (c), MPR 280 and MPR 329, Amdt. 1]

MILK IN GALESBURG, ILL.

Amendment No. 1 to Order No. G-87 under § 1499.18 (c) of the General Maximum Price Regulation, § 1351.807 (a) of Maximum Price Regulation No. 280 and § 1351.408 (a) of Maximum Price Regulation No. 329. Adjustment of fluid milk prices in Galesburg, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, § 1351.807 (a) of Maximum Price Regulation No. 280 and by § 1351.408 (a) of Maximum Price Regulation No. 329, *It is*

hereby ordered. That paragraph (b) of said order be and it is hereby amended so as to read as follows:

(b) *Maximum distributors' prices.* The maximum prices for the sale and delivery of fluid milk in bottles and paper containers at wholesale and retail in the Galesburg, Illinois area shall be:

	Whole-sale	Retail
Standard, homogenized, and chocolate milk:		
Gallon (bulk)	34¢	49¢
Gallon	41¢	49¢
1/2 gallon	22¢	25¢
Quart	11¢	13¢
1/2 quart	6¢	7¢
1/2 pint	3¢	5¢
Malted chocolate milk:		
Quart	13¢	15¢
1/2 pint	31¢	5¢
Buttermilk:		
Gallon	29¢	36¢
Quart	9¢	11¢
1/2 pint	3¢	5¢
Skim milk:		
Gallon	12¢	15¢
Quart	4¢	5¢

This amendment to Order No. G-87 shall become effective the 26th day of August, 1943.

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

Issued this 21st day of August 1943.

RAYMOND S. McKEOUGH,
Regional Administrator.

[F. R. Doc. 43-14819; Filed, September 10, 1943; 11:48 a. m.]

[Region VI Order G-90 Under 18 (c)]

MILK IN NIAGARA, WIS.

Order No. G-90 Under Section 18 (c) of the General Maximum Price Regulation Adjustment of Fluid Milk Prices for Niagara, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation; *It is hereby ordered:*

(a) *Maximum prices.* Maximum prices for sale and delivery of fluid milk in bottles and paper containers at wholesale and retail in the Niagara, Wisconsin area, as hereinafter defined, are hereby established as follows:

	Whole-sale	Retail
Regular milk:		
Gallon	30¢	40¢
Quart	11¢	12¢
Pint	6¢	7¢
1/2 pint	31¢	5¢
Chocolate milk:		
Quart	12¢	14¢
Pint	7¢	8¢
1/2 pint	4¢	5¢
Buttermilk:		
Quart	6¢	8¢
Pint	4¢	5¢

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

1. Sales and deliveries within the Niagara, Wisconsin area shall mean:

i. All sales and deliveries within the city limits of Niagara, Wisconsin; and

ii. All sales and deliveries by any seller at or from an establishment, the greater part of whose dollar volume of sales of fluid milk to buyers other than army camps and other institutional users are made to purchasers within the city and area defined in subdivision (i) above; and

iii. All sales and deliveries of fluid milk by any seller at retail or from an establishment located in a community outside the city and area defined in subdivision (i) above and obtaining the major portion of its supply of milk from sellers at wholesale falling within subdivision (ii) above.

2. Milk shall mean cows' milk having a butterfat content of not less than 3.2 per cent or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

3. Sales at wholesale shall for the purposes of this order include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals and other institutions.

(c) Except as otherwise herein provided, the provisions of the General Maximum Price Regulation shall apply.

(d) This order may be revoked, amended or corrected at any time.

This order shall become effective August 26, 1943.

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

Issued this 21st day of August 1943.

RAYMOND S. McKEOUGH,
Regional Administrator.

[F. R. Doc. 43-14820; Filed, September 10, 1943; 11:48 a. m.]

[Region VI Order G-91 Under 18 (c) and MPR 329]

MILK IN SPENCER, IOWA

Order No. G-91 Under § 1499.18 (c) of the General Maximum Price Regulation and under Maximum Price Regulation No. 329. Purchase of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for Spencer, Iowa.

For reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and by § 1351.40 (a) of Maximum Price Regulation No. 329, *It is ordered:*

(a) *Maximum producer prices.* The maximum price for milk sold for human consumption in fluid form which may be paid to producers by distributors selling milk in Spencer, Iowa shall be 70¢ per pound of butterfat contained in such milk.

(b) *Maximum distributor prices.* The maximum price for sale and delivery of fluid milk in bottles and paper containers at wholesale and retail in the Spencer, Iowa area shall be:

Regular milk and chocolate milk	Wholesale	Retail
Gallon.....	34¢	42¢
Quart.....	10¢	12¢
Pint.....	6¢	7¢
½ pint.....	3½¢	5¢

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

1. Sales and deliveries within the Spencer, Iowa area shall mean:

i. All sales made within the city limits of Spencer Iowa and all sales at or from an establishment located in Spencer, Iowa; and

ii. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Spencer, Iowa.

2. Milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, bottled, distributed and sold for consumption in fluid form as whole milk.

3. Sales at wholesale shall for the purposes of this Order include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals and other institutions.

(e) Except as otherwise herein provided, the provisions of the General Maximum Price Regulation shall apply.

(f) This order may be revoked, amended or corrected at any time.

This order shall become effective August 26, 1943.

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

Issued this 21st day of August 1943.

RAYMOND S. McKEOUGH,
Regional Administrator.

[F. R. Doc. 43-14821; Filed, September 10, 1943; 11:53 a. m.]

[Region VII Order G-8 Under Rev. MPR 122]

SOLID FUELS IN DENVER

Order No. G-8 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum Prices for certain Solid Fuels sold and delivered by dealers in the Denver Metropolitan Area.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in an Opinion issued simultaneously herewith, *It is hereby ordered:*

(a) *Geographical applicability.* This order shall apply to all of the area contained within the boundaries of the city and county of Denver, the town of Englewood and the suburban areas of Lakewood, Edgewater, Wheatridge and Mountainview. The above-described area is referred to herein as the "Denver Metropolitan Area."

(b) *What this order does.* If you are a dealer in bituminous and/or sub-bituminous coal, you will find set forth in this order the maximum prices which

you may charge for sales and deliveries made by you from your place of business in the Denver Metropolitan Area; and if you are a purchaser in the course of trade or business, the prices set forth herein are the maximum prices which you may pay any coal dealer in the Denver Metropolitan Area for the kinds, sizes and quantities of coal specified herein when purchased at his place of business in the Denver Metropolitan Area.

(c) *To what sales this order applies.* If you sell coal of the kind specified

herein and make delivery thereof to any person within the Denver Metropolitan Area, the maximum prices which you may charge therefor and the customary discounts and allowances which you must give are those set forth in this order.

(d) *Specific maximum delivered prices.* (1) If you sell and deliver in the Denver Metropolitan Area any one or more of the kinds and sizes of coal named in Table I set forth below, your maximum prices therefor are those specified in said Table I.

TABLE I—DELIVERED PRICES

Kind	Size	Price per ton	Price per $\frac{1}{2}$ ton
Bituminous coal produced in District 17: Sub-districts 1, 2 & 4, Walsenburg, Canon No. 1 and Oak Hills.	#3—3" lump & egg..... #9—3 x 1½ nut.....	\$9.45 18.30	\$4.95 14.40
Sub-districts 4 & 5, Oak Hills & Mt. Harris.....	#11—1½ x ¾ pea..... #13—1½ x 0 slack.....	8.40 5.65	4.45 3.10
Sub-district 5, Mt. Harris.....	#1—8" lump..... #3 & #4—3" lump or egg & grate..... #9—3 x 1½ nut.....	9.00 8.85 18.00	4.75 4.70 14.25
Sub-districts 7 & 8, Trinidad Nos. 1 & 2 (cooking coals).	#10—1½ x ¾ pea..... #13—1½ x 0 slack.....	8.10 6.35	4.30 3.45
Sub-bituminous coal produced in District 16: Sub-district 1, 2, & 4, Louisville, Lafayette, & Marshall No. 4.	#2, #3 & #5 8" lump, 2½" lump & egg & 8 x 2½" grate..... #6—4 x 2½ nut..... #2 & #3—8" lump & 2½" lump & egg..... #2, #3, #4 & #5—8" lump, 2½" lump & egg & 2½" grate..... #6—4 x 2½ nut..... #3, #5—2½" lump & 2½" x 8 grate..... #6—4 x 2½ nut..... Sub-district 10, Jefferson.....	7.60 7.00 7.00 6.60 5.45 6.25 5.90 5.75 15.30 14.00 14.00	4.05 3.75 3.55 3.00 ----- ----- ----- ----- ----- ----- ----- ----- 13.75
All sub-districts.....	#8—2½ x 1½ nut..... #9—1½ x ¾ pea..... #10 & #11—2½ x 0 slack..... 1½ x 0 slack..... #12—¾ x 0 slack.....	----- ----- ----- ----- -----	----- ----- ----- ----- -----

¹ Raw.

² Washed.

³ Pea and slack prices per net ton are based on sales for commercial use in lots of 2 tons or more. On sales of pea or slack for domestic use and on sales for commercial use in lots of less than 2 tons the maximum price shall be the listed price per net ton plus 25¢.

(2) If in connection with a sale and delivery of coal made by you in the Denver Metropolitan Area, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such special services are those stated:

Special service charges	Per ton	Per $\frac{1}{2}$ ton
"Wheel-in"	\$0.50	\$0.35
"Pull-back" or "Trimming"	.25	.15
"Carrying up or down stairs" labor involved for requested special services	1.00	.50
Oil or chemical treatment	.75	.15

¹ Per hour.

(3) If you sell coal at your yard your maximum prices for the kinds and sizes of bituminous and sub-bituminous coal are as set forth below in Table II.

TABLE II—YARD PRICES

Kind	Size	Price per net ton	
		To dealers	To others
Bituminous coal produced in District 17: Sub-districts 1, 2 & 4, Walsenburg, Canon No. 1 & Oak Hills.	#3—3" lump & egg..... #9—3 x 1½ nut: Raw..... Washed.....	\$8.20 7.05 7.15	\$8.95 7.80 7.90
Sub-districts 4 & 5, Oak Hills & Mt. Harris.....	#11—1½ x ¾ pea..... #13—1½ x 0 slack.....	6.35 5.15	-----
Sub-district 5, Mt. Harris.....	#1—8" lump..... #3 & #4—3" lump or egg & grate..... #9—3 x 1½ nut: Raw..... Washed.....	7.75 7.60 6.75 6.85	8.30 8.35 7.50 7.60
Sub-districts 7 & 8, Trinidad Nos. 1 & 2 (cooking coals).	#10—1½ x ¾ pea..... #13—1½ x 0 slack.....	6.60 5.85	-----
Sub-bituminous coal produced in District 16: Sub-districts 1, 2 & 4, Louisville, Lafayette, & Marshall No. 4.	#2, #3, & #5—8" lump, 2½" lump or egg & 8 x 2½" grate..... #6—4 x 2½ nut..... #2 & #3—8" lump & 2½" lump or egg..... #2, #3, #4 & #5—8" lump, 2½" lump or egg & 2½" grate..... #6—4 x 2½ nut..... Sub-district 10, Jefferson.....	6.60 6.00 6.00 5.60 4.95 5.25 5.40	7.10 6.50 6.50 6.10 5.75 5.75 5.75

TABLE II—YARD PRICES—Continued

Kind	Size	Price per net ton	
		To dealers	To others
Sub-bituminous coal produced in District 16—Con. All sub-districts.	#8— $2\frac{1}{2}$ x $1\frac{1}{2}$ nut.....	\$4.75	\$5.25
	#9— $1\frac{1}{2}$ x $\frac{3}{4}$ pea.....	5.05
	#10 & #11: 2 $\frac{1}{2}$ x 0 slack.....	3.50
	$1\frac{1}{2}$ x 0 slack.....	3.50
	#12— $\frac{3}{4}$ x 0 slack.....	3.25

(e) *Determination of mixed coals prices.* If you sell one size, or one kind of bituminous and/or sub-bituminous coal mixed with another size or kind of bituminous and/or sub-bituminous coal, your maximum price shall be the proportionate sum of the applicable maximum prices per net ton established in this order for each of the coals so mixed adjusted to the nearest five cents.

(f) *When Federal transportation tax may be collected.* If on any purchase of coal made by you are required to pay the Federal transportation tax imposed by section 620 of the Revenue Act of 1942, you may, in addition to the specific maximum prices established in subparagraphs (1), (2), and (3) of paragraph (d) hereof, collect from the buyer the amount of such actually incurred and paid by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased, provided you state separately on your sales invoice, slip, ticket or other memorandum, the amount of such Federal tax so collected by you.

(g) *Applicability of other regulations.* Except as inconsistent with or contradictory of the terms and provisions of this order, all of the terms and provisions of Revised Maximum Price Regulation No. 122, except paragraph (c) of § 1340.262 thereof, as stated in paragraph (h) of this order, shall apply to all dealers selling and delivering coal in the Denver Metropolitan Area with like force and effect as though the same were re-written herein. If you sell solid fuel of a kind or size not specifically priced by this order, all such sales and deliveries remain subject to the provisions of Revised Maximum Price Regulation No. 122 and orders issued thereunder.

(h) *Filing requirements.* Dealers whose prices are established by this order shall not be required to file prices with their Local War Price and Rationing Board as previously required in § 1340.262 (c). However, prices for coals not specifically covered by this order shall be filed as required by that section.

(i) *What you must not do.* Regardless of any contract or other obligation which you may have heretofore entered into you shall not:

(1) Sell, or in the course of trade or business, buy bituminous and/or sub-bituminous coal of the kinds and sizes covered by this order at prices higher than the maximum prices set forth herein; but you may sell or buy such coal at lower prices than such maximum prices.

(2) Obtain any prices higher than the applicable maximum prices by:

(i) Changing or withdrawing your customary discounts, differentials or allowances;

(ii) Charging for any service which is not expressly requested by the buyer; or

(iii) Charging for any service for which a charge is not specifically authorized by this order; or

(iv) Charging a price for any service higher than the price authorized by this order for such service; or

(v) Increasing your delivery charges, if any, for delivery outside the Denver Metropolitan Area, or increasing any interest rate on delinquent and past-due accounts over the rate or charge made by you in December, 1941; or

(vi) Using any tying agreement whereby the buyer is required or persuaded to purchase anything other than the fuel requested by him; or

(vii) Using any other device by which a price higher than your maximum price is obtained either directly or indirectly.

(j) *An increase in your supplier's prices does not authorize you to increase your prices.* You must not increase the specific maximum prices established for you by this order to reflect in whole or in part any subsequent increase to you in your supplier's maximum prices for the fuel covered by this order. These specific maximum prices established for you by this order reflect all of the increases in the maximum prices of your supplier to the date hereof. If increase in your supplier's maximum prices shall occur after the effective date of this order, you may bring that fact to the attention of the Regional Administrator whereupon he will take such appropriate action in the premises as the then existing facts and circumstances justify.

(k) *Adjustable pricing.* You may not make a price adjustable to a maximum price which becomes effective at some time after you have made delivery of the coal; but you may agree to sell at whatever maximum price is in effect at the time of delivery.

(l) *Petition for amendment.* If you desire an amendment of any provisions of this order, you may file a petition therefor with the Regional Administrator and in accordance with the provisions of Revised Procedural Regulation No. 1.

(m) *Right to revoke or amend.* This order may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator.

(n) *Definitions.* (1) "Carry" or "wheel-in" means to transport coal from the vehicle in which delivery is made or from the nearest accessible point of dumping or unloading and place the

same in the buyer's bin or storage space when the physical condition of the premises are such as to prevent dumping or unloading directly into such bin or storage space.

(2) "Pull-back" or "trimming" means to arrange and place coal in the buyer's bin by re-handling the same for the purpose of filling the bin.

(3) "Carrying up or down stairs" means generally the labor involved in carrying coal up or down stairs for depositing in customer's bin or storage space.

(4) "Delivery" means delivery to the buyer's bin or storage space by dumping, chuting, or shoveling directly from the seller's truck or vehicle, or where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck.

(5) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the seller's coal yard or stock pile.

(6) "Dealer" means any person selling bituminous or sub-bituminous coal of any kind or size for which a maximum price is established by this order for sales and deliveries made in the Denver Metropolitan Area and does not include transactions whereby a producer or distributor makes a sale at or from a mine or preparation plant operated as an adjunct of a mine.

(7) "Bituminous coal" means coal produced in District 17 and any sub-district thereof as set forth in the Minimum Price Schedules of the Bituminous Coal Division of the Department of the Interior; as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight August 23, 1943.

(8) "Sub-bituminous coal" means coal produced in District 16 and any sub-district thereof as set forth in the minimum price schedules of the Bituminous Coal Division of the Department of the Interior. This "sub-bituminous coal" produced in District 16 is commonly referred to as "lignite."

(o) *Effective date.* This order shall become effective August 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9280, 7 F.R. 7821, E.O. 9328, 8 F.R. 4681)

Issued this 5th day of August 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-14814; Filed, September 10, 1943; 11:52 a. m.]

[Region VIII Order G-18 Under MPR 329, Amdt. 1]

FLUID MILK IN YAKIMA AND BENTON COUNTIES, WASH.

Amendment No. 1 to Order No. G-18 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Re-

gional Administrator of the Office of Price Administration by § 1351.408 of Maximum Price Regulation No. 329, Order No. G-18 under Maximum Price Regulation No. 329 is hereby amended as follows:

(a) Paragraph (a) (2) (ii) is hereby amended to read as follows:

(ii) In all other cases, the transportation allowance shall not be less than the lowest rate charged by a common or contract motor truck carrier for the same or most similar haul of the same quantity of milk to the same destination.

This amendment shall become effective upon issuance.

Issued this 25th day of August 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-14816; Filed, September 10, 1943; 11:49 a. m.]

[Region VIII Order G-25 Under 18 (c)
Amdt. 6]

MILK IN OREGON AND WASHINGTON

Amendment No. 6 to Order No. G-25 under Section 1499.18 (c) as amended of the General Maximum Price Regulation. Fluid milk at wholesale and retail in the State of Oregon and certain portions of the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered*, That Order No. G-25 under § 1499.18 (c) as amended of the General Maximum Price Regulation be amended as set forth below:

(a) Paragraph (e) is hereby amended by adding a new subparagraph (3) to read as follows:

(3) The adjusted maximum price for sales of milk f. o. b. the seller's plant located in Salem, Oreg. for sales to the armed forces of the United States shall be \$1.175 per quart.

(b) This amendment shall expire on September 15, 1943.

This amendment shall become effective upon issuance.

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

Issued this 23d day of August 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-14817; Filed, September 10, 1943; 11:50 a. m.]

[Region III Order G-7 Under Rev. MPR 122]

SOLID FUEL PRICES FOR DETROIT DOCK DEALERS

Order No. G-7 under Revised Maximum Price Regulation No. 122. Solid fuel prices for Detroit dock dealers.

Pursuant to the authority vested in the Regional Administrator of Region III by § 1340.260 of Revised Maximum Price Regulation No. 122 and for the

reasons stated in the opinion issued herewith, *It is ordered*:

(a) The prices herein set forth are the maximum delivered prices for all retail sales of the following coals delivered from Detroit, Michigan, docks, which are received at such docks by way of lake cargo transportation facilities.

Description	Maximum delivered price, per ton
I. High Volatile Bituminous Coal:	
1. Nut Size Coals Produced in Districts 2 and 8	\$7.15
2. Pea Size Coals Produced in Districts 2 and 8	7.15
3. Slack Size Coals Produced in Districts 2 and 8	7.15
4. Kentucky Egg Size Coals Produced in District 8	8.40
II. High and Low Volatile Bituminous Coal:	
Stoker Size Coals Produced in Districts 2 and 8	8.80
III. Low Volatile Bituminous Coal:	
Pocahontas Nut Size Coals Produced in District 7	8.90

(b) All terms used herein to describe size, volatility and producing district are those established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(c) All sales of coal other than those herein specifically covered remain subject to the provisions of Revised Maximum Price Regulation No. 122.

(d) The following sections of Revised Maximum Price Regulation No. 122 are incorporated herein and made a part of this order:

§§ 1340.252, 1340.253, 1340.259 (a) (1), 1340.261 (a), 1340.262 (a) & (b), 1340.263, 1340.264, 1340.265, 1340.266.

This order may be modified, amended or revoked at any time by the Office of Price Administration.

This Order No. G-7 under Revised Maximum Price Regulation No. 122 shall become effective August 30, 1943.

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

Issued August 30, 1943.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 43-14927; Filed, September 11, 1943; 4:52 p. m.]

[Region IV Order G-32 Under 18 (c)]

FLUID MILK IN DALE AND COFFEE COUNTIES, ALA.

General Order No. G-32 under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of approved pasteurized fluid milk prices for Dale and Coffee Counties, Alabama.

The Regional Administrator of the Office of Price Administration for Region IV has determined that a serious shortage of approved pasteurized fluid milk both at wholesale and retail is threatened in Dale and Coffee Counties, Alabama. The Regional Administrator has further found that a supply of pasteurized fluid milk is essential to a standard of living consistent with the prosecution of the war; that the threatened shortage of such milk in Dale and Coffee Coun-

ties, Alabama, will be eliminated by adjusting the maximum price of sellers of fluid milk in Dale and Coffee Counties, Alabama, to the extent permitted by this order; and that such adjustment will not create or tend to create a shortage or a need for an increase in price in any other locality and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Therefore, under the authority vested in the Regional Administrator by § 1499.18 (c) of the General Maximum Price Regulation, as amended, *It is hereby ordered*:

(a) *Adjusted maximum prices for approved pasteurized fluid milk.* On and after August 30, 1943, the maximum price for approved Pasteurized fluid milk sold and delivered by any person within the boundaries of Dale and Coffee Counties, Alabama, at wholesale or retail in glass containers of one quart or less, shall be the prices set out below:

	Wholesale	Retail
Quart	\$0.15	\$0.17
Pint	.08	.09
Half-Pint	.04½	.05½

(b) This order shall in no way affect the maximum prices already established or hereafter established for any approved fluid milk except approved pasteurized fluid milk.

(c) *Applicability of the General Maximum Price Regulation and other supplementary or adjustment orders of the Office of Price Administration.* Except as otherwise provided herein, all transactions subject to all the provisions of the General Maximum Price Regulation, together with all amendments, supplementary regulations and orders which have been heretofore or may be hereafter issued. Specifically, but not by way of limitation, unless the context of this order otherwise requires, the provisions of subdivision (vii) of § 1499.73a (Supplementary Regulation 14A) shall be applicable and shall be considered a part of this Order.

(d) *Definitions.* (1) "Dale and Coffee Counties" shall mean the area included within the established boundaries of such counties.

(2) All other terms, unless the context otherwise requires, shall be construed according to § 1499.20 of the General Maximum Price Regulation.

(e) This order may be revoked, amended or corrected at any time.

This order shall become effective on August 30, 1943.

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

Issued August 25, 1943.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 43-14926; Filed, September 11, 1943; 4:52 p. m.]

[Region VII Order G-46 Under 18 (c)]

FIREWOOD IN STATE OF COLORADO

Order No. G-46 under § 1499.18 (c) of the General Maximum Price Regulation.

Adjustment of maximum prices for firewood sold anywhere within the State of Colorado.

Pursuant to the Emergency Price Control Act of 1942, as amended, § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered:*

(a) *What this order does.* This Order No. G-46 makes a flat upward adjustment of 25% on firewood over the March, 1942 prices for all sellers in the State of Colorado who have established maximum prices for firewood under the General Maximum Price Regulation and filed the same with the proper War Price and Rationing Board in accordance with § 1499.13 (b) of the General Maximum Price Regulation.

(b) *Adjustment made.* From and after the effective date hereof, all sellers of firewood in the State of Colorado who have established their maximum prices for firewood on the basis of their March, 1942 sales and in accordance with the General Maximum Price Regulation and have filed such established maximum prices with the proper War Price and Rationing Board in accordance with § 1499.13 (b) of the General Maximum Price Regulation, shall have as and for their maximum prices for firewood when sold anywhere within the State of Colorado such previously established maximum price multiplied by 1.25.

(c) *Applicability of other regulations.* Except insofar as the same may be inconsistent with or contradictory of this order, all of the terms and provisions of the General Maximum Price Regulation shall remain in full force and effect and be applicable to all persons who sell firewood in the State of Colorado under this Order No. G-46.

(d) *Right to revoke or amend.* This order may be revoked, modified or amended by the Price Administrator or the Regional Administrator at any time.

(e) *Effective date.* This order shall become effective as of August 28, 1943.

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

Issued this 26th day of August 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-14934; Filed, September 11, 1943; 4:50 p. m.]

[Region VIII Order G-4 Under MPR 165, Amdt. 3]

MISCELLANEOUS SERVICES IN SAN FRANCISCO REGION

Amendment No. 3 to Order No. G-4 under Maximum Price Regulation No. 165, as amended—Services.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165, as amended, *It is hereby ordered:* That Order No. G-4 under Maximum Price

Regulation No. 165, as amended, be amended in the following particulars:

1. The portion of paragraph (a) which precedes subparagraph (1) thereof is amended to read as follows:

(a) The adjusted maximum price for the service of cleaning seed and for the service or services of packing, drying and dehydrating fruits (except citrus fruit and except apples and pears grown in Chelan, Okanogan, Douglas and Grant Counties in the State of Washington), vegetables, or rice, and related services, and also canning for ultimate consumers, and processing fish or meat, such as smoking or kippering or drying or canning, for ultimate consumers, sold and supplied by any person located in Region VIII, shall be the sum of the following:

2. Paragraph (f) is amended by adding the following new subparagraph (6):

(6) "Ultimate consumer" as herein used, means one who purchases other than for resale in any form, and does not include sales to industrial, commercial or institutional users, or to any purchasing agency of the United States Government.

This amendment shall become effective upon its issuance.

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

Issued this 26th day of August 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-14928; Filed, September 11, 1943; 4:48 p. m.]

[Region VIII Order G-23 Under MPR 329]

FLUID MILK IN CHELAN & OKANOGAN COUNTIES, WASH.

Order No. G-23 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 of Maximum Price Regulation No. 329, *It is hereby ordered:*

(a) The adjusted maximum price at which any person whose place of business is located in Chelan and Okanogan Counties in the State of Washington may purchase fluid milk from a producer thereof shall be the purchaser's previous maximum price as determined under § 1351.402 of the Maximum Price Regulation No. 329 or the price set forth below, whichever is higher:

(1) For purchases of milk from producers f.o.b. the business location of the buyer, the adjusted maximum price shall be \$.90 per pound milk fat.

(2) For purchases of milk from producers f.o.b. producer's dairy, the adjusted maximum price shall be the price specified in sub-division (1) of this para-

graph (a), minus an allowance for transporting the milk purchased from the producer's dairy to the purchaser's business location, computed as follows:

(i) Where the milk is transported by means of a carrier not operated or controlled by either the producer or the purchaser, the transportation allowance shall be equal to the amount actually paid to the carrier for the transportation service.

(ii) Where the milk is transported by means of facilities operated or controlled by the purchaser, the transportation allowance shall not be less than the amount which the purchaser allowed to the same producer for the same transportation service in January, 1943.

(iii) If the minimum transportation allowance cannot be computed under the foregoing sub-divisions, the transportation allowance shall not be less than \$.05 per pound milk fat.

(b) *Definitions.* (1) All terms used in this order shall have the same meaning as in Maximum Price Regulation No. 329 unless the context clearly requires otherwise.

(c) Orders No. G-5 and G-21 under Maximum Price Regulation No. 329 are hereby revoked.

(d) This order may be amended or revoked by the Office of Price Administration at any time.

(e) This order shall become effective upon issuance.

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

Issued this 25th day of August 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-14930; Filed, September 11, 1943; 4:48 p. m.]

[Region VIII Order G-43 Under 18 (c)]

FIREWOOD IN PEND OREILLE COUNTY, WASHINGTON

Order No. G-43 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Certain firewood in Pend Oreille County, Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum prices for certain sales and deliveries of specified kinds of firewood in Pend Oreille County, Washington, as established by sections 2 and 3 of the General Maximum Price Regulation or by any previous order issued pursuant to such regulation or to any supplementary regulation thereto, are hereby adjusted so that the maximum prices therefor shall be the prices set forth in paragraphs (b) and (c).

(b) The maximum prices for sales of fir, tamarack, and pine forest wood, green or dry, and fir and tamarack tie slabs delivered to the premises of the

consumer at any point in Pend Oreille County, Washington, shall be:

- (1) For wood cut in 4 ft. lengths, \$10.00 per cord;
- (2) For wood cut in 16 in. lengths or less, \$12.00 per cord;
- (3) For single rick deliveries of wood cut in 16 in. lengths, \$4.50 per rick.

(c) The maximum prices for sales of mixed mill slabwood delivered to the premises of the buyer in the town of Metaline Falls, Washington and within a radius of three miles thereof shall be:

- (1) For wood cut in 4 ft. lengths, \$7.00 per cord;
- (2) For wood cut in 16 in. lengths or less, \$8.50 per cord.

(d) If in March 1942 the seller had an established practice of giving allowances, discounts, or other price differentials to certain classes of purchasers, he must continue such practice, and the maximum prices fixed by this order must be reduced to reflect such allowances, discounts, and other price differentials.

(e) Violations of this order shall subject the violator to all of the criminal and civil penalties provided by the Emergency Price Control Act of 1942, as amended.

(f) This order may be revoked, amended, or corrected at any time. This order shall become effective upon its issuance.

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

Issued this 25th day of August, 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-14931; Filed, September 11, 1943; 4:47 p. m.]

[Region VIII Order G-44 Under 18 (c)]

CERTAIN FIREWOOD IN BONNER COUNTY, IDAHO

Order No. G-44 under § 1499.18 (c) as amended of the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, it is hereby ordered:

(a) The maximum prices for certain sales and deliveries of specified kinds of firewood in Bonner County, Idaho, as established by Sections 2 and 3 of the General Maximum Price Regulation or by any previous order issued pursuant to such regulation or to any supplementary regulations thereto, are hereby adjusted so that the maximum prices therefor shall be the prices set forth in paragraph (b).

(b) The maximum prices for sales of the specified types of firewood, green or dry, delivered to the premises of the consumer at any point in Bonner County, Idaho, shall be as follows:

FIR AND TAMARACK FOREST WOOD

Length of wood	Unit of sale	Maximum price
4 ft.	Cord	\$10.50
16 in. or shorter	Cord	12.00
16 in.	1 Rick	4.75
12 in.	1 Rick	4.00

PINE FOREST WOOD AND FIR AND TAMARACK TIE SLABS

4 ft. or longer	Cord	\$9.00
16 in. or shorter	Cord	10.50
16 in.	1 Rick	3.75
12 in.	1 Rick	3.25

MIXED PINE, FIR, AND TAMARACK TIE SLABS

4 ft. or longer	Cord	\$7.50
16 in. or shorter	Cord	9.00

MIXED MILL SLABWOOD, MILL-ENDS, BLOCKS, AND EDGINGS

4 ft. or longer	Cord	\$6.00
16 in. or shorter	Cord	7.50

(c) If in March, 1942, the seller had an established practice of giving allowances, discounts, or other price differentials to certain classes of purchasers, he must continue such practice, and the maximum prices fixed by this order must be reduced to reflect such allowance, discounts, and other price differentials.

(d) Violations of this order shall subject the violator to all of the criminal and civil penalties provided by the Emergency Price Control Act of 1942, as amended.

(e) This order may be revoked, amended, or corrected at any time. This order shall become effective upon its issuance.

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

Issued this 25th day of August, 1943

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-14932; Filed, September 11, 1943; 4:49 p. m.]

[Region VIII Order G-45 Under 18 (c)]

FIREWOOD IN VANCOUVER-CAMAS AREA, WASHINGTON

Order No. G-45 under § 1499.18 (c) as amended, of the General Maximum Price Regulation. Adjusted maximum prices for firewood in the Vancouver-Camas Area in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended, of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum prices as established by section 2 and 3 of the General Maximum Price Regulation or by any previous order issued pursuant to such regulation, or to any supplementary regulation thereto, for the sale and delivery of the types of firewood specified below in the Stayton and Woodburn areas, are hereby adjusted so that the maximum prices therefor shall be the prices set forth in paragraph

thereto, for the sale and delivery of the types of firewood specified below in the Vancouver-Camas area, are hereby adjusted so that the maximum prices therefor shall be:

Area	Type of firewood	Maximum price per cord delivered to premises of buyer
Vancouver & Camas.	No. 1 old growth fir in 4' lengths.	\$12.25
	No. 2 old growth fir or second growth fir in 4' lengths.	11.75
	No. 1 old growth fir in 16" or 12" lengths.	13.80
	No. 2 old growth fir or second growth fir in 16" or 12" lengths.	13.00

(b) **Definitions.** (1) "Vancouver-Camas area" as herein used means the city of Vancouver and the City of Camas in Clark County, State of Washington and that part of Clark County within five miles of the city limits of Vancouver and that part of Clark County within five miles of the city limits of Camas.

(c) No seller shall evade any of the provisions of this Order No. G-45 by changing the customary allowances, discounts or other price differentials unless such change results in a lower price.

(d) This order may be revoked, amended or corrected at any time.

This order shall become effective August 26, 1943.

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

Issued this 26th day of August 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-14933; Filed, September 11, 1943; 4:49 p. m.]

[Region VIII Order G-47 Under 18 (c)]

FIREWOOD IN STAYTON AND WOODBURN AREAS, OREGON

Order No. G-47 under § 1499.18 (c) as amended, of the General Maximum Price Regulation. Adjusted maximum prices for firewood in the Stayton and Woodburn Areas in the State of Oregon.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended, of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The maximum prices as established by sections 2 and 3 of the General Maximum Price Regulation or by any previous order issued pursuant to such regulation, or to any supplementary regulation thereto, for the sale and delivery of the types of firewood specified below in the Stayton and Woodburn areas, are hereby adjusted so that the maximum prices therefor shall be the prices set forth in paragraph

Type of Firewood	Maximum price per cord delivered to premises of buyer
No. 1 old growth fir in 12" or 16" lengths	\$11.00
No. 1 old growth fir in 4' lengths	9.75
No. 2 old growth fir or second growth fir in 12" or 16" lengths	10.00
No. 2 old growth fir or second growth fir in 4' lengths	8.75
Oak, maple, ash and other hardwoods in 12" or 16" lengths	12.50
Oak, maple, ash and other hardwoods in 4' lengths	11.00

(b) *Definitions.* (1) "Stayton area" as herein used means that portion of Marion County in the State of Oregon that lies between a line 5 miles east of and parallel to State Highway No. 222 and a line 5 miles west of and parallel to State Highway No. 222 from a point on the highway 5 miles east of the city of Salem to 5 miles east of the city of Stayton. Included are the cities of Stayton, West Stayton, Sublimity, Aumsville, Turner and Salem.

(2) "Woodburn area" as herein used means that portion of Marion and Clackamas Counties in the State of Oregon that lies between a line 5 miles east of and parallel to U. S. Highway No. 99 E and a line 5 miles West of and parallel to U. S. Highway No. 99 E, from a point on the highway 5 miles north of Salem to a point 2 miles north of Hubbard. Included are the cities of Hubbard, Woodburn, Cervais, Brooks and Chemawa.

(c) No seller shall evade any of the provisions of this Order No. G-47 by changing the customary allowances, discounts or other price differentials unless such change results in a lower price.

(d) This order may be revoked, amended or corrected at any time.

This order shall become effective August 27, 1943.

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

Issued this 27th day of August 1943.

L. F. GENTNER,
Acting Regional Administrator.

[F. R. Doc. 43-14935; Filed, September 11, 1943; 4:50 p. m.]

[Region V Order G-5 Under MPR 165]

LAUNDRY SERVICES IN KANSAS CITY, Mo.

Order No. G-5 Under Maximum Price Regulation No. 165, as amended—Services.

For the reasons set forth in the opinion issued simultaneously herewith and under authority vested in the Regional Administrator, Region V, Office of Price Administration, by § 1499.114, paragraph (d), of Maximum Price Regulation No. 165, as amended, *It is hereby ordered:*

(a) All sellers operating in and supplying laundry and/or dry cleaning services in the metropolitan area of Kansas City, Missouri, are hereby permitted, but not required, to alter their present operating practices without a compensating reduction in their lawful maximum prices in the manner and to the extent and subject to the restrictions hereinafter set forth.

(1) Such sellers may discontinue any services previously offered other than the following five services and are permitted to adopt the minimum bundle weights in the manner and to the extent hereinafter provided.

(a) Wet wash. Definition: All laundry is washed and extracted and returned damp. Minimum bundle 20 lbs.

(b) Damp wash. Definition: Flat ironed, everything washed and extracted, flat work ironed, remaining articles returned damp. Minimum bundle 15 lbs.

(c) Dry wash. Definition: Everything washed and fluff dried, flat work ironed. Minimum bundle 12 lbs.

(d) Family flat. Definition: All flat, everything ironed ready to use. Minimum bundle 15 lbs.

(e) Family finish. Definition: Everything completely finished, 50% flat, 50% apparel. Minimum bundle 12 lbs. at legal customer's charge. If an individual seller elects to adopt the minimum bundle weights as herein provided, the price on such minimum bundle shall be computed on the basis of the original minimum bundle price, plus the excess poundage computed on the basis of the charge of the individual laundry for overage poundage in March 1942, rather than at the rate for the original minimum bundle. For example, if a laundry had a minimum bundle weight and price of ten pounds for ninety cents, or nine cents a pound, and all additional poundage at five cents a pound, the laundry would now compute its price for the minimum bundle of fifteen pounds on the basis of ten pounds at ninety cents, plus five pounds at five cents or a minimum bundle of fifteen pounds for one dollar and fifteen cents.

(2) The following economies may be put into effect as they apply to the above described services without a reduction in price:

(a) *Laundry services.* (1) Starching may be eliminated or only one type of starch offered. (2) Folding of wet wash bundles may be eliminated. (3) Folding or wearing apparel in rough dry bundles may be eliminated. (4) Finishing of handkerchiefs may be eliminated in all bundle services, except family finish. (5) Touching up and hand finishing of undergarments may be eliminated. (6) Eliminate the folding more than once of pillow cases, towels (hand, face, bath, dish and kitchen) napkins, and handkerchiefs, after these items have passed through the flat work iron. (7) Bath towels and wash cloths may be either fluff dried or ironed, according to the individual laundry equipment. (8) Curtains and furniture covers may be eliminated from family bundles if also eliminated from list. (9) Furnishing of shirt boards, tie-ups, tissue paper, cellophane shirt wrappers, or any individual wrappers now used may be discontinued. (10) Finishing of socks on sock forms may be discontinued and socks may be tumbled dry. (11) Pressing of cotton undershirts may be eliminated. (These may be tumbled dry and folded.)

(b) *Cleaning and pressing services.* (1) The use of paper garment bags. (2) The use of tissue paper on hangers of dresses. (3) The use of tissue paper as

puffing for dress sleeves. (4) The hand finishing of linings and inside seams of overcoats, suits, and jackets. (5) The acceptance of ladies' garments for cleaning with removable trimmings attached. (Customers may be required to remove from ladies' garments before cleaning such trimmings as collars, cuffs, buckles, ornaments and large buttons which cannot be pressed.)

(b) This order is subject to revocation or amendment by the Price Administrator at any time hereafter, either by special order or by any price regulation issued hereafter, or by any amendment or supplement hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

(c) Except as specifically provided in this order and for the types of laundry and dry cleaning services for which specific provision is made, the provisions of Maximum Price Regulation No. 165, as amended, are in no way affected and shall continue in full force and effect.

This order shall become effective on the 31st day of August 1943.

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

Issued this 26th day of August 1943.

MAX McCULLOUGH,
Regional Administrator.

[F. R. Doc. 43-14929; Filed, September 11, 1943; 4:47 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 7-700, 7-701, 7-702, 7-703, 7-704, 7-705]

FARNSWORTH TELEVISION & RADIO CORP.,
ET AL.

ORDER POSTPONING DATE OF HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of September, A. D. 1943.

In the matter of applications by the New York Curb Exchange to extend unlisted trading privileges to: Farnsworth Television & Radio Corporation Common Stock, \$1 Par Value; Lukens Steel Company Common Stock, \$10 Par Value; Merck & Co., Inc. Common Stock, \$1 Par Value; Northern Natural Gas Company Common Stock, \$20 Par Value; Public Service Company of Indiana, Inc. Common Stock, Without Par Value; The Warner & Swasey Company Common Stock, Without Par Value.

The Commission having on August 3, 1943 ordered a hearing pursuant to the provisions of section 12 (f) of the Securities Exchange Act of 1934 to determine whether unlisted trading privileges should be extended to the above-mentioned securities; and

Said order having provided for the commencement of the hearing on September 16, 1943 at 10:00 a. m. at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania; and

Counsel for all parties having requested that the hearing be postponed until November 15, 1943; and

The Commission having duly considered the matter and being fully advised in the premises;

It is ordered, That the hearing scheduled for September 16, 1943, be, and the same hereby is, postponed to November 15, 1943 at the hour and place heretofore designated.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-14859; Filed, September 11, 1943; 10:50 a. m.]

[File Nos. 59-39, 54-50, 59-10]

NORTH AMERICAN LIGHT & POWER CO.
HOLDING COMPANY SYSTEM, ET AL.

MEMORANDUM FINDINGS, OPINION AND ORDER
GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 10th day of September 1943.

In the matter of North American Light & Power Company Holding-Company System and the North American Company, North American Light & Power Company, the North American Company, et al.

As the result of proceedings instituted pursuant to Section 11 (b) (2) of the Public Utility Holding Company Act of 1935, on December 30, 1941 we issued an order¹ directing that North American Light & Power Company, ("Light & Power"), a registered holding company and direct subsidiary of The North American Company, liquidate and terminate its existence. Before the expiration of one year from the date of said order, Light & Power filed a plan for its liquidation pursuant to section 11 (e) of the Act. In this connection Illinois Iowa Power Company, a subsidiary of Light & Power, asserted a substantial claim against Light & Power. This claim was filed in the above consolidated proceedings, which includes the proceedings on the section 11 (e) plan. The issues raised by the claim have not as yet been determined. On November 30, 1942 Light & Power filed an application pursuant to section 11 (c) for an extension of one year within which to comply with the order of December 30, 1941 and on January 22, 1943 an order² was issued extending the time for compliance to July 22, 1943. Light & Power has now filed an application for a further extension of one year from July 22, 1943 within which to comply with the liquidation order. A public hearing was held on the latter application after appropriate notice.

The record indicates that the company has been unable in the exercise of due diligence to liquidate and terminate its existence by July 22, 1943 and that additional time will be required for it to do so. Under the circumstances we find that an extension of time for compliance

with our liquidation order of December 30, 1941 is necessary and appropriate in the public interest and for the protection of investors and consumers. The provisions of section 11 (c), pursuant to which the previous extension has been granted, do not, however, provide for an aggregate extension of time in excess of two years and accordingly no extension under that section can be granted beyond December 30, 1943. In this connection it may be noted that the Act does not prescribe any particular time after exhaustion of the statutory period for compliance, initial or as extended, within which the Commission shall apply to the court under section 11 (d) for enforcement, this being a matter of discretion with the Commission.³

It is ordered, That the time for compliance with said liquidation order of December 30, 1941, as extended by our order of January 22, 1943, be and it hereby is, extended to December 30, 1943.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-14860; Filed, September 11, 1943; 10:50 a. m.]

[File No. 54-80]

ENGINEERS PUBLIC SERVICE COMPANY
ORDER APPROVING PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 10th day of September 1943.

Engineers Public Service Company, a registered holding company, having filed a plan, and amendment thereto, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, involving the disposition by Engineers Public Service Company of 51,357 shares of common stock of El Paso Natural Gas Company in the following manner:

Engineers Public Service Company proposes to invite tenders from its preferred stockholders to exchange their stock for the El Paso Natural Gas Company common stock and cash on the following bases:

The holders of \$6 preferred stock of Engineers Public Service Company would be offered, for each share held, 2 shares of common stock of El Paso Natural Gas Company plus \$30 in cash.

The holders of \$5.50 preferred stock of Engineers Public Service Company would be offered, for each share held, 2 shares of common stock of El Paso Natural Gas Company plus \$25 in cash.

The holders of \$5 preferred stock of Engineers Public Service Company would be offered, for each share held, 2 shares of common stock of El Paso Natural Gas Company plus \$22 in cash; and

A public hearing having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and report herein;

It is ordered, That the said amended plan be and the same is hereby approved, subject to the following terms and conditions:

1. That Engineers Public Service Company shall not reissue any of its preferred stock reacquired under the plan.

2. That the amount of earned surplus resulting from any credit on account of the difference between the market value of the El Paso Natural Gas Company common stock exchanged and the cost thereof to Engineers Public Service Company shall be restricted as to the payment therefrom of dividends until further order of the Commission.

3. That a copy of this findings and report shall be mailed by Engineers Public Service Company to its preferred stockholders along with the request for tenders.

4. That jurisdiction is hereby reserved for the purpose of such further order or orders as may be appropriate to consummate the plan.

By the Commission.

[SEAL] ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 43-14939; Filed, September 18, 1943; 11:06 a. m.]

[File No. 59-7]

CITIES SERVICE POWER & LIGHT COMPANY,
ET AL.

ORDER DISPOSING OF PETITIONS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 10th day of September, A. D. 1943.

The Commission having on August 17, 1943 adopted its findings, opinion and order in proceedings pending pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, respecting Cities Service Power & Light Company and its subsidiary companies; the said company and Federal Light & Traction Company, a subsidiary thereof, a registered public-utility holding company, and a respondent in the said proceedings, having petitioned for rehearing on certain matters more fully set forth in the opinion of the Commission herein this day issued, and pursuant to the said findings and opinion, the Commission deeming no further action by it to be appropriate with respect to certain of the matters set forth in the said petitions, but in order to assure to Cities Service Power & Light Company and to Federal Light & Traction Company an opportunity to present a full record on issues of which the said companies are fully apprised, and in view of certain concessions of counsel for the Public Utilities Division of the Commission appearing in the said proceedings, deeming it appropriate in the premises to reopen the record herein in respect of those properties which said counsel conceded to be retainable under the standards of section 11 (b) (1) and which the Commission, nevertheless, found to be unretainable.

It is ordered, That the said petitions be and the same hereby are denied, except insofar as hereinafter set forth:

¹ Holding Company Act Release No. 3233.

² Holding Company Act Release No. 4066.

³ The United Light and Power Company, et al. 9 S.E.C. 833.

The petition of Cities Service Power & Light Company for leave to introduce further evidence respecting the retainability under section 11 (b) (1) of the businesses of The Community Traction Company, The Maumee Valley Transportation Company, The Lake Shore Coach Company, Stark Transit, Inc., The Electric Building Company, and The Toledo & Indiana Realty Company, and the electric railroad business of The Ohio Public Service Company and the hot water heating business of The Toledo Edison Company as reasonably incidental or economically necessary or appropriate to the utility operations of the system of Cities Service Power & Light Company in the State of Ohio, is hereby granted.

The petition of Cities Service Power & Light Company for leave to introduce further evidence with respect to the retainability under section 11 (b) (1) of the water business of Empire District Electric Company and of Benton County Utilities Corporation, the water, ice and cold storage business of Lawrence County Water, Light & Cold Storage Company, the ice business of City Light and Traction Company, and the transportation business of Springfield Gas and Electric Company as reasonably incidental or economically necessary or appropriate to the utility operations of the said companies is hereby granted.

The petition of Cities Service Power & Light Company for leave to introduce further evidence with respect to the retainability under section 11 (b) (1) of the water business of New Mexico Power Company and the steam, tar, transportation and ice businesses of Public Service Company of Colorado as reasonably incidental or economically necessary or appropriate to the utility operations of the said companies is hereby granted.

The petition of Federal Light & Traction Company for leave to introduce further evidence with respect to the retainability of the water business of New Mexico Power Company as reasonably incidental or economically necessary or appropriate to the utility operations of the said company and of companies owning and controlling properties which, together with the properties of the New Mexico Power Company, form a single integrated utility system is hereby granted.

The request of Federal Light & Traction Company for modification of the order of the Commission of August 17, 1943 respecting Cities Service Power & Light Company and its subsidiaries, so that jurisdiction shall be reserved by the Commission with respect to the interest of Federal Light & Traction Company in Tucson Rapid Transit Company, Federal Realty Company, and those properties of Stonewall Electric Company which are adjacent to the properties of The Tucson Gas, Electric Light & Power Company, is hereby granted; and the said order is hereby modified as provided herein.

It is further ordered. That the effectiveness of the order of August 17, 1943, hereinabove referred to, is, and the same shall be, stayed, pending further order,

only as respects those properties hereinabove designated as to which leave to introduce further evidence has been granted; and

It is further ordered. That the record herein be reopened and a hearing convened at a date to be set by further order of the Commission for the limited purpose of receiving such relevant evidence as Cities Service Power & Light Company and/or its subsidiaries may proffer with respect to those properties hereinabove designated.

By the Commission.

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-14947; Filed, September 13, 1943; 11:08 a. m.]

[File No. 60-20]

GENERAL GAS & ELECTRIC CORPORATION

NOTICE OF AND ORDER INSTITUTING
PROCEEDINGS

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 10th day of September 1943.

The Commission having examined the records and information available to it with respect to General Gas & Electric Corporation, a registered holding company and a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, and with respect to Tide Water Power Company, a public utility company operating in the State of North Carolina, and a subsidiary of General Gas & Electric Corporation, which owns all the common stock of Tide Water Power Company, such common stock representing 82.9% of the voting control of the company; and

The Commission having heretofore on August 13, 1942, ordered the Trustees of Associated Gas and Electric Corporation to divest themselves of all their interest, direct and indirect, in Tide Water Power Company "in any appropriate manner not in contravention of the applicable provisions of the said Act (Public Utility Holding Company Act of 1935) or the rules and regulations promulgated thereunder"; and

The Commission having reason to believe that General Gas & Electric Corporation has been and is endeavoring to effect a sale of its holdings of common stock of Tide Water Power Company for a consideration substantially less than \$100,000; and

The Commission having reason to believe that a disposition of General Gas & Electric Corporation's holdings of common stock of Tide Water Power Company, prior to or without at the same time providing for a fair and equitable distribution of voting power, may be detrimental to the public interest and the interest of investors and consumers;

It therefore appearing to the Commission that the withdrawal pursuant to the provisions of Rule U-100 (b) of any exemption with respect to such sale or

sales as may be granted by Rule U-44 (b) (2) promulgated under the Act would be appropriate in the public interest and the interest of investors and consumers;

It further appearing to the Commission that it is appropriate that a hearing be held with respect to the withdrawal of the exemption granted by Rule U-44 (b) (2) on October 8, 1943;

It is hereby ordered. That proceedings pursuant to Rule U-100 (b) with respect to the withdrawal of the exemption granted by Rule U-44 (b) (2) be, and they hereby are, instituted with respect to General Gas & Electric Corporation, and that a hearing be held therein on October 8, 1943, at 10 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in room 318. At such hearing consideration will be given to determining whether an order pursuant to the provisions of Rule U-100 (b) shall be entered forthwith by this Commission, withdrawing the exemption provided by Rule U-44 (b) (2) with respect to the sale by General Gas & Electric Corporation of any security which it owns of Tide Water Power Company, and requiring that General Gas & Electric Corporation shall not on the basis of the provisions of Rule U-44 (b) (2), directly or indirectly, sell any security which it owns of Tide Water Power Company to any person except pursuant to a declaration concerning the proposed transaction, which has become effective in accordance with the procedure specified in Rule U-23, and pursuant to the order of the Commission with respect to such declaration under the applicable provisions of said Act; and notice is hereby given of said hearing to General Gas & Electric Corporation, respondent, and to all interested persons, said notice to be given to said respondent by registered mail and to all other persons by publication in the FEDERAL REGISTER; and

It is further ordered. That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered. Pursuant to said Rule U-100 (b), that, pending determination of the proceedings herein instituted, the applicability of such exemption as is granted by the said Rule U-44 (b) (2) be, and it hereby is, suspended, in so far as it may affect any unexecuted sales of any security of Tide Water Power Company owned by General Gas & Electric Corporation.

By the Commission.

[SEAL] ORVAL DUBOIS,
Secretary.

[F. R. Doc. 43-14940; Filed September 13, 1943; 11:07 a. m.]

[File No. 70-771]

ASSOCIATED GAS AND ELECTRIC CO., ET AL
MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of September, 1943.

In the Matter of Stanley Clarke, Trustee of Associated Gas and Electric Company, Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation.

ACQUISITION OF SECURITIES BY REGISTERED HOLDING COMPANY OR SUBSIDIARY

Exemption: Application pursuant to section 9 (c) (3) of the Act, filed by trustees, for exemption from the provisions of Section 9 (a) of the Act, regarding acquisition of securities as part of compromises of claims of the estates, granted, the compromises having been approved by the bankruptcy court and the transactions being found not detrimental to the public interest or the interest of investors or consumers.

ACQUISITION OF SECURITIES BY ISSUER

Exemption: Application-declaration filed by trustees for exemption from the rules promulgated under the Act, regarding acquisition of securities as part of compromises of claims of the estates, granted under the provisions of rule U-100, the compromises having been approved by the bankruptcy court and compliance with the requirements by rule U-42 being found not necessary or appropriate in the public interest or for the protection of investors and consumers.

Appearances: William W. Golub, for the applicants-declarants.

David I. Bursten, for the Public Utilities Division of the Commission.

An application-declaration has been filed jointly by Stanley Clarke, Trustee of Associated Gas and Electric Company (hereinafter referred to as "Ageco"), a registered holding company, and Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation (hereinafter referred to as "Agecorp"), a registered holding company. Both companies are in reorganization under Chapter X of the Bankruptcy Act.

The applicants-declarants have entered into an agreement, dated July 26, 1943, to compromise their claims and those of their direct and indirect subsidiaries and affiliates against John I. Mange, individually; John I. Mange, as Successor Trustee under a Deed of Trust dated October 31, 1936, between Winthrop E. Mange, et al., as Settlers, and Winthrop E. Mange as Trustee for the benefit of Helen D. Mange, et al.; John I. Mange, as Executor under the Last Will and Testament of Lydia P. Mange, Deceased; Managing and Investing, Inc., a Delaware corporation; and Oak Ridge Farms, Inc., a New York Corporation (all herein called the "Mange Group"). The agreement provides for the delivery to the applicants-declarants of securities of Ageco and certain of its subsidiaries and affiliates, as set forth in the filing.

Applicants-declarants are in receipt of an offer, under date of April 30, 1943, from Marguriete G. Burroughs, individually and as Administratrix of the Estate of Frederick S. Burroughs, De-

ceased, to settle claims asserted by applicants-declarants against that estate by the delivery to applicants-declarants of securities of certain of their subsidiary and affiliated companies, as scheduled in the filing. They propose to accept the offer. The proposed acquisitions of securities, under the terms of the agreement and offer described above, are the subject of this application-declaration.

After the securities are acquired and the expenses of investigation, negotiation, settlement and distribution are provided for, applicants-declarants will, with the approval of the United States District Court for the Southern District of New York, having jurisdiction over the reorganization proceedings of Associated Gas and Electric Company and Associated Gas and Electric Corporation, and such regulatory bodies as have jurisdiction with respect thereto, allocate and distribute said securities or the proceeds therefrom among their subsidiaries and affiliates, in such proportions as may be determined by agreement, arbitration, judicial proceedings, or other appropriate method. Neither the subsequent determination of the persons for whose account, including their own, applicants-declarants will hold said securities, nor the eventual distribution thereof to such persons as may ultimately be determined to be entitled thereto, constitutes any part of the proposed transaction.

After appropriate notice, a public hearing was held on the matter, at which no one appeared to object to the proposed transactions.

The proposed settlements were approved by the United States District Court for the Southern District of New York after notice and hearing. Certified copies of the orders of that Court appear in the record.

The proposed transactions by the Trustees of the two estates involve an acquisition subject to the provisions of section 9 of the Public Utility Holding Company Act of 1935. Pursuant to section 9 (c) (3), this Commission is empowered to grant exemptions from the provisions of section 9 (a) "within such limitations, as the Commission may by rules and regulations or order prescribe as appropriate in the ordinary course of business of a registered holding company or a subsidiary company thereof and as not detrimental to the public interest or the interest of investors or consumers".

The applicants-declarants herein are all Trustees appointed in accordance with the provisions of the Bankruptcy Act, and their duties as such (as defined in section 47 (a) of that Act) include the collection of claims available to the estates. In this context, the proposed acquisitions may properly be said to be within "the ordinary course of business" of the applicants-declarants.

We find that the proposed transactions are not detrimental to the public interest, or the interest of investors or consumers, and that the proposed transactions are properly the subject for an exemption from the provisions of section 9 (a) of the Act.

We also find that compliance with the requirements of rule U-42 of the General

Rules and Regulations promulgated pursuant to the Public Utility Holding Company Act of 1935, is not necessary or appropriate in the public interest or for the protection of investors and consumers, and therefore that the proposed transactions are properly the subject for an exemption under the provisions of rule U-100.

It is therefore ordered, That, pursuant to section 9 (c) (3) of the Public Utility Holding Company Act of 1935 and to rule U-100 of the General Rules and Regulations promulgated thereunder, the transaction embraced by the application-declaration herein be, and hereby is, granted an exemption from the requirements of section 9 (a) of the Act and from the rules promulgated thereunder.

By the Commission.

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-14945; Filed, September 13, 1943; 11:08 a. m.]

[File No. 70-775]

GENERAL GAS & ELECTRIC CORPORATION

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 10th day of September 1943.

Declaration of dividends out of capital surplus: Declaration by registered holding company pursuant to section 12 (c) and Rule U-46 permitted to become effective with respect to the payment of dividends to prior preferred shareholders out of capital surplus where no prejudice to security holders or public is found.

Appearances: William W. Golub, for General Gas & Electric Corporation. David I. Bursten, for the Public Utilities Division of the Commission.

General Gas & Electric Corporation (hereinafter called Gengas), registered holding company, which is a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation (hereinafter called Trustees), a registered holding company, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935, in which it proposes to pay out of capital or unearned surplus a quarterly dividend of \$1.25 on its \$5 prior preferred stock. The presently proposed dividend is applicable to the quarterly period ended September 15, 1942.

The entire issue outstanding is 60,000 shares, of which 27,889.1 shares are held by the Trustees, who have, by a letter dated August 13, 1943, waived their right to collect such quarterly dividends, until further order of the Commission. The number of shares in the hands of the public is 32,110.9 so that \$40,138.63 will be required to make the dividend payment.

After appropriate notice, a public hearing was held. A request for hearing was received from a holder of Cumulative Preferred Stock of Gengas who was opposed to the dividend payment. He was notified of the hearing, but neither he nor any other person appeared at the

hearing to oppose the proposed payment of the dividend. Having considered the record therein, the Commission makes the following findings:

As at June 30, 1943, the assets of Gengas, per books, available for security holders totalled \$29,782,715. The only securities of, or claims against, Gengas which, according to its books, are senior to the \$5 Prior Preferred Stock, consist of certain obligations payable to the Trustees. These obligations, including interest thereon, aggregate \$2,805,715.

The books of Gengas, as of June 30, 1943, reflect an earned surplus deficit of \$2,576,469.34; the capital surplus is shown as \$13,483,967.93.

Net income of Gengas for the twelve months ended June 30, 1943, amounted to \$503,804.27. As at June 30, 1943, Gengas had cash on hand in the amount of \$370,021.75.

A cash forecast for the twelve months ending July 31, 1944, submitted by the company in connection with the filing, indicates that Gengas will be able to meet all its cash requirements, continue to maintain an adequate cash balance, and pursue its present dividend policy. The forecast contemplates that at the end of the period the cash balance will amount to \$1,451,374.02.

In addition to the Prior Preferred Stock of Gengas, which, by its terms, is senior to all other publicly held securities, there are various series of Cumulative Preferred Stock, as well as a substantial amount of Class A Common Stock, and some Class B Common Stock, of Gengas outstanding in the hands of the public.

This is the seventh time that Gengas has filed a declaration to pay a quarterly dividend on its publicly held Prior Preferred Stock out of capital surplus. We have on each occasion considered that the assets of Gengas were substantial in relation to the size of the proposed dividend, and that the Prior Preferred Stock is, by its terms, entitled to be paid dividend arrearages in full before dividends can be paid on the other preferred stocks. These same factors are equally cogent with regard to the present declaration.

At this time, we observe no reason for making adverse findings under the applicable sections of the Act and rules promulgated thereunder.

It is therefore ordered, That, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, the said declaration be, and hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the General Rules and Regulations.

By the Commission.

[SEAL] ORVAL L. DUBois,
Secretary.

[F. R. Doc. 43-14941; Filed, September 13, 1943; 11:07 a. m.]

[File No. 70-780]

ASSOCIATED GAS AND ELECTRIC COMPANY
ORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its

office in the City of Philadelphia, Pa. on the 10th day of September 1943.

Stanley Clarke, Trustee of Associated Gas and Electric Company, a registered holding company, having filed a declaration, pursuant to the Public Utility Holding Company Act of 1935, and particularly sections 6 (a) and 7 thereof, regarding the extension of Trustee's Certificates due September 13, 1942, in the principal amount of \$75,000, to December 1, 1943, and if said certificates are not paid by December 1, 1943, then to September 13, 1944;

Said declaration having been filed on August 27, 1943 (and notice of said filing having been duly given in the form and manner prescribed in Rule U-23, promulgated pursuant to said Act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Trustee having requested that the Commission advance the effective date of said declaration, and the Commission finding that the requirements of section 7 are satisfied, and that it is appropriate that the declaration be permitted to become effective, and that the date should be advanced;

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 declaration be, and hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBois,
Secretary.

[F. R. Doc. 43-14946; Filed, September 13, 1943; 11:08 a. m.]

[File No. 812-332]

THE CHICAGO CORPORATION

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of September, A. D. 1943.

The Chicago Corporation has filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) of said Act, a transaction in which applicant proposes to purchase all or any part of the common stock of Adams Oil and Gas Company from other stockholders thereof pursuant to a general offer of purchase proposed to be made by the applicant. The proposed purchase price is \$30.00 per share. Exemption is sought with respect to stockholders of Adams Oil and Gas Company, who are affiliated persons of the applicant or of Adams Oil and Gas Company, which, in turn, is an affiliated person of the applicant.

It is ordered, Pursuant to section 40 (a) of said Act, that a hearing on the aforesaid application be held on September 20, 1943 at 11:00 o'clock A. M., Eastern War Time in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania; and

It is further ordered, That Charles S. Lobinger, Esquire, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing is hereby given to The Chicago Corporation, and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBois,
Secretary.

[F. R. Doc. 43-14942; Filed, September 13, 1943; 11:07 a. m.]

WAR FOOD ADMINISTRATION.

[Docket No. AO 172]

HANDLING OF MILK IN SUBURBAN CHICAGO,
ILLINOIS, MARKETING AREA

NOTICE OF HEARING

Proposed marketing agreement and order regulating the handling of milk in the suburban Chicago, Illinois, marketing area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 *et seq.*), and in accordance with the applicable rules of practice and procedure (7 CFR, 1941 Supp., 900.1-900.17; 7 F.R. 3350; 8 F.R. 2815), notice is hereby given of a hearing to be held at Hotel Sherman, Chicago, Illinois, beginning at 10 a.m., c.w.t., September 30, 1943, with respect to a proposed marketing agreement and order regulating the handling of milk in the Suburban Chicago, Illinois, marketing area.

This public hearing is for the purpose of receiving evidence with respect to a proposed marketing agreement and order, the provisions of which are hereinafter set forth in detail, which has been proposed by the Pure Milk Association. The proposed marketing agreement and order have not received the approval of the War Food Administrator, and at the hearing evidence will be received relative to all aspects of the marketing conditions which are dealt with by the proposed marketing agreement and order. The provisions of the proposed marketing agreement and order are as follows:

SECTION 1. Definitions—(a) *Terms*. The following terms as used herein shall have the following meanings:

(1) "Suburban Chicago Marketing Area", hereinafter called "marketing area", means all of the territory within the city of Barrington in Lake County, the townships of Dundee, Elgin, St. Charles, Geneva, Batavia, and Aurora in Kane County, Cook, Du Page, and Will Counties, Illinois, and Lake and Porter Counties, Indiana, excepting the marketing area described in the milk marketing Order No. 41 regulating the handling of milk in the Chicago, Illinois, marketing area, issued under the act on

August 28, 1939 (7 CFR, 1941 Supp., 941.0 et seq.: 5 F.R. 2337), hereinafter referred to as "Marketing Order No. 41."

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

(3) The term "approved plant" means any plant which is approved by any health authority for the receiving of milk disposal of as Class I milk in the marketing area.

(4) "Producer" means any person who produces milk which is received at a plant from which milk is used as Class I in the marketing area during the delivery period, excepting any person who is a producer under Marketing Order No. 41 regulating the handling of milk in Chicago, Illinois: *And provided*, As determined by the market administrator, more than 10 percent of the total receipts of milk at such plant is used as Class I milk in the marketing area, and such plant handles milk which is used as Class I milk in the marketing area for more than 10 days during the delivery period.

(5) The term "handler" means any person who, on his own behalf or on behalf of others, purchases or receives milk from producers, associations of producers, other handlers, persons producing milk not qualified to be received at any approved plant, or persons operating an unapproved plant, all or a portion, of which milk is disposed of as Class I milk in the marketing area; and who, on his own behalf or on behalf of others, engages in such handling of milk, or cream therefrom, as is in the current of interstate commerce or which directly burdens, obstructs, or affects interstate commerce in milk and its products. This definition shall be deemed to include any cooperative association or handler with respect to the milk of any producer which it causes to be delivered to a plant from which no milk or cream is disposed of in the marketing area, for the account of such cooperative association or handler, excepting any person who is a handler under Marketing Order No. 41 regulating the handling of milk in Chicago, Illinois.

(6) The term "market administrator" means the agency herein described for the administration hereof.

(7) The term "delivery period" means the current marketing period from the first to the last day of each month, both inclusive.

(8) The term "cooperative association" means any cooperative association of producers which the War Food Administrator determines (a) to have its entire activities under the control of its members, and (b) to have and to be exercising full authority in the sale of milk of its members.

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

(10) The term "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers or to perform the du-

ties of the War Food Administrator of the United States hereunder.

Sec. 2. *Market administrator*—(a) *Selection, removal and bond.* The agency for the administration hereof shall be a market administrator who shall be a person selected and subject to removal by the War Food Administrator. The market administrator shall, within 45 days following the date upon which he enters upon his duties, execute and deliver to the War Food Administrator a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the War Food Administrator.

(b) *Compensation.* The market administrator shall be entitled to such reasonable compensation as shall be determined by the War Food Administrator.

(c) *Powers.* The market administrator shall have the power: (1) to administer the terms and provisions hereof, and (2) report to the War Food Administrator complaints of violations of this order.

(d) *Duties.* The market administrator, in addition to the duties hereinafter described, shall:

(1) Keep such accounts and records as will clearly reflect the transactions provided for herein;

(2) Submit his accounts and records to examination by the War Food Administrator at any and all times;

(3) Furnish such information and such verified reports as the War Food Administrator may request;

(4) Obtain a bond with reasonable security thereon covering each employee who handles funds entrusted to the market administrator;

(5) Publicly disclose, after reasonable notice, the name of any person who has not made reports, or payments as hereby required;

(6) Prepare and disseminate, for the benefit of producers, consumers, and handlers, such statistics and information concerning the operation hereof as do not reveal confidential information;

(7) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof; and

(8) Pay, out of the funds received pursuant to section 9, the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market administrator, his own compensation, and all other expenses which will necessarily be incurred by him for the maintenance and functioning of his office and the performance of his duties.

(e) *Announcement of prices.* The market administrator shall compute and publicly announce prices as follows:

(1) Not later than the 5th day after the end of each delivery period, the prices for all classes of milk pursuant to section 5 (a) and the differential pursuant to section 5 (c).

(2) Not later than the 12th day after the end of each delivery period, the uniform price computed pursuant to section 7 (b).

Sec. 3. *Reports of handlers*—(a) *Submission of reports.* Each handler shall report to the market administrator, in

the detail and on forms prescribed by the market administrator, as follows:

(1) On or before the 7th day after the end of each delivery period, each handler who purchases or receives milk from associations of producers and other handlers, with respect to all milk purchased or received from such sources, shall submit to the market administrator and to the association of producers or handlers from whom the milk was purchased, a record of the utilization of such milk, classified pursuant to section 4.

(2) On or before the 9th day after the end of each delivery period, the quantity, butterfat test, and butterfat pounds of (a) the receipts of milk at each plant from producers, (b) the receipts of milk at each plant from other handlers, (c) the receipts of milk or cream from sources other than producers and handlers, if any, (d) the receipts at each plant of the milk produced by him, if any, and (e) the utilization of all receipts of milk for the delivery period.

(3) On or before the 5th day after the end of each delivery period the information required with respect to producer additions and producer withdrawals, and changes in the names of farm operators.

(4) On or before the 25th day after the end of each delivery period his producer pay roll, which shall show for each producer (a) the total delivery of milk with the average butterfat test thereof, (b) the net amount of payment to such producer made pursuant to section 8, (c) any deductions and charges made by the handler, and (d) such other information with respect thereto as the market administrator may require.

(b) *Verification of reports and payments.* The market administrator shall verify all reports and payments of each handler by audit of such handler's records, and of the records of any other handler or person upon whose disposition of milk such handler claims classification. Each handler shall keep adequate records of receipts and utilization of milk and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

(1) Verify the receipts and disposition of all milk required to be reported pursuant to this section, and, in case of errors or omissions, ascertain the correct figures;

(2) Weigh, sample, and test for butterfat content the milk received from producers and any product of milk upon which classification depends; and

(3) Verify the payments to producers prescribed in section 8.

Sec. 4. *Classification of milk*—(a) *Basis of classification.* All milk purchased or received by a handler from producers, associations of producers, and other handlers, including milk produced by him, if any, and including milk or cream purchased or received from sources other than producers or handlers, shall be reported by the handler in the classes set forth in paragraph (b) of this section: *Provided*, That (1) any milk mov-

ing as fluid milk from any handler's plant to a plant of a nonhandler who distributes fluid milk shall be classified as Class I milk and any cream moved in the form of cream to such nonhandler shall be classified as Class II milk, except for milk or cream in excess of the amount of Class I or Class II milk distributed by the nonhandler; (2) any milk or cream moving from a handler's plant to a plant of a nonhandler, who does not distribute fluid milk shall be classified according to its use by such nonhandler subject to verification by the market administrator; (3) any milk moving from the handler's plant where the milk was first received from producers to the plant of a second handler, which has manufacturing facilities, shall be Class I milk if moved from the second handler's plant as fluid milk, and Class II if moved as cream; and (4) any milk moving from the handler's plant where the milk was first received from producers to a second handler's plant which has no manufacturing facilities may be classified according to its utilization by a third handler: *Provided*, That in the case of the sale of milk or cream by a handler to a person who is a handler under another Federal milk agreement or order, such milk may be classified on a pro rata basis.

(b) *Classes of utilization.* Subject to the conditions set forth in paragraph (a) of this section, the classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk disposed of in the form of fluid milk, including bulk milk disposed of to bakeries, hotels, restaurants, and other retail food establishments, and all milk not accounted for as Class II milk, Class III milk, or Class IV milk.

(2) Class II milk shall be all milk, except skim milk, disposed of in the form of flavored milk and flavored milk drinks, and all milk, the butterfat from which is disposed of in the form of sweet or sour cream, cottage cheese, and buttermilk.

(3) Class III milk shall be all milk the butterfat from which is used to produce a milk product other than one of those specified in Class II and Class IV including frozen cream, ice cream, and ice cream mix.

(4) Class IV milk shall be all milk the butterfat from which is used to produce butter and cheese, except cottage cheese, and all milk accounted for as actual plant shrinkage: *Provided*, That such plant shrinkage shall not exceed 2 percent of the total receipts of milk from producers and from the handler's own production. Any handler whose report claimed the original classification of milk in this class shall be liable for the difference between the Class IV and Class III prices for the delivery period in which the Class IV classification was claimed on any such milk, if the butterfat used in the production of butter is subsequently used in the production of ice cream or ice cream mix.

(c) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification of milk as required in paragraph (b) of this section, the responsibilities of handlers in estab-

lishing the classification of milk received by them shall be as follows:

(1) In establishing the classification of any milk received by a handler from producers, the burden rests upon the handler who receives the milk from producers to account for the milk and to prove to the market administrator that such milk should not be classified as Class I milk.

(2) With respect to milk, or skimmed milk, disposed of to another handler, the burden rests upon the handler who purchased the milk from producers to account for the milk, or skimmed milk, and to prove to the market administrator that such milk, or skimmed milk, should not be classified as Class I milk: *Provided*, That if verification by the market administrator discloses a higher utilization than that reported for milk purchased by a handler from a cooperative association, the market administrator shall notify the purchasing handler and such handler shall within 5 days after notification by the market administrator make adjustment to such cooperative association on the basis of such higher utilization as verified by the market administrator.

(d) *Computation of milk in each class.* For each delivery period, each handler shall compute, in the manner and on forms prescribed by the market administrator, the amount of milk in each class, as defined in paragraph (b) of this section, as follows:

(1) Determine the total pounds of milk (a) received from producers, (b) produced by him, if any, (c) received from other handlers, if any, (d) received from other sources, if any, and (e) add together the resulting amounts.

(2) Determine the total pounds of butterfat received as follows: (a) multiply the weight of the milk received from producers by its average butterfat test, (b) multiply the weight of the milk produced by him, if any, by its average butterfat test, (c) multiply the weight of the milk received from other handlers, if any, by its average butterfat test, (d) multiply the weight of the milk received from other sources, if any, by its average butterfat test, and (e) add together the resulting amounts.

(3) Determine the total pounds of milk in Class I as follows: (a) convert to quarts the quantity of milk disposed of in the form of milk, and multiply by 2.15, (b) multiply the result by the average butterfat test of such milk, and (c) if the quantity of butterfat so computed when added to the pounds of butterfat in Class II milk, Class III milk, and Class IV milk, computed pursuant to subparagraphs (4) (b), (5) (b), and (6) (c), of this paragraph, is less than the total pounds of butterfat received, computed in accordance with subparagraph (2) of this paragraph, an amount equal to the difference shall be divided by 3.5 percent and added to the quantity of milk determined pursuant to (a) of this subparagraph.

(4) Determine the total pounds of milk in Class II as follows: (a) multiply the actual weight of each of the several products of Class II milk by its average

butterfat test, (b) add together the resulting amounts, and (c) divide the result obtained in (b) of this subparagraph by 3.5 percent.

(5) Determine the total pounds of milk in Class III as follows: (a) multiply the actual weight of each of the several products of Class III milk by its average butterfat test, (b) add together the resulting amounts, and (c) divide the result obtained in (b) of this subparagraph by 3.5 percent.

(6) Determine the total pounds of milk in Class IV as follows: (a) multiply the actual weight of each of the several products of Class IV milk by its average butterfat test, (b) add together the resulting amounts, (c) subtract the total pounds of butterfat in Class I milk, Class II milk, and Class III milk, computed pursuant to subparagraphs (3) (b), (4) (b), and (5) (b), of this paragraph, and the total pounds of butterfat computed pursuant to (b) of this subparagraph, from the total pounds of butterfat computed pursuant to subparagraph (2) of this paragraph, which resulting quantity shall be allowed as plant shrinkage for the purposes of this paragraph (but in no event shall such plant shrinkage allowance exceed 2 percent of the total receipts of butterfat from producers by the handler) and shall be added to the result obtained in (b) of this subparagraph, and (d) divide the result obtained in (c) of this subparagraph by 3.5 percent.

(7) Determine the classification of milk received from producers as follows:

(i) Subtract from the total pounds of milk in each class the total pounds of milk which were received from other handlers and used in such class.

(ii) Subtract from the total pounds of milk in each class the total pounds of milk which were received from sources other than producers and handlers and used in such class.

(iii) Subtract pro rata out of the remaining milk in each class the quantity of milk received from the handler's own farm.

(iv) Except as set forth in paragraph (e) of this section, the result shall be known as the "net pooled milk" in each class.

(c) *Reconciliation of utilization of milk by classes with receipts of milk from producers.* In the event of a difference between the total quantity of milk utilized in several classes as computed pursuant to paragraph (d) of this section and the quantity of milk received from producers, except for excess milk or milk equivalent of butterfat pursuant to section 6 (c), such difference shall be reconciled as follows:

(1) If the total utilization of milk in the various classes for any handler, as computed pursuant to paragraph (d) of this section, is less than the receipts of milk from producers, the market administrator shall increase the total pounds of milk in Class IV for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler, which result shall be known as the "net pooled milk" in each class.

(2) If the total utilization of milk in the various classes for any handler, as computed pursuant to paragraph (d) of this section, is greater than the receipts of milk from producers, the market administrator shall decrease the total pounds of milk in Class IV for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler, which result shall be known as the "net pooled milk" in each class.

Sec. 5. *Minimum prices*—(a) *Class prices*. (1) Subject to the differential set forth in paragraph (c) of this section, each handler shall pay, at the time and in the manner set forth in section 8, for milk purchased or received by such handler, at the country plant, platform or loading station where received from producers, not less than the prices set forth in this paragraph. Any handler who purchases or receives, during any delivery period, milk from a cooperative association which is also a handler shall, on or before the 15th day after the end of the delivery period, pay such cooperative association in full for such milk at not less than the minimum class prices, with appropriate differentials, applicable pursuant to this section.

(2) *Class I milk*: The price per hundredweight for Class I milk during each delivery period shall be the price determined pursuant to paragraph (b) of this section, plus 70 cents.

(3) *Class II milk*: The price per hundredweight for Class II milk during each delivery period shall be the price determined pursuant to paragraph (b) of this section, plus 32 cents.

(4) *Class III milk*: The price per hundredweight for milk containing 3.5 percent butterfat during each delivery period shall be the average computed by the market administrator, of prices reported by the United States Department of Agriculture (or by such other Federal agency as may hereafter be authorized to perform this price reporting function) paid during such delivery period to farmers at each of the places or evaporated milk plants where milk is received from producers, as hereinafter listed, and for which prices are reported, but in no event shall such price be less than the price computed pursuant to the formula set forth in paragraph (b) of this section.

Concern:	Location
Borden Co.	Black Creek, Wis.
Borden Co.	Greenville, Wis.
Borden Co.	Mount Pleasant, Mich.
Borden Co.	New London, Wis.
Borden Co.	Orfordville, Wis.
Carnation Co.	Berlin, Wis.
Carnation Co.	Jefferson, Wis.
Carnation Co.	Chilton, Wis.
Carnation Co.	Oconomowoc, Wis.
Carnation Co.	Richland Center, Wis.
Carnation Co.	Sparta, Mich.
Pet Milk Co.	Belleville, Wis.
Pet Milk Co.	Coopersville, Mich.
Pet Milk Co.	Hudson, Mich.
Pet Milk Co.	New Glarus, Wis.
Pet Milk Co.	Wayland, Mich.
White House Milk Co.	Manitowoc, Wis.
White House Milk Co.	West Bend, Wis.

(5) *Class IV milk*. Multiply by 3.5 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture (or by such other Federal agency as may hereafter be authorized to perform this price reporting function) for the delivery period during which such milk was received, and add 20 percent: *Provided*, That such price shall be subject to the following adjustments: (1) add 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption is above 5½ cents per pound, or (2) subtract 3½ cents per hundredweight for each full one-half cent that the price of such dry skim milk is below 5½ cents per pound. For purposes of determining this adjustment the price per pound of dry skim milk to be used shall be the average of the carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, as published by the United States Department of Agriculture (or by such other Federal agency as may hereafter be authorized to perform this price reporting function) for a Chicago area during the delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period. In the event the United States Department of Agriculture does not publish carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, the average of the carlot prices for dry skim milk for human consumption, delivery at Chicago, shall be used. In the latter event the Class IV price shall be subject to the following adjustments: (1) add 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption, delivered at Chicago, is above 7½ cents per pound, or (2) subtract 3½ cents per hundredweight for each full one-half cent that such price of dry skim milk is below 7½ cents per pound.

(b) *Basic formula price to be used in determining Class I and Class II prices*. The basic formula price to be used in determining the prices per hundredweight of Class I and Class II milk, set forth in this section, shall be the price for Class III milk determined pursuant to paragraph (a) (4) of this section, the price for Class IV milk determined pursuant to paragraph (a) (5) of this section, or that derived from the following formula, whichever is the highest:

(1) Multiply the average wholesale price per pound of 92-score butter at Chicago for the delivery period as reported by the United States Department of Agriculture, by six (6);

(2) Add 2.4 times the average weekly prevailing price per pound of "Twins" during the delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin: *Provided*, That if the price of "Twins" is not quoted on the Wisconsin Cheese Exchange the weekly prevailing price of "Cheddars" shall be deemed

to be the prevailing price for "Twins" and shall be used in determining the price pursuant to this formula;

(3) Divide by seven (7), the sum so determined being hereafter referred to in this paragraph as the "combined butter and cheese value";

(4) To the combined butter and cheese value add 30 percent thereof; and

(5) Multiply the sum computed in subparagraph (4) of this paragraph by 3.5.

(c) *Butterfat differential to handlers*. If any handler has purchased or received milk from producers containing more or less than 3.5 percent butterfat, such handler shall add or deduct, per hundredweight of milk, for each one-tenth of 1 percent butterfat above or below 3.5 percent, an amount computed as follows: to the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which the milk was received, add 20 percent and divide the result obtained by 10.

Sec. 6. *Application of provisions*—(a) *Handlers who are also producers*. (1) No provision hereof shall apply to a handler whose sole sources of supply are receipts of milk from his own production and from other handlers, or to a handler who does not receive milk at an approved plant, except that such handler shall make reports to the market administrator at such time and in such manner as the market administrator requires.

(2) In computing the value of milk for any handler pursuant hereto, the market administrator shall consider any milk or cream received in bulk by such handler from a handler who is also a producer as described in this section, as a receipt of milk from a producer.

(b) *Payment for milk received from sources determined as other than producers or other handlers, or from plants described in the proviso of section 1 (a) (4)*. If any handler has received milk from sources determined by the market administrator to be other than producers or handlers, or from a plant described in the proviso of section 1 (a) (4), the difference between the value of such milk according to its use as Class I or Class II milk, as computed pursuant to section 7 (a), and its value at the Class III price shall be paid proportionately to the producers from whom such handler received milk during that delivery period: *Provided*, That if such handler proves to the satisfaction of the market administrator that he paid more than the Class III price for such milk, the market administrator may use the price paid instead of the Class III price in making this computation. If such milk is used as Class III or Class IV milk, no price adjustment shall be made.

(c) *Payment for excess milk or butterfat*. In the event that a handler, after subtracting receipts of milk from his own production, receipts from other handlers, and receipts from sources determined as other than producers or other handlers, has disposed of milk or butterfat in excess of the milk or butterfat which has been credited to his producers as having been delivered by them, the value of such milk or milk equivalent of such butterfat

in accordance with its utilization shall be added to such handler's obligations to producers pursuant to section 7 in the computation of the uniform price for the delivery period next following the discovery thereof.

SEC. 7. Determination of minimum prices to be paid to producers—(a) Computation of value of milk for each handler.—For each delivery period the market administrator shall compute the value of all milk received by each handler from producers by (i) multiplying the total quantity of such milk in each class as determined pursuant to section 4 by the class price with the appropriate differential applicable pursuant to section 5 (c), (ii) adding together the resulting values of each class, and (iii) adding any amount computed to be paid pursuant to section 6.

(b) Computation of uniform price for each handler. The market administrator shall compute for each handler the uniform price per hundredweight of milk received at such handler's plant, as follows:

To the value computed pursuant to paragraph (a) of this section:

(1) Deduct, if the average butterfat content of all milk received from producers is in excess of 3.5 percent, or add, if the average butterfat content of all milk received from producers is less than 3.5 percent, the total value of the butterfat differential applicable pursuant to section 8 (b).

(2) Add or subtract the moneys resulting from the fractional cents used in adjusting previous month's price to the nearest cent.

(3) Divide by the hundredweight of milk received from producers.

(4) Adjust the resulting price to the nearest cent.

SEC. 8. Payment for milk—(a) Time and method of payment. On or before the 18th day after the end of each delivery period each handler shall pay each producer, for milk purchased or received during the delivery period, an amount of money representing not less than the total value of such milk, at the uniform price per hundredweight, computed pursuant to section 7 (b) subject to the butterfat differential set forth in this section.

(b) Butterfat differential to producers. For each one-tenth of 1 percent of average butterfat content above or below 3.5 percent in milk received from any producer during any delivery period, the uniform price paid to such producer shall be plus or minus, as the case may be, an amount computed as follows: to the average wholesale price per pound of 92-score butter in the Chicago market, as computed under section 5 (a) (5), add 20 percent thereof, and divide the resulting sum by 10.

SEC. 9. Expense of administration—(a) Payments by handlers. As his pro rata share of expense of the administration hereof each handler, except those handlers exempt from the provisions hereof shall pay to the market administrator, on or before the 18th day after the end of each delivery period, a sum not exceeding 4 cents per hundredweight with respect to all milk purchased or re-

ceived by him during such delivery period from producers, from sources other than producers or other handlers, or produced by him, the exact sum to be determined by the market administrator, subject to review by the War Food Administrator: *Provided*, That each handler, which is a cooperative association shall pay such pro rata share of expense of administration only on that milk of producers actually received at a plant of such cooperative association, or caused to be delivered by such cooperative association to a plant from which no milk or cream is disposed of in the marketing area.

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

SEC. 10. Marketing services—(a) Marketing service deduction. In making payments to producers pursuant to section 8, each handler, with respect to all milk received from each producer during each delivery period, at a plant not operated by a cooperative association of which such producer is a member, shall, except as set forth in paragraph (b) of this section, deduct 3 cents per hundredweight or such lesser amount as the market administrator shall determine to be sufficient, such determination to be subject to review by the War Food Administrator, and shall, on or before the 18th day after the end of such delivery period, pay such deductions to the market administrator. Such moneys shall be expended by the market administrator for verification of weights, samples, and tests of milk received from such producers and in providing for market information to such producers. The market administrator may contract with an association or associations of producers for the furnishing of the whole or any part of such services to, or with respect to, the milk received from such producers.

(b) Marketing service deductions with respect to members of a producers' cooperative association. In the case of producers whose milk is received at a plant not operated by a cooperative association of which such producers are members and for whom a cooperative association is actually performing the services set forth in paragraph (a) of this section, each handler shall, in lieu of the deductions specified in paragraph (a) of this section, make such deductions from payments made pursuant to section 8 as may be authorized by such producers, and pay over on or before the 18th day after the end of each delivery period such deductions to the associations rendering such service of which such producers are members.

SEC. 11. Market advisory committee—(a) Subsequent to the effective date hereof, the market administrator may select a representative committee of the industry for purposes (1) of recommendation of amendments to this order and (2) for conference, counsel, and advice.

SEC. 12. Effective time, suspension, or termination of order—(a) Effective time. The provisions hereof, or any

amendment hereto, shall become effective at such time as the War Food Administrator may declare and shall continue in force until suspended, or terminated, pursuant to paragraph (b) of this section.

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

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

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

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

SEC. 15. Agents. The War Food Administrator may, by designation in writing, name any officer or employee of the United States, or name any bureau or

division of the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions hereof.

SEC. 14. Emergency price provision. Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk products for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy, or other similar payment, being made by any Federal agency in connection with the milk, or product, associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any such subsidy or other similar payment: *Provided further*, That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the War Food Administrator determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the War Food Administrator to be equivalent to or comparable with the price specified. (The following provisions would apply only to the proposed marketing agreement.)

SEC. 15. Liability of handlers. The liability of the handlers hereunder is several and not joint, and no handler shall be liable for the default of any other handler.

SEC. 16. Counterparts and additional parties. (a) *Counterparts of marketing agreement.* This marketing agreement may be executed in multiple counterparts and when one counterpart is signed by the War Food Administrator all such counterparts shall constitute, when taken together, one and the same instrument, as if all such signatures were obtained in one original.

(b) *Additional parties to the marketing agreement.* After this agreement first takes effect, any handler may become a party thereto if a counterpart of such agreement is executed by him and delivered to the War Food Administrator. This agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the War Food Administrator, and the benefits, privileges, and immunities conferred by this agreement shall then be effective as to such new contracting party.

SEC. 17. Record of milk handled during the month of _____ 1943, and authorization to correct typographical errors. (a) The undersigned certifies that he handled during the month of _____ 1943, _____ pounds of milk covered by this agreement and disposed of within the marketing area.

(b) *Authorization to correct typographical errors.* The undersigned hereby authorizes the chief or acting chief, Dairy and Poultry Branch, Food Distri-

bution Administration, War Food Administration, to correct any typographical errors which may have been made in this marketing agreement.

In witness whereof, the contracting handlers acting under the provisions of the act for the purposes and subject to the limitations herein contained, and not otherwise, have hereunto set their respective hands and seals.

Copies of this notice of hearing may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: September 13, 1943.

THOMAS J. FLAVIN,
Assistant to the War Food
Administrator.

[F. R. Doc. 43-14948; Filed, September 13, 1943; 11:10 a. m.]

WAR PRODUCTION BOARD.

SHELL OIL COMPANY, INC., ET AL.

NOTICE TO BUILDERS AND SUPPLIERS OF IS-
SUANCE 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 September 10, 1943.

WAR PRODUCTION BOARD,
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-----	62192	Shell Oil Company, Inc. 1120 Shoreham Bldg., Washington, D. C.	Wood River, Ill.	8/30/43
P-19-h-----	6439	Anheuser-Busch, Inc. St. Louis, Mo.	St. Louis, Mo.	9/1/43
P-19-h-----	96071	The Texas Company, 135 East 42nd St., New York, N. Y.	Port Arthur, Jefferson County, Tex.	9/1/43
P-19-h-----	43757	Standard Oil Co. of N. J., 26 Broadway, New York, N. Y.	Baltimore, Md.	9/1/43
P-19-h-----	100692	Crown Central Petroleum Corp., Houston, Tex.	Harris County, Tex.	9/1/43

[F. R. Doc. 43-14806; Filed, September 10, 1943; 11:38 a. m.]

[Certificate 124]

USE OF INLAND WATERWAY EQUIPMENT IN GREAT LAKES-NEW YORK AREA

APPROVAL OF DIRECTIVE OF PETROLEUM COORDINATOR

The ATTORNEY GENERAL:

I submit herewith Petroleum Directive 69 of the Office of Petroleum Administration for War.'

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the directive; 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 Petroleum Directive 69 is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

SEPTEMBER 7, 1943.

[F. R. Doc. 43-14849; Filed, September 11, 1943; 10:01 a. m.]

[Certificate 125]

TRANSPORTATION OF FLOWERS IN ASHTABULA, OHIO

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 Ashtabula Floral Shop

*Supra.

and others named therein with respect to the transportation and delivery of flowers and related articles by motor vehicle in Ashtabula, Ohio.¹

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.

DONALD M. NELSON,
Chairman.

SEPTEMBER 7, 1943.

[F. R. Doc. 43-14850; Filed, September 11, 1943; 10:01 a. m.]

[Certificate 126]

TRANSPORTATION OF FLOWERS IN DETROIT, MICH.

APPROVAL OF JOINT ACTION PLAN; HART FLORIST, ET AL.

The ATTORNEY GENERAL:

I submit herewith a recommendation of the Director of the Office of Defense Transportation concerning a plan for joint action by Hart Florist and others named therein with respect to the transportation and delivery of flowers and related articles by motor vehicle in Detroit, Michigan.¹

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 con-

sultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

SEPTEMBER 7, 1943.

[F. R. Doc. 43-14851; Filed, September 11, 1943; 10:01 a. m.]

[Certificate 127]

TRANSPORTATION OF FLOWERS IN DETROIT,
MICHIGAN

APPROVAL OF JOINT ACTION PLAN; DINSER'S
FLOWERS, ET AL.

The ATTORNEY GENERAL:

I submit herewith a recommendation of the Director of the Office of Defense Transportation concerning a plan for

joint action by Dinser's Flowers and others named therein with respect to the transportation and delivery of flowers and related articles by motor vehicle in Detroit, Michigan.¹

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.

DONALD M. NELSON,
Chairman.

SEPTEMBER 7, 1943.

[F. R. Doc. 43-14852; Filed, September 11, 1943; 10:01 a. m.]

¹ *Supra.*

NEW ORLEANS-KENNER, LA. LIGHTING
FACILITIES PROJECT

CANCELLATION OF REVOCATION ORDER

Name of Builder: United States Department of Commerce, Civil Aeronautics Authority, New Orleans-Kenner, Louisiana.

The revocation of preference rating issued on January 4, 1943 is hereby cancelled; the preference ratings previously assigned are hereby restored; and said preference ratings shall have full force and effect.

Issued: September 13, 1943.

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

[F. R. Doc. 43-14967; Filed, September 13, 1943; 11:48 a. m.]

