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FEDERAL REGISTER

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Washington, Tuesday, December 7, 1943

The President

PROCLAMATION 2601

CAPTURE OF PRIZES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the act of August 18, 1942, 56 Stat. 746, contains in part the following provisions:

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

* * * * *

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

* * * * *

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

WHEREAS the Government of India, a cobelligerent, has consented to the exercise of the jurisdiction conferred by the said act with respect to prizes of the United States brought into the territorial waters of India and to the taking or appropriation of such prizes within the territorial waters of India for the use of the United States:

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

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

DONE at the City of Washington this 28th day of November, in the year of our Lord nineteen hundred and forty-three, and of the Independence of the United States of America the one hundred and sixty-eighth.

[SEAL]

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[F. R. Doc. 43-19466; Filed, December 6, 1943; 11:29 a. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Order)

[FDO 79-100, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN THE MADISON, WISC., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7,

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FEDERAL REGISTER

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NOTICE

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1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79–100 (8 F.R. 15770), issued by the Director of Food Distribution on November 16, 1943, is amended by deleting therefrom the provisions in § 1401.134 (b) and inserting, in lieu thereof, the following:

(b) *Milk sales area.* The following area is hereby indicated as a "milk sales area" to be known as the Madison, Wisconsin, sales area, and is referred to hereafter as the "sales area":

The city of Madison; the villages of Shorewood Hills, Middleton, Pleasant Branch, and Maple Bluff; the town of Madison; sections 28 to 33, inclusive, in the town of Blooming Grove and that part of the town of Blooming Grove north of the line 300 feet south of U. S. highways 12 and 18 and west of the east line of sections 21, 16, 9, and 4; sections 31, 32, and 33 in the town of Burke; the south half of sections 21, 25, and 26, the east half of section 32 and all of the sections 27, 28, 33, 34, 35, and 36 in the town of Westport; sections 1, 11, 12, 13, 14, 24, 25, and 36 in the town of Middleton; sections 1 to 12, inclusive, in the town of Fitchburg; and sections 4 to 9, inclusive, in the town of Dunn. All of the foregoing sales area is in Dane County, Wisconsin.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., December 2, 1943. With respect to violations, rights accrued, or liabilities incurred prior to the effective time of this amendment, the aforesaid order FDO No. 79–100, issued by the Director, shall be deemed to be in full force and effect, for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 2d day of December 1943.

ROY F. HENDRICKSON,
Director of Food Distribution.

[F. R. Doc. 43–19326; Filed, December 2, 1943; 4:47 p. m.]

[FDO 75, Amdt. 4]

PART 1410—LIVESTOCK AND MEATS

SLAUGHTER OF LIVESTOCK AND DELIVERY OF MEAT

Food Distribution Order No. 75, as amended (8 F.R. 11119, 14508, 15684, 15772), § 1410.15, issued under authority of the War Food Administrator on August 9, 1943, is further amended by deleting the period at the end of (1) (i) (iii), substituting a semicolon in lieu thereof, and adding the following:

(iv) Notwithstanding the provisions of (1) (i) (iii) hereof, at West Fargo, North Dakota, effective at 12:01 a. m., November 30, 1943, and until 12:01 a. m., December 7, 1943, $13.00 per hundredweight.

This order shall become effective at 12: 01 a. m., November 30, 1943.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 75, as amended, prior to the effective date of this amendment, all provisions of said Food Distribution Order No. 75, as amended, in effect prior to this amendment, shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R 14783)

Issued this 1st day of December 1943.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 43–19325; Filed, December 2, 1943; 3:35 p. m.]

[FDO 75, Amdt. 5]

PART 1410—LIVESTOCK AND MEATS

SLAUGHTER OF LIVESTOCK AND DELIVERY OF MEAT

Food Distribution Order No. 75, as amended (8 F.R. 11119, 14508, 15684, 15772), § 1410.15, issued under authority of the War Food Administrator on August 9, 1943, is further amended by deleting (i) (1) (iv) and substituting in lieu thereof the following:

(iv) Notwithstanding the provisions of (i) (1) (iii) hereof, at the markets hereinafter listed and for the period indicated, the following prices:

Market	Effective period	Price per cwt.
North Dakota	Until 12:01 a. m., e. w. t., Jan. 1, 1944.	
Fargo		$13.00
Counties of Cavalier, Pembina, Ramsey, Walsh, Nelson, Grand Forks, Eddy, Foster, Griggs, Steele, Traill, Stutsman, Barnes, Cass, La Moure, Ransom, Dickey, Sargent, Richland.		12.85
Remainder of the State		12.75
South Dakota	Until 12:01 a. m., e. w. t., Jan. 1, 1944.	
Sioux Falls		13.20
Counties of Brown, Marshall, Day, Roberts, Spink, Clark, Codington, Hamlin, Grant, Deuel, Beadle, Kingsbury, Brookings, Sanborn, Miner, Lake, Moody, Davison, Hanson, McCook, Minnehaha, Hutchinson, Turner, Lincoln, Bon Homme, Yankton, Clay, Union.		13.10
Remainder of the State		13.00
Montana	Until 12:01 a. m., e. w. t., Jan. 1, 1944.	
Billings		12.65
Remainder of the State		12.50
Wyoming	Until 12:01 a. m., e. w. t., Jan. 1, 1944.	
Cheyenne		13.25
Remainder of the State		13.00
Idaho	Until 12:01 a. m., e. w. t. Jan. 1, 1944.	12.75
Utah	Until 12:01 a. m., e. w. t. Jan. 1, 1944.	
Ogden and Salt Lake		13.50
Remainder of the State		13.25
Washington	Until 12:01 a. m., e. w. t. Jan. 1, 1944.	
Spokane		13.50
Seattle		13.75
Tacoma		13.60
Counties of Perry, Stevens, Pend Oreille, Lincoln, Spokane, Adams, Whitman, Franklin, Walla Walla, Columbia, Garfield, Asotin.		13.25
Counties of Okanogan, Douglas, Chelan, Kittitas, Grant, Yakima, Benton, Klickitat.		13.40
Remainder of the State		13.50
Oregon	Until 12:01 a. m., e. w. t. Jan. 1, 1944.	
Portland		13.75
Counties of Umatilla, Union, Wallowa, Grant, Baker, Harney, Malheur, Curry, Josephine, Jackson, Klamath, Lake.		13.25
Counties of Clatsop, Columbia, Washington, Multnomah, Tillamook, Yamhill, Clackamas, Polk, Marion, Linn, Benton, Lincoln.		13.50
Remainder of the State		13.40

This order shall become effective at 12:01 a. m., e. w. t., December 2, 1943.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 75, as amended, prior to the effective date of this amendment, all provisions of said Food Distribution Order No. 75, as amended, in effect prior to this amendment, shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 2d day of December 1943.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43–19341; Filed, December 3, 1943; 1:13 p. m.]

[FDO 29, as Amended, Partial Suspension, Amdt. 1]

PART 1460—FATS AND OILS

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

Pursuant to the authority vested in the War Food Administrator, the Order (8 F.R. 12255) issued by the War Food Administrator on September 3, 1943, partially suspending Food Distribution Order 29, as amended (§ 1460.13), is amended as follows:

By deleting the word and figures "December 31, 1943" and inserting in lieu thereof the following: March 31, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 3d day of December 1943.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 43-19361; Filed, December 3, 1943; 4:11 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service

[General Order C-39, Supp. 1]

PART 115—ADMISSION OF AGRICULTURAL WORKERS UNDER SPECIAL LEGISLATION

CONDITIONS AND PERIOD OF ADMISSION

NOVEMBER 18, 1943.

Pursuant to the authority contained in section 5 (g) of the Joint Resolution of April 29, 1943 (Pub. Law 45, 78th Congress; Chapter 82—1st Session); section 23 of the Act of February 5, 1917 (59 Stat. 892; 8 U.S.C. 102); section 24 of the Act of May 26, 1924 (43 Stat. 166; 8 U.S.C. 222); section 1 of Reorganization Plan No. V (5 F.R. 2223); section 37 (a) of the Act of June 28, 1940 (54 Stat. 675; 8 U.S.C. 458); § 90.1, Title 8, Chapter I, Code of Federal Regulations (7 F.R. 6753) and all other authority conferred by law, the following amendments to Part 115, Title 8, Chapter I, Code of Federal Regulations, are hereby prescribed:

Section 115.3 (c) (G.O. No. C-39, of May 6, 1943; 8 F.R. 6013) is amended to read as follows:

(c) Be admitted for a fixed period, not exceeding one year, on condition that he continuously maintain the status of an agricultural worker and depart from the United States at the expiration of his admission or any extension thereof except that if he is a national of a country with whose Government there exists an agreement with the Government of the United States regulating the importation of agricultural workers, then he shall be admitted for the period of the validity of his contract entered into pursuant to such agreement, but not exceeding one year, on condition that he maintain the status of an agricultural worker under terms of the contract and depart from the United States at the expiration of his admission or of any extension thereof: *Provided, however,* That regardless of the period for which an alien is admitted under this Part, or of any extension thereof, such period shall automatically terminate 30 days after cessation of all hostilities between the United States and her enemies in the present war.

EARL G. HARRISON,
Commissioner.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 43-19368; Filed, December 4, 1943; 10:49 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4450]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

S. BUCHSBAUM & CO.

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.96 (a) *Using misleading name—Goods—Composition.* In connection with offer, etc., in commerce, of men's accessories, including suspenders, belts, garters, wrist-watch bands, key chains, raincoats, and other similar articles of merchandise, (1) using the term "Elasti-glass" or any other term containing the word "glass" to designate or describe any article of merchandise made of the material vinylite or any other similar synthetic resinous compound; and (2) representing in any manner, either directly or by implication, that any article of merchandise made of vinylite or any other similar synthetic resinous compound is made of glass; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, S. Buchsbaum & Co., Docket 4450, November 23, 1943]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23d day of November A. D. 1943.

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

It is ordered, That the respondent, S. Buchsbaum & Co., a corporation, and its officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of men's accessories, including suspenders, belts, garters, wrist-watch bands, key chains, raincoats, and other similar articles of merchandise, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the term "Elasti-Glass" or any other term containing the word "glass" to designate or describe any article of merchandise made of the material vinylite or any other similar synthetic resinous compound.

2. Representing in any manner, either directly or by implication, that any article of merchandise made of vinylite or any other similar synthetic resinous compound is made of glass.

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

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-19404; Filed, December 4, 1943; 11:13 a. m.]

TITLE 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

Subchapter E—Approved Forms

[Order 108]

PART 210—STATEMENTS AND REPORTS (SCHEDULES)

FILING OF POWER SYSTEM STATEMENTS FOR ELECTRIC UTILITIES, LICENSEES AND OTHERS

DECEMBER 2, 1943.

The Commission, pursuant to sections 4 (a), 301 (a), 304 (a), 309 and 311 of the Federal Power Act, and other provisions of said act thereunto authorizing it, orders that:

§ 210.51 *FPC Form No. 12.* (a) The accompanying FPC Form No. 12 for Power System Statement (Class I and II systems),[1] including the instructions and schedules therein contained, be and the same hereby is approved;

(b) Each corporation, person, agency, authority, or other legal entity or instrumentality, whether public or private, which operates facilities for the generation, or transmission, or distribution of electric energy, and which is in the classification of a Class I or a Class II system (as the same are defined in the accompanying FPC Form No. 12) shall hereafter annually prepare and file with the Commission on or before the date indicated by said form, such statement or statements and in such form as is re-

[1] Filed as part of the original document.

therein stated and furnishing the information therein called for;

(c) Order No. 101, dated December 2, 1942, and FPC Form No. 64, thereby prescribed, are superseded.

This order and the form herein prescribed shall become effective on December 20, 1943; and the Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-19405; Filed, December 4, 1943; 11:02 a. m.]

[Order 109]

PART 210—STATEMENTS AND REPORTS (SCHEDULES)

FILING OF POWER SYSTEM STATEMENTS FOR ELECTRIC UTILITIES, LICENSEES AND OTHERS

DECEMBER 2, 1943.

The Commission, pursuant to sections 4 (a), 301 (a), 304 (a), 309 and 311 of the Federal Power Act, and other provisions of said Act thereunto authorizing it, orders that:

§ 210.52 *FPC Form No. 12-A.* (a) The accompanying FPC Form No. 12-A, Power System Statement (Class III and Class IV systems),[1] including the instructions and schedules therein contained, be and the same hereby is approved;

(b) Each corporation, person, agency, authority or other legal entity or instrumentality, whether public or private, which operates facilities for the generation or transmission, or distribution of electric energy, and which is in the classification of a Class III or Class IV system (as the same are defined in the accompanying FPC Form No. 12-A) shall hereafter annually prepare and file with the Commission on or before the date indicated by said form, such statement or statements and in such form as is required by said instructions and schedules, setting forth the answers to the questions therein stated and furnishing the information therein called for: *Provided,* That said form shall not be required to be prepared and filed for Class III systems having "net energy for system" during the year less than 5,000,000 kilowatt-hours (as the same is defined in the accompanying form), or for Class IV systems having energy received plus net generation during the year less than 5,000,000 kilowatt-hours except as specifically directed;

(c) Order No. 102, dated December 2, 1942, and FPC Form No. 64-A thereby prescribed, are superseded.

[1] Filed as part of the original document.

This order and the form herein prescribed shall become effective on December 20, 1943; and the Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-19406; Filed, December 4, 1943; 11:02 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 187, 2d Ed.]

PART 603—SELECTIVE SERVICE OFFICERS

DISQUALIFICATION

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 § 603.25 to read as follows:

§ 603.25 *Disqualification.* No member of any board of appeal shall act on the case of a registrant who is his first cousin or closer relation, either by blood or marriage, or who is an employer, employee, or fellow employee, or stands in the relationship of superior or subordinate in connection with any employment, or is a partner or close business associate of the member. If because of such provision, or for any other reason, a board of appeal cannot act on the case of a registrant, it shall transfer such case to another board of appeal as provided in § 627.22.

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

LEWIS B. HERSHEY,
Director.

DECEMBER 2, 1943.

[F. R. Doc. 43-19343; Filed, December 3, 1943; 2:41 p. m.]

[Amdt. 186, 2d Ed.]

PART 622—CLASSIFICATION

CLASS IV-B, OFFICIAL DEFERRED AND MEN RELIEVED FROM LIABILITY FOR TRAINING AND SERVICE

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 § 622.42 to read as follows:

§ 622.42 *Class IV-B; official deferred by law and men relieved from liability for training and service.* (a) In Class IV-B shall be placed any registrant who is the Vice President of the United States, a Governor of a State, any other State official chosen by the voters of the entire State, a member of the Congress of the United States, a member of a State legislative body, a judge of a court of record of the United States or of a State; or who is a commissioned officer in the Coast and Geodetic Survey; or who is a commissioned officer of the Public Health Service or the Public Health Service Reserve, whether on active duty or in an inactive status; or who is a cadet of the advanced course, senior division, of the Reserve Officers' Training Corps or the Naval Reserve Officers' Training Corps; or who has been accepted for admittance (commencing with the academic year next succeeding such acceptance) to the United States Military Academy as a cadet or to the United States Naval Academy as a midshipman or to the United States Coast Guard Academy as a cadet, but only during the continuance of such acceptance; or who has not entered the armed forces of the United States or of a cobelligerent government and who by reason of the belligerent status of the United States or of a cobelligerent country is taken into custody or interned by the enemy or by the government of another country.

(b) When a registrant is placed in Class IV-B because he is taken into custody or interned by the enemy or by the government of another country, the notation "Internee of War" will be made in the "Remarks" column of the Classification Record (Form 100).

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

LEWIS B. HERSHEY,
Director.

NOVEMBER 24, 1943.

[F. R. Doc. 43-19342; Filed, December 3, 1943; 2:41 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

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 921—ALUMINUM AND MAGNESIUM

[Supplementary Order M–1–i as Amended December 4, 1943]

ALUMINUM

§ 921.11 *Supplementary Order M–1–i*—(a) *Definitions.* For the purposes of this order:

(1) "Aluminum" means any material the principal ingredient of which by either weight or volume is metallic aluminum, which material is in ingot or similar raw form or in the form of finished or semi-finished parts, assemblies or products of any kind; but not including any material in the form of aluminum scrap as defined herein (which is controlled by Supplementary Order M–1–d), or aluminum pigment or aluminum paint (which are defined in and controlled by Supplementary Order M–1–g).

(2) "Aluminum scrap" means all materials or objects which are the waste or by-product of industrial fabrication, or which have been discarded on account of obsolescence, failure or other reason, the principal ingredient of which by either weight or volume is metallic aluminum; and shall include all types and grades of aluminum residues, such as drosses, skimmings, fines, grindings, sawings and buffings, provided that the recoverable metallic aluminum content, as determined by the fire assay, hydrogen evolution or other method of comparable efficiency, constitutes 30% or more by weight of such residues.

(3) "Producer" means the Defense Plant Corporation, Aluminum Company of America, the Reynolds Metals Company, the Olin Corporation, and any other person who may be so designated by the War Production Board.

(4) "Approved smelter" means any person whose name appears on Schedule A attached to Supplementary Order M–1–d.

(5) "Use aluminum in manufacture" means to melt, roll, forge, cast, extrude, draw, turn, spin, fabricate or process in any other way, or assemble or incorporate in assemblies, or to consume or otherwise use in the course of manufacture, any aluminum; but does not include the installation of a finished product or repair part for the ultimate consumer.

(6) "Low grade aluminum ingot" means aluminum in ingot or similar raw form (but not scrap) containing at least 3% by weight of copper and 0.8% by weight of iron.

(b) *Restrictions on use of aluminum.* Except as specifically authorized by the War Production Board, no person shall use aluminum in manufacture where the use of a less scarce material[1] is practicable, and no person shall use more aluminum or aluminum of a better grade than is necessary for the proper operation of an article or part. Allotments, authorized controlled material orders and authorized production schedules are not specific authorization to use aluminum within the meaning of this order. In addition, no person shall use aluminum[2] in manufacture except to make the following items, or parts or sub-assemblies therefor, or for the purposes indicated, and then he shall use only low-grade aluminum ingot (or parts or material made therefrom) where the description of the item or purpose is qualified by the words "(low-grade aluminum ingot only)" or similar phraseology:

(1) Combat end products complete for tactical operations when they are prescribed for field or combat use by and are being produced for the Army or Navy of the United States, the Maritime Commission or the War Shipping Administration, or when they are prescribed for field or combat use by any army or navy of a foreign country and are being produced for any foreign country pursuant to the Act of March 11, 1942, entitled "An Act to Promote the Defense of the United States" (Lease-Lend Act). However, the use of aluminum must be restricted to the grade and to the amounts required by the latest issue of specifications (including performance specifications) of the appropriate government agency or, in the case of Lease-Lend products, the use of aluminum must be restricted to the grade and the amounts required by the specifications applicable to similar combat end products of the appropriate United States government agency.

(2) Aircraft, in addition to those described in paragraph (b) (1) as combat end products.

(3) Alloys, other than aluminum as defined herein.

(4) Aluminizing or calorizing.

(5) Aluminum to be exported in any of the forms and shapes described as a controlled material in CMP Regulation No. 1.

(6) Anhydrous aluminum chloride (low-grade aluminum ingot only).

(7) Anodizing equipment, electrical conducting parts coming into contact with the solution only.

(8) Carbometer wire.

(9) Cathodes for the electrolytic refining of zinc and cadmium.

(10) Cauls for use in the manufacture of plywood.

(11) Chemical processing equipment for use in manufacturing plants, provided that chemical action makes the use of other material impracticable.

(12) Closures for parenteral solutions and blood.

(13) Data and instruction plates, provided that the thickness does not exceed 0.035 inch and the plate is no larger than required to present the essential data and instructions.

(14) Electric bus bars, bare electrical conductor, and current carrying accessories for conductors.

(15) Electric motors, the following parts only:

(i) Auxiliary motor cooling fans (low-grade aluminum ingot only).

(ii) Rotors.

(iii) Structural parts, where the use of aluminum is required because of lightness of weight.

(16) Electric switch gear equipment, for parts where lightness of weight is required for proper functioning of the equipment.

(17) Fixed electrolytic and paper condensers, and mica condensers.

(18) Foundry equipment, the following items, made from low-grade aluminum ingot only: Core boxes, core dryers, match plates, patterns, flasks, and bottom boards. Damaged and obsolete equipment listed in this paragraph may be remelted for the production of new items listed in this paragraph without a CMP application or authorization pursuant to Supplementary Order M–1–d. (See Direction No. 1 to CMP Regulation No. 5).

(19) Galvanizing, for addition to bath.

(20) Hydraulic brake pistons (low-grade aluminum ingot only).

(21) Instruments, mechanical and electrical. Dials, scales and panels for all types of such instruments. Other parts of only the following mechanical or electrical instruments:

(i) Drafting machines.

(ii) Geophysical instruments.

(iii) Industrial instruments for measuring, recording and controlling industrial processes.

(iv) Laboratory instruments.

(22) Internal combustion engines, the following parts only:

(i) Connecting rods for air-cooled gasoline engines (low-grade aluminum ingot only).

(ii) Pistons. For pistons for aircraft engines, tank engines, and high-performance marine gasoline engines, and for Diesel engine pistons six inches or more in diameter, any grade of aluminum ingot may be used. For other pistons, only low-grade aluminum ingot may be used.

(iii) Rotors for centrifugal-type superchargers for Diesel engines.

(iv) Rotors, housings and end plates for root-type blowers and diffuser rings for centrifugal-type superchargers for Diesel engines (low-grade aluminum ingot only).

(23) Jigs and fixtures for use in the production of aircraft (low grade aluminum ingot only)

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[1] The Conservation Division of the War Production Board issues, periodically, a publication showing the relative scarcity of materials, entitled "Materials Substitutions and Supply List."

[2] Under Supplementary Order M–1–d, aluminum scrap may not be used for any of the purposes listed unless such use is specifically authorized by the War Production Board.

(24) Machine tool attachments.

(25) Orthopedic equipment and surgical instruments.

(26) Portable electric and pneumatic tools (low-grade aluminum ingot only).

(27) Portable forest-fire-fighting equipment for delivery to public agencies responsible for protection of forested lands from fire, where the use of aluminum is required by specifications of the U. S. Forest Service.

(28) Portable power-driven tree felling saws (low-grade aluminum ingot only).

(29) Repair and maintenance parts for mechanical or electrical equipment used domestically or in industry. Order M-1-d requires those in possession of aluminum scrap to deliver it to a scrap dealer or other person authorized to receive it, and manufacturers of repair parts are urged to continue their encouragement of the recovery of aluminum scrap.

(30) Refrigeration and heating coils and fins.

(31) Safety equipment, as follows only:

(i) Flame arrestors;

(ii) Vent valves, operating mechanism only; and

(iii) Safety equipment of the types regulated by Limitation Order L-114.

(32) Scientific research and development in connection with the war effort.

(33) Steel deoxidizer (low grade aluminum ingot only).

(34) Thermit reaction, for use in the manufacture of thermit powders and ferroalloys only.

(35) Welding rod and metallizing wire.

(36) X-ray equipment.

(37) Collapsible tubes. (See Order M-115.)

(38) Integral busses produced in accordance with specific directions issued by the War Production Board under Limitation Order L-101.

(c) *Repair.* The restrictions of this order shall not apply to making repair parts for a specific repair of a used article, or to a person repairing a used article, when aluminum parts or aluminum material is used to replace aluminum or a scarcer material. Order M-1-d requires that any part or material replaced be turned over to a scrap dealer if it contains aluminum and is good only for scrap.

(d) *Requests for authorization to use aluminum.* Any person who seeks to obtain specific authorization of the War Production Board to use aluminum for a purpose not permitted by paragraphs (b) or (c) of this order should do so by applying by letter to the Aluminum and Magnesium Division, War Production Board, Washington 25, D. C., Reference M-1-i, which letter should be filed in duplicate and contain substantially the information, numbered as shown below.

(1) Weight, form and alloy of aluminum, for which authorization to use is requested.

(2) The number of months the quantity of aluminum requested will cover estimated requirements.

(3) The part to be fabricated, or other use to be made of the aluminum requested.

(4) The product into which such part will be incorporated, and end-use of the product.

(5) The reasons, in detail, why the use of material other than aluminum is impracticable.

(6) If previous requests for this use have been authorized or denied, give reference number of most recent authorization or denial.

Special consideration will be given to requests for the use of aluminum in connection with approved programs of the War Production Board, where the use of aluminum would mean a substantial saving in man-hours or of material scarcer than aluminum, increase in production or increased efficiency of the product.

(e) *Contamination.* No person shall contaminate aluminum with any other metal or material, except that a producer or approved smelter may mix aluminum with other metals in the production of aluminum alloys, or except that any person may mix aluminum with other metals in the production of other alloys subject to the provisions of paragraph (b) hereof. (See also the provisions of Supplementary Order M-1-d with respect to aluminum scrap.)

(f) *Restrictions on deliveries.* No person shall deliver any aluminum if he knows or has reason to believe that such aluminum is to be used in violation of the terms of this order.

(g) *Reports.* All persons shall file such inventory and other reports as may be prescribed from time to time by the War Production Board.

(h) *Tolling.* Except as the War Production Board may specifically authorize on Form WPB-165 (formerly Form PD-114) or otherwise, no aluminum shall be delivered or received for melting under any toll, repurchase or similar arrangement.

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

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

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 4th day of December 1943.

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

[F. R. Doc. 43-19411; Filed, December 4, 1943; 11:26 a. m.]

PART 1076—PLUMBING AND HEATING SIMPLIFICATION

[Limitation Order L-42, Schedule III as Amended Dec. 4, 1943]

LOW PRESSURE HEATING BOILERS

§ 1076.4 *Schedule III to Limitation Order L-42*—(a) *Definitions.* For the purposes of this schedule:

(1) "Producer" means any person who manufactures, processes, fabricates, or assembles low pressure heating boilers, or metal jackets for such boilers, as the case may be.

(2) "Low pressure heating boiler" means any cast iron or steel boiler with a maximum working pressure of 15 pounds for steam boilers or 30 pounds for water boilers, and boiler-burner units fired by solid, liquid or gas fuel.

(b) *Simplified practices.* Pursuant to Limitation Order L-42, the following items are to be eliminated from low pressure heating boilers:

(1) Metal jackets (except for gas fired burner-boiler units where necessary as a functional part of the boiler).

(2) Fusible plugs.

(3) Tri-cocks (compression cocks).

(c) *Effective date of simplified practices; exceptions.* (1) On and after June 1, 1942, no low pressure heating boilers which do not conform to the practices established by paragraph (b) of this section shall be produced or delivered by any producer or accepted by any person from any such producer, except with the express permission of the War Production Board: *Provided, however,* That the foregoing shall not prohibit the delivery by any producer of such boilers as were in his stock in finished form on June 1, 1942, or which had, on said date, been cast, machined or otherwise processed in such manner that their manufacture in conformity with this Schedule would be impracticable, nor the receipt of such boilers from such producer;

(2) [Deleted Dec. 4, 1943]

(d) *Records covering excepted articles.* (1) Each producer (of low pressure boilers) shall retain in his files records showing his inventory of excepted low pressure heating boilers as of June 1, 1942, and such records shall be kept readily available and open to audit and

inspection by duly authorized representatives of the War Production Board;

(2) [Deleted Dec. 4, 1943]

Issued this 4th day of December 1943.

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

[F. R. Doc. 43-19418; Filed, December 4, 1943; 11:28 a. m.]

PART 1138—ANTIMONY

[General Preference Order M-112, as Amended Dec. 4, 1943]

Section 1138.1 General Preference Order M-112 is hereby amended to read as follows:

§ 1138.1 *General Preference Order M-112*—(a) *Definitions.* For the purpose of this order "antimony" means and includes:

(1) Ores and concentrates, including beneficiated or treated forms, containing antimony commercially recognized;

(2) Antimony metal, otherwise known as "Regulus" and the element antimony in commercially pure form;

(3) Liquated antimony, sometimes known as "needle antimony", "crude antimony" or "Crudum", which is in any case the result of separating antimony sulphide from antimony ores by fusion, without essential chemical change;

(4) Any alloy containing 50 per cent or more by weight of antimony, as defined in (1), (2), and (3) above;

(5) Antimony oxide which results from the processing of antimony, as defined in (1), (2), (3) and (4) above;

(6) Antimony sulphide (precipitate or synthetic) which results from the processing of antimony, as defined in (1), (2), (3), (4) and (5) above.

(b) *Deliveries and receipts.* Except as otherwise ordered or directed in writing by the War Production Board, deliveries of antimony from persons other than Metals Reserve Company may be made or accepted by any person without specific authorization from the War Production Board. However, any person unable to obtain antimony from regular sources of supply, and wishing to procure antimony from the Metals Reserve Company, must make application by written communication to the War Production Board.

(c) *Reports.* Any person who consumed during December, 1943, or who had in his possession, or under his control, on January 1, 1944, 2240 pounds (contained antimony) or more shall file a report on or before January 20, 1944 on Form WPB 2931. After January 1, 1944, a quarterly report shall be filed on the 20th of April, July, October and January on Form WPB 2931 by any person who consumed 2240 pounds (contained antimony) or more during any month of the preceding quarter, or who had in his possession or under his control such amount of antimony on the last day of the preceding quarter. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(d) *Special directions.* The War Production Board, may, from time to time, issued specific directions to any producer or producer's agent, dealer, distributor or consumer with respect to deliveries or receipts of antimony which may be used in the manufacture or composition of any product and material, and the War Production Board may also, in its discretion, require the use of any antimony bearing secondary material in lieu of antimony in the production of any materials or products.

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time, except that inventory restrictions on antimony are hereby waived to the extent required to comply with orders or regulations of any Government department or agency.

(f) *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 if 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.

(g) *General Imports Order M-63 unaffected.* Nothing contained in this order shall be construed as altering or modifying in any way the provisions of General Imports Order M-63 applicable to antimony.

(h) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to the Antimony Section, Tin-Lead Division, War Production Board, Washington 25, D. C., Reference M-112.

(i) *Effective date.* This order shall be effective January 1, 1944.

Issued this 4th day of December 1943.

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

[F. R. Doc. 43-19410; Filed, December 4, 1943; 11:26 a. m.]

PART 1188—RAILROAD EQUIPMENT

[General Limitation Order L-97, as Amended Dec. 4, 1943]

NEW LOCOMOTIVES

Section 1188.1 *General Limitation Order L-97* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials entering into the production of new locomotives 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:

§ 1188.1 *General Limitation Order L-97*—(a) *Purpose and scope.* This order covers the production and delivery of new locomotives. The previous control in this order over used locomotives is no longer effective.

(b) *Definitions.* For the purpose of this order: (1) "Locomotives" means all types of new locomotives, including but not limited to steam, electric, diesel, diesel-electric, gasoline and gasoline-electric locomotives. This definition does not include underground mine-type locomotives.

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

(c) *Restrictions on production and delivery of locomotives.* Irrespective of the terms of any contract of sale or purchase or of any other commitment, no producer shall produce or deliver any locomotives except as authorized pursuant to the provisions of paragraph (d) of this order.

(d) *Production and delivery schedules.* (1) Each producer shall schedule (or reschedule, if necessary) his production and make deliveries of locomotives in accordance with such specific written directions as may be issued from time to time by the War Production Board.

(2) The production and delivery schedules established by any specific direction issued pursuant to paragraph (d) (1) above shall be maintained without regard to any preference ratings already assigned or hereafter assigned to particular contracts, commitments, or purchase orders, and may be altered only upon specific written direction of the War Production Board.

(3) If it becomes impossible for any producer to maintain production and delivery of locomotives in accordance with any such schedule, he shall immediately notify the War Production Board, and, unless otherwise directed by the War Production Board, he shall continue to produce and deliver locomotives in the order set forth in such schedule and shall postpone production and delivery of any such locomotives only to the extent required by the circumstances causing his failure to maintain production and delivery as required by such schedule.

(e) *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.

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

(g) *Communications.* All communications concerning this order shall be addressed to War Production Board, Transportation Equipment Division, Washington 25, D. C., Ref.: L–97.

Issued this 4th day of December 1943.

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

INTERPRETATION 2

The question has arisen to what extent a production and delivery schedule for a given number of locomotives, prescribed for a producer by the War Production Board pursuant to paragraph (d) (1) of Order L–97, takes precedence over any preference ratings which may be applied or extended to him, either for the locomotives themselves or for parts thereof.

A production and delivery schedule so established is protected by paragraph (d) (2), which provides that it "shall be maintained without regard to any preference ratings already assigned or hereafter assigned . . .". This protection of the schedule under Order L–97 extends not only to locomotives in completed form, but also to any locomotive parts manufactured by the producer which enter into the scheduled locomotives, to the extent that the diversion of such parts to fill rated orders would interfere with fulfillment of the prescribed schedule. (Issued April 12, 1943.)

[F. R. Doc. 43–19425; Filed, December 4, 1943; 11:28 a. m.]

PART 1188—RAILROAD EQUIPMENT

[Interpretation 1 to Limitation Order L–97, Revocation]

NEW LOCOMOTIVES

Interpretation 1 to *Limitation Order L–97* is hereby revoked.

Issued this 4th day of December 1943.

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

[F. R. Doc. 43–19417; Filed, December 4, 1943; 11:28 a. m.]

PART 1188—RAILROAD EQUIPMENT

[Limitation Order L–97–a, as Amended Dec. 4, 1943]

NEW RAILROAD-TYPE CARS

Section 1188.2 *General Limitation Order L–97–a* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials entering into the production of new railroad-type cars 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:

§ 1188.2 *Limitation Order L–97–a*—(a) *Purpose and scope.* This order, as amended December 4, 1943, covers production and delivery of all new railroad-type cars, including new industrial cars formerly covered by Order L–97–b, which has been revoked. The previous control in that order over used industrial cars is no longer effective.

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

(1) "Producer" means any person engaged in the production of new cars.

(2) "Cars" means all cars of the railroad type with a nominal capacity of ten (10) tons or over, whether for use in railroad service or industrial intraplant service, which have never been sold or used.

(3) "Railroad type" car means any car, except units which are self-propelled, falling within the "Classification of Cars, Definitions and Designating Letters Of", as described in section L of the "Manual of Standard and Recommended Practice" of the Mechanical Division, Operations and Maintenance Department, Association of American Railroads, effective as of January 1, 1943.

(c) *Restrictions on production and delivery.* Irrespective of the terms of any contract of sale or purchase or of any other commitment, no producer shall produce or deliver any car except as authorized pursuant to the provisions of paragraph (d) of this order.

(d) *Production and delivery schedules.* (1) Each producer shall schedule (or reschedule, if necessary) his production and make deliveries of new cars in accordance with such specific written directions as may be issued from time to time by the War Production Board.

(2) The production and delivery schedules established by any direction issued pursuant to paragraph (d) (1) shall be maintained without regard to any preference ratings already assigned or hereafter assigned to particular contracts, commitments, or purchase orders, and may be altered only upon specific written direction of the War Production Board.

(3) If it becomes impossible for any producer to maintain production or delivery of cars in accordance with any such schedule, he shall immediately notify the War Production Board, and, unless otherwise directed in writing by the War Production Board, he shall continue to produce and deliver cars in the order set forth in such schedule and shall postpone production or delivery of any such cars only to the extent required by the circumstances causing his failure to maintain production or delivery as required by such schedule.

(e) *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.

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

(g) *Reports.* Producers must file semi-monthly on Form WPB–1334 reports of their deliveries of cars, in accordance with the instructions on the form. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Transportation Equipment Division, Washington 25, D. C., Ref.: L–97–a.

Issued this 4th day of December 1943.

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

[F. R. Doc. 43–19416; Filed, December 4, 1943; 11:28 a. m.]

PART 1188—RAILROAD EQUIPMENT

[General Limitation Order L–97–b, Revocation]

RAILROAD AND INDUSTRIAL CARS

Section 1188.4 *General Limitation Order L–97–b* is hereby revoked. This revocation does not affect any liabilities incurred under the order. With respect to new industrial cars, the order is superseded by Limitation Order L–97–a, as amended simultaneously with this revocation. Transactions in used industrial cars remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 4th day of December 1943.

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

[F. R. Doc. 43–19415; Filed, December 4, 1943; 11:27 a. m.]

PART 3270—CONTAINERS

[Supplemental Order L–232–a as Amended Dec. 4, 1943]

WOODEN SHIPPING CONTAINERS FOR ORANGES AND GRAPEFRUIT

§ 3270.58 *Supplemental Order L–232–a*—(a) *Purpose.* The purpose of this supplemental order is to restrict the use of wooden shipping containers by permitting only a specified percentage of oranges and grapefruit to be shipped in them with the intent that the balance will be shipped in bags or otherwise than in wooden shipping containers.

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

(1) "Wooden shipping container" means any new or used shipping container made wholly or partially of wood.

(2) "Seasonal year" shall mean the period from November 1, 1943 to October 31, 1944, and the quarters of the seasonal year shall be each succeeding three month period beginning November 1, 1943.

(c) *Restrictions.* (1) No person making shipments of oranges and grapefruit originating in the areas listed below shall commercially ship in wooden shipping containers in any quarter of the seasonal year a greater proportion of the total volume of his shipments of oranges and grapefruit (not including shipments for

canning, juice or other processing) than the following:

	Percent
Shippers making shipments originating in Texas	85
Shippers making shipments originating in California and Arizona	96

(2) Any person shipping less than his quota of oranges and grapefruit in wooden shipping containers in any quarter may increase his quota of shipments in wooden shipping containers in the following quarters by the amount of the difference between his quota and what he actually shipped in the preceding quarters.

(3) This restriction shall not apply to any shipper who ships less than one carload of oranges and grapefruit, or its equivalent, in any quarter.

(4) Shippers located in the Florida area have not been included in the restrictions provided for by this order because the Florida Citrus Commission is placing and administering quota restrictions to the end that not more than 90% of the total shipments in the seasonal year of oranges and grapefruit from Florida shall be in wooden shipping containers.

(d) *Transfer of quotas.* Any shipper who does not ship his permitted amount of oranges and grapefruit in wooden shipping containers may transfer his unused quota to another shipper in the same area.

(e) *Miscellaneous provisions*—(1) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter referring to the particular provision appealed from and stating fully the grounds of appeal.

(2) *Records.* All persons affected by this order shall keep for at least two years records concerning the shipments of oranges and grapefruit in wooden shipping containers and shipments by other means, and also records concerning the transfer of quotas, including the names and addresses of parties involved and the amount transferred, and shall make reports on same, if required.

(3) *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 accepting further deliveries of, or making deliveries in wooden shipping containers.

(4) *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.

(5) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington 25, D. C., Ref: L-232-a.

Issued this 4th day of December 1943.

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

[F. R. Doc. 43-19413; Filed, December 4, 1943; 11:26 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER [1]

[General Limitation Order L-274, as Amended Dec. 4, 1943]

MEN'S, WOMEN'S, CHILDREN'S AND INFANTS' HOSIERY

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

§ 3290.135 [1] *General Limitation Order L-274*—(a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(b) *Definitions.* For the purposes of this order, unless otherwise expressly defined all trade terms shall have their usual and customary meanings.

(c) *Restrictions on the manufacture of certain types of hosiery.* (1) Except as permitted in paragraph (c) (2), no person shall put into production:

(*i*) Any women's hosiery not conforming with Schedules A, B, D, or E; or

(*ii*) Any men's hosiery not conforming with Schedules C or E; or

(*iii*) Any infants', children's, boys' or misses' hosiery which does not conform with schedules D or E and with the overall leg length measurements referred to in the appropriate tables contained in the Bureau of Standards' Commercial Standard CS46-40, entitled, "Hosiery Lengths and Sizes" (third edition, effective August 15, 1940), as follows:

Table 2—Standard lengths of boys' golf hosiery

Table 4—Standard lengths of children's and misses' ribbed hosiery

Table 5—Standard lengths of children's ⅝ hosiery, flat knit

Table 6—Standard lengths of children's ⅞ hosiery

Table 8—Standard lengths of infants' ribbed hosiery; (however, infants' ribbed long hosiery may not be made in sizes above 5½)

Table 9—Standard lengths of infants' and children's half socks; (however, infants' and children's half socks may not be made in sizes above 7½)

(2) The restrictions of paragraph (c) (1), and the schedules therein referred to, do not apply to the manufacture of any hosiery for or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration.

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

(e) *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, Textile, Clothing & Leather Division, Washington 25, D. C., Ref.: L-274.

(f) *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.

(g) [Deleted Dec. 4, 1943.]

Issued this 4th day of December 1943.

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

SCHEDULE A—WOMEN'S FULL-FASHIONED HOSIERY MADE OF RAYON OR COTTON

NOTE: Table I amended; former Table III of Schedule E redesignated Table I (a); former paragraphs (n) and (g) deleted; and former paragraphs (o) and (p) redesignated (n) and (o) Dec. 4, 1943.

(a) This schedule applies to all types, except cut and sewed, of women's full-fashioned hosiery made of rayon or of cotton, but does not apply to constructions made of yarns which are combinations of any two or more of cotton, wool or rayon (either continuous filament or spun).

(b) No person shall produce any women's full-fashioned rayon hosiery unless it meets the minimum specifications shown on Table I, or any women's full-fashioned cotton hosiery unless it meets the minimum specifications shown on Table I (a), except that

(1) The minimum total course provisions of Tables I and I (a) do not apply to mesh, lace or non-run constructions, and

(2) Stockings made of acetate rayon may have 75 less total courses than the minimum established in Table I, and

(3) In single-unit or Rack-back construction the total minimum number of courses may be 40 less than established for conventional constructions.

[1] Formerly Part 3214, § 3214.1.

TABLE I—WOMEN'S FULL-FASHIONED RAYON HOSIERY

Gauge	Welt Afterwelt		Leg		Minimum total courses	May not be finer than—	
	Yarn	Minimum turns per inch	Yarn	Minimum turns per inch		Heel and sole splicing	Toe splicing
39	150 den. rayon	8	150	8	1,190	100 den. or cotton	90/2 or coarser.
39	70/2 cotton		150	8	1,150	100 den. or cotton	90/2 or coarser.
39	120 den. rayon	10	100	20	1,310	100 den. or cotton	90/2 or coarser.
39	80/2 cotton		100	20	1,270	100 den. or cotton	90/2 or coarser.
42	150 den. rayon	8	150	8	1,240	100 den. or cotton	90/2 or coarser.
42	80/2 cotton		150	8	1,200	100 den. or cotton	90/2 or coarser.
42	120 den. rayon	10	100	20	1,340	100 den. or cotton	90/2 or coarser.
42	80/2 cotton		100	20	1,300	100 den. or cotton	90/2 or coarser.
45-48	150 den. rayon	8	150	8	1,350	100 den. or cotton	90/2 or coarser.
45-48	80/2 cotton		150	8	1,310	100 den. or cotton	90/2 or coarser.
45-48	120 den. rayon	10	100	20	1,400	100 den. or cotton	100/2 or coarser.
45-48	100/2 cotton		100	20	1,360	100 den. or cotton	100/2 or coarser.
45-48	100 den. rayon	10	75	25	1,450	100 den. or cotton	100/2 or coarser.
45-48	100/2 cotton		75	25	1,410	100 den. or cotton	100/2 or coarser.
51	100 den. rayon	10	100	20	1,450	75 den. or cotton	100/2 or coarser.
51	100/2 cotton		100	20	1,410	75 den. or cotton	100/2 or coarser.
51	100 den. rayon	10	75	25	1,500	75 den. or cotton	100/2 or coarser.
51	100/2 cotton		75	25	1,460	75 den. or cotton	100/2 or coarser.
51	100 den. rayon	10	50	30	1,600	75 den. or cotton	120/2 or coarser.
51	120/2 cotton		[1] 50	30	1,560	75 den. or cotton	120/2 or coarser.
54 and up	75 den. rayon	15	[1] 50	30	1,700	75 den. or cotton	140/2 or coarser.
54 and up	140/2 cotton		[1] 50	30	1,660	75 den. or cotton	140/2 or coarser.

[1] Rayon yarn qualifying as yarn of 50 denier and having an over-all tenacity of 2.3 grams per denier or higher irrespective of elongation.

TABLE I (a)—WOMEN'S FULL-FASHIONED ALL-OVER COTTON HOSIERY, WHICH MAY NOT BE FINER THAN THE YARN COUNTS LISTED BELOW

Gauge	Welt	Leg	High heel	Sole	Lower heel total equiv.	Toe weight	Minimum total courses
39 or lower	70/2	70/2	120/2	120/2	50/2	50/2	1150
42	80/2	80/2	120/2	120/2	50/2	50/2	1250
45 and 48	100/2	100/2	120/2	120/2	60/2	60/2	1300
51 and higher	140/2	140/2	120/2	120/2	80/2	80/2	1350

(c) The standard leg length of women's full-fashioned stockings shall be as follows:

	Inches	*Minus tolerance Inches*
Viscose or cuprammonium rayon stockings	29	1½
Acetate rayon stockings	30½	1½
Cotton stockings	30	1

With reasonable plus tolerances

Any person who manufactured proportioned length hosiery outside the tolerances permitted by this paragraph (c) in 1942 may apply to the War Production Board for permission to continue such manufacture. Such application shall be in writing, and shall set forth all pertinent facts. The War Production Board may take such action on such application as it may deem proper.

(d) (1) In standard or conventional welt constructions, the minimum length of the double welt shall be 3½ inches.

(2) An afterwelt is required in rayon stockings except where the main or leg yarn is 100 denier or coarser.

(3) Double welts of less than 3½ inches, and special welt constructions including single thickness welts, are permissible, providing the welt yarn is heavier than the main end used in knitting the leg and providing the single thickness portion of welt or afterwelt is no finer than—

150 denier filament rayon or its equivalent in other fibers for 48 gauge or coarser,

100 denier filament rayon or its equivalent in other fibers for 51 gauge or finer.

In such special welt constructions, a proportionately lower number of courses than specified in Table I are permissible.

(4) When a standard or conventional double welt in rayon or in cotton full-fashioned hosiery is knit of a higher denier than that specified as the minimum in the table, it is permissible to reduce the minimum total courses at a rate of one course less per each denier used, over the specified minimum. That is to say, if 125 denier is used in the welt instead of the specified minimum of 100 denier, the minimum number of courses may be reduced by 25 courses in the welt but not in knitting the leg portion. In applying this provision to cotton welts, the denier equivalent of the cotton count shall be employed.

(5) In rayon hosiery, the total over-all length of welt plus the after-welt shall not be less than 5 inches, except as provided in paragraph (d) (2) of this schedule.

(e) All rayon stockings of 75 denier or finer made with either a cotton or rayon welt shall be made with an overlap of at least two (2) courses immediately following the afterwelt, in which the yarn of the afterwelt is to be knit together with the main end used in knitting the leg for a minimum of two (2) courses.

(f) The minimum number of needles used in knitting hosiery shall be the full 14 inch bar less two needles at each end of the bar on all gauges except in the case of drop needle or needle out constructions of cotton, wool or spun rayon, or combinations thereof.

(g) The minimum number of courses are to be counted in conventional or legger-footer construction, from the first course in the welt to the loose course in the heel; in single unit or rack-back constructions, from the first course in the welt to the course in the heel on which the widest course in the rackback falls.

(h) The heel splicing shall measure 4½ inches from the bottom of the heel with a ½ inch tolerance, plus or minus.

(i) All seams shall be made with a minimum of 16 stitches to the inch and be made of a good quality two or three ply seaming yarn.

(j) Based on a 14-inch head, the maximum number of total flare and calf narrowings in the leg of full-fashioned plain knit hosiery shall be:

	Back-Back Round Heel	*Legger-Footer*
39 gauge	44	40 narrowings
42 gauge	46	42
45 gauge	48	44
48 gauge	54	46
51 gauge	58	50
54 gauge and up	optional	optional

(k) The reinforcing yarn in the toe must start within 10 courses from the first toe narrowing.

(l) Where two-ply cotton yarns are specified the equivalent count in single yarns may be used. Where definite counts of cotton (but not rayon) yarn are specified in the table, no finer counts of cotton yarn may be used, but combination yarns of cotton and rayon, or cotton, rayon and wool mixed yarns, and coarser counts of cotton yarns, or spun rayon yarn of total equivalent denier or heavier may be used. No spun rayon yarn may be used as a toe splicing or toe reinforcing yarn.

(m) Plied ends of single rayon yarn may be used if they make the equivalent denier of yarns shown in the table. Sixty-five denier cuprammonium rayon yarn shall be deemed equivalent to 75 denier viscose yarn and may be used as an alternate wherever 75 denier is specified in the table. The use of acetate rayon yarn is not permissible in deniers finer than 75.

(n) No lace bands, fancy designs or numerals are to be knit in welts, or in after welts of plain knit stockings. No picot stitches are to be placed more closely than ¾ inch apart except for the top ½ inch of the welt.

(o) For any spring-summer or fall-winter line, no manufacturer shall put in dye or knit ingrain more than 7 basic body colors, and no more than 5 of these 7 shall be in any one style. In addition to the foregoing, white is also permitted.

SCHEDULE B—WOMEN'S SEAMLESS, CIRCULAR KNIT HOSIERY

NOTE: Table I amended; paragraphs (f) through (h) redesignated (g) through (i) Dec. 4, 1943.

(a) No manufacturer shall produce any women's seamless or circular knit hosiery unless it meets the minimum specifications shown on Table II.

TABLE II—WOMEN'S SEAMLESS, CIRCULAR KNIT HOSIERY

Needles	Rayon stockings							All over cotton			
	Body or boot yarn			If rayon welt		If cotton welt		Heel and toe reinforcing yarn and double sole reinforcing yarn when used	Heel and toe yarns	Body or boot yarns	Total courses
	Denier	Minimum twist	Total courses	Welt yarn	Minimum twist	Total courses	Welt yarn				
176-188	150	Producers'	792	150	Producers'	732	50/2		36/2	50/2	684
200	150	Producers'	852	150	Producers'	792	50/2		40/2	50/2	744
220-240	150	Producers'	900	150	Producers'	876	60/2	50 denier rayon or 70/1 cotton	40/2	60/2	828
260	150	Producers'	960	150	Producers'	960	70/2	50 denier rayon or 80/1 cotton	50/2	70/2	960
260	125	Producers'	984	150	Producers'	984	70/2	50 denier rayon or 90/1 cotton	60/2	80/2	1,056
280	150	Producers'	1,008	150	Producers'	1,008	70/2	do			
280	125	Producers'	1,032	150	Producers'	1,056	80/2	50 denier rayon or 100/1 cotton	70/2	100/2	1,152
300	150	Producers'	1,056	150	Producers'	1,056	70/2	do			
300	125	Producers'	1,104	125	Producers'	1,104	80/2	do			
300	100	15 turns	1,128	125	Producers'	1,152	100/2	do	80/2	120/2	1,200
320	100	15 turns	1,152	100	10 turns	1,152	100/2	do			
320	75	20 turns	1,200	100	10 turns	1,212	120/2	do	100/2	120/2	1,236
340	75	20 turns	1,248	100	10 turns	1,260	120/2	do	120/2	120/2	1,284
360-380	75	20 turns	1,296	100	10 turns	1,308	120/2		140/2	140/2	1,368
400	75	20 turns	1,344	100	10 turns	1,368	140/2				

(b) Where definite counts of cotton (but not rayon) yarn are specified in the table, no finer counts of cotton yarn may be used, but combination yarns of cotton and rayon, or cotton, rayon and wool mixed yarns, and coarser counts of cotton yarns, or spun rayon yarn of total equivalent denier or heavier may be used. No spun rayon yarn may be used as a splicing or reenforcing yarn in heel or toe.

(c) Where two-ply cotton yarns are specified in the table the equivalent counts in single yarns may be used.

(d) The leg length of women's seamless rayon hosiery shall be 30 inches with a 1½ inch minus tolerance and a reasonable plus tolerance. All welts to finish a minimum of 4 inches.

(e) The specified minimum total courses are to be counted from the first course in the welt to the end of the high splicing where the reciprocating motion is started for the heel.

(f) When the welt of a woman's seamless stocking is knit of higher denier than that specified as the minimum in the table, it is permissible to reduce the minimum total courses at a rate of one course less per each denier used over the specified minimum. This total reduction in courses shall be adjusted to the nearest number divisible by 12. That is to say, if 125 denier is used in the welt instead of the specified minimum of 100 denier the minimum number of courses may be reduced by 24 courses in the welt, but not in knitting the leg portion. In applying this provision to cotton welts the denier equivalent of the cotton counts shall be employed.

(g) Mesh or tuck stitch constructions in women's circular knit hosiery are restricted to the following constructions:

(1) On single-end tuck stitch knitting, no finer than one end of 100 denier rayon yarn or its equivalent in other fibres may be used in the leg, on any machine regardless of number of needles.

(2) On double-end mesh knitting no finer than 75 denier rayon yarn or its equivalent in other fibres may be used in the leg, on any machine regardless of number of needles.

(3) Minimum number of turns per inch in the rayon yarn in mesh or tuck stitch constructions are to be the same as shown in Table II for plain knit constructions for similar deniers.

(h) All sole splicing yarns are prohibited in women's circular knit all-over cotton hosiery and in women's circular knit rayon hosiery when the main end is 100 denier rayon yarn or heavier.

(i) For any spring-summer or fall-winter line, no manufacturer of women's seamless hosiery shall put in dye or knit ingrain more than 7 basic body colors, and no more than 5 of these 7 colors in any one style. In addition to the foregoing colors, white is also permitted.

SCHEDULE C—MEN'S HOSIERY

NOTE: Paragraphs (b) through (f) redesignated (c) through (g) respectively, Dec. 4, 1943.

(a) The following limitations apply to men's hosiery but do not apply to the manufacture of men's work socks or bundle socks made of wool, part wool, or cotton.

(b) No manufacturer may produce men's hosiery with an over-all leg length other than those specified in paragraph (h) of this schedule or in accordance with Schedule E.

(c) No manufacturer may produce in any mill men's hosiery in fancy patterns which were not in actual production in such mill during the sixty-day (60) period immediately prior to April 2, 1943. Any machines that have been idle for this entire period may be set-up on patterns of the mill's choosing, but when so set-up, they are subject to the limitations of this clause.

(d) (1) For any spring-summer or fall-winter line no one mill shall put in dye or knit ingrain more than 7 basic body colors and no more than 5 of such 7 basic colors in any one style, to which may be added white and three War Service colors.

(2) No limitations are placed upon the use of various colors in yarns used purely for decorative purposes in men's fancy hosiery.

(e) No men's cotton hosiery is to be manufactured with any splicing or reinforcing yarn in the sole.

(f) True-ribbed tops, those knitted separately and transferred, or those knitted automatically on H-H or Komet machines, shall not be doubled, turned or hemmed. None of the limitations of this paragraph shall apply to men's hosiery made on R. I. machines.

(g) No men's hosiery is to be manufactured with any mock-seams.

(h) The over-all leg length of men's half hose shall be as follows: 13½-inch minimum; 15½-inch maximum.

The over-all leg length of men's short socks or slacks shall be 10 inches maximum, including a top portion of not more than 2 inches.

SCHEDULE D—INFANTS', CHILDREN'S, BOYS' AND MISSES' HOSIERY AND WOMEN'S ANKLETS

NOTE: Paragraph (b) deleted and paragraphs (c) through (f) redesignated (b) through (e) respectively Dec. 4, 1943.

(a) No manufacturer shall put in production any fancy or novelty patterns or designs, not actually in production in the period between October 1st, 1942, and April 2, 1943.

(b) (1) The total finished leg-length of all women's, misses', children's, and infants' anklets either straight-up or cuff-top is not to exceed the measurements shown in Table #10 of U. S. Commercial Standards, C. S. 46-40, as follows:

TABLE 10—STANDARD LENGTHS OF ANKLETS

[Folded and single cuffs]

Size	Number of needles	Size of cylinder (diameter)	Standard length	Tolerance
		Inches	*Inches*	
5-5½	120-160	2¼-2½	4	+¼
6-6½	120-180	2¼-3	4½	+¼
7-7½	130-200	2½-3¼	5	+¼
8-8½	140-220	2½-3½	5½	+¼
9-9½	150-240	2¾-3½	6	+¼
10-10½	160-240	3-3½	6	+¼
11-11½	120-180	3¼-3¾	6	+¼

(2) No cuff may be turned down or folded more than once, and shall not be made of more than one thickness of fabric before folding.

(3) No top or cuff either straight-up or folded is to measure when finished more than two (2) inches in length.

(c) (1) No true-ribbed, topped-on anklets or anklets made on H-H or Komet machines, in sizes 8 and up are to be manufactured with other than straight-up tops. No cuff or turned tops are permitted. None of the limitations of this paragraph shall apply to hosiery made on R. I. machines.

(2) All folded down or cuff top anklets in sizes 8 and up are to be manufactured with sewed-on tops.

(d) No women's anklets or misses', children's or infants' hosiery shall be manufactured with any splicing or reinforcing yarn in the sole of the foot.

(e) In the twelve months period following May 15, 1943, no manufacturer of women's anklets or misses', children's, or infants' hosiery shall knit ingrain or put in dye more than 8 basic body colors in staple constructions, and, in novelty constructions no more than 7 of such basic colors in any one style. In addition to the foregoing colors white is also permitted. No restriction is placed upon the use of any colored yarns in the manufacture of decorative stripes, designs and figures in any part of women's anklets, or misses', children's or infants' hosiery.

SCHEDULE E—CREW SOCKS

NOTE: Former Schedule E deleted, Schedule F redesignated Schedule E Dec. 4, 1943.

(a) For the purpose of this schedule crew socks are defined as a distinctive type of hosiery for men, women and children made with an ankle or top section knit on any

ribbing machine coarser than 1 x 1 rib and with a plain knit foot.

(b) No manufacturer shall produce any men's, women's, or children's crew socks after July 15, 1943, except in accordance with the following specifications:

(1) The use of any continuous filament rayon is not permitted.

(2) The ribbed top shall end no farther than 3 inches from the bottom of the heel.

(3) To be knit, finished, packed and shipped with straight-up tops; not with cuffed or turned down tops.

(4) No restrictions are placed on the number of needles, diameter of cylinders or counts of yarn that may be used.

(5) The range of foot sizes may include all or any of sizes 4–13.

(6) The finished leg length shall not exceed the following measurements:

Foot sizes	Maximum permissible lengths (inches)	Tolerance (inch)
4-5½	5	±½
6-7½	6	±½
8-9½	7	±½
10-11½	8	±½
12-13	9	±½

(7) For any spring-summer or fall-winter line, no manufacturer of crew socks shall knit ingrain or put in dye more than 7 basic body colors, and in staples, no more than 6 of such basic colors shall be in any one style, and in novelties no more than 4 of such basic colors shall be in any one style. No restrictions are placed upon the use of any colored yarns in the manufacture of decorative stripes in crew socks.

[F. R. Doc. 43-19408; Filed, December 4, 1943; 11:28 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L-260-a]

FURNITURE

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

§ 3291.66 *General Limitation Order L-260-a*—(a) *Restriction on use of wood.* Beginning with the first quarter of 1944, no person may use in any quarter in the manufacture and crating of furniture more than 21% of the amount of wood which he used for these purposes in 1943. Use of wood shall be measured in board feet, and wood shall be considered used in the quarter in which it is first changed from the form in which received or is first assembled in that form. In computing his use of wood bought otherwise than by board measurement, a manufacturer may convert it to board feet by any reasonable and consistent method, which he must explain in reporting under paragraph (d) below. This paragraph (a) does not apply to the use of plywood or veneer, and the use of these materials in 1943 must be excluded in determining the base on which the percentage is reckoned.

(b) *Restriction on receipts of wood.* After December 31, 1943 no furniture manufacturer may accept any delivery of wood which, added to all inventory on hand, will give him a supply, at the rate of operation permitted by this order, for more than six months from the date of receipt in the case of lumber (excluding dimension stock), or for more than three months from the date of receipt in the case of wood purchased in other forms (including dimension stock, plywood, and veneer). (For example, a manufacturer who is permitted under paragraph (a) to use 20,000 board feet a month and buys half of it in the form of lumber and half in other forms may not accept deliveries which will result in an inventory of more than 60,000 board feet of lumber and 30,000 board feet of wood in other forms.) The restrictions of this paragraph (b) do not apply to:

(1) Receipt, by a manufacturer whose inventory is within the above limits, of the minimum quantity in which he normally buys.

(2) Receipt of wood which was in the inventory of another furniture manufacturer before January 1, 1944.

(3) A delivery which is specifically permitted by the War Production Board, upon application addressed to the Board, Washington 25, D. C. Ref: L-260-a.

(c) *Freezing of certain grades and species and report to Central Procurement Agency.* (1) Every furniture manufacturer must file a report with the Central Procurement Agency of the U. S. Army Engineers, Washington 25, D. C., not later than December 15, 1943, describing by species, grade, size and amount, all graded lumber which he has in inventory of grade #1 common or better of the following species: ash, beech, yellow birch, hickory, hard maple, oak, rock elm. Each species is to be listed on separate sheets approximately 8½ x 11 inches in size. This does not apply to manufacturers who have less than a carload of these woods in the aggregate. A copy of the letter must also be sent to the War Production Board, Washington 25, D. C., Ref: L-260-a.

(2) Beginning not later than April 15, 1944 and every 3 months afterwards (July 15, October 15, January 15, April 15) every furniture manufacturer must file with the Central Procurement Agency and the War Production Board a similar report listing all graded lumber of the same species, but covering only grades above #1 common, which he has received or has sorted out of ungraded lumber between the date of the previous report and the day of filing.

(3) A manufacturer may, if he prefers, file reports as often as he accumulates a carload or more of lumber of the specified grades to be reported.

(4) A furniture manufacturer who has or receives ungraded lumber of the above species may not use it until he has graded it so that the required grades can be reported.

(5) A furniture manufacturer may not use or dispose of any of the lumber required to be included in the above reports except that (i) during December 1943 he may use for furniture 30% of the amount of these species used for furniture in the third quarter of 1943; (ii) he may use it to make furniture to be delivered under contract or subcontract to or for the account of the United States Army or Navy, the Maritime Commission, or the War Shipping Administration, to the extent required by the applicable specifications; (iii) he may sell it to the Central Procurement Agency; (iv) he may use or dispose of it for other purposes if the Central Procurement Agency has told him that it does not wish to buy it; (v) any lumber reported and remaining in inventory 60 days after date of reporting may be used or disposed of. Any such use must be within the total limits permitted by paragraph (a) of this order.

(6) Physical segregation of inventories is not required in complying with this paragraph (c) as long as the restrictions are observed with respect to equivalent amounts of lumber of the same grade and species and size.

(d) *Other reports.* (1) On or before January 15, 1944, every furniture manufacturer and also every person who manufactured furniture during 1941 even if he no longer manufactures it, must file with the War Production Board, Ref.: L-260-a, a report by letter showing the total number of board feet of wood (excluding plywood and veneer) used in the manufacture and crating of furniture during 1941 and 1943.

(2) This paragraph (d) does not apply to a furniture manufacturer who makes only furniture parts for sale to other furniture manufacturers.

(e) *Limitations on types.* After December 31, 1943, no furniture manufacturer may use any wood in making furniture except furniture of the types listed in Schedule A at the end of this order.

(f) *Equitable distribution to retailers.* It is the policy of the War Production Board that furniture not required to fill rated orders be distributed equitably to retailers giving due regard to established trade connections but also to the needs of dealers whose usual supplies have been cut off and diverted, and to the increased needs of certain areas caused by war conditions. If voluntary compliance with this policy is not found to be sufficient, the War Production Board may direct furniture manufacturers or wholesalers to sell to specified outlets or to outlets in specified areas.

(g) *Used and waste wood excluded.* This order does not apply to wood that has been previously used or to waste consisting of pieces of one board foot or less normally trimmed or edged in the course of production at a sawmill or elsewhere.

(h) *Small manufacturers excluded.* This order does not apply to any furniture manufacturer in any quarter in which his sales of furniture are less than $5,000 provided that his sales did not exceed $20,000 in any of the years 1941, 1942 or 1943.

(i) *Definitions.* (1) The term "furniture manufacturer" as used in this or-

der includes any person who makes or assembles any furniture or wooden parts for furniture.

(2) "Furniture" includes all articles commonly known as furniture, but does not include refrigerators, lockers, shelving, factory and industrial equipment, and built in cabinets.

(j) *Budget Bureau approval.* All reporting requirements in this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 4th day of December, 1943.

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

SCHEDULE A

Bedroom:
- Beds
- Cedar chests
- Dressers
- Chests
- Vanities
- Dressing tables
- Night stands
- Bench
- Wardrobes (Chest-robe)
- Wash stands
- Luggage racks
- Chairs

Dining room:
- Table, extension
- Chairs, arm and side
- Buffet (Credenza and leg type)
- China cabinet
- Table, junior
- Table, dropleaf
- Breakfast and dinette sets (Table and chairs)

Living room and hall:
- Lounge chairs
- Pull-up chairs (wood and upholstered)
- Occasional and boudoir chairs
- Sofa (3 people)
- Love seat (2 people)
- Console table
- Bookcase
- Occasional tables
- Kneehole desks
- Secretary
- Costumers
- Rockers (wood and upholstered)

Kitchen:
- Storage and utility cabinets
- Tables
- Chairs
- Stools
- Step stools

Porch and lawn:
- Chairs
- Settees

Nursery furniture:
- Bassinets
- Baby baths
- Cribs
- High chairs
- Nursery toilet seats
- Play yards
- Double deck bed
- Nursery chairs

Office, commercial & industrial furniture:
- Desk—executive
- Desk—small
- Desk—typist
- Chair—swivel
- Chair—side and arm
- Chair—typist
- Table—general office use
- Typewriter table and stands
- Stool for drafting table
- Filing cabinet—letter size
- Filing cabinet—legal size
- Filing cabinet—plan and blueprint
- Bookcase

Office, etc.—Continued.
- Storage cabinet
- Card file
- Costumer
- Desk trays
- Waste basket
- Visible record equipment
- Ledger trays
- Benches

Public building & institutional furniture:

a. Restaurant & cafeteria:
- Chairs
- Tables
- Desks
- Files
- Benches
- Settees

b. School & college furniture:
- Movable chair desk
- Tablet arm chair
- Student chair
- Side chair
- Tables
- Auditorium chairs
- Teacher's desk
- Teacher's chair
- File cabinets
- Bookcase
- Wastebasket
- Desk tray
- Kindergarten chairs
- Kindergarten tables
- Kindergarten cots
- Typist desk
- Typist chair
- Bunk beds

c. Institutions:
- Bed
- Chair
- Overbed table
- Bedside table
- Bedside cabinet
- Dresser
- Chest
- Wardrobe

Venetian blinds.

[F. R. Doc. 43-19412; Filed, December 4, 1943; 11:26 a. m.]

Subchapter D—Office of the Rubber Director

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R-1 as Amended December 4, 1943]

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of rubber, synthetic rubber and balata 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:

DEFINITIONS

Sec.
4600.01 Meaning of certain terms.

RESTRICTIONS ON CONSUMPTION

4600.02 Quota restrictions.
4600.03 Product restrictions.
4600.04 Additional permitted uses.
4600.05 Special purpose synthetics and chlorinated rubber.
4600.06 Balata.
4600.07 Finished and semi-finished products.
4600.08 Special restrictions by directive.
4600.09 Prohibited products.

RESTRICTIONS ON DELIVERIES

4600.10 Delivery and acquisition of rubber, chlorinated rubber, synthetic rubber and balata.
4600.11 Delivery of products or parts thereof manufactured in violation of order.
4600.12 Delivery of tires and tubes.

RESTRICTIONS ON INVENTORIES

4600.13 Inventories of materials.
4600.14 Tire and tube manufacturers' inventories of tires and tubes.
4600.15 Resellers' inventories of airplane, bicycle and industrial tires and tubes.
4600.16 Original equipment manufacturers' inventories of tires and tubes.
4600.17 Users' inventories of industrial tires and tubes and solid tires; procurement for replacement purposes.

RESTRICTIONS ON OPERATIONS

4600.18 Regrooving tires.
4600.19 Recapping or retreading tires.
4600.20 Destruction of tires and scrap rubber.
4600.21 [Deleted]

RESTRICTIONS ON IMPORTATION

4600.22 Importation of rubber, synthetic rubber, balata and products thereof.

PURCHASE PROCEDURE

4600.23 Purchase requests for crude rubber, natural latex or general purpose synthetics.

TIRE AND TUBE PRODUCTION

4600.24 Special regulations for tire and tube production.

END-PRODUCT RESTRICTIONS—A: CEMENT

4600.25 Definition.
4600.26 Use of crude rubber or natural latex cement.
4600.27 Use of reclaimed, scrap and synthetic rubber cement.
4600.28 Delivery of crude rubber and natural latex cement.

END-PRODUCT RESTRICTIONS—B: LIFESAVING SUITS

4600.29 Definition.
4600.30 Delivery and acquisition of lifesaving suits.

END-PRODUCT RESTRICTIONS—C: GLOVES

4600.31 Definitions.
4600.32 Delivery and acquisition of professional gloves.
4600.33 Delivery and acquisition of industrial gloves.
4600.34 Certification.

MISCELLANEOUS PROVISIONS

4600.35 Suspension of preference ratings—certain products.
4600.36 Reports.
4600.37 Outstanding authorizations and directives.
4600.38 Applicability of regulations.
4600.39 Appeals.
4600.40 Violations.
4600.41 Communications.
4600.42 Effective date.

APPENDIX I

Schedule A—Permitted products.
Schedule B—Prohibited products.

APPENDIX II—MANUFACTURING REGULATIONS

TABLE OF LISTS

List
1 Compounds for mechanical rubber products.
2 Conveyor, elevator and flat transmission belting and V-Belts.
3 Hose.
4 Packing.
5 Dam and lock gate seals.
6 Tire and tube production pattern.

List
11 Printing rubber products.
19 Hard rubber products.
20 Rubber insulating tape.
21 Rubber footwear.
22 Compounds for tires and tire casings.
23 Tire and tube repair materials.
24 Tires and tire casings (except airplane and bicycle).
25 Tire tubes (except airplane and bicycle).
26 Tire flaps.
27 Insulated wire and cable.
28 Feeding nipples.
29 Airplane tires and tire casings.
30 Retreading materials.
32 Use of high-tenacity rayon cord.
34 Bicycle tires and tubes.
35 Rubber thread.

AUTHORITY: §§ 4600.01 through 4600.42, inclusive, issued under P.D. Reg. 1, as amended, 6 F.R. 6680; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

DEFINITIONS

§ 4600.01 *Meaning of certain terms.* As used in this order:

(a) "Rubber" when used alone refers to any or all of the following: Crude rubber, latex, reclaimed rubber and scrap rubber.

(b) "Crude rubber" means all forms and types of natural crude rubber, but does not mean or include balata, chilte, gutta-percha, gutta siak, gutta jelutong, pontianac, reclaimed rubber, scrap rubber, or latex.

(c) "Latex" means the dry latex solids contained in natural liquid latex.

(d) "Reclaimed rubber" means any vulcanizable material derived from the processing or treatment of scrap rubber except reclaimed residue or "mud". Reclaimed residue or "mud" means dried and recovered sludge consisting of a mixture of partially hydrolyzed cellulose, finely divided rubber and other waste products of the digester process of reclaiming rubber.

(e) "Scrap rubber" means any material which results from or is incident to the processing of rubber or synthetic rubber in the manufacture or repair of any product including any unvulcanized scrap rubber containing fabric and any defectively processed materials or products which are not usable for a purpose for which they are designed. The term also means any finished product or part thereof made in whole or in part from rubber or synthetic rubber which through wear, deterioration or obsolescence has served its purpose in its present state.

The term does not include (1) a pneumatic tire or tire casing which can be made serviceable under present limited operating conditions for a use for which it was designed, by means of a temporary or permanent repair or by retreading or recapping in accordance with recognized commercial practice; (2) any other product which is still usable for a primary purpose for which it was designed; (3) any residual piece of uncured tire cord friction (cord end) which is of sufficient size to be usable as new material in the manufacture of tire patches or in the repair of tires.

(f) [Deleted December 4, 1943]

(g) [Deleted December 4, 1943]

(h) [Deleted December 4, 1943]

(i) [Deleted December 4, 1943]

(j) [Deleted December 4, 1943]

(k) "Synthetic rubber" means Neoprene (all types including GR–M); Thiokol, all types except Thiokol N (GR–P); all isobutylene polymer and copolymer types, including Butyl (GR–I), and polyisobutylene, also known as Polybutene, Vistanex and Synthetic 100; all Butadiene polymer and copolymer types, including but not restricted to Buna S (GR–S all types), and all Buna N types (such as Hycar, Perbunan, Chemigum, Butaprene and Thiokol RD). For convenience of treatment in this order, "synthetic rubber" is divided into two groups, viz: special purpose synthetics and general purpose synthetics.

(l) "Special purpose synthetics" includes all types of Polyisobutylene, Buna N and Thiokol (except Thiokol N). The term also includes Neoprene ILS and FR, Hycar OS–10 and Styraloy.

(m) "General purpose synthetics" includes all types of Buna S, Butyl and Neoprene, except the following types: Hycar OS–10, Styraloy, Neoprene ILS and FR.

(n) "Balata" means any of the gums of recognized commercial grades having a gutta hydrocarbon base and a high resin content, procured from wild forest trees of the Mimusops genus and closely related genera generally found in South and Central America from the Amazon Valley north through Panama, and includes such gums whether in crude or refined (deresinated or partly deresinated) form; but does not mean or include scrap balata or reclaimed balata, or Massarunduba balata and Peruvian F. A. Q. white balata which were not in deresinated form prior to March 5, 1943.

(o) "Chlorinated rubber" means the reaction product of chlorine and rubber, synthetic rubber or balata.

(p) "Consume" means to fabricate, process, stamp, cut or in any manner make any substantial change in the form, shape or chemical composition of rubber, synthetic rubber or balata and includes the consumption of scrap rubber for the production of reclaimed rubber, but does not include separating, tearing, splitting or pulling apart of scrap rubber for the purpose of selling the component parts thereof to Rubber Reserve Company or to a scrap dealer.

(q) "Government order" means any contract or purchase order for material or equipment:

(1) To be delivered to or for the account of any agency of the United States, including any independent regulatory commission or board, any executive department, independent establishment, commission, board, bureau, division, agency, administration, service, or office of the Executive branch of the Federal Government, and any corporation operated by the Federal Government. The term does not include any contract or purchase order for (i) maintenance, operating or repair material or equipment to be delivered to or for the account of any Federal Government-owned or controlled plant or facility which is not operated by the Federal Government or, (ii), material or equipment to be delivered to or for the account of any post exchange, ship's store, commissary, officers' mess, officers', noncommissioned officers' or enlisted men's club, or any similar agency or organization, whether or not such contract or purchase order bears an endorsement specified in Priorities Regulation No. 17.

(2) To be delivered to, or for the account of, any foreign country under the provisions of the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(3) Required by the person placing the same to fill his contracts or purchase orders on hand, provided the material or equipment is to be physically incorporated in material or equipment to be delivered under contracts or purchase orders included under paragraphs (1) and (2) of this § 4600.01 (q).

(r) "Civilian order" means any contract or purchase order for material or equipment which is not a "Government order" as defined above.

(s) "Scrap dealer" means any person (other than a person who consumes rubber, synthetic rubber, or balata) who buys, sells or collects scrap rubber.

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

(u) "Import" means to transport into the continental United States from any foreign country or from any territory or possession of the United States, and shall include a release from the bonded custody of the United States Bureau of Customs.

(v) "Vehicle manufacturer" means any person who manufactures any instrument of transportation having solid or pneumatic tires and tubes as part of the original equipment.

(w) "Mass distributor" means a person who purchases and sells tires and tubes manufactured for him under his own brands or trademarks and whose sales volume of tires and tubes in 1941 exceeded 50,000 tires or 100,000 tubes.

(x) "Specific authorization" means an authorization in writing from the Rubber Director, War Production Board.

(y) "Bus mileage contract tire casing" means a tire casing furnished by the owner thereof for use on buses pursuant to a mileage contract, the title to such tire casing remaining at all times in the person furnishing the same.

GENERAL RESTRICTIONS ON CONSUMPTION

§ 4600.02 *Quota restrictions.* No person shall consume crude rubber, latex or reclaimed rubber without a quota assigned by quota directive or other au-

thorization specifying the amounts of crude rubber, latex or reclaimed rubber which he may consume, and no person shall exceed the quantities which he is specifically authorized to consume in any designated period.

The requirements of persons submitting monthly reports on Form WPB–3410 will continue to be anticipated by the issuance from time to time of quota directives. Persons who are not authorized consumers may apply for quotas by writing a letter to the Office of Rubber Director, War Production Board, Washington 25, D. C., setting forth all pertinent facts.

After December 31, 1943, this section shall not apply to consumption of reclaimed rubber which may thereafter be consumed without limitation as to amount in the manufacture of any product for which the use of reclaimed rubber is permitted by this Order.

§ 4600.03 *Product restrictions.* No person shall use rubber or general purpose synthetics in the manufacture of products except in accordance with the following restrictions:

(a) *Schedule A products.* Rubber and general purpose synthetics may be consumed in the manufacture of those products listed on Schedule A, Appendix I, for which the particular type of rubber or general purpose synthetic is specifically permitted by Schedule A subject to any applicable manufacturing regulations.

Manufacturing regulations for any listed product are set forth in Schedule A unless reference is made in Schedule A to an applicable list of Appendix II, in which case the list also regulates the manufacture of the particular product.

The amounts of crude rubber, latex or reclaimed rubber which may be consumed are subject to limitations imposed by quota or other specific authorization issued to the consumer in accordance with § 4600.02. General purpose synthetics and scrap rubber, however, may be consumed for permitted uses without limitation as to amount.

(b) *Products not listed on Schedule A.* To fill Government orders only, general purpose synthetics, reclaimed and scrap rubber may be consumed in the manufacture of products not listed on Schedule A, Appendix I, unless the product is specifically prohibited for Government orders by Schedule B (Prohibited products).

§ 4600.04 *Additional permitted uses.* No person shall consume rubber or general purpose synthetics for any purpose not permitted by § 4600.03 without specific authorization except as follows:

(a) *Scrap rubber for production of reclaimed rubber.* Scrap rubber may be consumed to produce reclaimed rubber.

(b) *Experimental use of general purpose synthetics.* Any person who consumes rubber, synthetic rubber or balata in the manufacture of products permitted by this order may consume two hundred pounds of general purpose synthetics in any thirty day period for experimental purposes. Purchase requests for general purpose synthetics produced in Government plants in lots of 200 pounds or less, for experimental use may be made directly to Rubber Reserve Company, Washington, D. C.

§ 4600.05 *Special purpose synthetics and chlorinated rubber.* No person shall consume special purpose synthetics or chlorinated rubber except upon specific authorization of the War Production Board. Requests for authorization are made by filing Form WPB–2877 in duplicate with the Office of Rubber Director, Washington 25, D. C., in accordance with the instructions accompanying the form.

§ 4600.06 *Balata.* No person shall consume balata except upon specific authorization of the War Production Board. Requests for authorization to consume balata may be made by letter to the Office of Rubber Director, War Production Board, Washington 25, D. C.

§ 4600.07 *Finished and semi-finished products.* No person shall consume any finished or semi-finished product which is usable for a purpose for which it was designed, and which contains in the aggregate more than 10% by weight of rubber or general purpose synthetics except to consume the same in accordance with the provisions of this order applicable to the consumption of rubber, synthetic rubber and balata.

§ 4600.08 *Special restrictions by directive.* War Production Board may from time to time by special directive limit the consumption of rubber or general purpose synthetics in the manufacture of any product whether to fill Government or civilian orders.

§ 4600.09 *Schedule B: Prohibited products.* No rubber or synthetic rubber may be consumed in the manufacture of any product listed in Schedule B, Appendix I. Schedule B is applicable to Government and civilian orders, and is compiled for the purpose of indicating the products which ordinarily do not receive favorable consideration on appeal.

In case of conflict between the provisions of Schedule A and Schedule B, Schedule B shall govern.

RESTRICTIONS ON DELIVERIES

§ 4600.10 *Delivery and acquisition of rubber, chlorinated rubber, synthetic rubber and balata.* No person shall deliver rubber, synthetic rubber, chlorinated rubber, or balata except as permitted by regulations of Rubber Reserve Company or as specifically authorized by the War Production Board. No person, other than Rubber Reserve Company, shall accept such delivery, except for the purpose of consuming the same in accordance with the provisions of this order. Nothing contained in this § 4600.10 shall be deemed to prohibit:

(a) Delivery of rubber, synthetic rubber, chlorinated rubber or balata from one location to another location controlled by the same person where no change of ownership takes place, or by any corporation to another corporation which is its subsidiary or of which it is a subsidiary;

(b) Any scrap dealer from acquiring scrap rubber in the usual course of his business for the purpose of selling the same to another scrap dealer or to Rubber Reserve Company;

(c) Any person from accepting delivery from another of rubber, synthetic rubber, chlorinated rubber, or balata for the purpose of milling, washing, deresinating, drying, compounding, or conditioning the same, or for processing or manufacturing products therefrom, and thereafter returning the same or the products thereof to such other person.

§ 4600.11 *Delivery of products or parts thereof manufactured in violation of order.* No person shall deliver or accept delivery of any finished or semi-finished product or part thereof which he knows or has reason to believe was fabricated, assembled or delivered in violation of any applicable provisions of this order as amended from time to time.

§ 4600.12 *Delivery of tires and tubes.* The following classes of persons are authorized to purchase new tires and tubes upon certification to the supplier and to the War Production Board in accordance with this order: (a) A reseller of tires and tubes (airplane, bicycle and industrial only, § 4600.15); (b) an original equipment manufacturer for his production of vehicles (§ 4600.16); (c) a user of industrial pneumatic tires and tubes and solid tires for replacement purposes (as permitted by § 4600.17). Tire and tube products are classified for inventory and procurement purposes in § 4600.14.

RESTRICTIONS ON INVENTORIES

§ 4600.13 *Inventories of materials.* No person, other than Rubber Reserve Company, shall accept delivery of crude rubber, latex, reclaimed rubber, synthetic rubber or balata in quantities which shall result in such person having an inventory of crude rubber, latex, reclaimed rubber, synthetic rubber, or

balata which can reasonably be expected to last more than 60 days. Nothing contained in this § 4600.13 nor in § 944.14 (Priorities Regulation No. 1 as amended) shall be deemed to prohibit any person engaged in the business of reclaiming rubber from holding or acquiring such inventories of reclaimed rubber as he may deem advisable.

§ 4600.14 *Tire and tube manufacturers' inventories of tires and tubes.* No person shall consume any rubber, synthetic rubber or balata, in quantities which shall result in such person having an inventory of any of the following groups of products in excess of a minimum practicable working inventory:

Group No.
1. Passenger and motorcycle tires.
2. Passenger and motorcycle tubes.
3. Truck, bus and special purpose tires.
4. Truck, bus and special purpose tubes.
5. Farm tractor-implement tires.
6. Farm tractor-implement tubes.
7. Bicycle tires.
8. Bicycle tubes.
9. Airplane tires.
10. Airplane tubes.
11. Solid truck-trailer tires.
12. Pneumatic industrial tires.
13. Pneumatic industrial tubes.
14. Solid industrial tires.

An inventory (including only inventory at factory, wholesale warehouse points, and "in transit" to wholesale warehouse points) shall be deemed in excess of a minimum practicable working inventory, if such inventory, by total number of products in any one of the above groups is in excess of total unit sales of the products in that group during the previous 60 days, or in excess of ⅓ of the total unit sales of products in that group during the previous 180 days, whichever is the greater.

For the purpose of this section and §§ 4600.15–4600.17 inclusive, the above groups shall be deemed to refer only to new products.

§ 4600.15 *Reseller's inventories of airplane, bicycle and industrial tires and tubes.* No person shall deliver any new airplane, bicycle or industrial tires or tubes (as listed in Groups 7–10 inclusive and 12–14 inclusive, of § 4600.14) to a person regularly engaged in the business of reselling such products, unless the reseller acquiring the products shall attach to his purchase order a certification in substantially the following form signed by an authorized official either manually or as provided in Priorities Regulation No. 7:

The undersigned hereby certifies to _____ and to
(insert name and address of seller)
the War Production Board that he is familiar with Rubber Order R–1 as amended, and that the number of units to be acquired by this order will not result in his inventory of airplane, bicycle or industrial tires or tubes, on hand and on order, in any single group of § 4600.14 in which the products fall, being greater than his total unit sales of products in that group during the 60 days preceding his order, or greater than ⅓ of the total unit sales of products in that group during the 180 days preceding his order, whichever is greater.

_____
Date

_____
Name of Purchaser

_____
Authorized Official

This § 4600.15 shall not apply to any purchase order originating outside the continental limits of the United States.

(Similar certification is required for products in Groups 1 to 6 inclusive and Group 11 of § 4600.14 by the Office of Price Administration in Amendment No. 57 to OPA Ration Order 1–A.)

§ 4600.16 *Original equipment manufacturers' inventories of tires and tubes.* No person shall deliver any product listed in groups 1 to 14 inclusive of § 4600.14 to any vehicle manufacturer requiring such product as a part of the original equipment of the vehicles he manufactures, unless the vehicle manufacturer shall attach to his purchase order a certification (in addition to any other certification which may be required by regulations of the War Production Board) in substantially the following form signed by an authorized official either manually or as provided in Priorities Regulation No. 7:

The undersigned hereby certifies to _____ and to
(insert name and address of seller)
the War Production Board that he is familiar with Rubber Order R–1 and that acceptance of delivery of the products listed on this purchase order will not increase his inventory of products within the particular group listed in § 4600.14 of Rubber Order R–1 in which the products fall, in excess of such products required for his production of vehicles during the ensuing 30 days.

_____
Date

_____
Name of Purchaser

_____
Authorized Official

A vehicle manufacturer may certify a purchase order or contract which calls for scheduled deliveries during a period of more than thirty days without making certification for each thirty days' production. Under these circumstances, use of the foregoing certification constitutes a representation that the deliveries scheduled will not result in the acquisition of more products than are required for the particular manufacturer's production of vehicles during the thirty-day period following each scheduled delivery. In the event of a decrease in the number of products actually required, the manufacturer shall notify his supplier of the reduction, and the scheduled deliveries shall be revised accordingly.

§ 4600.17 *User's inventories of industrial tires and tubes and solid tires; procurement for replacement purposes.* (a) No person shall deliver or accept delivery of any pneumatic tire described in paragraph (b) below for replacement on any passenger automobile, motorcycle, bus, farm implement, farm tractor or commercial motor vehicle except in accordance with OPA Ration Order 1A. The following certification procedure is applicable only to new pneumatic tires and tubes of the sizes and types described below for replacement on other types of vehicles and equipment and to any industrial or highway solid tire for replacement purposes regardless of the type of vehicle or equipment.

For example, a person who wishes to replace a straight side pneumatic tire in size 4.00–12 on a passenger car or small delivery truck, may do so only under the Ration Order. On the other hand, a person who requires the same tire for replacement on material handling equipment such as an industrial power truck uses the certification procedure.

Replacement tires or tubes classified in Groups 1–6 inclusive of § 4600.14 (regular passenger, motorcycle, bus, farm tractor-implement or special purpose types) are also subject to the provisions of the Ration Order, even though the tires or tubes are required for industrial equipment.

(b) *Certification of purchase orders.* No person shall deliver any tires or tubes for replacement purposes (except as provided in OPA Ration Order 1A) in the following classifications:

(1) Any straight side pneumatic tire designed primarily for industrial use up to and including size 4.50–12 and the following sizes: 6.00–9, 7.50–10, 7.50–15 (4-ply, smooth tread only) and 9.00–10;

(2) Any single tube pneumatic tire designed primarily for industrial use;

(3) Any industrial or highway solid tire;

unless the person acquiring the same shall attach to his purchase order a certification in substantially the following form signed by an authorized official either manually or as provided in Priorities Regulation No. 7.

The undersigned hereby certifies to _____ (insert name and address of seller) and to the War Production Board that he is familiar with Rubber Order R–1 and that the products listed on this purchase order are required by him for replacement purposes within 30 days from the date of this certification and do not include any pneumatic tires or tubes for any passenger automobile, motorcycle, bus, farm implement, farm tractor, or commercial motor vehicle.

_____ _____
Date Name of Purchaser

_____
Authorized Official

Definitions of the vehicles and equipment for which replacement tires or tubes may not be secured by certification are set forth in OPA Ration Order 1–A.

(c) *Preference ratings.* Tires and tubes which are subject to the foregoing certification procedure may be produced or delivered to fill civilian orders for replacement purposes (identified by certification), without regard to preference ratings. Any rating purporting to be applied or extended to any such tires or tubes for replacement purposes shall be void and no person shall give any effect to it except in filling Government orders. This suspension of ratings does not affect rated orders certified by original equipment manufacturers in accordance with § 4600.16.

Any person who is unable under this section to obtain timely delivery of replacement tires or tubes required by him to avoid imminent break-down in operations directly related to the war effort may apply by letter to the War Production Board for written permission to use his MRO rating. This letter of application should specify the minimum number of tires or tubes required and describe briefly the type of operation and the condition of the equipment.

(d) *Effective date.* This section supersedes existing § 4600.17 (as amended by Amendment 3 issued September 7, 1943) on December 15, 1943.

RESTRICTIONS ON OPERATIONS

§ 4600.18 *Regrooving tires.* No person shall regroove the tread or tread surface of any tire or tire casing (except airplane and bus mileage contract tire casings) whether by cutting, scraping, grinding, burning, heating, remolding or any other means. This restriction does not apply to the grooving of tires in the course of recapping or retreading or restoring the original design to tread sectional repairs.

§ 4600.19 *Recapping or retreading tires.* No person shall recap or retread a tire unless the tire is worn smooth in the middle of the tread. As used herein, a tire is "worn smooth" when the tread design is no longer visible.

§ 4600.20 *Destruction of tires and scrap rubber.* No person shall destroy, damage, cut or tear apart any tire, tire casing or tire tube, or any scrap rubber, whether by burning or any other means and whether for the purpose of making or repairing products or materials from or with all or any of its constituent parts, except that this restriction shall not apply to the following:

(a) The consumption of any scrap rubber in the manufacture of any product for which rubber or synthetic rubber may be consumed under the provisions of this order.

(b) The consumption of any scrap rubber by any person producing reclaimed rubber as a necessary incident to such reclaiming operations.

(c) The cutting of any scrap tire tube for the purpose of splicing together segments of two or more such tire tubes to form a serviceable tire tube.

(d) The destruction of any scrap rubber (without destroying the rubber therein) for the purpose of selling its component parts to Rubber Reserve Company or to a scrap dealer in accordance with the regulations prescribed from time to time by Rubber Reserve Company.

(e) The destruction of the following articles when through obsolescence, use or deterioration the articles have entirely served their usefulness in their present state:

(1) Used battery containers and separators and parts thereof.

(2) Rough bore (metal reinforced) oil suction and discharge hose and hose containing asbestos combined with rubber.

(3) Rubber insulation on wire and cable.

(4) That part of rubber bonded to metal which cannot be separated from the metal by mechanical means.

(5) Brake linings and clutch facings.

(6) Metal-inserted packing.

(7) Metal-inserted running boards.

(8) Gasoline pump hose.

(9) Friction tape and adhesive tape (except in-process scrap).

(10) Burnt rubber all of which has been exposed to open flame (but not scorched rubber compounds).

(11) Gasket compounds containing cork.

(12) Typewriter platens.

(13) Tire beads.

(f) The destruction pursuant to specific authorization of the War Production Board, of scrap rubber which has no further value for reclaiming or other use.

(g) Ordinary wear and tear incident to the normal use of any article for a purpose for which it was designed.

§ 4600.21 [Deleted December 4, 1943]

RESTRICTIONS ON IMPORTATION

§ 4600.22 *Importation of rubber, synthetic rubber, balata and products thereof.* No person shall import any rubber, synthetic rubber or balata, or any finished or semi-finished product of which 10% or more by weight is composed of rubber, synthetic rubber or balata or any combination thereof except Rubber Reserve Company, Rubber Development Corporation, or any Corporation organized under section (5) (d) of the Reconstruction Finance Corporation Act, as amended, or any agent acting for one or more of them. Nothing contained in this § 4600.22 shall be deemed to prohibit:

(a) The importation by any person during any calendar month of products or materials (except tires, tire casings and tire tubes) which contain an aggregate of not more than twenty-five pounds of rubber, synthetic rubber and balata, provided such products or materials are not imported for the purpose of manufacturing, processing, sale or resale;

(b) The importation by any person of tires and tubes for the personal use of such person, provided such importation is expressly authorized by the Office of Price Administration;

(c) The importation for testing purposes of camelback, or of tires or tubes or sections thereof by any manufacturer of camelback, tires or tubes;

(d) The importation of bicycle tires and tubes originally manufactured in the continental United States, Canada or the British Isles;

(e) The importation of tires for recapping, retreading or repair, provided the tires are thereafter exported to the owners in the foreign country from which the products were imported;

(f) The importation of any scrap rubber by the Army or Navy of the United States or the United States Maritime Commission;

(g) The importation of any finished products made of rubber, synthetic rubber or balata by diplomatic representatives of any foreign government for their personal use or the use of members of their staffs;

(h) The importation of any finished product made of rubber, synthetic rubber or balata by commercial representatives of any foreign government for use in their official business;

(i) The importation from the Dominion of Canada by any person of rubber, synthetic rubber or balata or any products thereof manufactured in the continental United States, Canada or the British Isles.

PURCHASE PROCEDURE

§ 4600.23 *Purchase requests for crude rubber, natural latex or general purpose synthetics.* Purchase requests for crude rubber, natural latex or general purpose synthetics produced in Government plants are made by letter in quadruplicate to the Manager of Allocations, Office of Rubber Director, War Production Board, Washington 25, D. C., specifying the month in which delivery is required and stating the type, grade and number of pounds of material requested. For natural latex, the request should also specify percentage of concentration, type of container, specific use, and usual source of supply.

Requests for purchase of Government plant general purpose synthetics for experimental use in lots of 200 pounds or less are made directly to Rubber Reserve Company, Washington, D. C., (See § 4600.04).

Requests for purchase of general purpose synthetics which are privately produced are made directly to the producer.

TIRE AND TUBE PRODUCTION

§ 4600.24 *Special regulations for tire and tube production.* No person shall manufacture tire and tube products except in accordance with the regulations prescribed in List 6 of Appendix II.

END-PRODUCT RESTRICTIONS—A: CEMENT

§ 4600.25 *Definition.* As used in §§ 4600.26 to 4600.28 inclusive, "cement" means any type of cement, adhesive or coating made in whole or in part of rubber or synthetic rubber.

§ 4600.26 *Use of crude rubber or natural latex cement.* No person shall use cement which contains crude rubber or natural latex for any industrial or commercial purpose except:

(a) In the manufacture, application or repair of any product in the manufacture of which this order permits rubber, synthetic rubber or balata to be consumed.

(b) In the manufacture of shoes until January 1, 1944, but only in the following operations:

(1) Cutting and fitting room operations limited to: Folding uppers including French cord binding.

(2) Lasting room operations limited to: Bed, side and semi-automatic toe lasting; stitchdown construction lasting linings to insoles and uppers to midsoles or outsoles.

(3) Bottoming or making room operations limited to: Sole laying as follows—cementing bottoms and outsoles or outsole midsole combinations prior to permanent attachment; prewelt bottom assembly and permanent attachment of platforms and outsoles; McKay outsole channels.

(4) Stock fitting room operations limited to: Cementing welt insole ribs and lips; coating and attaching gem duck to welt innersoles.

(5) Special operations limited to: Joining leather welting.

(c) In the repair of shoes.

§ 4600.27 *Use of reclaimed, scrap and synthetic rubber cement.* Cement containing only reclaimed or scrap rubber or general purpose synthetics may be used:

(a) In the manufacture, application or repair of products in which rubber or synthetic rubber may be used under this order; and

(b) In the manufacture of any other product except those on Schedule B, Appendix I.

§ 4600.28 *Delivery of crude rubber and natural latex cement.* (a) Except for monthly deliveries of twelve gallons or less for repairs as permitted by paragraph (b) below, no person shall deliver any cement which contains crude rubber or natural latex to another person unless such person shall attach to his purchase order a certification in substantially the following form signed by an authorized official either manually or as provided in Priorities Regulation No. 7:

The undersigned hereby certifies to

(insert name and address of seller)

and to the War Production Board that he is familiar with Rubber Order R–1 restrictions on the use of crude rubber and natural latex cement and that the cement specified in the accompanying purchase order will be used or sold by him only for permitted operations as indicated below:

Manufacture or repair of products in the manufacture of which rubber, synthetic rubber or balata is permitted.

Manufacture or repair of shoes.

Date

Name of purchaser

Authorized official

(Use only the applicable statement of use.)

Any person making delivery of cement may rely upon the certification of the purchaser, unless he knows or has reason to believe that the certification is false.

(b) A person engaged in shoe repairing or other repair operations may purchase in any calendar month a total of twelve gallons of crude rubber and natural latex cement for permitted uses without making the foregoing certification.

The certification shall not be required by a seller for deliveries of crude rubber and natural latex cement in lots of twelve gallons or less to a person acquiring the same for shoe repairing or other permitted repair operations, unless the seller knows or has reason to believe that the purchaser does not come within this exception.

END-PRODUCT RESTRICTIONS—B: LIFESAVING SUITS

§ 4600.29 *Definition.* As used in §§ 4600.29 and 4600.30, "lifesaving suit" means any suit approved by the United States Coast Guard, made in whole or in part of rubber or synthetic rubber, designed for use with an approved life preserver and intended for rescuing or preserving the lives of seamen.

§ 4600.30 *Delivery and acquisition of lifesaving suits.* No person shall deliver or accept delivery of any lifesaving suit except for use on board an ocean or coastwise cargo or tank vessel of over 1,000 gross tons, and then only in accordance with regulations of the United States Coast Guard, unless such delivery:

(a) Has been specifically authorized by the War Production Board,

(b) Is made to or for the account of the United States Army, Navy, or Coast Guard,

(c) Is made to or for the account of any foreign country under the provisions of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or

(d) Is made to a dealer in lifesaving suits for the purpose of resale.

END-PRODUCT RESTRICTIONS—C: GLOVES

§ 4600.31 *Definitions.* As used in § 4600.31 to 4600.35 inclusive:

(a) "Professional glove" means any surgeon's, autopsy, or mortuary glove (including "firsts", "seconds" and "rejects" whether factory "rejects", or rejected on Government orders) made in whole or in part from rubber or synthetic rubber, which is usable in its present state for a purpose for which it was designed.

(b) "Industrial glove" means any glove, less than 12'' in length and with a gauge of less than $^{29}/_{1000}$ of an inch, customarily sold to industry or commercial users and includes rubberized fabric gloves, net lined gloves (except hand made gloves of calendered stock) and electricians gloves (including "firsts", "seconds" and 'rejects", whether factory "rejects" or rejected on Government orders), made in whole or in part from rubber or synthetic rubber, which is usable in its present state for a purpose for which it was designed.

§ 4600.32 *Delivery and acquisition of professional gloves.* No person shall deliver or accept delivery of any professional glove, other than a glove made wholly of general purpose synthetics, reclaimed or scrap rubber and appropriately identified as such on the product, except

(a) To fill Government orders, or

(b) To fill civilian orders to hospitals, clinics, surgeons, physicians, nurses or nurses' organizations, medical schools, dental schools, dentists, morticians, undertaking establishments or schools, morgues, veterinarians or veterinarian hospitals, or

(c) Upon certification as set forth in § 4600.34 to fill civilian orders to any person regularly engaged in the business of reselling professional gloves, or

(d) Upon specific authorization of the War Production Board.

§ 4600.33 *Delivery and acquisition of industrial gloves.* No person shall deliver or accept delivery of any industrial glove, other than a glove made wholly of general purpose synthetics, reclaimed or scrap rubber and appropriately identified as such on the product, except

(a) To fill Government orders, or

(b) To fill civilian orders to industrial or commercial users, or

(c) Upon certification as set forth in § 4600.34, to fill civilian orders to any person regularly engaged in the business of reselling industrial gloves, or

(d) Upon specific authorization of the War Production Board.

§ 4600.34 *Certification.* The certification required by § 4600.32 (c) and § 4600.33 (c) hereof, may be in substantially the following form signed by an authorized official either manually or as provided in Priorities Regulation No. 7:

The undersigned hereby certifies to ------ ---------- (insert name and address of seller) and to the War Production Board that he is familiar with Rubber Order R–I and that he will not sell any professional or industrial gloves purchased from the above named seller pursuant to the accompanying purchase order or any future purchase orders or contracts in violation of the terms of Rubber Order R–I.

Date

Name of purchaser

Authorized official

No such certification shall be required for delivery of professional or industrial

gloves to any person who has already made such certification with the person making the delivery. Any person making delivery of professional or industrial gloves may rely on such certification unless he knows or has reason to believe that the certification is false. The foregoing certification shall be in addition to any other certification which may be required by any regulation of the War Production Board.

MISCELLANEOUS PROVISIONS

§ 4600.35 *Suspension of preference ratings—certain products.* The following products may be produced or delivered to fill civilian orders without regard to preference ratings:

Rubber heels and soles,
Garden hose.

With respect to civilian orders, no person shall apply or extend any rating to the products above listed, and no person selling any such product shall require a rating as a condition of sale. Any rating purporting to be applied or extended to the products above listed shall be void and no person shall give any effect to it except in filling a Government order.

§ 4600.36 *Reports.* The following reports shall be filed.

(a) Any person who owned any rubber, chlorinated or synthetic rubber during any calendar month except scrap rubber, shall file with the Office of Rubber Director, War Production Board, a report on his stocks, receipts, production, consumption and shipments, on Form WPB–3410 in accordance with the instructions accompanying the form. This section shall not apply to persons who perform the operations listed in § 4600.10 (c) of this order except that producers of reclaimed rubber shall report their entire production regardless of the ownership of the material consumed.

(b) Any manufacturer of tires and tubes or camelback, and any mass distributor of tires and tubes shall file a report on his production, shipments and inventory for each calendar month on Form WPB–3438 with the Office of Rubber Director, War Production Board, in accordance with the instructions accompanying the form, unless otherwise directed.

(c) Each manufacturer of professional or industrial gloves shall report by letter to the Office of Rubber Director, War Production Board, the number of "firsts" and of "seconds" and "rejects" of each type of professional or industrial gloves manufactured by him in each quarterly period beginning July 1, 1943. Reports shall be filed not later than the 15th day of the calendar month following the quarterly period in which such manufacture took place.

§ 4600.37 *Outstanding Authorizations and Directives.* All outstanding authorizations and directives (other than authorizations granted pursuant to appeal and quota directives) issued prior to December 4, 1943, are hereby revoked.

§ 4600.38 *Applicability of regulations.* Except as otherwise provided in §§ 4600.17 and 4600.35, this order and all transactions affected thereby are subject to all applicable provisions of War Production Board Priorities and CMP Regulations as amended from time to time.

§ 4600.39 *Appeals.* Appeal from the provisions of this order shall be made by filing Form WPB–2242 (formerly PD–500–b), referring to the particular provision appealed from and stating fully the grounds of the appeal.

§ 4600.40 *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.

§ 4600.41 *Communications.* All reports required to be filed under this order, and all communications concerning this order, shall, unless otherwise directed, be addressed to: Office of Rubber Director, War Production Board, Washington 25, D. C., Ref.: Order R–1.

§ 4600.42 *Effective date.* Except as otherwise provided in § 4600.17, this order shall become effective December 4, 1943.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 4th day of December 1943.

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

APPENDIX I

NOTE: Appendix I amended in its entirety December 4, 1943.

SCHEDULE A—PERMITTED PRODUCTS FOR GOVERNMENT OR CIVILIAN ORDERS

Scope of Schedule A. Schedule A lists the *only* products which may be manufactured to fill *Government* or civilian orders, using crude rubber or latex. It also lists the *only* products which may be manufactured from general purpose synthetics, reclaimed or scrap rubber to fill *civilian* orders. It does not restrict the manufacture of *unlisted* products for Government orders, using general purpose synthetics, reclaimed or scrap rubber. (See § 4600.03 (b) for products not listed on Schedule A.)

Crude rubber and latex. Regulations for the consumption of crude rubber and latex in the manufacture of products are set forth in the columns of the schedule unless reference is made to an Appendix II list in which case the list governs the manufacture of the particular product.

Reclaimed rubber. Class 1 reclaimed rubber may be consumed in the manufacture of any product on Schedule A, unless another class is specifically designated on the schedule or by Appendix II list.

The classes of reclaimed rubber are defined as follows: Class 1—Hydrocarbon content of more than 50% by weight; Class 2—Hydrocarbon content of more than 42% by weight but not more than 50% by weight; Class 3—Hydrocarbon content of 42% by weight or less.

General purpose synthetics. General purpose synthetics may be consumed in the manufacture of any product on Schedule A, subject to any special restriction applicable to the product on the Schedule.

Scrap rubber. Scrap rubber is divided into the following classes: *Class 1*—Ground tire peels and tread buffings; uncured tire cord friction scrap; vulcanized scrap tires and tire parts (except tire beads) and inner tubes; any cured or uncured scrap having a specific gravity of 1.15 or less; *Class 2*—any other scrap rubber.

Class 1 and Class 2 scrap rubber may be consumed without limitation as to amount for permitted uses. Class 2 scrap may be used in the manufacture of any product on Schedule A. Class 1 scrap may be used only in the manufacture of those products for which Class 1 scrap is specifically designated on Schedule A.

SYMBOLS USED IN SCHEDULE A

Appendix II column: Refers to applicable regulations in Appendix II by list number. The word, "No" is used where no Appendix II regulations apply.

Crude rubber column: Indicates when crude rubber is permitted and regulates its use by showing the *maximum* percentage of the total volume of the compound, which may be crude rubber.

"X" indicates that crude rubber may be consumed in the minimum quantities required by the manufacturer. This column is blank when regulations are set forth in Appendix II.

Latex column: Indicates when latex is permitted and regulates its use by showing the maximum percentage of the total volume of the compound, which may be latex.

"X" indicates that latex may be consumed in the minimum quantities required by the manufacturer. This column is blank when regulations are set forth in Appendix II.

Special restrictions column: Indicates special restrictions applicable to the particular product. If the column is blank, no special restrictions apply. This column is also used to indicate where Class 1 scrap is permitted.

Where "special authorization" is required for a product each manufacturer must secure a specific allocation before consuming *crude rubber, natural latex,* or *general purpose synthetics after December 31, 1943.* In some cases, this requirement is confined to crude rubber. Applications may be made by letter to the War Production Board.

Where a product is limited to "government only", it may not be manufactured except to fill government orders.

Code No.	Product	Appendix II	Percent crude rubber	Percent natural latex	Special restrictions
1	Pneumatic tires:				
	Airplane tires	29			Class 1 scrap for Code #1.
	Bicycle tires	34			
	All other	24			
2	Solid tires:				
	Airplane tires	29			Class 1 scrap for Code #2.
	Bogie, idler and support rollers	24			
	All others (including casters and molded wheels).	24			
3	Tire tubes:				
	Airplane	No	X	0	Latex for splicing purposes only.
	Bicycle	34			
	All other	25			
4	Tire tube valves (including repair valves)	No	X	0	
5	Tire flaps	26			Class 1 scrap.
6	Tire retreading materials	30			
7	Tire and tube repair materials:				
	Air bags, full circle, for retreading	No	X	0	Class 1 scrap.
	Air bags, sectional	No	X	0	Class 1 scrap.
	Bulk tire repair materials	23			
	Tire patches	23			Class 1 scrap except #1 and #2 light colored carcass and inner tube.
	Tube patches	23			Class 1 scrap.
8	Tank blocks, treads and tracks:				
	Half-track tracks	No	X	0	Class 1 scrap for Code #8.
	Tank track blocks	No	X	0	
9	Belting:				
	Belt splicing and repair material	2			
	Cigar machine aprons	No	0	0	
	Chute lining	No	0	0	
	Conveyor and elevator belting and pulley lagging therefor.	2			
	Conveyor skirting or skirtboard rubber.	No	0	0	
	Escalator handrails	No	0	0	
	Hog beater belts	No	9	0	
	Last puller belts	No	0	0	
	Paper machine aprons	No	0	0	
	Rubber scrapers for conveyor belts	No	0	0	
	Screen diaphragms designed for paper making equipment	No	9	0	
	Street sweeper belts	No	9	0	
	Transmission belts, flat	2			
	Transmission belts, round	2			
	V-Belts	2			
	V-Belts, household, passenger car, trucks under 1½ ton	2			
10	Hose and tubing	3			
11	Packing and gaskets:				
	Adhesives for seaming bags and bagging	No	0	0	
	Coffee brewers' bushings and gaskets	No	0	0	
	Compounds designed for sealing cans made of tinplate, blackplate or terneplate.	No	0	0	
	Gaskets and compounds for sealing jars, tumblers, cans, drums and pails.	No	0	0	
	Rings and compounds for sealing glass containers.	No	0	0	
	Sheet, strip, mechanical and other packing, and gaskets.	4			
	Valves and valve parts	No	0	0	
12	Other mechanicals:				
	Airplane equipment not elsewhere listed	No	0	0	Crude or latex permitted as required for Government only, subject to special authorization after December 31, 1943.
	Airplane de-icer parts (except propeller hose)	No	X	X	
	Automotive parts, consisting of the following only:				
	Air brake and vacuum brake parts, excepting boots and linings	No	X	0	
	Battery drain tubes	No	0	0	
	Brake boots	No	0	0	
	Channel rubber for windshield, rear window and vent pane.	No	0	0	
	Clutch facings, brake lining and brake blocks.	No	0	0	
	Engine, transmission and propeller center bearing mountings.	No	9	0	
	Hydraulic brake cylinder parts, excepting boots and linings.	No	X	0	
	Hydraulic clutch and throttle controls.	No	0	0	
	Insulating forms or shapes for high tension wiring.	No	0	0	
	Packing rings for sleeve assemblies (Farm tractors only).	No	0	0	
	Pitman arm bushings for independent suspensions.	No	0	0	
	Remote control gearshift bushings	No	X	0	
	Sealed beam gaskets	No	0	0	
	Shock absorber bushings	No	X	0	
	Spring bumpers, front and rear	No	0	0	
	Steering box-to-frame pads for independent suspensions.	No	0	0	
	Steering post alignment bushings	No	0	0	
	Suspension and torque arm bushings.	No	X	0	
	Tailpipe supports	No	0	0	
	Torsional vibration dampers	No	X	0	
	Water pump seals	No	X	0	
	Windshield wiper blades and pivot to housing gaskets.	No	0	0	
	Band saw tires	No	X	0	Government only.
	Brush setting compounds	No	0	0	
	Card clothing	No	9	0	
	Component parts (not elsewhere listed but not including sponge) of machinery for the processing and fabricating of raw and semi-finished materials or for the transmission of mechanical power (except as specifically prohibited in Schedule B, Appendix I).	No	0	0	Crude or latex permitted as required for Government only, subject to special authorization after December 31, 1943.
	Cable connectors	No	0	0	
	Cord protectors	No	0	0	
	Cutless bearing	No	X	0	Government only.
	Defroster parts and hose for planes only.	No	0	0	
	Dam and lock gate seals	5			
	Electric base plugs, plug connectors and light socket.	No	0	0	
	Electroplating racks	No	0	0	
	Electroplating automatic machine perforated steel base baskets.	No	0	X	
	Floortile, base and tiling for wainscoting (for conductive purposes only).	No	X	0	Government only.
	Gaskets and washers for hose	No	0	0	
	Gas main bags	No	0	0	
	Grommets	No	0	0	
	Handle grips, for dielectric purposes only.	No	0	0	
	Harvesting machinery (all types of mechanical rubber products).	No	0	0	
	Hard rubber products:	19			
	Baskets, centrifuge—lined and covered perforated metal.				
	Baskets, etching				
	Bleaching rods				
	Beakers				
	Bottles				
	Buckets				
	Component parts of machinery for manufacture of rayon and explosives and corrosive chemicals.				
	Dippers				
	Dye sticks				
	Electrotypers baskets				
	Frames				
	Filters (for corrosive chemicals)				
	Funnels				

Code No.	Product	Appendix II	Percent crude rubber	Percent natural latex	Special restrictions
12	Other mechanicals—Continued.				
	Hard rubber products—Continued.				
	Hooks (for corrosive chemicals)				
	Magneto parts				
	Measures				
	Pails				
	Photographic trays and development tanks for X-ray only				
	Pipe and fittings (industrial only)				
	Pumps				
	Pump lining				
	Pistons				
	Racks				
	Sheet, rod and tubing (for industrial purposes only)				
	Spatulas for handling explosives and corrosive materials				
	Strips (for corrosive chemicals)				
	Trays				
	Valves				
	Valve parts				
	Hard rubber insulated tools	19	----------	----------	
	Hard rubber latex covering for	19	----------	----------	
	Agitators				
	Baskets				
	Buckets				
	Concave rollers				
	Dippers				
	Drums				
	Fans				
	Frames				
	Fume ducts				
	Funnels				
	Measures				
	Pumps				
	Pipe and fittings				
	Racks				
	Screens				
	Trays				
	Valves				
	Valve parts				
	Horseshoe pads, heels and calks	No	0	0	
	Industrial abrasive implements	No	0	0	SA-117 of 10/18/43.
	Industrial brake linings, brake blocks and clutch facings.	No	0	0	
	Labels	No	0	0	
	Lineman's protective devices, including only:	No	X	0	
	Blankets				
	Cable bandages				
	Cable end test caps and separators				
	Insulator hoods				
	Insulating stools				
	Line hose				
	Lineman's sleeves				
	Loom pickers	No	5.25	0	
	Milk and milking equipment, including:				
	Bottle filler rubbers	No	0	0	
	Bowl rings	No	5.25	0	Crude as shown only for shore hardness below 55.
	Gaskets, washers and couplings	No	5.25	0	Crude as shown only for shore hardness below 55.
	Gland rings	No	5.25	0	Crude as shown only for shore hardness below 55.
	Milking inflations	No	95.00	0	
	Milking tubing	No	0	0	
	Teats for calf feeder pails	No	5.25	0	
	Mine safety battery parts	19	----------	----------	
	Mine and industry safety parts, including:				
	Tubes (breathing)	No	0	0	
	Flutter valves	No	90	0	
	Valve mechanisms and valve assemblies.	No	0	0	
	Industrial mandrel made hose for hose masks as required by Bureau of Mines.	No	5.25	0	
	Face pieces, respirators, goggles and accessories not elsewhere listed.	No	0	0	
	Mine safety lamp parts, excepting insulated wire.	19	----------	----------	
	Mallets and mallet heads	No	0	0	
	Mats and matting (switchboard and conductive for switchboards with exposed switches).	No	0	0	
	Molding bags	No	X	0	
	Oil well specialties, including only:				
	Blowout preventors	No	0	0	
	Drill pipe protectors	No	0	0	
	Lining bumper and swab rubbers	No	0	0	
	Packers	No	9	0	
	Stabilizer	No	0	0	
	Slush pump pistons and liners for fluid packed pumps.	No	0	0	
	Strippers	No	0	0	
	Stuffing box rings	No	0	0	
	Testing	No	9	0	
	Valves and parts	No	X	0	
	Valve cups and discs	No	9	0	
	Pails (munitions handling)	No	0	0	
	Parts for business machines, including platens.	No	0	0	
	Parts for refrigerators, washing machines and motor-driven electric appliances (except hose and belts).	No	0	0	

Code No.	Product	Appendix II	Percent crude rubber	Percent natural latex	Special restrictions
12	Other mechanicals—Continued.				
	Mine and industry safety parts—Con.	No	35	0	
	Pipe coupling rings (designed for couplings, mechanical joints and bell joint clamps and for rings, bands, plugs, gaskets, etc., for the repair of air, gas, gasoline, water and oil pipe lines).				
	Plumbing products, including only—	No	0	0	
	Ball cock washers				
	Bibb washers, including mixing valve washers.				
	Fuller balls				
	Tank balls designed for flush valves.				
	Basin and sink gaskets and washers				
	Cap washers				
	Float valve shank washers				
	Force cups				
	Flush elbows				
	Flush valve washers				
	Gaskets for coupling close coupled closets.				
	Gaskets and valve designed for back flow preventors.				
	Siphon washers				
	Slip joint washers				
	Spud washers				
	Union washers				
	Waste and overflow washers				
	Press die pads (forming pads to shape metals):				
	(Under 40 shore hardness)	No	53	0	
	(40 and over shore hardness)	No	44	0	
	Printing rubber products, including:				
	Cutting rubber	11			
	Engraving rubber (excluding rubber stamps, band daters and toy stamps).	11			
	Feed rolls for business machines	11			
	Fingerprint rolls and fingerprint rubber.	No	0	0	
	Newspaper blankets	11			
	Offset blankets	11			
	Printing plate adhesion fabric	11			
	Printing plate and box die gums (excluding rubber stamps, band daters and toy stamps).	11			
	Printing plate insert and backing fabrics.	11			
	Printing rolls, including:				
	Duplicating	11			
	Hectograph	11			
	Mimeograph and similar reproducing equipment.	11			
	Rubber solution for wet plate negative.	No	X	0	
	Sponge for stamp gum cushion	No	0	0	
	Stamp gum	11			
	Suction cups for printers' equipment.	No	0	0	
	Rubber lining (hard or soft) for	No	10	10	Crude or latex but not both.
	Drums and tanks				
	Pipe and fittings				
	Rubber protected industrial equipment for handling corrosive materials and explosives.	No	10	10	Crude or latex but not both.
	Rubber protected	No	10	10	Crude or latex but not both.
	Agitators				
	Blowers				
	Exhausters				
	Pumps				
	Pump lining				
	Valves and valve parts (except tire tube valves)				
	Rubber lining for	No	10	10	Crude or latex but not both.
	Centrifugal pumps—designed to handle ore concentrates;				
	Sand and other highly abrasive materials in suspension;				
	Slurry				
	Rubber covered rolls and roll coverings (except Domestic washing machine wringer, Fingerprint, business machine and printers'):				
	Suction press	No	80	0	¾" max. thickness.
	All others	No	12	0	
	Sheet for baffle discs	19			
	Storage battery parts, including only—	19			
	Binding strips				
	Hand built jars, except Automotive S. L. I. types, farm-light, mine safety and radio.				
	Hand built monoblocs, except automotive S. L. I., farm-light, mine safety and radio.				
	Microporous and multiporous separators.				
	Molded single cell jars and molded monoblocs, except automotive S. L. I. S. A. E. Groups 1, 2 and 3.				

Code No.	Product	Appendix II	Percent crude rubber	Percent natural latex	Special restrictions
12	Other mechanicals—Continued.				
	Mine and industry safety parts—Con.				
	Storage battery parts—Continued.				
	Molded rubber				
	Boots				
	Bridges				
	Covers				
	Discs and sleeves				
	Filler caps				
	Insulators				
	Moss shields				
	Plate supports				
	Post sealing nuts				
	Protectors				
	Spacers				
	Splash covers				
	Vent				
	Wedges				
	Molded terminal blocks				
	Separators, perforated sheet or molded retainers, support and tie rods, tubular retainers.				
	Streetcar wheel sandwich rings	No	X	0	
	Table tops, stair and step treads (conductive for hospital operating rooms).	No	X	0	Government only.
	Tank pin bushings	No	X	0	Government only.
	Trolley wire guards	No	0	0	
	Vacuum bottle parts	No	0	0	
	Vacuum cleaner belts	No	0	0	
	Vibration dampers	No	X	0	SA-185-11/8/43
	Water meter parts	19			
13	Wire and cable:				
	Cable tape	27			
	Compounds for insulating wire and cable.	27			
	Compounds for rubber insulating tape.	20			
	Detonating cable	No	X	0	For insulation. Government only.
	Friction tape	No	0	0	
	Marbon B	No	X	0	For insulation. Government only.
	Pliolite	No	X	0	For insulation. Government only.
	Pliofilm	No	X	0	For insulation. Government only.
14	Rubber footwear	21			
15	Heels:				
	Conductive heels	No	0	0	
	Heels and heel bases	No	0	0	Tread buffings permitted.
	Oil resistant heels	No	0	0	
16	Soles:				
	Conductive soles and taps	No	0	0	
	Inner shoe cushions and inner shoe pads.	No	0	0	
	Oil resistant out-soles and taps	No	0	0	
	Molded outsoles, molded midsoles, molded sheet outsoling, molded sheet midsoling, molded taps, molded toplifts and molded toplifting sheets.	No	0	0	Class 1 scrap except #1 and #2 light carcass and inner tube.
17	Proofing, clothing and fabrics:				
	Abrasive sand blasting helmets, clothing, bats and bagging.	No	0	0	Crude for seaming but only upon special authorization after 12/31/43.
	Automobile topping	No	0	0	For maintenance and repair.
	Combined and proofed fabrics for lighter than air equipment.	No			Government only; crude permitted as required but only on special authorization after 12/31/43.
	Compounds for proofing fabrics designed for the manufacture of industrial occupational protective clothing, including cements for seaming, limited to aprons, leggings, sleeves, pants, coats, jackets, hats and fireman's and policeman's clothing other than footwear and gloves.	No	0	0	
	Compounds for seaming (clothing)	No			Government only; crude permitted as required but only on special authorization after 12/31/43.
	Compounds for proofing and combining fabrics.	No			Government only. Special authorization required after 12/31/43.
	Diving equipment	No	X	0	
	Life saving suits (overboard)	No	0	0	Subject to end use restrictions. (See §§ 4600.29-4600.30).
	Pliolite for oxygen tent fabric	No	98	0	Government only.
	Pliofilm for oxygen tent canopies	No	98	0	Government only.
18	Medical, surgical, dental, drug sundries:				
	Acoustic aids designed for individual hearing instruments and audiometers.	No	0	0	
	Baby bibs	No	0	0	
	Baby pants	No	0	0	
	Bandage gum, surgical and medical only	No	75	0	
	Blood pressure bags, except tubing	No	75	0	
	Brain surgery caps	No	0	0	
	Breast forms	No	0	0	
	Breast pumps	No	0	0	
	Breast shields-nursing	No	98	98	
	Bulbs (medical, surgical, dental, veterinary, mortuary and laboratory types)	No	0	0	
	Bunion pads	No	0	0	
	Bunion plasters	No	50	0	
	Catheters	No	0	98	
	Child's urine deflectors	No	0	0	
	Colostomy outfits, molded and dipped	No	0	0	
	Colostomy outfits, hand made	No	98	0	
	Conductive rubber (medical & surgical)	No	0	0	
	Corn plasters	No	50	0	

Code No.	Product	Appendix II	Percent crude rubber	Percent natural latex	Special restrictions
18	Medical, surgical, etc.—Continued.				
	Crib sheets	No	0	0	
	Crutch pads	No	0	0	
	Crutch tips	No	0	0	
	Dental dam	No	98	98	
	Dental plaster bowls	No	0	0	
	Dental polishing tips	No	98	0	
	Dental separating strips and mouth props.	No	0	0	
	Diaper covers	No	0	0	
	Denture rubber	No	65	0	
	Denture suctions and model formers	No	0	0	
	Diathermy pad electrodes	No	0	0	
	Dilators	No	98	98	
	Ear stoppers	No	0	0	
	Feeding bottle caps and covers	No	0	0	
	Feeding nipples	28			
	Finger cots, industrial	No	0	0	
	Finger cots (medical, surgical, dental, veterinary, mortuary and laboratory types).	No	98	98	
	Finger pads	No	0	0	
	Fountain syringe bags	No	0	0	Crude or latex for seaming and closing.
	Fountain syringe tubing lengths	No	0	0	
	Gloves, electricians'	No	98	98	
	Gloves, industrial, all-rubber	No	0	0	Subject to end use restrictions (see §4600.33).
	Gloves, industrial, net-lined	No	0	0	Crude or latex for seaming. Subject to end use restrictions (see §4600.33).
	Gloves, industrial, rubberized fabric	No	0	0	Subject to end use restrictions (see §4600.33).
	Gloves, mortuary and autopsy	No	0	0	Subject to end use restrictions (see §4600.32).
	Gloves, surgeons' (medical, surgical, dental and veterinary types only).	No	98	98	Gov't Fed. Spec. ZZ-G-421A. Subject to end use restrictions (see §4600.32).
	Hard rubber pipes, connections and accessories (medical, surgical, dental, veterinary and mortuary types only).	No	0	0	
	Hospital sheeting	No	0	0	
	Ice bags	No	0	0	Crude or latex for seaming and closing.
	Inhalation bags and face pieces, not including oxygen tents and tubing, (medical, dental, surgical and veterinary types only).	No	98	98	
	Inner shoe cushions and inner shoe pads.	No	0	0	
	Invalid rings	No	0	0	Crude or latex for seaming and closing.
	Lead-impregnated X-ray sheets, lead-impregnated gloves and lead-impregnated aprons, and cooling hose.	No	0	0	
	Medicine droppers	No	0	0	
	Medicated footpads and plasters	No	50	0	
	Operating cushions	No	0	0	Crude or latex for seaming and closing.
	Orthodontia bands	No	98	0	
	Orthopedic appliances	No	0	0	
	Oxygen tent canopies	No	0	0	
	Pacifiers	No	0	0	
	Parts for medical, surgical, dental, veterinary and mortuary instruments.	No	98	98	
	Pessaries and prophylactics	No	98	98	
	Prostatic bags	No	98	98	
	Prosthetic devices	No	0	98	
	Rubber bands and cushions designed for artificial limbs.	No	98	0	
	Self-adhering gauze bandage	No	0	0	
	Stoppers (laboratory types only)	No	0	0	
	Stopples (medical, surgical, dental, mortuary and veterinary types only).	No	98	0	
	Surgical adhesive tape	No	50		Government Fed. Spec. E-UP-401.
	Teethers and teething rings	No	0	0	
	Tourniquets	No	98	98	
	Truss pads, pneumatic	No	0	0	
	Truss pads and covers	No	0	0	
	Tubes and tubing limited to multiple lumen tubes, plasma and surgical tubing.	No	98	98	
	Urinals	No	98	98	
	Vaccine caps	No	98	98	
	Veterinary sleeves	No	98	98	
	Water bottles and combination syringes.	No	0	0	Crude or latex for seaming and closing.
19	Flotation equipment:				
	Pontoons, rafts, boats, buoys, etc.	No			Government only. Crude permitted as required but only on special authorization after 12/31/43.
20	Life-saving equipment:				
	Suits, jackets, vests, belts, etc.	No			Government only. Crude permitted as required but only on special authorization after 12/31/43.
21	Bullet sealing fuel cells	No			Government only. Crude permitted as required but only on special authorization after 12/31/43.
22	Miscellaneous:				
	Antenna balloons	No	0	0	
	Athletic equipment, consisting of the following only:	No	0	0	Class 1 scrap.
	Baseball centers				
	Boxers teeth protectors				
	Cleats for athletic shoes				
	Hand balls				

Code No.	Product	Appendix II	Percent crude rubber	Percent natural latex	Special restrictions
22	Miscellaneous—Continued.				
	Athletic equipment, consisting of the following only—Continued.	No	0	0	Class 1 scrap.
	Home plates and pitchers plates				
	Ice hockey pucks				
	LaCrosse balls				
	Recoil gun pads				
	Squash balls				
	Tennis balls				
	Bladders, valves, covers, impregnated yarns and coating and combining materials for the following:	No	0	0	Class 1 scrap.
	Baseballs				
	Basketballs				
	Cage balls				
	Footballs				
	Punching bags				
	Push balls				
	Soccer balls				
	Soft balls				
	Volley balls				
	Water polo balls				
	Bulbs, including parts	No	0	0	
	Cements for manufacture, application or repair of products permitted by this Order including tire repair cements, and for the manufacture or repair of shoes.	No	X	X	Subject to end use restrictions. (See §4600.26).
	Cements for other purposes	No	0	0	Subject to end use restrictions. (See §4600.27).
	Gas masks, face pieces, hose, mouth pieces, gaskets.	No	0	0	
	Compounds or mixture designed for testing other materials to conserve rubber and latex.	No	0	0	
	Cushioning for cameras, fire and flight control mechanisms.	No	------	------	Government only. Crude permitted as required but only on special authorization after 12/31/43.
	Crash helmet cushions and air-foam helmet linings.	No	------	------	Government only. Crude permitted as required but only on special authorization after 12/31/43.
	Deck helmet cushioning	No	------	------	Government only. Crude permitted as required but only on special authorization after 12/31/43.
	Dust respirators—face blanks	No	0	0	
	Ear cushions	No	0	0	
	Elastic fabrics and elastic webbing	No	0	0	
	Erasers, including typewriter	No	0	0	
	Eye buffers and shields	No	0	0	
	Flight and fire control instruments	No	X	X	Government only.
	Fountain pen sacs	No	0	0	
	Goggle frames and goggle face pads	No	0	0	
	Gunsight slot and vision slot pads	No	------	------	Government only. Crude permitted as required but only on special authorization after 12/31/43.
	Gunwale guards	No	------	------	Government only. Crude permitted as required but only on special authorization after 12/31/43.
	Hat forming bags and parts	No	0	0	
	Impregnated insoles, impregnated midsoles, impregnated box toes and impregnated welting.	No	0	0	Class 1 scrap except inner tube.
	Pressure sensitive tape for industrial purposes requiring crude rubber.	No	------	------	Government only. Crude permitted as required but only on special authorization after 12/31/43.
	Pressure sensitive tape for industrial purposes.	No	0	0	Subject to end use certification in approved form by purchaser to seller and WPB.
	Pressure sensitive tape (high heat resistant and noncorrosive electrical tape).	No	X	X	
	Ink eradicator stoppers and closures	No	0	0	
	Machine gun and eye buffer pads	No	X	X	Government only.
	Materials used in the manufacture of shoes and incorporated therein for the operations of combining, coating, finishing, laminating, impregnating and proofing.	No	0	0	
	Meteorological balloons	No	0	0	
	Mine mechanism cushioning	No	------	------	Government only. Crude permitted as required but only on special authorization after 12/31/43.
	Muzzle covers	No	------	------	Government only. Crude permitted as required but only on special authorization after 12/31/43.
	Oxygen masks—face pieces, hose, mouthpieces, valves, bags, gaskets (all high altitude).	No	X	X	Government only.
	Parachute bands and ventilating rings	No	X	X	Government only.
	Pencil plugs	No	0	0	
	Pliofilm packaging for aircraft engines, aircraft parts and aircraft instruments.	No	X	0	Government only.
	Respirators, hose masks, goggles, inhalators, excepting head harness.	No	0	0	
	Rubber bands	No	------	------	Government only except for orthodontia and bands for artificial limbs. Special authorization.
	Rubber thread	35	------	------	
	Shell holder pads, grenade box pads, pistol port pads, periscope pads.	No	0	0	Government only.
	Ship hold ventilating tubing	No	0	0	
	Shoe tapes	No	0	0	
	Smoking pipe bits	No	0	0	Class 1 scrap.
	Valves for gas masks, respirators, horse and dog masks, oxygen masks.	No	X	X	

Schedule B—Prohibited Products

No rubber or synthetic rubber may be consumed in the manufacture of the following products to fill Government or civilian orders. Products noted below as exceptions to the government order prohibited list may be manufactured from general purpose synthetics, reclaimed and scrap rubber only. (See § 4600.03 (b) of the order.) Products noted below as exceptions to the civilian order prohibited list may be manufactured only to the extent permitted by Schedule A.

PROHIBITED ON GOVERNMENT ORDERS

Artificial leather and upholstery.
Ash trays.
Basin and bath stoppers, sprays, sponge and soap dishes.
Bumper tacks.
Buttons (clothing).
Cap covers.
Canvas water bags.
Cartridge clip boxes.
Channel filler, channel rubber (except airplane, automotive and boat) and glazing rubber.
Desk and chair protection pads.
Desk sets.
Dishdrainers.
Door checks and bumpers (except airplane and automotive parts).
Door knob covers.
Fan bases and blades (except combat tank equipment).
Faucet caps.
Fender protective plates.
Fender welting.
Fish lures.
Flooring tile, base and tiling for wainscoting (except conductive).
Fly swatters.
Footbath trays.
Gear shift knobs.
Gun grips.
Hood supports and bumpers.
Inkwells and bottles.
Kneeling pads.
Leather finishes.
Mastic deck covering (except repair).
Mats and matting including link matting (except switchboard and conductive; airplane walkways, pilot house, bridge deck and gun platforms).
Name plates.
Office machine silencers.
Paper padding adhesives.
Paving blocks.
Pedal rubbers.
Picture screens.
Plate wipers.
Plioform.
Plywood adhesives.
Rubber-covered lamp guards, handles, grab rails and knobs (except dielectric).
Rubber tape (except compounds for rubber insulating tape).
Sateen gimp.
Serving trays.
Sewage disposal bags and paper.
Sink pads, mats, sprays and stoppers.
Steering wheels (except armored cars).
Step plates.
Stove top pads.
Table tops (except conductive).
Tank fenders and flaps.
Telephone bases and cord protectors.
Tent fabrics.
Thermostat covers.
Toilet seats and bumpers.
Typewriter keys.
Window squeegees (except windshield wipers).
Water closet outlet gaskets.
Wrestling mat covers.
Zipper tabs.

PROHIBITED ON CIVILIAN ORDERS

Animal boots and shoes.
Arm rests.
Artificial leather and upholstery.
Ash trays.
Banners.
Basin and bath stoppers, sprays, sponges and soap dishes.
Battery carrier straps.
Blowout shoes (for tires).
Bookbinding adhesives.
Bottle carriers.
Bottle driers.
Brake rod rattlers.
Brush bristles.
Bumper tacks.
Buttons (clothing).
Camera bellows.
Camera focusing cloth.
Candy molds.
Cap covers.
Carboy pads.
Casket gaskets.
Chair and furniture parts.
Channel filler, channel rubber (except windshield, rear window and vent), and glazing rubber.
Chevrons.
Christmas tree lighting devices.
Coated clips.
Concentrator belts.
Contraction joint seals and concrete filler.
Cutting blocks.
Cushions, upholstery and mattresses (except invalid rings and operating cushions).
Defroster parts and hose (except airplane).
Desk and chair protection pads.
Desk sets.
Dish drainers.
Door checks and bumpers.
Door knob covers.
Drain pipe lining.
Elevator belt buckets and cleats.
Exercise machine parts.
Extension lamp handles and guards.
Fan bases and blades.
Faucet filters and caps.
Fender protective plates.
Fender welting.
Ferrules.
Filter cloth.
Fish lures.
Flooring tile, base and tiling for wainscoting.
Fly paper.
Fly swatters.
Foot bath trays.
Fountain pen stock.
Gasket, pads and shims made from scrap tires and tubes.
Gauntlets and cuffing (except linemen's sleeves).
Gear shift knobs.
Gear silencers.
Glue dispensers.
Graphite guns and parts thereof.
Gun grips and pads.
Handle grips (except for dielectric purposes).
Hard rubber photographic trays and development tanks (except X-ray).
Hard rubber spatulas (except for handling explosives and corrosive materials).
Hatters' belts.
Hood supports and bumpers.
Horse shoes.
Hose nozzles.
Inkwells and bottles.
Kneeling pads.
Knife handles and grips.
Lamp shades, lamp guards, handles, grab rails and knobs.
Leather finishes.
Line tube caps.
Link mats.
Loom harness strapping.
Lug straps, bumpers and holdups (constituting textile machinery parts).
Marbon B.
Mastic deck covering.
Mats and matting including link matting (except switchboard and conductive for switchboards with exposed switches).
Molds for casting.
Musical instruments and parts thereof.
Name plates.
Office machine silencers.
Paint brush guards.
Painters' graining tools.
Panelboard.
Paper padding adhesives.
Paving blocks.
Pedal rubbers.
Pennants.
Photo wringers.
Picture screens.
Plate wipers.
Pliofilm.
Plioform.
Pliolite.
Plywood adhesives.
Post insulators.
Pot eyes.
Powder bags (mining).
Recoil pads.
Refrigerator freezing trays.
Rugs and carpets (including backing and underlays).
Rubber tape.
Sand blasting stencils.
Sateen gimp.
Screw bumpers.
Self-adhering signs.
Service station signal hose.
Serving trays.
Sewage disposal bags and paper.
Shims, automotive.
Sink pads, mats, sprays and stoppers.
Spark plug caps.
Sponge applicators.
Squeegees.
Stair and step treads.
Steering wheels.
Step plates.
Stick-on soles and taps.
Stipplers.
Stirrup pump hose.
Stirring rods.
Stove top pads.
Street car springs.
Table tops.
Tank floats.
Telephone cord protectors and bases.
Telephone protectors.
Tent fabrics.
Test tube holders.
Textile printing blankets.
Thermometer cases and thermostat covers.
Thermoplastic coatings (except for wire and cable insulation).
Toggle straps.
Toilet closet seat and bumpers.
Typewriter and office machinery silencers.
Typewriter, feet, covers and keys.
V-belt shock absorbers.
Vacuum cleaner tires and bumpers.
Washing machine drain hose.
Water closet outlet gaskets.
Weatherstripping.
Windlace covering and windlace tubing.
Wrestling mat covers.
Yarning material.
Zipper tabs.

APPENDIX II—MANUFACTURING REGULATIONS

NOTE: Appendix II amended in its entirety Dec. 4, 1943.

(a) *Applicability.* (1) This Appendix sets forth certain compounding proportions and manufacturing regulations for many of the products listed in Schedule A of Appendix I. No person may manufacture the products governed by the lists attached to this Appendix unless such product is manufactured in accordance with the applicable regulations set forth in this Appendix.

(2) All regulations apply to all purchase orders, including both Government and Civilian orders, except where otherwise designated in the appropriate list.

(3) Regulations in this Appendix do not apply to the manufacture of experimental products or experimental compounds designed for:

(i) The substitution of synthetic rubber, reclaimed rubber or scrap rubber for crude rubber and latex.

(ii) The conservation of crude rubber, latex, synthetic rubber, reclaimed rubber or scrap rubber.

(b) *General provisions.* (1) The total rubber hydrocarbon (sometimes designated RHC in this Appendix) is the sum total of crude rubber and the average rubber hydrocarbon value of reclaimed rubber, expressed on a volume basis. The average rubber hydrocarbon value of reclaimed rubber shall be calculated from the rubber value of reclaimed rubber as certified by the manufacturer of the reclaimed rubber and shall be determined by the "difference (or indirect)" method.

(2) References to Army, Navy, Federal, Railroad, etc., specifications by number mean the latest issue or amendment of the particular specifications.

TABLE OF LISTS ATTACHED TO APPENDIX II

List and Title:

1 Compounds for Mechanical Rubber Products.
2 Conveyor, Elevator and Flat Transmission Belting and V-Belts.
3 Hose.
4 Packing.
5 Dam and Lock Gate Seals.
6 Tire and Tube Production Pattern.
11 Printing Rubber Products.
19 Hard Rubber Products.
20 Rubber Insulating Tape.
21 Rubber Footwear.
22 Compounds for Tires and Tire Casings.
23 Tire and Tube Repair Materials.
24 Tires and Tire Casings (except Airplane and Bicycle).
25 Tire Tubes (except Airplane and Bicycle).
26 Tire Flaps.
27 Insulated Wire and Cable.
28 Feeding Nipples.
29 Airplane Tires and Tire Casings.
30 Retreading Materials.
32 Use of High-Tenacity Rayon Cord.
34 Bicycle Tires and Tubes.
35 Rubber Thread.

LIST 1—REGULATIONS FOR THE MANUFACTURE OF COMPOUNDS FOR MECHANICAL RUBBER PRODUCTS

(a) *Applicability.* This List 1 establishes standards for the grades of compounds to be used in the manufacture of mechanical rubber products. Other lists attached to this Appendix II govern the use of these compounds in the manufacture of finished products. These compounds need be used only when required by regulations contained in such other lists. The variations permitted by sub-division (c) of this list are allowed in the manufacture of finished products covered by such other applicable lists unless prohibited by such other lists.

(b) *Rubber compounds.*

Grade	Maximum percent by volume in compound	
	Crude rubber and latex	Total RHC
M-A	95	95
M-B	90	90
M-E	75	75
M-H	60	75
M-J-1	55	55
M-K	50	70
M-L-1	45	45
M-M	40	65
M-N	35	65
M-P	25	65
M-Q	20	70
M-R-1	15	55

(c) *General provisions.* (1) Compounds of grades of lower crude rubber, latex or total RHC content than those designated in lists now or hereafter attached to this Appendix II may be used in manufacturing products covered by such lists, provided the physical or service requirements, where designated, are met.

(2) All compounds shall be black, except where otherwise designated in other applicable lists.

(3) Where maximum percent by volume for crude rubber and latex is designated, it shall include crude rubber used in cements to aid processing.

LIST 2—REGULATIONS FOR THE MANUFACTURE OF CONVEYOR, ELEVATOR AND FLAT TRANSMISSION BELTING AND V-BELTS

(a) *General provisions.* (1) The manufacture of conveyor, elevator and flat transmission belting and V-belts shall be limited in accord with this List 2, except V-belts to fill Government orders for component parts of watercraft, aircraft, military vehicles or gun mounts when the Army or Navy contract specifically requires the use of different construction.

(2) Rubber belting utilizing a solid woven carcass is permitted, provided such construction uses no more crude rubber or rubber hydrocarbon (RHC) than is permitted in laminated belting of equivalent size and thickness.

(3) Constructions using combinations of fabric and other reinforcing materials, such as cord or wire, are permitted, provided total crude rubber and rubber hydrocarbon (RHC) do not exceed those which are used in an equivalent grade, fabric ply, construction belt.

(4) Any brands or labels used shall be spaced at least ten feet apart, except that each belt may have at least one brand or label.

(5) When making open-end belts endless, crude rubber may be used provided that it does not exceed .025 lbs. per ply per inch of width.

(b) *Conveyor and elevator belting.* The maximum amount of crude rubber and latex permitted in the manufacture of conveyor and elevator belts is limited to 5.25% by volume of the total compound used.

(c) *Flat transmission belting.* The maximum amount of crude rubber and latex permitted in the manufacture of flat transmission belts is limited to .07 lbs. per 1200 sq. in. per ply throughout the the belt.

(d) *V-belts.* The maximum amount of crude rubber and latex permitted in the manufacture of V-belts is limited to 9% of the total volume of the belt, except that the maximum amount of crude rubber and latex permitted in the manufacture of V-belts for use on passenger cars, household equipment, and trucks under 1½ tons is limited to 1% of the total volume of the belt.

LIST 3—REGULATIONS FOR THE MANUFACTURE OF HOSE

(a) *General provisions.* (1) The use of crude rubber in the manufacture of hose shall conform to the regulations set forth in subdivision (b) of this List 3.

(i) When a "maximum percent crude rubber by volume in compound" is designated for a particular type of hose, such maximum content shall not be exceeded.

(ii) When "compound grades" for tube, friction, layer, filler or cover are designated for any particular type of hose, the compounds used shall conform to the appropriate regulations set forth in List 1, Appendix II.

(2) Physical dimensions of hose manufactured in accordance with these regulations shall be inspected in accordance with the methods of the latest revision of A. S. T. M. Standard D-380.

(3) Brands or labels shall be spaced at least twenty-five feet apart, except that each length of hose may have at least one brand or label.

(4) The crude rubber content of any hose governed by this List 3 shall include crude rubber used in cements to aid processing.

(b) *Manufacturing regulations.* (1) Hose of any size and type not listed in subdivision (b) (2) of this List 3 may be manufactured, *Provided*, That:

(i) It is not specifically prohibited in Schedule B, Appendix II.

(ii) No crude rubber is used.

(iii) General purpose synthetic rubber, reclaimed rubber and Class 2 scrap rubber may be used in any amounts and in any proportion desired.

(2) The manufacture of hose consuming crude rubber shall be limited to the sizes and types listed in this sub-division (b) (2) and shall be subject to the regulations on crude rubber content, compound grade and special restrictions designated.

COMMERCIAL TYPES

Type of product	Maximum percent crude rubber by volume in compound	Compound grade	Construction and/or service restrictions
Acid, conducting and suction	5.25		
Air brake, truck and bus	3.00		
Air and air tool, industrial	3.00		
Alcohol, brewers and beverage hose, tubing and suction hose.	5.25		
Arbor pipe forming		Tube: M-H Friction: M-H	Tube: 5/64" max.
Brake expander tubing			Government orders only. Crude rubber as needed.
Butane and propane	3.00		
Car heater hose	0.00		Class 3 reclaim only.
Carburetor air intake, ground vehicles.	5.25		
Cement handling, cement gun, incl. grouting.	5.25		
Cement and material, dry and ice-slinger.	5.25		
Concrete placing		Tube: M-E Friction: M-N Layer or filler: M-P Cover: M-P	Tube: 1/2" max. Cover: 3/16" max.
Chemical engine	3.00		
Coupling, flexible	3.00		
Creamery (sanitary)	3.00		
Divers:			
Floating		Tube: M-A Friction: M-H Cover: M-H	Wall: 5/16" max.
Sinking	5.25		
Dredging sleeves	5.25		
Expansion joints		Tube: M-A Friction: M-E Layer or filler: M-M Cover: M-M	Tube: 1/8" max. on sizes 8" I. D. and under, 3/16" max. on sizes over 8" I. D. Cover: 1/16" max. on all sizes. Service: Normally used in rigid line to absorb thrust or excessive motion, or to isolate vibration and/or noise.
Fire, CRL			*Nominal size* / *Max. crude rubber per 100 ft.* 1" 1.0 lbs. 1¼" 1.3 lbs. 1½" 1.6 lbs. 2" 2.2 lbs. 2½" 2.8 lbs. 3" 3.0 lbs. 3½" 4.0 lbs.
Fire extinguisher tubing	0.00		Class 3 reclaim only.
Flanged flexible pipe	5.25		
Fuel line, automotive, truck and bus.	5.25		
Fuel oil, gasoline and fuel tank filler (not service station pump hose).	3.00		
Garden hose	0.00		Class 3 reclaim only.
Grease hose, low-pressure, non-industrial.	0.00		Class 3 reclaim only.
Hydraulic brake		Tube: M-E Friction: M-A. Cover: M-A.	Wall: .195" max. on 1/8" I. D., .230" max. on 3/32" I. D.
Hydraulic control and industrial grease.	5.25		
Jetting and hydraulic	5.25		
Milk conveying and food handling.	5.25		
Oil suction and discharge	3.00		
Oxygen hose (not welding)			Government orders only. Crude rubber as needed.
Phosphate flexible	5.25		

COMMERCIAL TYPES—continued

Type of product	Maximum percent crude rubber by volume in compound	Compound grade	Construction and/or service restrictions
Pinch valve		Tube: M-E Friction: M-H. Cover: M-E.	Wall: 1/2" max. on sizes 4" I. D. and under, 5/8" max. on sizes over 4" I. D.
Radiator	3.00		
Rock wool insulation	3.00		
Rotary drilling		Tube: M-E Friction: M-H Layer or filler: M-M. Cover: M-M.	Tube: 5/32" max. Cover: 3/32" max.
Sand blast		Tube: M-E Friction: M-N Cover: M-P	Tube: 3/16" max. on sizes under 1", 1/4" max. on all other sizes. Cover: 3/64" max. on all sizes.
Shaft covering, flexible	3.00		
Spray, agricultural:			
High pressure	5.25		
Low pressure	0.00		Class 3 reclaim only.
Spray, paint	3.00		
Steam:			
Grade 1		Tube: M-E Friction: M-E Cover: M-E	Tube: 3/16" max. Cover: 1/16" max. Service: Designed for saturated steam pressures from 100 to 200 p. s. i. or temperatures between 338 and 388 deg. F.
Grade 2	5.25		Service: Designed for saturated steam pressures from 40 to 100 p. s. i. or temperatures between 287 and 330 deg. F.
Grade 3	3.00		Service: Designed for saturated steam pressures up to 40 p. s. i. or temperatures up to 287 deg. F.
Suction:			
Fire engine, hard	3.00		3 1/2" and over, 4 lbs. per 100 ft.
Fire engine, soft			
Hard rubber	3.00		
Rotary slush pump	3.00		
Sand		Tube: M-E Friction: M-H. Layer or filler: M-P. Cover: M-P.	Tube: 1/4" max. on sizes under 12", 3/8" max. on sizes 12" to 24", 3/4" max. on all other sizes. Cover: 1/16" max. on all sizes.
Water	3.00		
Tank car and tank truck	3.00		
Tapered rubber nozzle (when built on end of hose)	5.25		
Tender tank	3.00		
Vacuum brake, truck and bus	3.00		
Vacuum:			
Industrial	3.00		
Dust collector	5.25		
Blower or exhaust	9.00		
Water, cold	3.00		
Welding	3.00		

RAILROAD HOSE

Air brake and train air signal	3.00		
Air, gas and oxygen	3.00		
Steam and hot water	5.25		
Tender tank	3.00		
Water, cold	3.00		

List 4—Regulations for the Manufacture of Packing

(a) *Manufacturing regulations.* (1) Packing of any type not listed in subdivision (a) (2) of this List 4 may be manufactured, *Provided,* That:

(i) No crude rubber is used.

(ii) General purpose synthetic rubber, reclaimed rubber and Class 2 scrap rubber may be used in any amounts and in any proportion desired.

(2) The manufacture of packing consuming crude rubber shall be limited to the types listed in this subdivision (a) (2) and shall be subject to the regulations on crude rubber content and special restrictions designated.

PACKING

Type of product	Maximum percent crude rubber by volume in compound	Construction and/or service restrictions
Sheet packing, including cut, extruded or molded strips, gaskets, or packing rings of simple, round, square or rectangular cross-section:		
Standard, Shore hardness 75 min. (known heretofore as red or black sheet packing).	0.00	5.25% crude by vol. may be used with Thiokol A for oil resistant type.
Soft, Shore hardness below 55	5.25	
Molded or sheet diaphragms, including cut diaphragms, without cloth insertion:		
Shore hardness below 55 only	5.25	
Piston packing, hydraulic (known heretofore as white hydraulic).	50.00	
Rod packing, duck rubber slab construction (known heretofore as low-pressure ring, low-pressure spiral or cross expansion packing).	5.25	
Rod packing duck rubber rolled construction:		
Friction process	5.25	4% crude, based on weight of fabric.
Spreading process		
Rod packing, molded V-shape or lip	5.25	
Rod packing, molded channel with cores other than metal	5.25	
Bonded compressed asbestos sheet		5% crude, based on weight of sheet.
Rubberized woven asbestos cloth or braid including unmolded gaskets or rod packings prepared from same:		
Metallic		4% crude, based on weight of fabric.
Non-metallic		4% crude, based on weight of fabric.

List 5—Regulations for the Manufacture of Dam and Lock Gate Seals

(a) The manufacturer of dam and lock gate seals shall be limited to the construction shown in this List 5.

(b) Caisson gaskets manufactured to Navy Specification 33-G-9 shall be limited to the construction shown in this List 5.

(c) The tread, cushion, friction and coat for dam and lock gate seals and caisson gaskets shall be made from one of the grades of compounds listed in List 1, Appendix II, the appropriate grade of compound to be used being that designated below opposite the description or designation of each construction element in Table A.

TABLE A

Construction element	Compound	Minimum tensile strength in pounds per square inch	Minimum elongation in percent	Shore hardness	Minimum ply adhesion in pounds
Tread	M-N	1,500	350	60-70	12
Cushion	M-B	2,000	700	35-47	12
Friction and coat	M-H				16

List 6—Regulations for the Tire and Tube Production Pattern

(a) *Production pattern.*—(1) In order to secure maximum output from existing tire and tube production facilities in accordance with the essentiality of demand, the following production pattern shall be observed and followed by all manufacturers, notwithstanding any other applicable order, regulation or authorization of the War Production Board.

PRODUCTION PATTERN

Group	*Type of product*
1	*Airplane tires and tubes:*
	a—Large size tires, built on truck equipment.
	b—Small size tires, hand built or built on industrial pneumatic equipment.

PRODUCTION PATTERN—continued

Group	*Type of product*—Con.
1	*Airplane tires and tubes*—Con.
	c—Other small size tires, built on passenger equipment.
	d—Tubes.
2	*Truck-bus tires and tubes:*
	a—Combat and Run-Flat tires.
	b—Extra large size tires, 16.00 and larger cross-section.
	c—Large size tires, 9.00 through 14.00 cross-section.
	d—Medium size tires (dual bead), all 10 ply up to and including 8.25 cross-section.
	e—Small size tires (single bead), 8 ply and under.

PRODUCTION PATTERN—continued

Group	Type of product—Con.
2	*Truck-bus tires and tubes*—Con.
	f—Tires with 15 inch and 16 inch rim diameters, up to and including 7.50 cross-section.
	g—Solid tires.
	h—Tubes..
3	*Tractor-implement tires and tubes:*
	a—Large size tires, over 7.50 cross-section.
	b—Front and small size tires, up to and including 7.50 cross-section.
	c—Tubes.
4	*Industrial tires and tubes:*
	a—Solid tires.
	b—Pneumatic tires.
	c—Tubes.
5	*Camelback:*
	a—Truck type and heavy duty.
	b—Passenger type.
6	*Passenger and motorcycle tires and tubes:*
	a—Tires.
	b—Tubes.
7	*Bicycle tires and tubes:*
	a—Tires.
	b—Tubes.

(2) The foregoing production pattern establishes the order of preference in which each manufacturer's interchangeable facilities must be used in the manufacture of tire and tube products and applies to facilities in each group or sub-group or in as many groups as are covered by the manufacturer's facilities.

(3) Where there is any degree of interchangeability in the use of the manufacturer's facilities, these facilities shall be extended to a lower group or sub-group in accordance with the production pattern when the manufacturer has established an inventory position not exceeding 15 days' supply in each higher group or sub-group for which the facilities are used. Inventories thus established shall be maintained in accordance with the production pattern.

For the purposes of this list, a 15-day inventory position means one-fourth of the manufacturer's sales during the preceding 60 day period.

For example: Assume that a 15-day position has been established in groups 1 and 2. This releases interchangeable facilities for the remaining groups in order of preference. When inventories are exhausted in groups 1 and 2, then any interchangeable facilities which are used in a lower group in the pattern must be diverted to groups 1 and 2 as soon as possible in order to re-establish an inventory not exceeding a 15-days' supply in groups 1 and 2 in accordance with the pattern.

Another example: Requirements for Item f of group 2—truck tires of 15 inch and 16 inch bead diameter through 7.50 cross section (these are also passenger type sizes) must be met to the extent of an inventory not exceeding a 15 days' supply before production facilities shall be used for regular passenger tires in group 6.

(4) The use of interchangeable tire and tube production facilities, except in accordance with the foregoing production pattern, is prohibited unless specific authorization in writing is secured from the Office of Rubber Director, War Production Board.

(b) *Miscellaneous provisions.* (1) Because of the urgency for maximum tire and tube production and in view of the critical manpower shortage, no manufacturer shall perform the following operations:

(i) Painting of tires and tubes for the sake of appearance.

(ii) Wrapping of tires, regardless of end use.

(iii) Clipping or shearing of curing-vent overflow.

(iv) Removal of minor light spots and surface imperfections not actually harmful from a service standpoint.

(2) Deviations from normal manufacturing practices which are set forth in this subdivision (b) shall not be interpreted as permitting any relaxation of essential inspection of the finished product.

LIST 11—REGULATIONS FOR THE MANUFACTURE OF PRINTING RUBBER PRODUCTS

(a) The use of crude rubber and latex in the manufacture of printing rubber products shall conform to the regulations shown in the following table. Where compound grades are designated for a particular product, the compound used shall conform to the appropriate regulations contained in List 1, Appendix II.

Type of product	Compound grade
Printing plate gums	Crude not permitted.
Printing plate insert and backing fabrics	Friction: M–R–1
Adhesive fabric	Friction: M–E
Offset blankets	M–J–1
Newspaper blankets	M–L–1
Cutting rubber	Crude not permitted.
Printing rolls:	
Gravure and impression rolls	M–J–1
Rolls to be coated with a composition having a Shore hardness of less than 20	M–Q
All others	Crude not permitted.
Engraving rubber face and filler stocks	Crude not permitted.
Engraving rubber friction	M–R–1
Box die gum	Crude not permitted.
Stamp gums	Crude not permitted.

(b) The use of crude rubber and latex as an adhesive for mounting purposes and/or adhesion to metal will be permitted, but such adhesive shall not exceed 5% of the total volume of compound used.

LIST 19—REGULATIONS FOR THE MANUFACTURE OF HARD RUBBER PRODUCTS

(a) *Permissible products.* The manufacture of hard rubber products shall be limited:

(1) For Civilian orders, to those items listed in Appendix I, Schedule A, Code No. 12, which refer to List 19 in Appendix II, and

(2) For Government orders, to any item not specifically prohibited for Government orders in Appendix I, Schedule B.

(b) *Manufacturing regulations.* (1) Any permitted hard rubber product may be manufactured without restrictions, *Provided That,*

(i) No crude rubber or latex is used.

(ii) General purpose synthetic rubber, reclaimed rubber and Class 2 scrap rubber may be consumed in any amounts and in any proportion desired.

(2) The manufacture of hard rubber products consuming crude rubber or latex shall be limited to the items listed in this subdivision (b) (2) and shall be subject to the regulations on crude rubber content and special restrictions designated.

Item	Maximum percent crude rubber and latex by volume in compound	Special restrictions
Baskets (etching), beakers, buckets, dippers, frames, funnels, measures, pails, racks and trays (hand made only).	10	For handling corrosive chemicals and explosives.
Blown hard rubber products including only:		
Bottles:		
Body	40	For handling corrosive chemicals and explosives.
Sealing bond	60	
Fittings (tees, ells, flanges, crosses, unions and couplings).	50	For handling corrosive chemicals and explosives.
Pistons, valves and valve parts	50	For handling corrosive chemicals and explosives.
Water meter parts	60	For water meters only.
Component hard rubber parts of machinery for the manufacture of rayon, explosives and corrosive chemicals (hand made only)	30	
Magneto parts	50	For dielectric purposes.
Microporous separators:		
From latex	85	
From crude rubber	70	
Storage battery jars and monoblocs, hand-wrapped only (except radio, farm light, mine-safety and automotive SLI types).	10	
Submarine battery jars	85	For Government orders only.
Submarine battery vents and parts (hand made only).	30	For Government orders only.
Tubular retainers	60	
X-ray and photographic tanks (hand made only):		
Over ⅛" wall	10	For Government orders only.
Under ⅛" wall	20	For Government orders only.

LIST 20—REGULATIONS FOR THE MANUFACTURE OF RUBBER INSULATING TAPE

(a) *Civilian orders.* (1) Rubber insulating tape for Civilian orders shall be manufactured only from unvulcanized or partially vulcanized crude rubber and reclaimed rubber compounds.

(i) The thickness shall be .027 inch, plus or minus .003 inch.

(ii) Not more than seven pounds of crude rubber nor more than eighteen pounds of total rubber hydrocarbon shall be used per 27,000 square inches of tape.

(iii) Rubber insulating tape shall conform to the crude rubber and reclaimed rubber requirements of Emergency Alternate Federal Specification E–HH–T–111a, as amended.

(b) *Government orders.* Rubber insulating tape for Government orders may be manufactured either in accordance with regulations for Civilian orders as contained in subdivision (a) above or in accordance with the provisions of specification AT–6863, as amended, at the option of the procuring agency.

LIST 21—REGULATIONS FOR THE MANUFACTURE OF RUBBER FOOTWEAR

(a) *General provisions.* (1) The manufacture of rubber footwear shall be limited to the items shown in sub-divisions (b), (c) and (d) of this List 21.

(2) All rubber footwear shall be manufactured in black color only.

(3) Variation from the average weights of total crude or latex per pair maximum are permitted as follows:

Plus 10%
Minus Unlimited

(4) General purpose synthetic rubber may be consumed in any amount you require for the manufacture of these products.

(b) *Essential health items.*

	Average weight of crude rubber and latex per pair maximum (in pounds)
Men's short boots (14" height, sq. top)	0.17
Women's short boots (molded heel)	.10
Men's lumber-over	.14
Men's 4-bkle. rubber mid-weight arctic	.16
Men's 4-bkle. rubber light-weight arctic	.13
Men's 4-bkle. cloth farm-weight arctic	.11
Men's 4-bkle. cloth light-weight arctic	.10
Boys' 3-bkle. rubber light-weight arctic	.11
Yths' 3-bkle. rubber light-weight arctic	.09
Women's 4-bkle. rubber light-weight arctic (low heel)	.10
Women's 2-snap gaiter (rubber)	.05
Misses' 2-snap gaiter (rubber)	.05
Childs' 2-snap gaiter (rubber)	.04
Men's work rubber—storm & semi-storm	.09
Men's dress rubber—storm & over (soft back only)	.06
Men's clog	.025
Boys' dress rubber—storm & over (soft back only)	.05
Youths' storm rubbers	.05
Women's toe rubbers	.02
Growing girls' storm rubber (low heel only)	.04
Misses' storm rubber	.04
Women's over	.04
Childs' storm rubber	.03

(c) *Severe occupational items.*

Men's short boot (plain toe)	.28
Men's short boot (steel toe)	.30
Men's storm king boot (plain toe)	.38
Men's storm king boot (steel toe)	.40
Men's hip boot (plain toe)	.48
Men's hip boot (steel toe)	.49
Men's 15" lace pac (plain toe)	.28
Men's 15" lace pac (steel toe)	.30
Men's 10" Mine Pac (Plain Toe)	.24
Men's 10" Mine Pac (Steel Toe)	.26
Men's Work Shoe (Plain Toe)	.18
Men's Work Shoe (Steel Toe)	.20
Men's Body Boot	.65

(d) *Government order, arsenal-ordnance order and munition plant order items.*

Men's Hip Boot (OQMG 15A Rev. 1-19-43)	.38
Men's Toplace Short Boot (OQMG 14 Rev. 1-20-43)	.20
Men's Lumber-Over Shell, Yukon type (BQD 57E Rev. 11-2-42)	.18
Men's 4-Bkle. Rubber Arctic (Army-Navy Spec.)	.19
Men's 4-Bkle. Cashmerette Arctic (OQMG 56B Rev. 11-14-42)	.14
Women's 4-Bkle. Cashmerette Arctic (BQD pending)	.08
Women's 2-Snap Gaiters (Rubber) (BQD No. 70)	.06
Women's Athletic Shoe (Tennis) (BQD No. 73)	.07
Men's Jungle Boot (BQD No. 79A)	.10
Women's Heavy Storm Rubber (BQD No. 97)	.06
Men's Short Legging Boot—Conductive Sole—(Army Ord. Spec.)	.23
Men's Short Legging Boot—(Army Ord. Spec.)	.23
Men's Powder-Plant Over-the-shoe Boot	.22
Women's 10" Pullover Boot—Conductive Sole—(Army Ord. Spec.)	.10
Men's Work Shoe—Conductive Sole—(Army Ord. Spec.)	.19
Men's Work Rubber—Conductive Sole—(Army Ord. Spec.)	.14
Men's Clog—Conductive Sole—(Army Ord. Spec.)	.10
Men's Industrial Hip Boot—Shell Construction	.42
Men's Industrial Hip Boot—Shell Construction—Steel Toe	.43
Men's Industrial Short Boot—Shell Construction	.25
Men's Industrial Short Boot—Shell Construction—Steel Toe	.27
Aviators' Winter Flying Boot (Aero. Spec. M380-B)	[1]
Men's Flying Boot (A6)	[1]
Men's Flying Boot (A9)	[1]
D-1 Electrically Heated Flying Boot Insert (Used in A9 Boot)	.10
Men's Flying Boot (A10)	.13
Pilots' Shoes—Rubber Surface—Mukluk Type (A13)	.14
Pilots' Shoes—Canvas and Rubber—Mukluk Type (A14)	.10
Men's Hip Boot, Medium Weight (Navy Spec.)	.38
Men's Short Boot, Heavy Weight (Navy Spec.)	.28
Men's 4-Bkle. Cloth Arctic (Navy Spec.)	.14
Men's Storm Rubber (Navy Spec.)	.07
Men's Clog Non-slip Sole (Navy Spec. M449)	.06
Men's Clog Molded (Navy Spec.)	.03
Women's Snap Gaiter (Rubber) (Navy Spec.)	.06
Men's Gym Shoes (Navy Spec.)	.07
Men's Training Shoe (Molded Sole) (Navy Spec.)	.11
Men's Electrically Heated Flying Boot (Navy-Aero M456)	.18
Men's 5-Bkle. Arctic. Non-slip sole (Rubber) (Aero. Spec. M517)	.17
Men's Wading Suit (Aero Spec.)	.66
Men's Wading Shoe (Aero Spec.)	.08
Men's Wader Overshoe-Armpit height (Engineers Spec.)	.65
Men's Wader Over-the-foot, Waist Height (Signal Corps Spec.)	.50
Men's 2-Bkle. Cloth Arctic (Marine Spec.)	.14
Men's 2-Bkle. Perfection (Diving Suits and Felt Boots) (Merchant Marine Spec.)	.17
Men's Sea Boot-Non-slip Sole, Navy	.36
Men's Firemen's Storm King Boot Navy 72B2 Revised 8-30-43	.59
Men's 5-Bkle. Rub. Arctic (Navy) 72-A-4 Shore Arctic N 2	.22

[1] Cements only.

LIST 22—REGULATIONS FOR THE MANUFACTURE OF COMPOUNDS FOR TIRES AND TIRE CASINGS

(a) *Applicability.* These regulations govern the manufacture of compounds for tires and tire casings. Other lists attached to Appendix II will govern the use of these compounds in the manufacture of finished products. These compounds need be used only when required by other regulations contained in lists attached to Appendix II. The variations permitted by this List 22 are allowed in the manufacture of finished products covered by other applicable lists unless expressly prohibited by such other lists.

(b) *Natural rubber compounds.* The composition of natural rubber compounds shall be governed by the regulations set forth in the following table:

Description of compound		Percent by volume			
Type	Grade	Crude rubber and latex		Total RHC	
		Maximum	Minimum	Maximum	Minimum
Tread compounds	A	73.0	71.0	75.0	71.4
	B	59.5	57.5	74.6	65.0
	E	26.0	24.0	70.8	54.0
Friction compounds	A	88.5	83.5	94.2	83.5
	B	78.0	73.0	94.2	75.0
	F	0	0	72.5	55.0

(c) *Synthetic rubber compounds.* (1) No regulations are now designated for the manufacture of synthetic rubber compounds for tires and tire casings.

(2) The identification of the various types of synthetic rubber is effected by designating each type by a letter and a color.

Letter	Color	Type of synthetic
S	Red	GR-S (Buna S).
M	Yellow	GR-M (Neoprene).
I	Light blue	GR-I (Butyl).

(d) *Synthetic tire constructions.* (1) The distribution of synthetic rubber in tires and tire casings is controlled by the following synthetic construction identification numbers, which indicate the proportion of synthetic rubber to crude rubber, and the placement of the synthetic rubber.

Synthetic construction identification numbers:	*Type of synthetic*
S-1, S-2, S-3, etc	GR-S
M-1, M-2, M-3, etc	GR-M
I-1, I-2, I-3, etc	GR-I

(2) S-3 denotes 100% GR-S tread on a 100% GR-S carcass, except that:

(i) Crude rubber may be used throughout the tire at the manufacturer's discretion, but shall not exceed, by weight, two percent of the sum of the crude rubber, GR-S synthetic rubber and reclaimed rubber hydrocarbon contents. Individual sizes may exceed the two percent maximum, provided that the average crude rubber content of all sizes of the same type of tire does not exceed the two percent maximum.

(ii) Reclaimed rubber may be used throughout the tire at the manufacturer's discretion.

(iii) Latex may be used in cord treatment solution.

(3) S-4 denotes approximately 90% GR-S and 10% crude rubber, distributed through-

out the tire at the manufacturer's discretion, except that:

(i) Crude rubber may be used only to the extent permitted by the "maximum content crude rubber" designated.

(ii) Reclaimed rubber may be used throughout the tire at the manufacturer's discretion.

(iii) Latex may be used in cord treatment solution.

(4) S–5 denotes 100% GR–S tread on a natural rubber carcass, except that:

(i) Crude rubber may be used only in cements, in tread and sidewall splice gum strips and in the tire body, but only to the extent permitted by the "maximum content crude rubber" designated.

(ii) Reclaimed rubber may be used throughout the tire at the manufacturer's discretion.

(iii) Latex may be used in cord treatment solution.

(5) S–6 denotes approximately 70% GR–S and 30% crude rubber, distributed throughout the tire at the manufacturer's discretion, except that:

(i) Crude rubber may be used to the extent permitted by the "maximum content crude rubber" designated.

(ii) Reclaimed rubber may be used throughout the tire at the manufacturer's discretion.

(iii) Latex may be used in the cord treatment solution.

(6) S–7 denotes approximately 35% GR–S and 65% crude rubber, distributed throughout the tire at the manufacturer's discretion, except that:

(i) Crude rubber may be used only to the extent permitted by the "maximum content crude rubber" designated.

(ii) Reclaimed rubber may be used throughout the tire at the manufacturer's discretion.

(iii) Latex may be used in cord treatment solution.

(7) M–2 denotes 100% GR–M tread on a GR–S carcass.

(8) M–3 denotes 100% GR–M tread on a 100% GR–M carcass.

(9) M–5 denotes 100% GR–M tread on a natural rubber carcass.

(10) I–3 denotes 100% GR–I tread on a 100% GR–I carcass.

List 23—Regulations for the Manufacture of Tire and Tube Repair Materials

(a) *General provisions.* Only one grade of product may be manufactured in each item governed by this List 23, and that grade must be consistent with maintaining a quality adequate for the service for which the product is designed.

(b) *Manufacturing regulations.* The manufacture of tire and tube repair materials shall be limited to the items shown in this sub-division (b), subject to the compound regulations designated therefor.

TIRE AND TUBE REPAIR MATERIALS

Description of Item	Percent by volume in compound			
	Crude rubber maximum	GPS [1] rubber minimum	Total new rubber minimum	Total RHC plus GPS [1] minimum
(1) Bulk tire repair materials:				
(a) Tread repair stock (1/16" max. ga.)	44.5	15.0	57.5	65.0
(b) Repair cushion stock	60.0	20.0	75.0	78.0
(c) Cord repair friction (.047 max. ga.)	60.0	20.0	75.0	78.0
(d) Square woven fabric friction	60.0	20.0	75.0	78.0
(e) Cements (cold cure)	Minimum .25 pound crude rubber per gallon			
(f) Cements (vulcanizing)	Minimum .55 pound crude rubber per gallon			
(2) Tire patches: [2]				
(a) Uncured—vulcanizing type—				
Body	60.0	20.0	75.0	78.0
Facing	60.0	20.0	75.0	78.0
(b) Cured and semi-cured—vulcanizing type—				
Body	0.0	0.0	0.0	78.0
Facing	60.0	20.0	75.0	78.0
(c) Temporary emergency—cold cure type (composite)	5.0	0.0	0.0	58.0
(3) Tube patches:				
(a) Combination tube repair gum (cured back, uncured face)	60.0	0.0	55.0	73.0
(b) Tube repair gum (uncured)	60.0	20.0	75.0	78.0
(c) Hot patch gum (uncured)	78.0	0.0	73.0	75.0
(d) Truck tube valve repair patches (composite)	60.0	20.0	75.0	78.0
(e) Tube replacement valve facing	60.0	20.0	75.0	78.0

[1] GPS means General Purpose Synthetic

[2] Crude rubber may be consumed in cements for adhesion purposes in manufacturing tire patches.

(c) *Restrictions.* (1) In items (2) (c), (3) (a) and (3) (d), different grades of compounds may be used in the cured and uncured portions of each, provided the total crude rubber content in the whole item does not exceed the percent represented by the compound grade specified.

(2) Repair kits containing any of the above materials, except garage kits, shall not contain more than .04 pound of combination tube repair gum, nor more than 1.5 cubic inches of any rubber cement.

(3) Garage kits containing any of the above materials shall contain either ⅓ pound, ½ pound or 1 pound of combination tube repair gum and not more than ½ pint of rubber cement.

(4) The over-all gauge of any combination tube repair gum manufactured shall not exceed .05 inch, including holland cloth or other protecting material.

(5) No tire patches, boots or reliners may be manufactured from scrap tire casings except upon special authorization of the War Production Board. If such special authorization is obtained, even then the use of #1 and #2 light-colored carcass scrap to manufacture these products is prohibited.

List 24—Regulations for the Manufacture of Tires and Tire Casings (Except Airplane and Bicycle Tires)

(a) *General provisions.* (1) The crude rubber content of any tire or tire casing governed by this List 24 shall not include processing losses, crude rubber used in curing bags or latex used in the cord treatment.

(2) On those sizes of natural rubber tires for which no "maximum content crude rubber" is designated, the compound grades shown under "compound designation" shall apply (the first letter designating the friction and the second letter designating the tread compound grade) and the composition of the compounds shall conform to the regulations set forth in List 22, Appendix II.

(3) On those sizes of synthetic rubber tires for which no "maximum content crude rubber" is designated, the tire construction shall be of the synthetic type designated and the compounds thereof shall conform to the appropriate regulations set forth in List 22, Appendix II.

(4) The use of rayon in the manufacture of tires and tire casings governed by this List 24 shall conform to the regulations set forth in List 32, Appendix II.

(5) When the cord used in any tire is made of rayon or is of a gauge less than .027 inch as measured by the current ASTM standards in effect, the "maximum content crude rubber" permitted shall be reduced by 6 percent.

(6) Only one grade of tire may be manufactured in any size, ply and type, and that grade must be consistent with maintaining a quality adequate for the service for which the tire is designed.

(7) Where "Mud-Snow" type tread is designated in this List 24, tires with either directional or non-directional (ND) tread designs may be manufactured.

(8) Single marked high pressure type tires or single marked balloon type tires may be substituted for dual marked type tires.

(9) S–7 synthetic construction may be substituted for S–5 synthetic construction wherever S–5 is designated in this List 24, subject, for Government orders, to the approval of the procuring agency. The "maximum content crude rubber" designated for S–5 shall also apply to S–7.

(b) *Manufacturing regulations.* (1) Pneumatic tires of any size, ply and tread type may be manufactured provided that they conform to the regulations for S–3 synthetic construction tires in List 22, Appendix II.

(2) Solid or hollow center tires, casters and wheels of any size and type may be manufactured, provided that

(i) Crude rubber is consumed only in cements and/or tie-gum (or hard base) and does not exceed, by weight, ten percent of the sum of crude rubber, synthetic rubber and reclaimed rubber hydrocarbon contents.

(ii) General purpose synthetic rubber, reclaimed rubber and Classes 1 and 2 scrap rubber may be used in any amounts and in any proportion desired.

(3) The manufacture of tires and tire casings consuming more crude rubber than permitted by sub-divisions (b) (1) and (b) (2) of this List 24 shall be limited to the sizes, plies and tread types listed in this sub-division (b) (3), subject to the maximum crude rubber contents or compound grades designated therefor.

TRUCK AND BUS TIRES

Size	Ply	Tread type	Compound designation		Maximum content crude rubber in pounds	
			Civilian orders	Government orders	Civilian orders	Government orders
7.00-18	10	Standard Highway		S-6		8.70
-20/32 x 6	10	do	S-6	S-6	9.40	9.40
-20/32 x 6	10	Mud-Snow	S-4	S-4	4.30	4.30
-24/36 x 6	10	Standard Highway	S-6	S-6	10.90	10.90
7.50-16	6	do	S-6	S-6	6.70	6.70
-16	6	Mud-Snow		S-4		3.10
-16	8	Standard Highway	S-6	S-6	7.40	7.40
-16	8	Mud-Snow		S-4		3.40
-17	8	Standard Highway	S-6	S-6	8.40	8.40
-18	8	do	S-6	S-6	8.90	8.90
-20	8	do	S-6	S-6	9.40	9.40
-20	8	Mud-Snow		S-4		4.30
-20/34 x 7	10	Standard Highway	S-6	S-6	11.00	11.00
-20/34 x 7	10	Mud-Snow	S-4	S-4	4.80	4.80
-24/38 x 7	10	Standard Highway	S-6	S-6	12.00	12.00
8.25-18	10	do	S-6	S-6	11.50	11.50
-20	10	do	AA	S-6	41.50	12.70
-20	10	Mud-Snow	S-4	S-4	5.65	5.65
-20	12	Standard Highway	AA	S-6	43.50	13.40
9.00-13	6	Mud-Snow		S-4		3.30
-13	6	Sand		S-4		3.30
-16	8	Standard Highway		S-6		10.50
-16	8	Mud-Snow		S-4		4.75
-16	10	Standard Highway		S-6		11.50
-16	10	Mud-Snow		S-4		5.10
-18	10	Standard Highway	S-6	S-6	13.60	13.60
-20	10	do	AA	S-6	48.50	14.70
-20	10	Mud-Snow	S-4	S-4	6.60	6.60
-20/36 x 8	12	Standard Highway	AA	S-6	52.00	15.80
-22	10	do	S-6	S-6	15.70	15.70
-24	10	do		S-6		16.70
-24/40 x 8	12	do	S-6	S-6	18.50	18.50
-24/40 x 8	12	Mud-Snow		S-4		8.20
10.00-18	12	Standard Highway	S-6	S-6	16.50	16.50
-20	12	do	AA	S-6	58.00	17.80
-20	12	Mud-Snow	S-6	S-6	18.20	18.20
-20/38 x 9	14	do		S-6		20.00
-22	12	Standard Highway	AA	S-6	62.50	19.30
-22	12	Mud-Snow		S-6		19.30
-24	12	Standard Highway	S-6	S-6	20.50	20.50
-24	12	Mud-Snow		S-6		20.50
10.50-16	12	Standard Highway		AB		48.50
-16	12	Mud-Snow		AB		48.50
-16	12	Sand		AB		48.50
11.00-18	10	Desert		BB		43.50
-18	12	Standard Highway	AB	AB	53.00	53.00
-20	12	do	AA	AB	67.00	62.00
-20	12	Mud-Snow	AB	AB	62.00	62.00
-20	14	do		AB		67.50
-22	12	Standard Highway	AA	AB	70.50	65.00
-24	12	do	AB	AB	69.00	69.00
-24	12	Mud-Snow		AB		69.00
12.00-20	14	Standard Highway	AB	AB	76.00	76.00
-20	14	Mud-Snow		AB		78.00
-24	14	Standard Highway	AB	AB	83.00	83.00
-24	14	Mud-Snow		AB		85.00
-24	16	Standard Highway		AB		90.50
13.00-20	16	do	AB	AB	94.00	94.00
-20	16	Mud-Snow		AB		98.00
-24	16	Standard Highway	AB	AB	106.00	106.00
-24	16	Mud-Snow		AB		110.00
14.00-20	12	Desert		AB		85.00
-20	16	Standard Highway	AB	AB	105.00	105.00
-20	16	Mud-Snow		AB		112.50
-24	16	Standard Highway	AB	AB	120.00	120.00
-24	16	Mud-Snow		AB		127.50
-24	16	Desert		AB		112.50
-24	24	Standard Highway		AB		160.00
7.50-15	10	Standard Low Plat. Tir	S-5	S-5	16.60	16.60
-15	12	do		S-5		18.20
8.25-15	12	do	S-5	S-5	22.40	22.40
-15	14	do		S-5		26.10
9.00-15	12	do	S-5	S-5	26.40	26.40
10.00-15	12	do		S-5		28.80
-15	14	do	S-5	S-5	32.00	32.00
10.50-13	10	do		AB		40.00
All	All	City Bus Mileage	S-5		A friction	
All	All	Intercity Bus Mileage	S-5 or		A friction	
All	All	do	AA			

SPECIAL PURPOSE TIRES

Size	Ply	Tread type	Compound designation		Maximum content crude rubber in pounds	
			Civilian orders	Government orders	Civilian orders	Government orders
8.25-20	10	Earthmover	BA	BA	38.00	38.00
9.00-20	10	do	BA	BA	44.00	44.00
10.00-20	12	do	BA	BA	51.00	51.00
11.00-20	12	do	BA	BA	58.00	58.00
12.00-20	12	do	BA	BA	62.00	62.00
13.00-20	14	do	BA	BA	78.00	78.00
14.00-20	16	do	BA	BA	100.00	100.00
16.00-20	16	do	BA	BA	130.00	130.00
18.00-24	16	do	BA	BA	175.00	175.00
-24	20	do	BA	BA	195.00	195.00
21.00-24	16	do	AA	AA		
-24	20	do	AA	AA		
24.00-32	24	do	AA	AA		
-32	36	do	AA	AA		
36.00-40	34	do	AA	AA		
8.25-20	12	Rock Service	AA	AA		
9.00-20	12	do	AA	AA		
10.00-20	14	do	AA	AA		
-22	14	do	AA	AA		
-24	14	do	AA	AA		
11.00-20	14	do	AA	AA		
-22	14	do	AA	AA		
-24	14	do	AA	AA		
12.00-24	16	do	AA	AA		
13.00-24	16	do	AA	AA		
14.00-24	20	do	AA	AA		
16.00-24	20	do	AA	AA		
18.00-24	20	do	AA	AA		
21.00-24	20	do	AA	AA		
-24	24	do	AA	AA		
8.25-20	10	Logger	AA	AA		
9.00-20	10	do	AA	AA		
10.00-20	12	do	AA	AA		
-22	12	do	AA	AA		
11.00-20	12	do	AA	AA		
-22	12	do	AA	AA		
18.00-24	16	Mud-Snow	AA	AA		
-24	20	do	AA	AA		
-40	20	do	AA	AA		
21.00-24	16	do	AA	AA		
-24	20	do	AA	AA		
-28	20	do	AA	AA		
24.00-32	24	do	AA	AA		
-32	36	do	AA	AA		
30.00-40	34	do	AA	AA		
7.00-20	10	Ribbed (flat base)	S-4	S-4	3.80	3.80
-24	10	do	S-4	S-4	4.40	4.40
7.50-24	10	do	S-4	S-4	5.10	5.10
9.00-24	10	do	S-4	S-4	7.50	7.50
-24	10	Traction (flat base)	S-4	S-4	6.80	6.80
-24	10	Traction (drop center)	S-4	S-4	6.80	6.80
10.00-24	8	do	S-4	S-4	6.80	6.80
11.00-24	8	do	S-4	S-4	7.10	7.10
12.00-24	8	do	S-4	S-4	8.10	8.10
13.00-20	10	do	S-4	S-4	9.60	9.60
-24	8	do	S-4	S-4	10.10	10.10
14.00-20	12	do	S-4	S-4	12.30	12.30
9.00 down	All	Combat (U. S.)		S-5		A friction
10.00 up	All	do		AA		
9.25 down	All	Run-Flat (British)		S-5		A friction
10.00 up	All	do		AA		

INDUSTRIAL TIRES

Description of product	Compound designation	Compounds	
		Friction	Tread
Industrial Pneumatic Tires Single tube—all sizes	EF	E [1]	F.
Industrial Solid and Industrial Tractor Solid Tires Pressed-on type, in cross-sections above 4½".	As used		C or better.
Bogie, idler and support rollers			As required.

[1] Including tube.

(c) *Branding of tires.* (1) All natural rubber tires or tire casings manufactured to fill Civilian orders shall bear, on the serial side and near the serial number, a brand with the words "War Tire" and the letters designated under "Compound Designation". Letters used to brand tires of a cross-section of 6.50 inches or more shall be at least one-fourth inch high, while those used to brand smaller tires shall be at least one-eighth inch high. This "War Tire" brand may (but need not) be applied to natural rubber tires or tire casings manufactured to fill Government orders, at the discretion of the manufacturer.

(2) All synthetic rubber tires or tire casings manufactured to fill either Civilian or Government orders shall have a colored dot, either circular or rectangular (with or without rounded corners or ends) and with an average effective dimension of at least one inch, vulcanized on both sides of the tire, the appropriate color to be determined from sub-division (c) (2) of said List 22. In addition, all synthetic rubber *pneumatic* tires or tire casings shall bear, on both sides of the tire and in characters at least five-eighths inch high, a brand showing the appropriate synthetic construction identification. The colored dot and the brand shall be permanent and may be superimposed if desired. The colored dot and synthetic construction identification may be smaller than the designated minimum on sizes of tires for which the designated minimum is unreasonably large.

(d) *Tolerances.* (1) On those sizes of natural rubber tires, in this List 24, for which no "maximum content crude rubber" is designated, but for which friction and tread compound grades are designated, a manufacturer can calculate the maximum amount of crude rubber and total RHC which may be used in the manufacture of a tire or tire casing of any such size. Within the maximum amounts thus calculated, a manufacturer may, at his discretion, shift the amounts between friction and tread.

(2) On those sizes, in this List 24, for which a "maximum content crude rubber" is designated, a manufacturer shall have, in each respective size, an operating tolerance on the content of crude rubber limited only by the maximum content designated.

(3) On those sizes, in this List 24, for which no "maximum content crude rubber" is designated but for which friction and tread compound grades are designated, the tolerance set forth in said List 22 shall apply.

(e) *Definitions.* (1) Where used in this List 24, "Standard Highway" as applied to tread type means regular skid-depth, "100" level, on-the-road type.

(2) Where used in this List 24, "Mud-Snow" as applied to tread type means extra-traction, on-and-off-the-road type.

(3) Unless otherwise permitted on appeal the manufacture of Earthmover, Rock Service, and Ribbed and Traction Road Builder and Road Grader tires shall be confined, for each manufacturer, to those designs of molds which he has regularly used for such types of tires previous to January 1, 1942, or has specially acquired since then for such purposes.

List 25—Regulations for the Manufacture of Tire Tubes (Except Airplane and Bicycle Tire Tubes)

(a) *General provisions.* (1) The crude rubber content of any tube governed by this List 25 shall not include processing losses or crude rubber used in valves.

(2) Only one grade of tube may be manufactured in any size and type, and that grade must be consistent with maintaining a quality adequate for the service for which the tube is designed.

(3) The restrictions of this List 25 shall not apply to tubes for city and intercity bus mileage contract tires of cross-sections 10.00 and larger.

(4) General purpose synthetic rubber may be used in any tube for which a "maximum content crude rubber" is designated, subject, for Government orders, to the approval of the procuring agency. When general purpose synthetic rubber is used, the tube volume may exceed the designated maximum provided that the crude rubber content does not exceed seventy-five percent of the designated maximum.

(b) *Manufacturing regulations.* (1) Tubes of any size and type may be manufactured, *Provided*, That:

(i) Crude rubber and latex may be consumed only in valves, valve adhesion pads, splicing gum strips and cements, and identification inks and cements.

(ii) General purpose synthetic rubber and reclaimed rubber may be used in any amounts and in any proportion desired.

(2) The manufacture of tubes for Civilian orders consuming more crude rubber than permitted by sub-division (b) (1) of this List 25 shall be limited to the sizes and types listed in this sub-division (b) (2), subject to the maximum tube volumes and crude rubber contents designated therefor.

CIVILIAN ORDER TUBES

Size	Type	Maximum tube volume in cubic inches	Maximum content crude rubber in pounds
LT-15	Truck and Bus	237	6.25
-18	do	269	7.10
-20	do	290	7.65
-22	do	311	8.20
-24	do	332	8.75
MT-18	do	315	8.35
-20	do	340	9.00
-22	do	364	9.60
-24	do	387	10.20
OT-20	do	435	11.50
-22	do	465	12.30
-24	do	495	13.05
PT-20	do	500	13.20
-24	do	568	15.00
ST-20	do	635	16.75
-24	do	718	18.95
16.00-20	do	827.5	21.95
-24	do	925	24.50
18.00-24	do	1,100	29.15
-40	do	1,520	40.30
21.00-24	do	1,460	38.70
-28	do	1,590	42.15
24.00-32	do	2,035	53.95
30.00-40	do	3,460	91.70
36.00-40	do	4,515	119.65

(3) The manufacture of tubes for Government orders consuming more crude rubber than permitted by sub-division (b) (1) of this List 25 shall be limited to the sizes and types listed in sub-division (b) (2) of this List 25 (except size LT-22 which must be manufactured in accordance with regulations for 10.00-22 in the table below) and the sizes and types listed in this sub-division (b) (3), subject to the maximum tube volumes and crude rubber contents designated therefor.

GOVERNMENT ORDER TUBES

Size	Type	Maximum tube volume in cubic inches	Maximum content crude rubber in pounds
V-18	Motorcycle	26.4	.70
V-19	do	27.5	.75
W-18-19	do	40	.95
5.00-16	do	44	1.05
6.00-16	Light Truck	64	1.35
6.50-16	do	75	1.60
7.00-15	do	85	1.80
7.00-16	do	89	1.90
7.50-15	do	100	2.15
7.50-16	do	105	2.20
8.25-16	do	143	3.05
9.00-13	do	142	3.05
9.00-16	do	190	4.00
5.50-18	Truck and Bus	61.8	1.30
6.00-20	do	75	1.60
6.50-10	do	61.5	1.30
10.00-22	do	311	6.55
10.50-13	do	220	5.80
10.50-16	do	250	6.60
11.00-18	do. (Desert)	348	9.30
14.00-20	do. (Desert)	595	15.75
6.00-16	Combat and Run-Flat	63	1.65
6.00-20	do	90	2.40
7.00-18	do	95	2.50
7.50-16	do	115	3.05
7.50-20	do	160	4.25
7.50-24	do	217	5.75
8.25-10	Run-Flat only	100	2.65
8.25-20	Combat and Run-Flat	188	5.00
9.00-16	Combat only	188	5.00
9.00-16	Run-Flat only	155	4.10
9.00-20	Combat and Run-Flat	224	5.95
9.25-16	Run-Flat only	140	3.70
10.00-20	Combat and Run-Flat	258	6.85
10.00-22	do	275	7.30
10.50-16	Run-Flat only	210	5.55
11.00-20	Combat only	300	7.95
11.00-20	Run-Flat only	265	7.00
12.00-20	Combat and Run-Flat	360	9.55
14.00-20	Combat only	485	12.85
14.00-20	Run-Flat only	460	12.20
14.00-24	Combat and Run-Flat	550	14.60

(c) *Marking of synthetic tubes.* All tubes containing synthetic rubber shall have a permanent circumferential colored stripe at least three-eighths inch wide applied on the base section of the tube. The appropriate color shall be determined from sub-division (c) (2) of List 22, Appendix II.

(d) *Tolerances.* On those sizes in this List 25, for which a "maximum tube volume" and a "maximum content crude rubber" is designated, a manufacturer shall have a tolerance on the tube volume and the content of crude rubber limited only by the maximums designated therefor.

List 26—Regulations for the Manufacture of Tire Flaps

(a) *Manufacturing regulations.* The manufacture of flaps for all sizes and types of tires to fill both Government and Civilian orders is subject only to the following regulations:

(1) Crude rubber may be consumed only for splicing cements and for identification inks or cements.

(2) General purpose synthetic rubber, reclaimed rubber and Classes 1 and 2 scrap rubber may be used in any amounts and in any proportion desired.

(b) *Marking of synthetic flaps.* All flaps containing synthetic rubber shall have a permanent circumferential colored stripe at least three-eighths inch wide applied on either side of the flap. The appropriate color shall be determined from sub-division (c) (2) of List 22, Appendix II.

List 27—Regulations for the Manufacture of Insulated Wire and Cable

(a) *Compounds.* (1) The crude rubber content of compounds referred to in this List

27 shall conform to the regulations designated in the table below.

(2) In addition to the crude rubber designated, synthetic rubber, reclaimed rubber and Class 2 scrap rubber may be used in any amounts.

Use	Compound grade	Maximum percent crude rubber by volume
Insulation	W-AAA	98
Do	W-AA	70
Do	W-A	55
Do	W-B	40

(b) *Manufacturing regulations.* (1) Insulated wire and cable of any type may be manufactured, provided that,

(i) No crude rubber or latex may be used (except as permitted by sub-division (b) (2) of this List 27).

(ii) Synthetic rubber, reclaimed rubber and Class 2 scrap rubber may be used in any amounts and in any proportions desired.

(2) The manufacture of insulated wire and cable consuming crude rubber and latex shall be limited to the types shown in this sub-division (b) (2). However, the use of crude rubber and latex is limited to insulation compounds only and is subject to the compound restrictions designated.

WIRE AND CABLE (WITH CRUDE RUBBER OR LATEX IN INSULATION)

(i) *Commercial types*

Item	Specification	Type	Insulation compound
X-ray cable, high voltage	ASTM D-574		W-B.

(ii) *U. S. Signal Corps*

Wire	71-478	W-110-B	W-A.
Do	71-726	W-124, W-125, W-128	W-AA.
Do	71-925	W-130	W-AAA.
Do	CW-1102 (G. E. Co.)	W-146	W-AA.
Cable	71-470	WC-513	W-A.[1]
Do	71-983	WC-534, WC-535	W-AAA.
Do	71-1501	WC-548	W-AA.
Cordage	71-471	CO-98	W-A.[1]
Do	71-1105	CO-119-B	W-A.
Do	71-817-B	CO-120	W-A.
Do	71-818-C	CO-121	W-A.
Do	71-886-A	CO-122-A and B	W-A.
Do	71-827-A	CO-127	W-A.
Do	71-700	CO-130 to CO-139	W-A.[2]
Do	71-684	CO-144, CO-145	W-A.
Do	71-935	CO-146	W-A.
Do	71-817-B	CO-150	W-A.
Cordage	71-8184-A	CO-159	W-A.
Do	71-471	CO-208, CO-209	W-A.[1]
Do	71-880	CO-219	W-AA.
Do		CO-238	W-A.
Do	71-1019	CD-298, CD-333, CD-334, CD-427, CD-785.	W-A.[2]
Tinsel cord	71-571		W-A.

(iii) *Navy Department, Bureau of Ships*

Shipboard cables	15-C-1 INT	CP, OP, CS, OS	W-AAA.[1]
Radio frequency cable	RE13A-645A		W-AAA.
Do	RE13A-646A		W-AAA.
Do	C-62040		W-AAA.
Aircraft ignition cable	AN-J-C-56		W-AA.

(iv) *Coast Guard*

Telephone cable, submarine	S-218-43		W-AA.
Power cable	S-236-41		W-AA.
Submarine cable, special	S-247-42		W-AA.
Do	S-251-42		W-AA.
Submarine cable	S-252-42		W-AA.
Shielded cable	RCS-22C		W-AA.
R. F. transmission	LRS-638		W-AA.
Shot firing wire	1		W-A.

NOTE: Use of crude rubber in all Coast Guard items must be eliminated by December 15, 1943, as outlined in SA-97, dated September 16, 1943.

WIRE AND CABLE (WITH CRUDE RUBBER OR LATEX IN INSULATION)—continued

(v) *U. S. Army, Corps of Engineers*

Item	Specification	Type	Insulation compound
Searchlight cable	T-1532 (c)		W-AAA.[1]
Do	T-1555 (c)		W-AAA.[1]

(vi) *U. S. Army, Ordnance (Submarine Mine Depot)*

Mine cable	48-3H	M-3	W-AA.
Do	89-5736-G		W-AA.
Do	SMXS-2130A		W-AA.
Do	SMXS-2152A	M-4	W-AA.
Do	SMXS-2154		W-AA.
Do	SMXS-2163		W-A.

(vii) *U. S. Army Ordnance (Frankford Arsenal)*

Portable cable	FXS-238		W-AAA.[1]
Do	FXS-692		W-AAA.[1]
Ignition cable	RIXS-178		W-AAA.[1]

(viii) *Department of Commerce*

Airway lighting	CAA-550		W-A.
R. F. transmission cable	CAA-31		W-AA.
Do	CAA-84		W-AA.
Do	CAA-161		W-AA.
Do	CAA-683		W-AA.
Do	1751		W-AA.
Do	1854		W-AA.
Antenna wire	CAA-36		W-A
Instrument cable	CAA-199		W-A.
Power cable	CAA-441		W-B.
Steel tape, armored	720		W-A.
Concentric, armored	770		W-B.

(ix) *Army Air Corps*

Steel core	32427		W-AA.
Do	AN-J-C-56		W-AA.
Do	95-3215-2A		W-AA.
Copper core	95-2800-3N		W-A.

[1] Permitted only when insulation wall is 0.025" or less in thickness.
[2] W-AAA may be used for latex dip process.
[3] Permitted only when insulation wall is 0.020" or less in thickness.

(c) *Miscellaneous provisions.* (1) *Walls.* No insulated wire for power cable shall be manufactured or specified by any person with heavier walls than those provided by American Standards Association's standard C 8.11-1936 or ASTM D-27; and required by the rating of the equipment serviced, except for service over 8,000 volts, nonleaded submarine cable, and for railroad signal service.

(2) *Rubber, insulating tape and terminals.* Rubber compounds for rubber insulating tape and terminals shall conform to regulations set forth in List 20, Appendix II, except that compounds designed for tape for the following uses may be manufactured in W-AA quality.

(i) For operating voltages in excess of 3,000 volts.

(ii) For cables to be used in wet locations.

(iii) For operation at conductor temperatures of 70° C. or higher.

(iv) For cable manufactured for Armed Forces.

(3) *Cable tape.* No crude rubber or latex may be consumed in the manufacture of cable tape. However, general purpose synthetic rubber, reclaimed rubber and Class 2 scrap rubber may be used in any amounts and in any proportion desired.

LIST 28—REGULATIONS FOR THE MANUFACTURE OF FEEDING NIPPLES

(a) The manufacture of feeding nipples from crude rubber, latex, synthetic rubber, reclaimed rubber or scrap rubber shall be limited to infants' nipples and lambs' nipples.

(b) *Infants' nipples.* (1) All infants' nipples shall be manufactured in accordance with the regulations set forth in the following Table A:

TABLE A

Type	Molded	Latex dipped	Crude rubber dipped	Hand made
Minimum tensile strength, p. s. i.	2,000	2,000	2,000	1,500
Ultimate elongation, in percent	750	750	750	550
Reclaimed rubber	None	None	None	None
Maximum crude rubber and/or latex by volume, in percent	98	98	98	98
Maximum rubber hydrocarbon by volume, in percent	98	98	98	98
The total weight in pounds of crude rubber and/or latex in each finished nipple shall not exceed	.0105	.007	.007	.007
Original tensile strength and ultimate elongation retained in percent after 96 hours continuous boiling in water and 48 hours after removal	60	60	40	50

(2) Compounds may contain ground scrap rubber generated by the manufacturer in the production of infants' feeding nipples.

(c) *Lambs' nipples.* The total weight of crude rubber and/or latex in each finished nipple shall not exceed 0.0105 pounds.

LIST 29—REGULATIONS FOR THE MANUFACTURE OF AIRPLANE TIRES AND TIRE CASINGS

(a) *General provisions.* (1) The crude rubber content of any tire or tire casing governed by this List 29 shall not include processing losses, crude rubber used in curing bags or latex used in the cord treatment.

(2) On those sizes of natural rubber tires for which no "maximum content crude rubber" is designated, the compound grades shown under "compound designation" shall apply (the first letter designating the friction and the second letter designating the tread compound grade) and the composition of the compounds shall conform to the regulations set forth in List 22, Appendix II.

(3) On those sizes of synthetic rubber tires for which no "maximum content crude rubber" is designated, the tire construction shall be of the synthetic type designated and the compounds thereof shall conform to the appropriate regulations set forth in List 22, Appendix II.

(4) S–7 synthetic construction may be substituted for S–5 synthetic construction wherever S–5 is designated in this List 29, subject, for Government orders, to the approval of the procuring agency. The "maximum content crude rubber" designated for S–5 shall also apply to S–7.

(5) The regulations contained in Army-Navy Aeronautical Specification AN–C–55b (Casings: Aircraft Landing, Auxiliary and Beaching Tire), as amended, shall govern the following:

(i) The type of tread design used on tires listed in this List 29.

(ii) The use of rayon in tires listed in this List 29 (see also List 32 attached to this Appendix II).

(b) *Manufacturing regulations.* The manufacture of airplane tires and tire casings shall be limited to the sizes, plies and tread types listed in this sub-division (b), subject to the maximum crude rubber contents or compound grades designated therefor.

AIRPLANE TIRES

Size	Ply	Type	Compound designation		Maximum content crude rubber in pounds
			Natural rubber tire	Synthetic rubber tire	
27	8	Smooth Contour Landing		S–5	B friction.
30	8	do		S–5	B friction.
34	8	do		S–5	B friction.
36	10	do	BB		
39	10	do	BB		
44	10	do	BB		
47	12	do	AA		
51	14	do	AA		
56	16	do	AA		
65	18	do	AA		
65	22	do	AA		
8.00	4	Smooth Contour Auxiliary		S–5	B friction.
10.00	6	do		S–5	B friction.
12.50	6	do		S–5	B friction.

AIRPLANE TIRES—continued

Size	Ply	Type	Compound designation		Maximum content crude rubber in pounds
			Natural rubber tire	Synthetic rubber tire	
14.50	6	do		S–5	B friction.
17.00	8	do		S–5	B friction.
19.00	8	do		S–5	B friction.
23.00	8	do		S–5	B friction.
26.00	10	do	BB		
30.00	10	do	BB		
26 x 6	8	High Pressure Landing		S–5	B friction.
30 x 7	8	do		S–5	B friction.
32 x 8	8	do		S–5	B friction.
34 x 9	10	do	BB		
10 x 3	(1) 4	High Pressure Auxiliary		S–5	B friction.
10½ x 4	6	do		S–5	B friction.
12½ x 4½	8	do		S–5	B friction.
14½ x 5	8	do		S–5	B friction.
26 x 6.6	8	High Pressure Special Duty		S–5	B friction.
30 x 7.7	8	do		S–5	B friction.
32 x 8.8	8	do		S–5	B friction.
34 x 9.9	10	do	BB		
36 x 10	10	do	BB		
38 x 10	12	do	BB		
40 x 11	12	do	BB		
42 x 11	12	do	BB		
44 x 12	14	do	AA		
46 x 13	16	do	AA		
6.00–6	4	Low Pressure Landing		S–5	B friction.
6.50–10	6	do		S–5	B friction.
7.00–6	4	do		S–5	B friction.
7.50–10	6	do		S–5	B friction.
8.00–4	4	do		S–5	B friction.
8.50–10	6	do		S–5	B friction.
8.90–12.50	4	do		S–5	B friction.
15.00–16	8	do		S–5	B friction.
15.00–16	10	do	BB		
15.50–16	12	do	BB		
15.50–20	12	do	BB		
16.00–16	12	do	BB		
17.00–16	10	do	BB		
17.00–20	12	do	AA		
18.00–16	12	do	BB		
19.00–23	16	do	AA		
20.00–18	12	do	BB		
5.00–4	6	Low Pressure Auxiliary		S–5	B friction.
7.00–5	4	do		S–5	B friction.
8.00–5	6	do		S–5	B friction.
9.00–6	8	do		S–5	B friction.
10.00–7	10	do	BB		
29 x 13–5	(1) 6	Extra Low Pressure Landing		S–5	B friction.
30 x 13–6	6	do		S–5	B friction.
35 x 15–6	6	do		S–5	B friction.
45 x 20–10	10	do	BB		
12 x 5–3	4	Extra Low Pressure Auxiliary		S–5	B friction.
16 x 7–3	4	do		S–5	B friction.
18 x 8–3	4	do		S–5	B friction.
19 x 6.80–10	6	Low Profile Auxiliary		S–5	B friction.
22 x 7.25–11.50	6	do		S–5	B friction.
26 x 9.00–13.00	8	do		S–5	B friction.
33 x 11.50–16.50	10	do	BB		
All	All	Beaching Gear	BB		
6 x 2.00		Cushion Auxiliary	A		A tread.
8 x 2.50		do	A		A tread.
6 x 2½		Solid Auxiliary	A		A tread.
6 x 3½	(1)	do	A		A tread.
8½ x 4	(1)	do	A		A tread.
10 x 4		do	A		A tread.

(1) These sizes inactive for new design.

(c) *Branding of tires.* All synthetic rubber airplane tires or tire casings shall have a brand permanently vulcanized on both sides of the tire, consisting of the appropriate synthetic construction identification, in characters at least three-eighths inch high, superimposed upon a rectangular colored medallion (with or without rounded corners or ends) at least five-eighths inch wide and one and one-fourth inches long, the appropriate color to be determined from subdivision (c) (2) of said List 22. When a brand with dimensions larger than the designated minimums is used, its dimensions shall be in the same relative proportions as the designated minimums.

(d) *Tolerances.* (1) On those sizes of natural rubber tires in this List 29 for which no "maximum content crude rubber" is designated, but for which friction and tread compound grades are designated, a manufacturer can calculate the maximum amount of crude rubber and total RHC which may be used in the manufacture of a tire or tire casing of any such size. Within the maximum amounts thus calculated, a manufacturer may, at his discretion, shift the amounts between friction and tread.

(2) On those sizes in this List 29 for which a "maximum content crude rubber" is designated, a manufacturer shall have in each respective size, an operating tolerance on the content of crude rubber limited only by the maximum content designated.

(3) On those sizes in this List 29 for which no "maximum content crude rubber" is designated, but for which friction and tread compound grades are designated, the tolerance set forth in said List 22 shall apply.

List 30—Regulations for the Manufacture of Retreading Materials Including Camelback (Wing-Die), Capping Stock (Bevel-Die), Lug Stock, Base Stock, Padding Stock, Stripping Stock and Filler Strip

(a) *General provisions.* (1) General purpose synthetic rubber may be used in any of the items shown in sub-division (b) of this List 30 which contain crude rubber, subject, for Government orders, to the approval of the procuring agency. When general purpose synthetic rubber is used, the "crude rubber percent by volume" may be reduced below the designated minimum.

(2) Crude rubber may be consumed in cements for application of cushion gum and in inks or cements for identification purposes.

(b) *Manufacturing regulations.* (1) The manufacture of retreading materials to fill both Government and Civilian orders shall be limited to camelback (wing-die), capping stock (bevel-die), lug stock, base stock, padding stock, stripping stock, filler strip, and cushion gum for application *by the manufacturer* to camelback, capping stock and lug stock.

(2) The compounds used in manufacturing the items permitted by sub-division (b) (1) of this List 30 shall conform to the regulations shown in the following table.

RETREADING MATERIALS

Description of use	Percent by volume in compound					Restrictions
	Crude rubber		GPS [1] rubber		Total RHC plus GPS [1]	
	Max.	Min.	Max.	Min.	Min.	
Passenger	0.0	0.0	50.0	45.0	60.0	For Civilian orders only.[2]
Do	0.0	0.0	--------	65.0	70.0	For Government orders only.
Taxi	0.0	0.0	--------	65.0	70.0	For Taxi tires only.
Motorcycle	0.0	0.0	50.0	45.0	60.0	For Civilian orders only.[2]
Do	0.0	0.0	--------	65.0	70.0	For Government orders only.
Farm Service	0.0	0.0	50.0	45.0	60.0	For Farm Tractor and Farm Implement tires.
Industrial	0.0	0.0	50.0	45.0	60.0	For Industrial Tractor and Industrial Pneumatic tires.
Truck Type	0.0	0.0	--------	65.0	70.0	For "Truck and Bus" tires, including Low Platform Trailer and Mileage Contract Bus tires.
Heavy Duty	73.0	71.0	0.0	0.0	71.0	For "Special Purpose" tires, including Mud-Snow 18.00 or larger, Rock Service, Logger, Earthmover, Road Grader, Combat (U. S.) and Run-Flat (British).
Airplane	0.0	0.0	--------	65.0	70.0	For Airplane tires in 8 plies and less (except Beaching Gear, Fighter Type and Ice Grip).
Do	73.0	71.0	0.0	0.0	71.0	For Airplane tires in 10 plies and more (except Beaching Gear, Fighter Type and Ice Grip).
Do	73.0	71.0	0.0	0.0	71.0	For Beaching Gear, Fighter Type and Ice Grip Airplane tires in all plies.
Padding Stock	78.0	73.0	0.0	0.0	75.0	Maximum thickness 1/8".
Stripping Stock	47.9	45.9	0.0	0.0	60.0	Maximum width 1".
Filler Strip	47.9	45.9	0.0	0.0	60.0	Maximum thickness 1/8", 2 1/2" and 3 1/2" widths only.
Cushion Gum	88.5	45.9	0.0	0.0	60.0	.030 min. ga. for camelback (wing-die). .010 min. ga. for capping stock (bevel-die).

[1] GPS means General Purpose Synthetic.
[2] Passenger and motorcycle camelback and capping stock to fill Civilian Orders shall not be manufactured in die sizes with crown widths wider than 6 inches.

List 32—Regulations for the Use of High-Tenacity Rayon Cord

(a) High-tenacity rayon cord may be consumed *only* in the manufacture of those products listed in this sub-division (a).

Order of preference: *Type of product*

1. Airplane tires.
2. Self-sealing fuel cells.
3. Bullet-sealing hose.
4. Combat (U. S.) and Run-Flat (British) tires including only cross-sections 8.25 and larger, rim diameters 16" and larger.
5. Intercity bus mileage contract tires:
   (a) 9.00 cross-sections and smaller in S-3, S-4, S-5, S-6 and S-7 synthetic constructions only.
   (b) 10.00 cross-sections and larger in any crude rubber or synthetic constructions.
6. Synthetic rubber truck and bus tires, including only:
   Tread Types: Standard Highway, Mud-Snow.
   Sizes: 8.25 and up, 10 plies and more.
   Constructions: S-3, S-4 and S-6.
   Orders: Government and Civilian.
7. Synthetic rubber truck and bus tires, including only:
   Tread Types: Standard Low Platform Trailer.
   Sizes: 7.50 and up, 10 plies and more.
   Constructions: S-3, S-4, S-5, S-6 and S-7.
   Orders: Government and Civilian.
8. Tire repair materials (to be made only from scrap rayon cord friction material resulting from the manufacture of products listed above).

(b) All available rayon for a given allocation period will be allocated in accordance with the order of preference in the above usage pattern, full allocations being made for total industry requirements for the first group before any allocations are made for the second group, and so on down the list until the entire supply of rayon available for that period has been allocated.

(c) Any person to whom rayon is allocated must consume it in the order of preference in the above usage pattern, arranging to fulfill all requirements in the first group before any is used in the second group, and so on down the list.

List 34—Regulations for the Manufacture of Bicycle Tires and Tubes

(a) *Manufacturing regulations.* (1) The manufacture of bicycle tires (clincher, wire-edge or single tube) and tubes, including rim strips, valves, cots, washers and curing bags, to fill both Government and Civilian orders, is subject only to the following regulations:

(i) No crude rubber may be consumed for any purpose.

(ii) General purpose synthetic rubber, reclaimed rubber and Classes 1 and 2 scrap rubber may be used in any amounts and in any proportion desired.

(b) *Marking of synthetic tires and tubes.* (1) All tires containing synthetic rubber shall have a square or circular colored dot with a minimum dimension of at least three-eighths inch, permanently vulcanized on one side of the tire, the appropriate color to be determined from sub-division (c) (2) of List 22, Appendix II.

(2) All tubes containing synthetic rubber shall have a permanent circumferential colored stripe at least one-eighth inch wide applied on the base section of the tube. The appropriate color shall be determined from sub-division (c) (2) of List 22, Appendix II.

List 35—Regulations for the Manufacture of Rubber Thread

(a) The manufacture of rubber thread for Civilian orders is subject only to the following regulations:

(1) No crude rubber or latex may be consumed.

(2) General purpose synthetic rubber and reclaimed rubber may be consumed in any amounts and in any proportions desired.

(3) Rubber thread may be manufactured in the following sizes only:

Extruded sizing:	*Square or cut thread sizing*
22	24
26	30
30	36
37	42
44	50
50	58
65	70
75	85
100	112
——	120
125	140

(b) The use of crude rubber and latex in the manufacture of rubber thread for Government orders shall be controlled by special authorization.

[F. R. Doc. 43-19409; Filed, December 4, 1943; 11:26 a. 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 3290—TEXTILE, CLOTHING, AND LEATHER [1]

[Limitation Order L–181 as Amended Dec. 4, 1943]

MEN'S WORK CLOTHING

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

§ 3290.125 [1] *General Limitation Order L–181*—(a) *Definitions.* For the purpose of this order:

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

Waistband overalls or dungarees.
Bib overalls.
Overall jumpers or coats.
One-piece work suits.
Work pants.
Work shirts, (whether separate or in ensembles, but excluding uniform shirts).

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

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

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

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

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

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

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

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

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

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

(4) Men's work clothing to fill purchase orders placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development and the Defense Supplies Corporation.

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

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

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

(1) False or more than double stitching:

(2) [Revoked July 3, 1943]

(3) Pockets of more than single thickness.

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

(1) *Waistband overalls or dungarees* with:

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

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

(iii) Back buckle or strap.

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

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

(vi) More than 33½ yards or less than 31 yards to the dozen of 28/29 inch material: *Provided, however*, That for the sole purpose of allowing such garments when made for miners (and each miner's garment shall be designated as such by label or other marking thereon) to include not more than two front leg patch reinforcements, one double seat and one additional leg pocket, the yardage per dozen for such garments shall be not more than 45 yards or less than 37 yards to the dozen of 28/29 inch material, the extra yardage to be used, however, only for such purpose.

(2) *Bib overalls* with:

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

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

(iii) More than fifteen bartacks.

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

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

Provided, however, For the sole purpose of allowing:

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

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

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

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

(3) *Overall jumpers or coats* with:

(i) More than two patch pockets.

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

(iii) Sizes other than 34 to 50.

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

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

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

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

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

(iv) Sizes other than 34 to 50.

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

(5) *Work pants* with:

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

(ii) Tunnel loops.

(iii) [Deleted Dec. 4, 1943]

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

(v) Side buckle and straps.

(vi) Self belt or extension waistband.

(vii) Pleats.

(viii) More than five fly buttons, including waistband, on sizes through 38

[1] Formerly Part 3024, § 3024.1.

and more than six fly buttons, including waistband, on sizes 40 and up, and with more than one hip pocket button.

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

(x) More than 1½ inch hem.

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

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

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

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

(6) *Work shirts* with:

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

(ii) More than single thickness lining in collar.

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

(iv) Lined cuffs.

(v) More than four bartacks.

(vi) Eyelets or vents.

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

(viii) [Revoked May 8, 1943]

(ix) [Revoked May 8, 1943]

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

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

(e) [Deleted Dec. 4, 1943]

(f) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of men's work clothing conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board, Reference L–181, setting forth the pertinent facts and the reason he considers he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

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

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

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

Issued this 4th day of December 1943.

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

[F. R. Doc. 43–19414; Filed, December 4, 1943; 11:26 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L–292, Interpretation 1]

FOOD PROCESSING MACHINERY

The following interpretation has been issued with respect to General Limitation Order L–292:

Paragraph (a) (6), in defining "approved orders" for food processing machinery, includes orders bearing a preference rating of AA–5 or higher assigned on certain specified forms (WPB–617, 576, 748, etc.). These forms in some cases call for the name and address of the supplier.

In these cases, the information intended is the name and address of the probable supplier. Provided the model actually obtained is substantially identical in value, quality, size, operation and function with that named in the application form, the preference rating may be used to get the product from any manufacturer, dealer or processor who has the product on hand or is authorized to manufacture or acquire it. For example, a rating assigned to purchase a 1" centifugal sanitary pump may ordinarily be used to purchase that size pump from any manufacturer if the value is substantially the same as that of the pump described in the application. On the other hand, a rating assigned for a 6-can-per-minute dairy can washer costing $1000 may not be used to get a 6-can-per-minute can washer costing $2500. Similarly, a rating for a copper lined cheese vat may not be used to get a stainless steel cheese vat.

Approval of the form does not operate to authorize the supplier, whether or not named, to manufacture or acquire the product if that is otherwise prohibited.

Issued this 4th day of December 1943.

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

[F. R. Doc. 43–19433; Filed, December 4, 1943; 3:52 p. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT [1]

[Limitation Order L–38, as Amended Dec. 6, 1943]

INDUSTRIAL AND COMMERCIAL REFRIGERATING AND AIR CONDITIONING MACHINERY AND EQUIPMENT

Section 1226.6 [1] *Limitation Order L–38* is hereby amended to read as follows:

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

§ 1226.6 *Limitation Order L–38*—(a) *Purpose and scope.* This order tells how to get new refrigerating or air conditioning "systems" and "parts". With certain exceptions, these may be delivered only for essential uses as explained in Lists B and C, and pursuant to an "approved order" rated AA–5 or higher. In some cases a purchaser is allowed to apply his MRO or other ratings without any special authorization, but in other cases he must apply to the War Production Board for approval. The order also states how much a producer may manufacture during any calendar quarter. It will be noted that certain types of equipment, such as domestic refrigerators, are not included in this order, since they are covered by other orders of the War Production Board.

Definitions

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

(1) "System" means any refrigerating or air conditioning system, consisting of an assembly or combination of machinery, equipment, or other apparatus designed primarily to lower temperature or remove water vapor, directly or indirectly, by mechanical, chemical or physical means. The term does not include a domestic mechanical refrigerator, a domestic ice refrigerator, or heat exchanger equipment, as defined, respectively, in paragraphs (b) (5), (b) (6) and (b) (9) of this order; or coils or low sides which are incorporated into "food processing machinery" (as defined in Order L–292).

(2) "Parts" includes any assemblies of parts, equipment, insulated enclosures and cold storage doors (except insulation materials used therein), accessories, implements or devices designed or intended for incorporation or use in a system or for installation therewith in causing it to perform its functions, except the following materials:

Liquid or gaseous refrigerants
Oil or other lubricants
Cleaning fluids or other solvents
Anti-freeze fluids
Drying agents
Paints, enamels, varnishes, thinners and seam fillers

[1] Formerly Part 1071, § 1071.1.

Wax polishes and rust preventives
Soldering and brazing fluxes and welding rods
Non-metallic filters
Belts and belting
Gaskets
Packing
Insulation materials
Small hardware, such as nuts, bolts, washers, screws and cotter pins

(3) "Producer" means any person to the extent that he is engaged in the manufacture, fabrication, or assembly of new systems or parts, or industrial type extended surface heating equipment, or industrial type humidifying equipment. The term does not include any sales or distribution outlet of a producer.

(4) "Deliver" means: (i) to transfer physical possession, title, or ownership; or (ii) to install for use (but not including a temporary installation solely for the purpose of testing the system or part, or the moving of an installed system from one point on the owner's property to another); or (iii) to place in the hands of any carrier or otherwise in transit for transfer of possession to another person; (regardless of whether such transfer, installation, or shipment is for the purpose of sale, trade, loan, lease, consignment, or other type of transaction).

(5) "Domestic mechanical refrigerator" means any refrigerator for household use which operates either by compression or absorption and which has a net capacity of 16 cubic feet or less (National Electric Manufacturing Association rating), but does not include any low temperature mechanical refrigerator designed for the storage of frozen foods or for the quick freezing of food where the low temperature compartment customarily operates at a temperature of not higher than 15 degrees above zero Fahrenheit and contains 75% or more of the total refrigerating space in the refrigerator.

(6) "Domestic ice refrigerator" means any non-mechanical ice chest or ice box for home use.

(7) "Industrial type extended surface heating equipment" means any apparatus employing a heat transfer element and designed primarily to increase the temperature of gaseous matter, in connection with the operation of any refrigerating or air conditioning system.

(8) "Industrial type humidifying equipment" means any apparatus designed primarily to add water vapor to gaseous matter, in connection with the operation of any industrial or commercial refrigerating or air conditioning system, or for any purpose other than the health or comfort of persons.

(9) "Heat exchanger equipment" means an assembly, bundle or nest of bare or finned tubes installed in a shell or pressure vessel, and designed for the transfer or exchange of heat between two or more fluids (liquids, gases, or vapors), without the use, as a refrigerant, of (i) ammonia, carbon dioxide, methyl chloride, sulphur dioxide, or chlorinated hydro-carbon refrigerants (trichloromonofluoromethanes, dichlorodifluoromethane, dichloromonofluoromethane, trichlorotrifluoroethane, and dichlorotetrafluoroethane), or (ii) brine or water which has been cooled by the use of ice or any of such refrigerants.

(10) "For direct use by the Army, Navy, Maritime Commission or War Shipping Administration" means for direct use by the regular personnel or regular employees of such an agency only (or "for military exchanges or service departments" under Priorities Regulation 17), but regardless of whether delivery is made by the producer or dealer directly to such an agency, or through or to an intermediate dealer or contractor. The term does not mean for use in any privately operated plant or shipyard financed by, or controlled by, any of such agencies, or operated on a cost-plus-fixed-fee basis.

Deliveries: Approved Orders

(c) *Restrictions on deliveries*—(1) *No deliveries except on approved orders.* No person shall deliver, and no person shall accept delivery of, any new system or new parts except pursuant to an approved order, as defined in paragraph (d). Exceptions to this general rule are stated in paragraph (e). Additional restrictions on delivery are stated below in subparagraphs (c) (2), (3), (4) and (5).

(2) *List B items.* No person shall knowingly deliver, and no person shall accept delivery of, any new item on List B, (i) unless the item is for direct use by the ultimate consumer and for the specified use, if any, as shown on that list, or (ii) unless delivery is otherwise permitted pursuant to an approved order of a kind specified in subparagraphs (d) (1) or (d) (4).

(3) *Items for a use permitted by List C.* No person shall knowingly deliver, and no person shall accept delivery of, any new system or parts not shown on Lists A or B, unless the system or parts are to be used by the ultimate consumer for an essential purpose specified on List C. This subparagraph (c) (3) does not affect the delivery of parts for the maintenance or repair of any existing system.

(4) *Parts for items performing List A functions.* No person shall knowingly deliver, and no person shall accept delivery of, any new parts for assembly into any item to perform the same functions as an item on List A. For example, a new condensing unit, low-side, refrigerant connections, or valves, etc., may not be acquired (together or separately) for assembly into or with an insulated enclosure to perform the functions of a "farm freezer" or "frozen food cabinet."

(5) *Heating or humidifying equipment.* No person shall deliver, and no person shall accept delivery of, any new industrial type extended surface heating equipment or industrial type humidfying equipment, except pursuant to an approved order.

(d) *Approved orders.* The following types of purchase orders for delivery of any new system or parts, or industrial type extended surface heating equipment or industrial type humidifying equipment, when rated AA-5 or higher, are "approved orders":

(1) Orders for direct use by the Army, Navy, Maritime Commission, or War Shipping Administration.

(2) Orders by a person and for a direct use, if any, as shown on List B. These orders, when not otherwise rated, are hereby assigned a preference rating of AA-5 within the limited uses specified in List B. The rating may be applied and extended in accordance with Priorities Regulation No. 3.

(3) Orders placed in accordance with any CMP Regulation (including CMP Regulation 1), any preference rating order of the War Production Board (including P-126), or Priorities Regulation 9.

(4) Other orders specifically rated and authorized as follows by the War Production Board on application of the proposed purchaser. The appropriate application form is indicated below:

Resale: Forms WPB-541 (PD-1A) or WPB-547 (PD-1X). These forms may be used by dealers or others who are not producers and who are purchasing for inventory or resale. The correct form depends on the nature of the purchase and of the buyer's business.

Export: Form WPB-541 (PD-1A). This form may be used where the applicant desires to export or acquire for export. Delivery of items by the exporter is subject to the restrictions of List C (see paragraph (c) (3)).

Large installation by ultimate consumer: Form WPB-617. This form is to be used if installation of a system is involved and the cost of the construction (exclusive of the cost of the prime mover, compressor (condensing unit), condenser, receiver, evaporator surface (low-side), controls, indirect cooling units, and cooling tower) is more than $5,000. The applicant should apply for the whole project, including the system, on this form.

All other applications by ultimate consumer: Forms WPB-2448 or 2449. These forms are to be used in all cases other than those above specified. Form WPB-2449 is to be used when the system or parts are required for use in any cold storage warehouse, industrial or commercial ice plant, frozen food locker plant, food processing plant (except a dairy or ice cream plant requiring equipment having a capacity of 5 H. P. or 5 tons (A. S. R. E. specifications) or less), industrial processing of products other than food, refrigerated railroad car, truck or ship, or any air conditioning installation of any size. For all other uses, Form WPB-2448 is the correct form. If authorization is granted on either of these applications, it will be accompanied by any necessary permission to "begin construction" under Conservation Order L-41, and no separate application for that purpose need be made under that order.

Exemptions

(e) *Exemptions*—(1) *List A items.* An approved order under paragraph (c) (1) is not necessary for the delivery of any complete item on List A which is fabricated and in stock, or which may be produced in accordance with paragraph (g).

(2) *Loans not exceeding thirty days.* An approved order is not necessary for the lease or loan of a new system or parts for a period not to exceed thirty days pending the performance of maintenance and repair service to a used system or parts, nor for the redelivery of the leased or loaned system to the lessor.

(3) *Bankruptcy, etc.* An approved order is not necessary for the transfer (to a trustee or receiver for the benefit of creditors) of title to, and/or delivery of, any new system or parts, through voluntary act or by operation of law in bankruptcy, receivership or assignment.

(4) *"Upstream" deliveries.* An approved order is not necessary for the return of unused systems or parts to the person from whom they were purchased.

Utilization of Replaced Parts

(f) *Required utilization of replaced parts.* (1) When any part is delivered for maintenance or repair to any person acquiring the same for use, he must dispose of the replaced used part, if it is made of metal, through regular scrap channels, within thirty (30) days after installation of the new part, unless he returns the same to his supplier (for such reconditioning or disposition as the latter may make). All replaced parts thus obtained by a dealer or producer during any calendar quarter must be either repaired and placed in his inventory, or returned to his supplier of new parts, or disposed of through regular scrap channels, during or within thirty (30) days after the end of that quarter. No block tin pipe shall be replaced unless an equal quantity thereof is returned to the supplier.

(2) The provisions of the preceding subparagraph (f) (1) shall not apply:

(i) Where parts are delivered for installation in any system located outside of the continental United States at the time of such delivery; or

(ii) Where the system requiring repair is being used directly by the Army, Navy, Maritime Commission, or War Shipping Administration; or

(iii) Where the system requiring repair is owned by any Federal, State, or local governmental agency, bureau, department, or political subdivision which is prohibited by law from disposing of such replaced parts in the manner explained in the preceding subparagraph (f) (1).

Restrictions on Production

(g) *List A items.* No producer shall manufacture or assemble any item on List A, unless (1) 75% (by weight) of the total material to be incorporated in the item was fabricated and in the producer's inventory prior to April 6, 1943, and (2) the material cannot be used in the assembly of any system or parts not shown on List A. The manufacture and assembly of these List A items is subject also to all applicable provisions of Order L–126 and all other applicable orders of the War Production Board.

(h) *Other items.* During the calendar quarter starting January 1, 1944, and during each later calendar quarter, no producer shall manufacture or assemble more of any "class" of new systems and parts (other than parts for maintenance and repair) as shown on List D, than his quota for that class. This quota for any class is in terms of aggregate dollar volume (producer's sales price at the factory, exclusive of installation charges), and is the greater of the following two quantities:

(1) His dollar volume of all unfilled orders on hand rated AA–5 or higher for that class of new systems and parts, or

(2) One-sixteenth of the aggregate dollar volume of that class of new systems and parts (other than items on List A) manufactured by him during the calendar year 1940, in addition to his current production required to fill all orders for direct use by the Army, Navy, Maritime Commission or War Shipping Administration.

Producers may manufacture and assemble parts for maintenance and repair without reference to these restrictions, and should not include them in the above quotas.

Miscellaneous Provisions

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

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

(3) *Appeals.* Any appeal from the provisions of this order (or of Conservation Orders M–9–c or M–126 applicable to any systems, parts, or other equipment subject to the terms 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. This letter must be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(4) *Communications.* All reports to be filed and other communications concerning this order (except appeals), unless otherwise directed, should be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref: L–38.

Issued this 6th day of December 1943.

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

LIST A

Delivery of the following items may be made without an "approved order" (see paragraph (e) (1)); however, their production is prohibited for any purpose, except in accordance with paragraph (g).

1. Beer pre-coolers.
2. Beverage dispensers.
3. Bottled beverage coolers, mechanical.
4. Bottled beverage coolers, non-mechanical.
5. Counter and back bar refrigerators.
6. Display cases, single duty, refrigerated.
7. Display cases, double duty, refrigerated.
8. Display cases, florist, refrigerated.
9. Display cases, frosted food, refrigerated.
10. Display cases, full vision, refrigerated.
11. Display cases, vegetable, refrigerated.
12. Display cases, all other types, refrigerated.
13. Dough retarding refrigerators.
14. Draft beer equipment.
15. Drinking water coolers, non-mechanical.
16. Drinking water coolers, mechanical, bottle type.
17. Drinking water coolers, mechanical, pressure type, capacity less than 5 gals. per hour, 80° to 50° with 80° ambient temperature.
18. Evaporative coolers, less than 2,000 c. f. m.
19. Farm freezers (for the freezing and storing of food on a farm).
20. Florist boxes.
21. Fountainettes.
22. Frozen food cabinets, low temperature, not designed for use aboard ship or for use in mobile hospital units.
23. Ice cream cabinets, not designed for use aboard ship.
24. Ice cube makers, self-contained cabinet type.
25. Salad coolers (Bain Marie), mechanical.
26. Self-contained air conditioning units, 2 h. p. or less.
27. Soda fountains, not designed for use aboard ship.
28. Wall type display cases, refrigerated.

NOTE: In no case shall the name or description of any equipment as listed above, include any fixture or item which is not within the meaning of that name or description as customarily used within the trade or industry, even though a particular fixture or item (not within such meaning) could be used for the same or a similar purpose. For example, a "walk-in refrigerator" may not be delivered unrestricted on the ground that it is to be, or could be, used as a "beer pre-cooler" since it is not generally recognized in the trade as being within the meaning of a "beer pre-cooler".

LIST B—ITEMS WHICH MAY BE DELIVERED FOR SPECIAL USES

NOTE: Under paragraph (c) (2), deliveries of the following items may be made for use by the persons and under the conditions specified below. These persons are assigned a rating of AA-5 under paragraph (d) (2) unless their orders are otherwise rated. Deliveries of these items to other persons are permitted only if they can place approved orders of the kinds specified in subparagraphs (d) (1) or (d) (4).

Type of equipment:	*Deliveries permitted for direct use by*
1. Drinking water coolers, mechanical, designed for use aboard ship.	Army, Navy, Maritime Commission, or War Shipping Administration, for use aboard ship.
2. Drinking water coolers, mechanical, pressure type, capacity 5 gals. per hour and over, and from 80° to 50° with 80° ambient temperature.	Army, Navy, Maritime Commission, War Shipping Administration, hospitals, petroleum operators engaged in refining or natural gasoline recovery (as defined in Order P-98-b), or industrial plants (excluding offices, rest rooms and recreation rooms) manufacturing any product or conducting any business or activity listed on Schedule I of CMP Regulation 5: *Provided*, That no existing water cooler shall be replaced except for maintenance and repair as defined in CMP Regulation 5; and that the maximum inlet water temperature is in excess of 70° F. In the case of new installations, a cooler may not be acquired unless it is intended that no less than the following number of people will be served per gallon of water cooled per hour for each cooler installed (including new and existing coolers):

Installation:	*No. of persons served per gal. of water cooled per hour*
In Army, Navy, Maritime Commission or War Shipping Administration installations, or in manufacturing, refining or natural gasoline recovery plants.	10 (bubbler service).
In steel mills, foundries, forge shops and smelting plants.	5 (bubbler service).
In industrial plant cafeterias.	16 (cup service).
In hospitals (military or civilian).	16 (cup service).

3. Evaporative coolers 2,000 c. f. m. and larger.	Army, Navy, Maritime Commission, War Shipping Administration, National Housing Administration, or any person acquiring the cooler for any essential use shown on List C; provided that the installation is to be made in a desert area.
4. Refrigeration systems for farm milk coolers.	Any person who has a purchase certificate from a County Farm Rationing Committee, pursuant to applicable orders of the War Food Administration; also any producer of farm milk coolers operating under Orders L-257 or L-257-a, who may use the ratings assigned to his production schedule.

LIST B—ITEMS WHICH MAY BE DELIVERED FOR SPECIAL USES—Continued

Type of equipment—Continued.	*Deliveries permitted for direct use by*
5. Frozen food cabinets, low temperature, designed for use aboard ship or for use in mobile hospital units.	Army, Navy, Maritime Commission, or War Shipping Administration, for use aboard ship or for use in mobile hospital units, including but not limited to hospital cars.
6. Ice cream cabinets, designed for use aboard ship.	Army, Navy, Maritime Commission, or War Shipping Administration, for use aboard ship.
7. Mortuary refrigerators	Army, Navy, Maritime Commission, War Shipping Administration, institutions or hospitals.
8. Portable bulk ice makers	Army, Navy, Maritime Commission, or War Shipping Administration.
9. Soda fountains, designed for use aboard ship.	Army, Navy, Maritime Commission, or War Shipping Administration, for use aboard ship.
10. Ice cream freezers, commercial, 20 quart capacity or less.	Army or Navy, for use aboard ship or in advance bases (outside the 48 states and District of Columbia).

LIST C—ESSENTIAL USES

Systems and parts (other than items on Lists A and B) may be delivered only on approved orders and for the following purposes, in accordance with paragraph (d) (3):

Part 1. Applications to materials, production or facilities. Mining, industrial, scientific, and technical processes and operations where lowering of temperature, or removing water vapor, or freedom from dust and other impurities, are necessary for production, storage, transportation, operation or repair of materials or products, or precision functioning thereof, when, and to the extent essential for any of the following purposes:

1. Abrasives—production
2. Aerial topography rooms aboard ship
3. Airplanes and parts—production and repair
4. Airport control towers
5. Altitude and low temperature test chambers and laboratories
6. Ammunitions and explosives—production, storage, and transportation
7. Blood plasma—processing, storage, and transportation
8. Blast furnaces (dry blast)—operation
9. Ceramics, electric and dielectric—production
10. Chemicals, including acids, gases, pigments and plastics, where new, additional or continuous productive capacity is essential—production
11. Dairy products—processing, storage, dispensing and transportation
12. Duplicating processes; such as, photographic, photostatic and lithographic—processing and storage
13. Communications products—production and operation of relay stations and exchanges
14. Films, photographic, for military purposes—production and storage
15. Fire control calculation rooms, underground fortifications plotting—switchboard rooms, mine casemates, command posts, and seacoast battery service magazines
16. Foods—processing, storage, dispensing and transportation

NOTE: Acquiring parts for assembly into List A items is prohibited by paragraph (c) (4)

17. Fur cloth for military purposes—storage
18. Glass, non-shatterable—production
19. Ice-production and storage
20. Laboratories—research, analytical, and testing
21. Navigation instruments—production, storage and repair
22. Optical goods; such as bomb and gun sights, range finders, telescopes, and microscopes—production, storage and repair
23. Ordnance, precision parts—production
24. Parachute and balloon—production and storage
25. Pharmaceuticals, drugs and biological products—production, storage and transportation
26. Petroleum products—production, natural gasoline recovery, transportation, refining and marketing
27. Plants and factories—where excessive temperatures, contamination of air, or variations in temperature or humidity would seriously impair the effective use or production of precision instruments, tools or products and materials to fill a "defense order" as defined in Section 944.1 of Priorities Regulation No. 1
28. Precision instruments, tools or products—production storage, operation and repair
29. Synthetic critical products—production
30. Test cells, engine

Part 2. Applications affecting human life or physical capacity. a. Plants and factories—producing equipment and materials to fill a "defense order" as defined in § 944.1 of Priorities Regulation 1, where excessive temperature or contamination of

air would be dangerous to health or result in working conditions unfit for human occupancy. The application shall exclude offices, conference rooms, drafting rooms, cafeterias, restaurants, dispensaries, first aid, change and rest rooms, except in "blackout" or "windowless" buildings or any sealed or interior space, where mechanical ventilation will not suffice.

b. Celestial navigation trainers.

c. Hospital rooms, stationary or portable, military or civilian, for surgical operations or critical convalescent treatment (excluding normal hospitalization), X-ray rooms and Flight Surgeons Clinics.

d. Link trainer rooms.

e. Naval vessels of all types.

f. Tanks, combat.

g. Underground mines, communication rooms, air raid shelters, and plants and factories producing essential materials, where excessive temperature or contamination of air would be dangerous to health or result in working conditions unfit for human occupancy; and then only to the minimum extent required.

h. Waller gunnery trainers.

i. "Jam Handy" and instrument trainer buildings, for military use.

LIST D—CLASSES OF SYSTEMS AND PARTS

NOTE: No item on List A is deemed within any of these classes.

The following classes of systems and parts are to be used in figuring the permitted quotas for any quarter under paragraph (h). If the producer's quota for any class would be greater under paragraph (h) (1), he can fill all unfilled orders on hand rated AA-5 or higher for that class. If it would be greater under (h) (2) for the quarter, his quota for the class is one-sixteenth of the dollar volume of that class made by him in 1940. This one-sixteenth quantity for any class may be made in addition to all orders for direct use by the Army, Navy, Maritime Commission and War Shipping Administration. Parts for maintenance and repair are not counted in the quotas.

1. High-sides (condensing units and compressors).
2. Low-sides (coils and unit coolers).
3. Reach-in and walk-in refrigerators.
4. Drinking water coolers, mechanical, pressure type, capacity 5 gals. per hour and over, and from 80° to 50° with 80° ambient temperature.
5. Condensers.
6. All other systems and parts (other than those on List A).

[F. R. Doc. 43-19453; Filed, December 6, 1943; 11:01 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-38, Interpretations 1 and 2, Revocation]

INDUSTRIAL AND COMMERCIAL REFRIGERATING AND AIR CONDITIONING MACHINERY AND EQUIPMENT

Interpretations 1 and 2 to Limitation Order L-38 are hereby revoked.

Issued this 6th day of December 1943.

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

[F. R. Doc. 43-19454; Filed, December 6, 1943; 11:01 a. m.]

PART 3290—TEXTILE COTHING, AND LEATHER

[General Limitation Order L-68, as Amended December 6, 1943]

CLOSURES AND ASSOCIATED ITEMS

§ 3290.301 *General Limitation Order L-68*—(a) *Definitions.* In this order:

(1) "Copper bearing material" means "copper," "copper base alloys," "copper products" and "copper base alloy products," as defined in Conservation Order M-9-c.

(2) "Zinc" means zinc metal which has been produced by any electrolytic, electro-thermic, or fire refining process. It shall include zinc dust, scrap zinc, zinc metal produced from scrap and any alloy in the composition of which the percentage of zinc metal by weight equals or exceeds the percentage of all other metals. "Zinc" does not include such metal used as a protective coating applied to any of the items covered by this order.

(3) "Zinc products" means zinc in the form of sheet, strip, rod, wire, castings or dust.

(4) "Stainless steel" means corrosion or heat resistant alloy iron or alloy steel containing 10% or more of chromium with or without nickel and/or other alloying elements.

(5) "Process" means to cut, punch or stamp out, or to cast on or otherwise attach to tape.

(6) "Preferred order" means any purchase order, contract, or subcontract, in hand at the time of processing, from or for the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration. The exceptions in this order relating to preferred orders shall apply only for a material, and only to the extent, required by the applicable specifications.

Restrictions

(b) *Restrictions on manufacture of slide fasteners.* No person shall process any metal in the manufacture of slide fasteners or parts thereof, except in accordance with the following requirements:

(1) Copper bearing material may be used as permitted by Conservation Order M-9-c by appeals or otherwise.

(2) Zinc or zinc products may be used to fill preferred orders.

(3) Carbon steel, or stainless steel where required for corrosion or non-magnetic properties, may be used to fill preferred orders and to fill orders in hand at the time of processing for skirt and dress placket fasteners for use in uniforms of the Nurses' Corps of Women's divisions of the Army or Navy of the United States in accordance with the applicable specifications.

(4) Steel acquired upon written authorization of the War Production Board under any of its special programs may be used without restriction, except that the quantity processed for slide fasteners during any calendar quarter shall not exceed 66⅔% of the average quarterly poundage of all metals used by such person for such purpose during the year ending June 30, 1941.

(c) [Deleted Dec. 6, 1943][1]

(d) *Restrictions on manufacture of hooks and eyes and brassiere hooks.* No person shall process any metal in the manufacture of hooks and eyes or brassiere hooks except in accordance with the following requirements:

(1) Zinc or zinc products may be used to fill preferred orders.

(2) Steel may be used without restriction, except that in manufacturing establishments located in Groups 1 or 2 of the labor market areas designated by the War Manpower Commission the quantity processed for hooks and eyes and brassiere hooks during any calendar quarter shall not exceed the average quarterly poundage of all metals used by such person for such purpose during the year ending June 30, 1941.

(e) *Restrictions on manufacture of sew-on, machine-attached or riveted snap fasteners.* No person shall process any metal in the manufacture of sew-on, machine-attached or riveted snap fasteners, except in accordance with the following requirements:

(1) Copper bearing material may be used as permitted by Conservation Order M-9-c by appeals or otherwise.

(2) Zinc or zinc products may be used to fill preferred orders.

(3) Steel may be used without restriction, except that in manufacturing establishments located in Group 1 or 2 of the labor market areas designated by the War Manpower Commission the quantity processed for sew-on machine-attached and riveted snap fasteners during any calendar quarter shall not exceed the average quarterly poundage of all metals used by such person for such purpose during the year ending June 30, 1941.

(f) *Restrictions on manufacture of metal buttons.* No person shall process any metal in the manufacture of buttons or parts thereof for clothing, except in accordance with the following requirements:

(1) Copper bearing material may be used as permitted by Conservation Order M-9-c by appeals or otherwise.

[1] The substance of this paragraph, which was entitled "Salvage of slide fasteners," is now covered by the amendment on December 6, 1943, to paragraph (e) of M-328, and by the addition of "Slide fasteners" to Schedule B of that order.

(2) Zinc or zinc products may be used to fill preferred orders.

(3) Steel may be used to manufacture:

(i) Buttons for delivery to or for the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration;

(ii) Open top buttons consisting of not more than two pieces exclusive of the tack or fastener and limited to 22 ligne fly buttons of plain design and 27 ligne buttons with wreath design for the remainder of the garment, for use on overalls, overall suits, and dungarees, and

(iii) Closed top buttons, consisting of not more than four pieces exclusive of the tack or fastener and not exceeding 36 ligne in size, for use on coated fabric garments.

(g) *Restrictions on manufacture of certain other items.* No person shall process any metal in the manufacture of buckles, burrs, clothing trim or ornaments, corset clasps or boning, eyelets, garter clasps, grommets, grommet washers, hose supporters, loops, rivets, slides, slide-loops, tacks, suspender clasps, trouser trimmings, or parts thereof, except in accordance with the following requirements:

(1) Copper bearing material may be used as permitted by Conservation Order M-9-c by appeals or otherwise.

(2) Zinc or zinc products may be used to fill preferred orders for such products and to manufacture eyelets and boning tips for use in Class I and Class II garments, as defined in Limitation Order L-90 as issued December 15, 1942.

(3) Steel may be used without restriction, except that in manufacturing establishments located in Groups 1 or 2 of the labor market areas designated by the War Manpower Commission the quantity processed for such items (other than loops, slides and slide-loops for work clothing) during any calendar quarter shall not exceed the average quarterly poundage of all metals used by such person for such purpose during the year ending June 30, 1941, and except that loops, slides and slide-loops for men's overalls, overall suits and dungarees may be made in only one size and not to exceed 1⅞", and for boys' overalls, overall suits and dungarees in only one size and not to exceed 1¾".

(h) *Restrictions on delivery and use.* No manufacturer of an item covered by this order shall sell or deliver it and no person shall commercially buy, receive, or use any such item, knowing or having reason to believe that it was manufactured or that it is or will be sold, delivered or used contrary to the purposes and requirements specified in this order.

General Exceptions

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

(1) The sale, delivery or use of parts, manufactured prior to April 1, 1942, for the repair or reconditioning of used slide fasteners.

(2) Any item covered by this order, necessary for use in safety equipment as defined and permitted by Limitation Order L-114.

(3) The use of zinc or zinc products as permitted by paragraph (c) ("General exceptions.") of Conservation Order M-11-b.

Equitable Distribution

(j) *Equitable distribution.* It is the policy of the War Production Board that items covered by this order not required to fill rated orders shall be distributed equitably. In making such distribution, due regard should be given to essential civilian needs, and there should be no discrimination in the acceptance or filling of orders as between persons who meet the seller's regularly established prices and terms of sale or payment. Under this policy every seller of the items, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically, without prejudice because of their size, location, or relationship as affiliated outlets. It is not the intention to interfere with established channels and methods of distribution unless necessary to meet war or essential civilian needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to named concerns. A failure to comply with a specific direction shall be deemed a violation.

General Provisions

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

(l) *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.

(m) *Communications.* All communications concerning this order shall, unless otherwise directed in writing, be addressed to War Production Board, Textile, Clothing and Leather Division, Washington (25), D. C. Ref. L-63.

(n) *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 and imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using materials under priorities control and may be deprived of priorities assistance.

(o) *Records.* Each manufacturer of an item covered by this order shall preserve for at least two years complete and accurate records of inventories and receipts of each metal and alloy used, and of the production, deliveries, and inventories of each such item, classified according to the metal or alloy from which each such item was manufactured. The record-keeping provisions of this paragraph have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 6th day of December 1943.

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

[F. R. Doc. 43-19455; Filed, December 6, 1943; 11:01 a. m.]

PART 3290—TEXTILE, CLOTHING & LEATHER

[General Conservation Order M-84, as Amended Dec. 6, 1943]

CORDAGE FIBER, CORDAGE YARN AND CORDAGE

§ 3290.221 *General Preference Order M-84*—(a) *Definitions.* For the purposes of this order:

(1) "Cordage fiber" means any spinnable vegetable fiber which is, or which may be, commercially utilized for the manufacture of rope or twine including binder and baler twine, but does not include cotton or processor's mill waste.

(2) "Manila" means fiber which is commonly known in the trade by this term and also known as abaca or Manila hemp, wherever grown (either striped or decorticated), but does not mean the fiber grades of T2 and T3, O or Y, or equivalent, as established by the Insular Government of the Philippine Islands, or processor's mill waste.

(3) "Agave" means agave fiber of the species of agave sisalana, agave fourcroydes, and agave cantala, of all grades and qualities including tow, waste and fiber under 20" in length, commonly known in the trade as sisal, henequen, cantala, and maguey, and sometimes preceded by an adjective designating the country or district of origin, but does not include processor's mill waste.

(4) "Jute" means jute fiber, including butts (often called cuttings), also meshta, urena lobata (commonly called congo jute), and punga.

(5) "Istle" means istle fiber, including but not limited to the types or grades commonly known as juamave, tula, palma, pita, and yucca.

(6) "Hemp" means true hemp fiber, line or tow, of the species cannabia sativa, whether grown in the United States or elsewhere.

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

(8) "Coir yarn" means yarn spun from coir fiber.

(9) "Rope" means any rope or cable, treated or untreated, composed of three or more strands, manufactured from cotton or any cordage fiber, each strand composed of two or more yarns, but does not include strings and twines of whatever construction which are commonly used for tying, sewing, baling or other commercial packaging use.

(10) "Twine" means any single or plied yarn or roving including marlin and tarred seizings manufactured from any cordage fiber, or from any other fiber, for use as a tying material, for sewing, or for any similar purpose, but shall not include any product falling within the definition of "rope" or "binder twine" or "baler twine".

(11) "Cordage yarn" means yarns or rovings spun from any of the fibers referred to in definitions (1)–(8), including cotton, and from other vegetable fibers not referred to in this order when spun into rope or twine.

(12) "Binder twine" means a single yarn twine usually made of agave fiber, but also of manila, istle, jute, hemp, coir, cotton, or paper, and used in connection with the growing, harvesting or delivering of agricultural products.

(13) "Baler twine" means a single yarn usually made of agave fiber and used in a self-tying machine for baling hay, straw or other fodder crops.

(14) "Basic monthly poundage" of manila fiber with respect to any processor shall be the average number of pounds per month of manila cordage sold by such processor during the period January 1 through December 31, 1939. Where this order specifies a percentage of the basic monthly poundage to be processed, sold or delivered during any period, any processor keeping his books on a weekly basis shall apply the said percentage to the weekly periods most nearly approximating the period specified.

(15) "Basic monthly poundage" of agave fiber with respect to any processor for any month shall be the average number of pounds per month of both manila and agave cordage sold by such processor during the period from January 1, 1939 to December 31, 1941, minus 37% of such person's manila fiber basic monthly poundage calculated as prescribed in paragraph (a) (14): *Provided*, That any processor keeping his books on a weekly basis may calculate his basic monthly poundage from the fifty-two week period of the 1939 calendar year and adjust any other calculations or quota under this order.

(16) "Processor" means any person (other than a U. S. Government agency) who spins, weaves, or twists, or otherwise uses any cordage fiber or cordage yarn in the production of rope, twine, or any other product.

(b) *Allocation of cordage fiber and yarn.* No processor shall make or accept delivery of any cordage fiber or cordage yarn contrary to directions which from time to time the War Production Board may issue. The War Production Board may from time to time allocate to processors the available supplies of cordage fibers and cordage yarns, and specifically direct the time, manner, and quantities in which deliveries to processors shall be made or withheld.

(c) *Specific restrictions on processing.* The War Production Board may issue specific directions to processors who have received cordage fiber or yarn by allocation under this order or any other War Production Board order or by delivery from any United States Government agency, as to the purpose for which the fiber or yarn may be processed and as to the extension of more critical fibers by mixture with less critical ones in the manufacture of any product.

(d) *Provisions relating to processing of fiber into rope.* (1) No processor may put into process any cordage fiber, yarn or roving to manufacture rope except:

(i) For an end use allowed for rope manufactured from that fiber or yarn in the rope end use schedule, Schedule A, attached to this order, or

(ii) To fill orders placed by or for the account of any United States Government agency having in effect a plan approved by the War Production Board, to screen its orders and requisitions for rope and to eliminate unnecessary end uses of rope manufactured from critical fibers. Only the Army, Navy, and Maritime Commission now have such approved plans in effect. Any agency having an approved plan may, however, instruct its suppliers to deliver rope in accordance with the end use restrictions of this order or any part of them, and to the extent they are thus adopted by such agency the restrictions will apply to its orders.

(2) No processor may in any calendar quarter put into process for the manufacture of rope more manila and agave fiber than the following percentages of his basic monthly poundages:

(i) Manila—111%
(ii) Agave—530%

Use of "extenders", including agave fourcroydes, and spinnable tow, shall not be charged against the permitted quantity of agave. Specific directions may be issued to exceed the above percentages, of either fiber, to permit increased deliveries to particular claimant agencies. If a processor is permitted to exceed his quota of either fiber, he may be required to accept a corresponding decrease in his quota of the other fiber.

(3) Preference Rating AA-3 is assigned to processors to get istle and jute yarns for processing into rope.

(e) *Provisions relating to the processing of fiber into other products.* (1) No processor may put into process any manila or agave fiber for the manufacture of products other than rope, except to produce twine as specified in Schedule B, and other products to the extent and for the purposes specifically authorized or directed by the War Production Board. However, use of agave, other than cantala, or sisalana from Java, Africa, Haiti, or Madagascar, will be authorized from time to time for binder or baler twine.

(2) Manufacturers of wire rope are assigned a rating of AA-1 to get yarn or roving for component parts of wire rope. Material delivered pursuant to this preference rating shall be charged against the processor's non-military quota referred to in paragraph (g).

(f) *Restrictions on delivery of rope and twine.* (1) No processor or dealer may sell, deliver, or accept delivery of rope, or twine produced in whole or in part from agave fiber, except for the purposes for which the product may, under this order, be manufactured. However, there is no restriction on the delivery of rope of foreign origin in Puerto Rico and other West Indian possessions. There is no restriction on sale of rope by retailers from coils already cut on October 27, 1943.

(2) No person may sell or deliver binder or baler twine if he knows or has reason to believe that it is not to be used

for the purposes listed in paragraphs (a) (12) and (a) (13) respectively.

(g) *Allocation of cordage.* (1) The cordage industry will be required to set aside during each quarter the following percentages of the total production of rope:

Manila rope	12%
Agave rope (sisal)	23%
Jute rope	60%

Rope so set aside may be delivered only to fill non-military orders, which for purposes of this paragraph means orders other than orders placed by, or for the account of, the Army, Navy, Maritime Commission, War Shipping Administration, and for other marine uses. However, delivery of rope for harbor and river tugs, ferries, barges, stevedoring, and fishing, and wire rope centers, is classed as non-military, except as orders for these purposes are placed by the above government agencies. These percentages may be varied if additional processing quotas are assigned to permit increased deliveries to particular claimant agencies.

(2) To obtain from the industry the percentages stated above, the War Production Board will assign by letter, to each processor, quotas to be set aside based on the ratio his production of rope for non-military purposes during 1941 bears to the total production of rope for those purposes that year. Therefore, the assigned quota of non-military rope of any processor may be a greater or smaller percentage of all his production than the figure in paragraph (1).

(3) Rated orders (other than AAA) must not be filled if filling them would interfere with delivery of the non-military quota. Processors must advise dealers and distributors who purchase rope from them whether or not it was set aside for the non-military quota. No dealer or distributor who has been advised that rope delivered to him is for the non-military quota may deliver the rope except to fill non-military orders.

(4) Further directions will be given specifying percentages of the non-military quota to be set aside for particular claimants or particular end uses.

(5) The War Production Board may issue directions to processors and dealers for the establishment of emergency stocks of rope for maritime use.

(h) *End use information.* No person may sell or deliver any product controlled by this order to any person who he knows or has reason to believe will use the product in a manner which this order does not permit. He should satisfy himself as to this in some reasonable manner before delivering. He may, but need not, require a statement in writing showing the specific purpose or use for which the item is ordered.

(i) *Restrictions on the use of damaged material.* Any processor or dealer who has in his possession damaged or defective cordage fiber, cordage yarn or cordage may report by letter the extent of the damage and state to the War Production Board the percentage not suitable for the manufacture of products permitted by this order. He may then upon receipt of acknowledgment, without objection from the War Production Board, use or dispose of any portion unsuitable for the manufacture of products permitted by this order, free from its restrictions. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Saving clause.* Specific instructions under M–36, M–63, M–84, or any other order as to processing, use or disposition of cordage fibers, cordage yarn, rope and twine, shall continue in effect under this order until they expire by their terms or are revoked or superseded.

(k) *Invalidity of oral instructions.* Instructions, allocations and directions, under this order, will be by telegram or letter unless otherwise specified, and in the name of the War Production Board. No one is bound by any oral instructions.

(l) *Reports.* Every processor of manila and agave fiber shall report monthly supplying the information required on Form WPB 2901 (formerly PD–128). Processors of all other cordage fibers will report their sales monthly on Form WPB 2901 (formerly PD–128). Processors of all cordage fibers other than manila and agave shall report quarterly, supplying other information required on Form WPB 914 (formerly PD–469). These reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(m) *Imports.* The importation of cordage fibers, cordage yarns, and cordage shall be made in conformity with the provisions of General Imports Order M–63, as amended from time to time.

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

(o) *Applicability of regulations.* Except as specifically otherwise provided 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.

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

(q) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the Textile, Clothing and Leather Division, War Production Board, Washington 25, D. C., Ref.: M–84.

Issued this 6th day of December 1943.

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

SCHEDULE A—CORDAGE END USE

This list specifies the permitted end uses for which rope may be manufactured for non-military end uses from Manila, Agave and other fibers. However, it does not restrict manufacture for and delivery to the Army, Navy, and Maritime Commission. The left hand column lists the permitted end uses. Rope for end uses not listed may not be manufactured. The second column explains more fully the character of the end uses which are permitted. The third column indicates what products may be made of Manila, the fourth, of agave, and the fifth indicates any restrictions on use of fibers other than Manila and Agave, for this product. In the case of Manila and Agave, the word "yes" in the appropriate column means that use of the fiber is permitted, otherwise, it is prohibited. Any restrictions on use of fibers other than Manila and Agave will be specifically stated in column five. If there is a blank in column five, any fiber other than manila and agave may be used.

End use	Definition	Manila	Agave	Restrictions on other fibers
Anchor buoy spar rope	A rope used to steady a spar projecting from the side of a vessel			
Anchor lines—submerged Fishing gear.	A line used to fix the position of stationary gear such as pounds or trap nets, fykes, and anchored gill nets.		Yes	
Anchor lines—sea plane	The anchor rode of a sea plane	Yes	Yes	
Anchor rodes	See anchor lines			
Anchor lines—vessel	A line used to connect the anchor chain and the vessel		Yes	
Anchor lines—small boats	The lines carried on small ships for anchoring		Yes	
Anchor lines—sea anchor	A rope attached to a canvas sea anchor used to retard the progress of a small boat or life raft			
Antenna rope	A rope used for raising or lowering radio antennae for maintaining tension on antenna			
Auxiliary line—Lyle gun	A 3" circ. hawser-drawn to or from a vessel by means of a whip line and which is used to support a breeches buoy.	Yes	Yes	
Awning rope	Rope for reinforcing and securing awning in place			Cotton only.
Awning rope	A small sized rope used to hoist or lower an awning			Cotton only.
Backbone	The rope stitched to the back of the middle of an awning and to which the crows foot is spliced			Cotton only.
Backhaul rope	The rope to haul back a hoisting tackle when it is not heavy enough to return by gravity			
Backhaul rope—boom	A rope used for hauling in the sounding boom aboard vessels			
Bale rope	A heavy wrapping twine for securing large bales or bundles			
Barrel chimes	A special type of sling used only to hoist fuel drums aboard ship where rope is passed through eyes at each end of drum; hoists 4 drums at a time.		Yes	
Band line	See Guard rope			
Beckett	A rope eye or grommet used for the hook of a block			
Beckett—Spirit sail	A small piece of rope with an eye spliced in each end to hold the end of a sprit to the mast			
Becket—Handle	See Handles			
Becket rowlock	A rowlock formed of a rope grommet secured over a throle pin in a sailing launch			
Beckets—Steering wheel	Used for lashing the wheel of a trawler when running on a fixed course			
Beckets—Trawl lines	A short loop inserted at regular intervals in the ground line to provide fastening for the snell or ganging.		Yes	
Bell rope	A small hand rope suspended or attached to a bell and used for the purpose of ringing the bell.			
Belly lines—Otter trawl	Ropes running from the head or foot line to the cod end and seized to the seams joining the top side and bottom sections of the net. Their purpose is to reinforce the net.			
Belt shifter rope	Frequently used on machinery as a medium of shifting belt drive from idler pulley to driving pulley and vice versa.			
Berth bottoms	A network of rope fashioned inside a frame which constitutes the bottom of the berth			Cotton only.
Bight line	A line used to support a heavy line at the bight			
Boat line	A line used to tend boats when coming alongside			
Bobstay	A rope or chain preventing the bowsprit from jumping and leading from the end of the bowsprit to the vessel's stem.			
Bolsch line	A line lashed to the foot rope on which the bottom section of the otter trawl is hung			
Bolt rope—Sail	A rope to which a sail is sewed to reinforce the sail and maintain its shape. The efficient action of a sail depends on the strength and stretching characteristics of the rope both when it is wet and dry.		Yes	
Boom lift (Fishing vessels)	A line rove through tackle blocks attached to the mast and boom. It is used to adjust the angle at which the boom is inclined from the mast and must support the load applied to the fall lines.	Yes	Yes	
Boom-out haul line	A line used to hold the boom away from the amidships when men are working and as a stop to prevent sudden gusts of wind from unsuspected directions, causing the boom to fly over and strike men in the boat.			
Boring machine rope	A rope used to clean inside of large caliber gun barrels after being bored or filed			
Bos'n's chair rope	The rope to which is suspended a piece of board on which a man working aloft is swung and used to raise or lower or support man.		Yes	
Bottom line	See Hanging Rope—Fishing Industry			
Bow lines	*See mooring lines.* A line used in mooring or docking to check the vessel from going astern. Line is led forward through bow check making an angle of less than 45° to the keel.			
Braces	The ropes to control the horizontal movement of the yards			
Brails	Ropes used for furling fore and aft sails such as spanker to the mast. Can be foot—throat—or peak brails.			
Brailer lifting rope	A line rove, singly, through a block attached near the outer end of the boom, or suspended from a pennant between two masts, or a mast and a suitable point on the vessel. Used for various hoisting purposes.	Yes	Yes	
Breast line	*See mooring lines.* A line used in mooring or docking vessels and runs at rightangles to keel and dock.			
Breast line—30 to 50 ton booms	A stay or guy used to prevent swinging of boom when lifting heavy load		Yes	
Breast lines—Pile drive (Fishing)	These lines lead from the sides of pile drivers to anchors and control the position of a pile driver with reference to a definite area in which piling must be spotted for a fish trap.		Yes	
Breast line—Sea Plane and Flying Boat.	Control surge of seaplane when moored or anchored		Yes	
Breast line—Seines & Trawls	Usually the breast line is formed by continuing the lead and cork lines vertically at the ends of the net and splicing them near the bottom. Its purpose is to prevent the wright of the lead line from tearing the netting and to take the towing strain on the net.		Yes	
Breast purse line	A line passed through rings attached to the breast line of a purse seine and fastened near the lead line. Power is applied to this line to purse the end of the net and lift it clear of the purse line.			
Bridles-Seines, submerged traps and gill nets.	A length of line connected to the float and bottom lines of seines and submerged traps and gill nets, the approximate midpoint being attached to an anchor line.		Yes	
Bucket ropes	A rope attached to a bucket and used to raise or lower the bucket			
Bull rope	A rope working through a bull's eye, especially one used in securing a light yard of mast			
Bull ropes	Oil well and gas drilling—A rope 2¼ to 3" diam, in lengths 80' to 120' long with eye splices in each end; used to transmit power in grooved pulleys from engine to bull wheel. (A bull wheel is a large reel, with grooved pulleys attached on which are wound cables for drilling or cleaning out wells.)		Yes	
Bumper rope	A rope secured to the outside of the gunwale of a small boat and used as a permanent bumper			
Bumpers	Bumpers are usually made of old rope, the poorer sections used as filling and the covering made by lacing a strand over the filling. New strand is sometimes required for this purpose.			Coir only.
Buntlines	The lines used to haul the foot of a sail above and forward of the yard for convenience in furling			
Buoy line—fog towing	See Tow line—Towing spar			
Buoy line—deep water fishery	A line connecting a surface buoy and the trawl line and the anchor on the bottom		Yes	
Buoy line—halibut fishery	Same as above	Yes	Yes	
Buoy line—shallow water fishery (50' and less).	Same as above			
Burton rope (below 3" circ.)	A type or part of a cargo fall—a cargo fall is a rope used in unloading and loading vessels			
Burton rope (3" circ. & larger)	Same as above		Yes	
Busy lines	See buoy lines			
Caisson ropes	*See hoisting ropes.* Cable laid ropes used for hoisting			
Calf rope	*See bull rope.* A small size bull rope			
Car puller rope	A rope, either plain or cable laid used for moving railway cars along an industrial siding		Yes	

End use	Definition	Manila	Agave	Restrictions on other fibers
Carriage rope	See mill carriage rope			
Casing lines	Rope used in pulling "casing" out of oil wells			
Cathead lines	Oil well and gas drilling—a rope not smaller than 1¼" diam. used around a drilling rig in oil and gas drilling for hoisting tools, pipe, etc., by means of power driven capstan.		Yes	
Catlines	Same as Cathead lines			
Chinese shrimp bag—Net lines	The lines used by the Chinese shrimp bagnet fishing industry generally confined to San Francisco Bay.			
Clews—Hammock	The ropes running angularly from the hammock surface to the ring or other fitting whereby the hammock is supported.			Cotton only.
Clew line—Sail	A type of lashing rope used to secure the hem rope of a sail to the mast of a small boat			
Clothesline	A rope approximately ¼" diam. used as a drying line			Cotton only.
Cod end rope	This line is passed through the last meshes or rings attached to the fish bag opening and serves to close and open the fish bag or cod end.	Yes	Yes	
Cod line	See cod end rope			
Cod lines	Small sized lines, generally lightly tarred, used for ground fishing			
Compressor pull back	See chain compressor fall			
Concluding line	A small rope rove through the middle of the steps of a Jacob's ladder			
Construction Rigging Rope (below 1" diam.).	Used in construction of new machinery and repairs to existing machinery or equipment. Also for the maintenance of existing and construction of new structures, including power lines and communications systems. In shipyards, for uses in building of yards; construction of new hulls and the repair of existing vessels.			
Construction Rigging Rope (1" diam. and over).	Same as above		Yes	
Cork line	See Float line			
Crab line	Usually a 3/16" to ¼" soft laid rope used as the bait line by inserting bait between strands in the crab fishing industry.			
Crackers	A short length of fiber drilling cable used in conjunction with a wire drilling cable affording spring or elasticity to the wire line. Generally 2⅛" diam. and larger.	Yes	Yes	
Cringle	A piece of rope spliced into an eye over a thimble in the bolt of a sail			
Davit rope	See Falls			
Derrick lines	See hoisting rope			
Dogsled—Gang line	Main line to which dog harnesses are fastened when pulling a sled		Yes	
Dip rope	Usually 7" circ. rope used in connection with clearing a foul chain aboard ship		Yes	
Dock lines	See Mooring lines			
Dory lift	See Falls—Lifeboat			
Down hauls—Pounds and traps	A line passing around a windlass and trap or pound, and through an eye fastened to a pile, or suspended to a weighted chain, for the purpose of raising or lowering the trap spillers, for brailing or fishing. The bottom of the spiller is attached to the down haul.	Yes	Yes	
Down haul	See Hoisting Rope—Sail			
Drag ropes—Trawls	Ropes used to drag a small trawl for certain fishing purposes, used in small boats not equipped with drums for wire cables.	Yes	Yes	
Dragging rope	A rope generally attached to a hook of one variety or another and used to locate and recover objects lying on the bottom of a body of water.			
Draw line	See Cod end rope			
Dressing lines	The lines used in the display of national colors (flags) at all mastheads and the flagstaff aboard ships.			
Drift line—Gill net fishing	A line by which the net is secured to the boat while drifting			
Drilling cables—gas wells (2" diam. and above).	Used for operating the tools in "cable tool" drilling	Yes	Yes	
Drilling cables—oil wells (2" diam. and above).	Used for operating the tools in "cable tool" drilling	Yes	Yes	
Drilling cables—water wells	Used on portable machines for drilling water wells. Usually made in size 1¼" diam. to 1⅞" diam. inc.		Yes	
Drilling cables—quarry and mining	Used on drilling machines for drilling blast holes. Usual sizes 1¾" diam. to 2" diam. incl.		Yes	
Drop hammer rope	In aircraft and auto industry used to raise the drop hammer for forming metal parts	Yes	Yes	
Dumbwaiter hand rope	The rope used for operating a dumbwaiter			
Earing	A short piece of rope secured to a cringle for hauling out the cringle			
Easing out line	A line used in clearing hawse and in mooring for easing out a chain which has been unshackled			
Eel pot Rope	See Buoy line			
Electric Linemen's Rope	Used by linemen on high voltage work as a general utility line		Yes	
Elevator Rope	A hoisting rope which supports an elevator		Yes	
Elevator Pull Rope	A rope used to stop and start power of a power driven elevator; also a hand rope to raise or lower a hand powered elevator.			
Elevator Gate Rope	A rope attached to a gate or door and attached to counterbalance to facilitate operation of gate.			
Emergency Line—Bristol Bay Gill Net Boats.	An emergency all-purpose line used by Bristol Bay Fishermen	Yes	Yes	
Execution rope	A rope used to carry out the death sentence of a court		Yes	
Falls—Accommodation ladder	A rope used to lower, hoist or support a ship's ladder or pilot's ladder over to side of a vessel		Yes	
Falls—Ammunition	Ropes, other than box handles, used for handling ammunition	Yes	Yes	
Falls—Anchor	The tackle used for hoisting an anchor to the deck, usually used in connection with davits		Yes	
Falls—Awning tackle	See awning rope			Cotton only.
Falls—Boat	A rope used, generally in conjunction with a pair of davits to raise or lower small boats, other than lifeboats.		Yes	
Falls—Boom tackle (fishing vessels)	A tackle attached near the outer end of the boom or suspended from a pendant attached to one or two masts or a pendant between the mast and a suitable point on the vessel.	Yes	Yes	
Falls—Cargo (below 3" circ.)	A 3 or 4 strand rope used in loading or discharging cargoes			
Falls—Cargo (3" circ. and larger)	Same as above		Yes	
Falls—Chain compressor	A rope used to check the speed and direction of the anchor chain		Yes	
Falls—Coal	A 3 or 4 strand hard laid rope used in discharging coal cargoes		Yes	
Falls—Flagstaff	See Halyard—flag and signal			
Falls—Fishing dory	See Falls—lifeboat			
Falls—F. O. Hose Davit	Rope used to raise, lower or otherwise handle fuel oil hose for refueling vessels		Yes	
Falls—Kingpost	See topping lift fall			
Falls—Lifeboat	A rope used generally in conjunction with a pair of davits, used to raise or lower lifeboats which contain people.	Yes	Yes	
Falls—Purse boat	A pair of tackles suspended from davits used to raise and lower the purse boats and seine which weigh about 5 tons.	Yes	Yes	
Falls—Powder tank	Used in handling powder tanks (lowering and hoisting)	Yes	Yes	
Falls—Topping lift (below ⅞" diameter).	The falls used for raising and lowering the boom			
Falls—Topping lift (⅞" dia. or larger)	Same as above		Yes	
Falls—Ventilation	Rope for adjusting windsails (ventilators) in position			
Fenders	See bumpers			Coir only.
Fire escape rope	Rope used for fire escape in hotel rooms, etc., not connected with outside stairways			
Fisherman's cable	*See anchor lines.* Cable laid rope, sometimes tarred, for use off the fishing banks for anchor line			
Fish bag release line	See cod end rope			
Float line—Fyke nets	The floatline is used to support the leader netting of fyke nets			
Float line—Gill nets	A line to which the corks or floats are attached and supports the netting			
Float line—Haul seine	The line which contains the floats and is used to float a haul seine	Yes	Yes	
Float line—Otter trawls	The main line to which the top netting of an otter trawl is attached	Yes	Yes	
Float line—Purse seines and ring nets	The buoyed line to which the top of the netting is hung	Yes	Yes	
Float line—Submerged gill net	A buoyed line which supports the webbing		Yes	
Foot rope—Otter trawl	The main bottom line of a trawl to which the foot rope hanging line is secured. "Bolsch" weight and roller line may also be attached.	Yes	Yes	

End use	Definition	Manila	Agave	Restrictions on other fibers
Foot rope—Auxiliary	See "Bolsch" line			
Foot rope—Hanging line	See "Bolsch" line			
Foot rope—Serving	Rope wrapped around the steel cable foot rope to protect the trawl hangings and bolsch line seizings.			
Foregoers	The line carried by the projectile in modern whaling	Yes	Yes	
Frapping lines	A line passed around a boat fall, one end being made fast on deck and other end being hauled taut and belayed to prevent boat from swinging.			
Furling line	A small line secured to the mast and used for furling fore and aft sails			
Furnace charging bucket rope	A rope used in conjunction with the charging of steel furnaces with scrap metal			
Gangings	Short lines varying from 1 foot to 6 feet in length having a hook at one end which are attached at regular intervals to the trawl or ground line.			Cotton only.
Gantline	See Falls			
Girtline	See Falls			
Governor rope for use on elevators	A rope, usually $\frac{5}{16}$" to $\frac{3}{4}$" dia. used as part of the safety equipment to prevent overspeeds on elevators.		Yes	
Grab rope	A line secured waist-high above a boat-boom or gangplank used for steadying oneself			
Grab line—Life boats and life rafts	A line fastened to outside of life boat to right a capsized boat or as a grab rail			
Grapnel cables—For cable ships	A combination of wire and fiber—the fiber is used to either fill in the interstices or to actually seize the wire to increase the friction grips of the cable on the hoisting drum.		Yes	
Grapnel line	See dragging rope			
Ground line	See foot rope			
Ground lines—Trawls (otter)	See spreaders			
Ground line	See trawl lines			
Guard rope	A rope used to bound a permitted area—A safety rope used, for instance, as a railing			
Guess warp (3" circ. and larger)	A line by which a bight is secured to the swing boom. It may be slacked off from the deck. A line rove through a thimble at the outer end of a boat boom, used for securing the boat to the boom. In general a hauling line laid out by a boat, a portion of the line coiled down in the boat.		Yes	
Guess warp (below 3" circ.)	Same as above			
Guide line	See tag line			
Guy lines	A rope used to hold or steady some object such as a pole or mast			
Guy lines—Fish trap	Lines from stake traps to anchors to steady the trap and counteract the influence of weather and currents.		Yes	
Guy—Lazy	Running rigging to steady a boom in a seaway			
Guy—Lazy jack	Lines often forked reach from above on each side of a fore-and-aft sail to about the middle of the boom to confine the sail when it is lowered.			
Guy line—Preventer	Preventers are generally made up with an eye splice at one end which is shackled to the topping lift bands at the bottom head or looped over the boom head. Used generally when handling heavier types of cargo as a safety measure. A rope used as an additional support for added security.		Yes	
Guy lines—Vessel	Lines usually rove as tackles made fast to the ships bulwarks and to wire rope pennants from the outer end of the boom. They are used to regulate the lateral position of the boom.		Yes	
Halibut line	See Trawl line			
Halter	A rope about $\frac{1}{2}$" diam. soft lay, used for tying horses and cattle, and making halters			
Halliards	See Halyard			
Halyards—Flag and signal	Ropes used for hoisting flags and signals			
Halyards—Spar and sail	See Hoisting Rope—Sails			
Hammer fall rope	A rope used on pile driving equipment in hoisting the hammer to the derrick head. The rope is then released dropping the hammer onto the pile head.		Yes	
Hand lines	A small rope used to raise or lower small objects by hand. For instance between ground and scaffolding, etc.			
Hand lines	Small sized lines generally lightly tarred used for bottom fishing			
Hand rail—Life rafts	See grab line—life boats and life rafts			
Hand rope	See Grap Rope			
Hanging ropes—Pounds and traps	Lines to which various sections of netting such as pots, spiller hearts and leads are hung. These lines support the netting. Also the lines used to reinforce the wire netting used in salmon traps.		Yes	
Handles—Buckets	Rope handles for wooden, canvas or other type buckets			
Harpon line—Swordfish	A line attached to the harpoon and a buoy keg which is used to tire the fish		Yes	
Harpoon line—Whale	A line connecting an explosive harpoon (fired from a gun) and the vessel	Yes	Yes	
Haul up line (Otter trawl)	The line is fastened to the splitting strap and runs to the head rope to be readily accessible. Power is applied to this line to assist in raising the net, splitting the catch and raising the splitting strap in order to engage the fish tackle.	Yes	Yes	
Hauling line (seine)	A line attached to the end of the seine to increase the circumference of the circle which may be made around a school of fish.		Yes	
Hay rope	A rope used generally in conjunction with a hay fork to load hay into farmers storage			
Hay loader rope	The rope used in the operation of hay loaders			
Head line	See Towing Rope. The line from the bow bit of a tug to the tow			
Head rope	See Float line			
Head & Stem Line (fishing industry)	Ropes that lead from head and stern of pile drivers and rigging scows to anchor; in order to control their off-shore positions.		Yes	
Heart Ropes—Wire ropes	See wire rope centers			
Heaving line	A length of light line, weighted at one end, which is thrown to a wharf, etc., in order to assist in getting the mooring line to the wharf.			
High Climbers rope	A rope having a wire core used in timbering as a safety device and also a method of climbing tall trees for the purpose of cutting off the tops. The wire center is to add strength and also to serve as a guard against the rope being severed by a slip of the axe.		Yes	
High tension rope	See Electric linemen's rope			
Hitch rope	The rope attached to the hitch weight for temporarily securing a horse or team			
Hobble rope	See Leg Rope			
Hoisting rope—Hot dip galvanizing	Rope used in processing of hot dip galvanizing by lowering the metal objects into acid bath or hot metal.		Yes	
Hoisting rope—Sail	A rope used to hoist and lower the gaffs and sails of small boats		Yes	
Hoisting line—Fishing industry	A line rove singly through a block and used to unload fish		Yes	
Hoisting rope (3" circ. & larger)	A special rope for heavy hoisting		Yes	
Hoisting rope (below 3" circ.)	Same as above			
Hook rope (3" circ. & larger)	Used for mooring a ship to a buoy or in weighing anchor		Yes	
Hook rope (below 3" circ.)	Same as above			
Hook-on-line	See shore line			
Jack rope	The lacing securing the foot of a sail to the boom			
Jackstay—Hammock	The reinforcing ropes in the bed of a hammock			Cotton only.
Jackstay—Life float	Rope used to lash netting to wooden ring of life float		Yes	
Jacob's Ladder	See Ladder-pilots			
Jaw rope	A span of rope leading from the jaws of a gaff around the mast, strung with hard wooden beads		Yes	
Jumper	A rope used to prevent a spar from jumping up; specifically, the rope from the outer end of the whiskers to the martingale.			
Jumperstay	An extra stay from the masthead to the rail and set up by a tackle		Yes	
Jilson	See Brailer Lifting Rope			
Jilson—After	Holds the mid section of the foot rope in place before the main Jilson is hooked up		Yes	
Keeling Line—Pile driver	A heavy utility line used aboard a pile driver for seating trap bracing pilings, capping logs and other heavy work.		Yes	
Ladder—Extension	The rope used for expanding and contracting and extension ladder			
Ladder—Pilots	A rope ladder, usually with wooden steps, hung over the side of a ship for the pilot's use			
Ladders—Ropes	A ladder formed by splicing cross ropes between two longer ropes for steps. These ladders take several forms, some with wooden rung or flat steps held between 4 upright ropes; some with oval end pieces of wood supporting round steps, the oval held by 2 ropes lashed at the points of the ovals.			

End use	Definition	Manila	Agave	Restrictions on other fibers
Lair rope	See Pack Rope			
Lanyard	A line attached to an article to make it fast			
Lanyards	Rope used for tightening the shrouds and stays on board ship			
Lanyards—Fender	Generally 3" to 3½" circ. Reg. Lay. Used for lashing fenders to rail (tug boats)			
Lanyard—Hammock	The rope attached to the hammock clews by which the hammock is suspended			
Lanyard—Tripping	See trip rope or tripping line			
Lanyard—Whistle	The rope or cord used for blowing a whistle			
Lariat rope	A very hard laid rope used for lassoing cattle			
Lashing rope	A general rope used for tying down or securing any object but not for shipping purposes			
Lashing ropes	Ropes for securing cargo in transit			
Lashing rope—Aircraft	Lashing rope used for securing equipment, etc. in transport planes		Yes	
Lashing rope—Dory	Used to lash stacked or nested dories on a trawler			
Lashing rope—Gripe	A lashing spliced to the lip of the gripes, and secured to either the davit head or strong back, for purpose of securing life boat on deck of vessel.		Yes	
Lashing rope—Life rafts	A rope used to tie or otherwise secure life rafts aboard deck o. a vessel			
Launching rope	A rope used in connection with the launching of a vessel		Yes	
Launching rope—Trigger	Rope used in shipyards to trip device allowing vessels to slide down ways		Yes	
Lead line—Sounding	A plain or cable laid rope used for determining the depth of water			
Lead line—Fyke nets	A leaded line attached to the bottom of the fyke leader			
Lead line—Gill nets	A leaded line attached to the bottom of the gill net			
Lead line—Haul seines	A leaded line attached to the bottom of the haul seine netting		Yes	
Lead line—Otter trawls	A leaded line attached to the foot rope			
Lead line—Purse seines and ring nets	A leaded line attached to the bottom of a purse seine or ring net	Yes	Yes	
Lead line—Submerged gill nets	A weighted line attached to the bottom of a gill net		Yes	
Leader hanging rope	Ropes used to hang a lead used in connection with seines			
Leader rope—Reef nets	A rope used to hand a lead used in connection with reef nets		Yes	
Leech lines	The rope used to haul the leech of courses and sometimes Top Sails along the yard			
Lag rope	A small size rope used to hobble horses and other animals			
Life line	See auxiliary line—lyle gun	Yes	Yes	
Life line	A line secured along the deck to lay hold of in heavy weather			
Life line	A knotted line secured to the span of lifeboat davits for use of the crew when hoisting and lowering.			
Life line—Divers	A line used to raise and lower a deep sea diver	Yes	Yes	
Life line—Fire & Police Departments	A rope used in conjunction with the saving of life or valuable property		Yes	
Life line—Lifeboat or life raft	A line festooned in bights, along each side of a lifeboat or raft, life raft or float. Each bight is equipped with seine floats.			
Life preserver rope	The hand rope around the outer side of a circular life preserver			
Life preserving rope	Used from a reel set up on a beach with cork ring or torpedo life preserver attached. Life preserver carried out to victim by life guard. Rope used to pull both ashore.			
Lifts	Yards are supported at the yardarm by lifts, leading through blocks or fair leaders at the masthead and thence to the deck.		Yes	
Lift—Trolling pole	A pole or tackle suspended from the mast and connected to the trolling poles for the purpose of raising or lowering the latter.			
Lifting lines—Divers outfits	Lines used to lift products harvested from the bottom, such as sponges, precious corals avalone, etc. by divers.		Yes	
Lizzard	A rope fitted with a thimble and used as a leader for running rigging			
Lobster Pot Warps	See Buoy Line—Shallow water fisheries			
Lock Lines	See Tow lines—Canal			
Lock gate operating lines	Used for operation of canal lock gates			
Log line	A line used to transmit the rotation of the log propeller to the recording instrument aboard the vessel.			
Long line	See Trawl lines			
Lug ropes	Short, heavy ropes for tieing canal barges together		Yes	
Main fish tackle	See Falls—boom tackle			
Man ropes	See grab ropes			
Man ropes	Ropes hung over a ship's side and used for assistance in ascending or descending		Yes	
Mats—Blasting	Solid woven mats, 6 to 12 ft. sq. used to cover blasting areas to prevent flying fragments			Coir only.
Messenger	A line used to lead the heavy tow line around the capstan in ocean tow boats			
Messenger	A light rope used for hauling over a heavier rope or cable, or fuel line			
Messenger—Side set trawlers	A line used to haul the towing warps to the towing block		Yes	
Mill carriage rope	Used for moving a carriage, such as a log carriage back and forth			
Millwright rope	See construction rigging			
Mooring lines (below 3" circ.)	Ropes used in mooring or docking vessels			
Mooring lines (3" circ. and larger)	Same as above		Yes	
Mooring lines (vessels 40,000 gross tons and over).	Same as above	Yes	Yes	
Mooring lines	A rope attached permanently to a submerged anchor or weight used as a harbor mooring for small boats, yachts, etc.		Yes	
Motion picture screen arrangement	Lowering and hoisting screen			
Net—Brails	A dipnet used to remove fish from a trap			
Net—Cargo	A net constructed of rope and used for loading or discharging cargo from a ship			
Net cargo—Stays	A rope, sometimes referred to as a jackstay which serves as an outer frame for a cargo net and to which the net is lashed.		Yes	
Nets—Circus safety	The nets suspended below trapeze and other circus performers			
Nets—Construction safety	The net used for the protection of workmen on construction jobs			
Net—Lashing rope	Lines used to lash net on deck to rail when net is stored away			
Net—Life float platform	A net used to support the platform of a life float			
Net—Life net rope	The rope used for making life nets used in Fire Department			
Nets—Save all	Nets hung from the sides of a ship to the dock to prevent cargo from falling into water in case of accident when discharging.			
Net—Save all—stays	A rope, sometimes referred to as a jackstay which serves as an outer frame for a save-all net and to which the net is lashed.		Yes	
Nigger lines	See Hauling Lines			
Ocean Bathing Safety Rope	A rope supported by poles or buoys which serves as protection to bathers			
Outboard gripe (lifeboat)	See lashing rope—gripe			
Outhauls	The ropes by which sails are hauled out on the boom. These ropes are named for the part of the sail they control, i. e. head outhaul—foot outhaul.			
Outhaul line—Boom	A line used to rig the boom out from amidships position to overside for sailing or to remove it from the area when men are working.			
Oyster Tong Hoisting Rope	A rope to raise or lower tongs used in oyster fishing		Yes	
Pack Rope	A light lashing line for tying packs, generally on animals			
Painter—Small Boat or Skiff	A rope in the bow of a small boat used in making fast, and for towing a small boat			
Painter—Lifeboat and Life Raft	Same as above	Yes	Yes	
Painter—Sea	A rope, one end of which is attached to a small boat the other end to the bow of a ship. This rope is of sufficient length to allow the small boat to maneuver alongside the landing stage of the ship. Is used particularly during rough weather.		Yes	
Painter—Seine	A line attached to the fish—bag end of a purse seine for the purpose of pulling the seine to the side of the vessel and completing the circle of netting about the fish.		Yes	
Painter—Shank	The rope securing the fluke of an anchor on the billboard to a toe of the tumbler arm			
Parbuckle rope	Two ropes for handling a spar or cask over the side in the bight of the rope			
Paying out lines	See Easing out line			
Pendant rope (below 1" diam.)	The vertical rope support of a cargo fall			
Pendant rope (1" diam. and larger)	Same as above		Yes	
Pendant—Heavy weather	A line used to control boom hook in heavy weather			
Pendant—Kingpost	See topping lift			
Picket lines	Lines to which the halters of horses or mules are attached			

End use	Definition	Manila	Agave	Restrictions on other fibers
Pile driver rope	See Hammer fall rope			
Pipe Bending rope	Performed on flat table with steel pegs. Pipe preheated—Rope Hooked on to protect end of pipe and by means of a winch, pipe is pulled to form the correct or required angle of bend.			
Ploughlines	Small rope used for reins when plowing			
Polishing machine rope—textile equipment.	Rope wound and fastened to scrubbing and polishing rollers on textile polishing machine			Coir only.
Potwarp	A thread rope connecting a buoy with a lobster pot on the ocean floor; used also to hoist the lobster pot.		Yes	
Power transmission rope (½" and larger).	Power transmission rope is an endless rope used in transmitting continuous mechanical power between driver and driven sheaved pulleys.		Yes	
Power transmission rope (below ½" diam.).	Same as above			
Preventor guy	A line fastened between the mast and boom to add an additional safety factor for heavy lifts on the boom.		Yes	
Projectile line	See shot line			
Pull rope	Attached to cart, wagon or other vehicle used to pull or move apparatus by hand, such as hand drawn fire hose apparatus.			
Punt handling rope	Lowering and hoisting punts			
Purse bridles	See purse-ring bridles			
Purse-ring bridles	Lengths of line with the ends seized to the lead line of a seine so as to form bridles. To the center of each bridle is seized a purse-ring.			
Purse line	A line rove through rings attached to the bottom of a seine. By hauling on this line the bottom of the net is closed or pursed.	Yes	Yes	
Purse seine bow line	A short length of line fastened to the cork line on a purse seine in such a position as to be opposite the bow when the ends of the seine are hove to the side of the vessel. This line is made fast to the bow in order to prevent the cork line from going under the bow while pursing the net.			
Purse seine stern line	See purse seine bow line			
Purse weight line	A line used to raise and lower the "tom" weight on East Coast purse seines.			
Quarter rope	A pair of lines used on side-set otter trawls that are fastened to the foot rope at the junction of the wing and the bottom. Each line is passed thru an eye in a similar position on the head rope and made fast to the outer end of the wing. They are taken to the gypsy heads and power applied in order to draw the head and foot rope together and bring the wide part of the trawl aboard at the conclusion of a drag.	Yes	Yes	
Raft ropes	A three strand rope used in binding logs together while being floated to a sawmill			
Rat lines	A short length of tarred hemp rope, usually ¼ "to ½" diam. running horizontally across the shrouds for a step.			
Reef points	Short lengths of rope secured to a sail used for reefing			
Release line	See Cod end rope			
Retrieving line	See Easing-out line			
Rib lines—Otter trawls	See Belly Lines—otter trawls			
Rib lines—Pounds and traps	See hanging rope—fishing industry			
Ridge rope	The rope rove through stanchion heads to which the awning stops and lacings are hauled out. The backbone of an awning. The backbone of any heavy tent.			Cotton only.
Ring rope	The rope used to bend the chain to the anchor ring		Yes	
Rip cord—Sailing ships	Rope used to break out sails put up in steps			
Running line	*See Messenger.* A line coiled in a boat and run from the ship to a dock or another ship			
Running line—Pile driver	See hoisting rope			
Safety rope—Antenna	Check swing of antenna aboard vessels			
Safety belt rope	A rope used either in the construction of a belt or attached to a belt used to suspend or support a person while engaged in hazardous work.		Yes	
Sail hem rope	See bolt rope—sail			
Sand lines	A small size cable laid rope; usually ⅝" diam. to 1¼" diam. incl. Sand lines are used to hoist the bailer in well drilling.			
Sash cord	Used for support of sash weights in window casements			Cotton only.
Scaffold rope	See staging			
Scaling rope	Generally similar in construction to a High Climber rope—i. e. with a steel core. Used to lower a person over the side of a cliff in a mine or quarry for the purpose, for instance, of drilling.		Yes	
Set line	See trawl lines			
Sheehan carrier rope	A small transmission rope usually ½" to ⅝" diam. used for carrying the wet sheet around the drying rolls in a paper mill.			
Sheet rope—(below 1" diam.)	A rope, often rove as a tackle—which regulates the angle at which a sail is set in relation to the wind.			
Sheet rope—(1" diam. and larger)	Same as above		Yes	
Shore line—gill nets and seines	A length of line used to fasten the inside end of a net to the shore while towing the outer end. The purpose of this operation is to hold the net in position and increase the catch.		Yes	
Shot lines—Lyle guns	Soft laid rope used in connection with Lyle guns for rescue work on disabled ships	Yes	Yes	
Shovel lines	A line used in operation of shovels in unloading of grain boats		Yes	
Shrouds	Side stays from the mast-head to the rail and set up by deadeyes			
Shrouds—Lifeboats	Same as above		Yes	
Signal rope	Any rope used to convey signals by means of "Jerks", etc			
Signal rope—Deep Sea Diving	A rope used to convey signals from a diver working below the surface of the water to a boat above.		Yes	
Skates—Vertical (lifeboats)	Ropes used to steady lifeboats and prevent them from capsizing while being lowered from davits		Yes	
Slings (below 3" circ.)	Ropes either spliced endless, knotted or used in conjunction with rigid platforms and used for the transference of cargo or equipment by means of hooks, derricks or hoists, etc.; the sling is secured around the object to be moved.			
Slings—(3" circ. and larger)	Same as above		Yes	
Sling shots—Halibut fishery	A line inserted between the ground or trawl line and the anchor or to serve as a point of attachment of the buoy line.			
Slip line	See Cod end rope			
Slip rope	A rope bent to the anchor cable outboard of the hawsepipe and secured on the vessel's quarter; used in slipping the cable.		Yes	
Slip shots	See Sling shots			
Smiting line	See Rip cord—sailing ships			
Snells	See ganging			
Snerter	A hand line used around the deck of a trawler to move heavy objects			
Snubbing rope	A rope used to hold or retard the progress of a load or object		Yes	
Sounding line	See lead line			
Spinning lines	A rope used in conjunction with oil well drilling to couple or uncouple lengths of pipe		Yes	
Spray hood hem rope	See bolt rope—sail			
Spreaders—Otter trawls	Consists of 1 or 2 lines between each otter door and its corresponding wing. The purpose of these lines is to increase the distance between the doors and thus increase the efficiency of the gear.	Yes		
Spring lines	*See Mooring lines.* A line used in mooring or docking to check the vessel from going forward or astern heading at an angle of 45° to the keel. Includes bow spring, quarter spring, waist spring, stern spring, etc.			
Sprit hem rope	Bolt rope—sail			
Sprit line	Line used to raise sprit sail on Bristol Bay gill netters			
Sprit tackle	Tackle used to adjust sprit sail			
Stage painter line	See Bos'n's chair rope			
Staging rope	A rope used in the support of a temporary structure of boards		Yes	
Staging rope—Deep sea diving	See Life Line—diver			
Stake lines	Lines used to maintain stationary gear in position such as the lines leading from fyke nets, pound nets, or trap nets to stakes or piling.			

End use	Definition	Manila	Agave	Restrictions on other fibers
Stationary tackle	A triple purchase to hold up the boom of a trawler		Yes	
Stay	A rope used for supporting a mast		Yes	
Stay running backstay	Used in a small sailing vessel to stay the mast, the weather one being set up and the lee one loose		Yes	
Steadying lines	See guy lines			
Steering gear—Emergency rope	Emergency steering apparatus for operating steering device of disabled vessels by hand		Yes	
Steeple jack rope	See Bos'n's chair rope			
Stem line	See mooring line			
Stern fasts	Used by menhaden purse boats while they are being towed behind the large boat and as they approach a school of fish.	Yes	Yes	
Stern line	*See Mooring lines.* A line used in mooring or docking to check the vessel from going forward. Line is led aft thru stern chock making an angle of less than 45° to the keel.			
Stevedoring rope	See Falls Cargo. A special rope for high speed hoisting; used over winch or a gipsy head			
Stops	See Reef points			
Stopper	A line used to steady or stop the working end of a vessel's cargo boom			
Stopper-menhaden	A line used to stop the working end of the purse boat lifting tackle		Yes	
Stowage rope	See lashing rope			
Strap	A rope spliced endless, usually with a short splice used in suspending or making fast. A small sling is sometimes called a strap.			
Strap—Anchor	A short line with an eye splice in each end, one of which is attached to the anchor			
Strap—Belly	A rope passed around a boat for hanging a kedge anchor in carrying out the anchor		Yes	
Strap—Bow (Small Boats)	A line passed through a hole in the stem of a skiff or small boat and spliced to form a loop. The skiff painter is attached to this loop.			
Strap-block	A strap used to suspend a block aloft		Yes	
Strap—Buoy keg	Consists of two lines tightly fitted around the side of a keg and interlaced to prevent their working over the ends. The two loops are provided with two bridles for fastening the buoy line and flagpole.			
Strap—Flagpole	Consists of a bridle attached to the flagpole and a line for attaching to the buoy keg			
Strap-lifting (fishery)	A strap used to wrap around nets, lines or objects in order to hook them to the lifting tackle	Yes	Yes	
Straps—Skate bottom	Consists of 4 short lines spliced one to each corner of a small square of canvas. Two adjacent lines are provided with a grommet and the complete "skate bottom" is used to hold a skate of gear in proper manner and prevent tangling.			
Strap—Splitting	Consists of a loop passed through straps located at suitable points around the fish bag so as to divide the catch into convenient portions while unloading the net. The splitting strap and cod end are hove to the surface by the haul-up line and lifted aboard by the fishing tackle.	Yes	Yes	
Strap—Tow	A heavy rope, spliced endless and used for side towing by harbor tugs		Yes	
Sweep Lines	Used to support heavy sweep bar over sheaves under barges in sounding for high spots			
Tack	The rope by which the forward lower corner of a fore and aft sail is held down and secured		Yes	
Tackline	The rope that hauls down the tack of a gaff topsail			
Tackline	A short length of line used to separate flags in a hoist			
Tag line	A rope used to guide loads which are being hoisted and moved off the ground			
Tarpaulin rope	A rope usually attached to, and for securing or making fast a tarpaulin			
Telegraph line	A small transmission rope used in the oil field for controlling the speed of the engine from the derrick floor.			
Tent-rope	Soft laid, long jawed, thread rope used in tying down or securing tents			Cotton only.
Tent rope—Shelter	The rope used on the halves of shelter tents			Cotton only.
Tie ropes—Cover	Small lines not attached to covers or tarpaulins but which are used to secure or lash a cover to or around an object.			
Tie rope	A small rope usually ½" diam. used for staking out grazing animals			
Tie down rope—Aircraft	A rope used to tie down or otherwise secure aircraft to the ground as a protection against being damaged by wind, etc.		Yes	
Tiller ropes (vessels—5 net tons and over).	A line running from the steering windlass through blocks to the tiller		Yes	
Tiller rope (vessels—under 5 net tons)	Same as above			
Top lift	See Boom lift			
Topping lift (below ¾" diam.)	A tackle or rope leading from the head of a mast of a vessel or derrick employed to raise or top the end of a boom.			
Topping lift (¾" diam. and larger)	Same as above			
Torpedo lines—oil well	Approximately ¾" diam. rope used to lower explosives into oil or gas well preparatory to "shooting" the well.	Yes	Yes	
Tow line—Automobile, trucks and mechanized equipment.	A short length of rope for towing a vehicle. Usually has an eye splice in one or both ends			
Tow line—Canal barges and cargo vessels (below 3" circ.).	A rope used in towing canal barges or boats			
Tow line—Canal barges and cargo vessels (3" circ. and larger).	Same as above			
Tow line—Life boat	Used to tow a life boat behind a larger vessel or behind another life boat		Yes	
Tow line—Seaplane or flying boat—Towing Seaplane.			Yes	
Tow line—Seine and purse boat	The line used for towing the seine or purse boat behind the fishing boat		Yes	
Tow line—Skiff (fishery)	See Painter—seine			
Tow line—Towing spar	Used to tow spar which keeps ships in position		Yes	
Tow line—Stern (tug boat) (smaller than 3" circ.)	The line used by tug boats to hold the stern of the tug to the tow			
Tow line—Stern (tug boat) (3" circ. and larger).	Same as above		Yes	
Tow line—Tender (fishery)	Used to tow heavy scows laden with fish		Yes	
Tow lines—Tug boat (smaller than 3" circ.).	The lines used by tug boats for towing ships, barges, scows, etc. It is the line between the tug and the tow, or when the tow consists of more than one unit, the line between the units.			
Tow lines—Tug boat (smaller than 7" circ. and not smaller than 3" circ.).	Same as above		Yes	
Tow lines—Tug boat (7" circ. and larger).	Same as above	Yes	Yes	
Towing line—Purse seine	See hauling line (purse seine)			
Traces	Rope traces used as a substitute for leather traces in some types of harness usually farm or artillery harness.			
Trap hanging lines	See net rope			
Traveler line	Line secured to sounding boom and to lower and hoist			
Trawl line—Shrimp net	Lines used to haul a shrimp drag		Yes	
Trawl lines	A long line consisting of 1 or more "skates", "tubs", or coils of gear set in a continuous and substantially straight line. With the exception of crab trot lines, the trawl lines have snells or gangings attached at regular intervals.			
Tree surgery rope	A utility rope used as the name implies			
Trip line	The line used for holding a dory or tender off shore			
Trip ropes	A utility rope used to trip unloading devices			
Tripping line	A line used for capsizing a sea anchor. A line used for releasing a pelican hook, etc			
Trolley car rope	A rope used to pull down and secure a trolley pole			Cotton only.
Trot line	Used as the main or ground line for crab fishing and flag lines			Cotton only.
Truck rope	A rope used in making loads fast on a truck or to serve as a lacing to prevent loads from being lost out of the rear of a truck.			
Tunnel lines	See net rope			
Turntable lines	A line used by West Coast purse seiners to swing the turntable. One end is attached to a corner of the table, the other is brought to the gypsy.			
Tye	The pendant of the purchase for hoisting the yards		Yes	
Up and down line	See breast line			
Utility Rope	Rope used for making small straps, seizing, etc			
Vang rope	A rope running from end of gant to the deck			

End use	Definition	Manila	Agave	Restrictions on other fibers
Vang rope (7/8" diam. and larger)	Used for swinging the cargo boom in loading or discharging cargo		Yes	
Vang rope (below 7/8" diam.)	Same as above			
Venetian blind rope	Small twisted or braided ropes used for the operation of venetian blinds			Cotton only.
Warps	A light hawser used to draw a vessel to a pier or some other fixed object		Yes	
Weather Cloth—Sheet lines	A rope used to support canvas rigged as shelter in life boats			
Well ropes	Ropes used for raising and lowering the bucket in water wells			
Whale rope	A 3-strand rope, long jawed but solid strand to prevent knuckling, used on the end of a harpoon in whaling industry. The long line to which the foregoer is attached in whaling. Usually 6½" or 7" circ. and 600 fath. long.		Yes	
Wheel rope (vessels over 10 net tons)	A line from the steering windlass through blocks to the metal linkage which connects with the tiller.	Yes	Yes	
Wheel rope (vessels under 10 net tons)	Same as above		Yes	
Winch rope	A rope used to draw or drag or pull an object by means of a power or hand driven winch, capstan or gypsy head, etc.			
Window cleaning rope	A safety rope, usually about 5/8" diam. used through a window cleaner's belt to attach him to the building.		Yes	
Wing control line (otter trawls)	Line used to steady wing of a trawl		Yes	
Wiping rope	Rope used in the manufacture of wire and cable to remove excessive lubrication and to polish surface of the wire or cable.			
Wire rope centers—(17/64" diam. and larger)	The fiber rope core serving as a base or cushion around which wire strands are twisted in the manufacture of wire rope.		Yes	
Wire rope centers—(below 17/64" diam)	Same as above			
Wire rope surface yarns	Yarn twisted alternately with strands of wire in manufacturing of spring lay type cables		Yes	
Wrecking cable	A cable laid rope usually 10" circ. and larger used in floating stranded ships	Yes	Yes	
Whip rope—Ammunition	See Falls—ammunition			
Whip line—Lyle gun	An intermediate line between the shot line and the auxiliary line used initially to haul out the auxiliary line and also to draw the breeches buoy back and forth along the auxiliary line.	Yes	Yes	
Yacht rope	Rope used for the running rigging of yachts			

SCHEDULE B—CORDAGE END USE LIST

The use of agave fiber for the manufacture of binder and baler twine will be authorized as stated in paragraph (e) (1). Normal end uses of agave twine are as follows. Agave is now permitted only where indicated.

End use	Definition	Manila	Agave	Restrictions on other fibers
Christmas tree twine	A single ply twine, usually tarred or dyed for binding Christmas trees in bundles for shipping			
Fodder yarn	Single yarn, generally tarred, put up in stranded or many end form, used in tying up fodder. This yarn is comparable to a binder twine, in certain parts of the country where a mechanical binder is used for harvesting a binder twine. In other parts where the binding of sheaves is done by hand, fodder yarn is used.			
Hambroline	See seizing stuff			
Hanging twine—Hard fiber nets	Twine used to hang hard fiber nets to lines		Yes	
Hanging twine—Soft fiber nets	Twine used to hang soft fiber nets to lines		Yes	
Heading twine	See Marline—lobster			
Hide rope	Generally sisal twine—twisted into strand form usually 10 ends. 2 or 3 ply			
House-line	See seizing stuff			
Lathyarn	A single yarn put up in stranded or many end form either tarred or untarred			
Marline	See seizing stuff			
Marline—Lobster	A twine required in the manufacture of the inside tunnel of lobster pots			
Nettwine—Otter trawls	A hard laid twine, usually 2, 3, or 4 ply in sizes from #600 to #1350 used for the manufacture of hard fiber fishing nets. Also for mending nets.		Yes	
Piping cord	The cord used in a roll edge trim for furniture, etc.			
Ring yarns	See wrapping twine. A single yarn usually put up in stranded or many end form and used for general tying purposes.			
Roundline	See seizing stuff			
Seizing stuff	A general term covering fine sizes of rope and twine used for seizing larger ropes and cables			
Shingle yarn	A yarn put up in single end form, used for tying up bundles of shingles. Tarred and untarred			
Small stuff	See seizing stuff			
Spunyarn	See seizing stuff			
Wormline	See seizing stuff			
Wrapping twine—Tying twine	In general, single or plied twine, twisted or laid, used for tying or bundling purposes and practically every industry uses tying twine in some form.			

SUPPLEMENTARY LIST 1—CORDAGE END USE LIST

The following list includes military end uses for which rope or twine may be manufactured only on Army, Navy or Maritime Commission orders or for incorporation into products manufactured or assembled for the account of the Army, Navy or Maritime Commission.

End use	Definition	Manila	Agave	Restrictions on other fibers
Anchor lines—Amphibian tractors	Lines used for anchoring amphibian tractors		Yes	
Anchor lines—Flying boats	Lines used for anchoring flying boats. Line connects boat to submerged anchor	Yes	Yes	
Barrage balloon lines	The hand lines required for the handling of barrage balloons			
Bridle lines—Pontoon bridges	See guy lines—pontoon bridges			
Buoy lines—Flying boats	A line connecting a surface buoy to a submerged anchor. The flying boat to be moored to the buoy.	Yes	Yes	
Depth charge handling rope	Used as the end use implies	Yes	Yes	
Depth charge thrower rope	Used aboard ship in the releasing of depth charges	Yes	Yes	
Falls—Plane	A hoisting rope used to lower and hoist aircraft	Yes	Yes	
Grommets—Balloon	A ring of rope formed by a single strand of fibre laid 3 times around. It is used in connection with the construction and operation of barrage balloons.			
Grommets—Shell	A ring of rope formed by a single strand of fibre laid 3 times around. It is fastened around ammunition for padding purposes during shipment.			
Guy lines—Pontoon bridge	Lines used for guying or staying pontoon bridges		Yes	
Hammock—Rope	Minor findings for hammocks including jackstays, lanyards, clews, etc. Used for support of hammocks for fighting troops, for crossing rivers, climbing trees and other uses requiring rope of minimum weight and maximum strength.		Yes	
Handles—Ammunition box	A short rope, spliced endless and fastened to each end of an ammunition box for a handle			
Lanyard—Artillery	A strong line with a hook attached used for firing large guns			
Lanyard—Orlither cocking	A 5/8" diameter rope with evenly spaced knots used for cocking Orlither naval aircraft guns			

End use	Definition	Manila	Agave	Restrictions on other fibers
Lizard line—Flying boat	A line attached to the pendant of a flying boat for purpose of hauling the pendant	Yes	Yes	
Net—Embarkation or escape	Nets woven from rope generally ¾" to 1" diameter used for climbing up or down any elevation—usually on shipboard.			
Parachutist's Rope	Rope used by parachute troops to lower themselves from tree tops, and when needed for other emergency uses.			
Pontoon bridge lines	Lines for lashing planking on pontoon bridges and temporary piers		Yes	
Rip cord—Barrage balloons	The rip cord on barrage balloons			
Signal tower rope	A rope used for the erection and assembly of portable signal towers			
Smoke screen tank handling rope	Lines for handling smoke screen equipment		Yes	
Submarine net strand	A combination wire and fiber rope (strand) used for the construction of mesh in submarine netting.			
Toggle rope	Used by ranger troops for climbing cliffs or buildings, crossing streams, strangling sentries, and other uses where a rope of light weight and high strength is required.		Yes	
Torpedo handling rope	Rope used for handling torpedos	Yes	Yes	
Torpedo salvage line	A heavy twine connecting a practice torpedo with a buoy used to locate the torpedo in order it may be retrieved.	Yes	Yes	
Tow line—Flying boat	A rope used to tow flying boats	Yes	Yes	
Tow line—Gliders	A rope used to tow gliders by aircraft	Yes	Yes	

SUPPLEMENTARY LIST 2—CORDAGE END USE LIST

The following list includes for completeness, end uses which have purposely been omitted from the foregoing lists. Further manufacture of such items from any fiber is prohibited. However, if an end use is not included on either previous list, it is a prohibited use.

END USE—DEFINITION

Acrobatic rope: Rope used for various types of acrobatic stunts or exercises in circuses and gymnasiums, etc.
Bumpers: A thick woven or braided mat which serves as a cushion on which drums or barrels are dropped when unloading trucks, etc.
Climbing rope: See acrobatic rope. Also mountain climbing rope.
Display or decoration rope: Rope used as the end use implies.
Grommets—games: See toys and games.
Gymnasium rope: See acrobatic rope.
Mats—door: Mats used for wiping feet before entering building.
Net rope—banner nets: A rope to which is rigged or suspended a web of netting used for advertising display purposes, generally over streets.
Net rope—sport nets: Rope used on sport nets: Tennis nets, badminton, volley ball, deck tennis nets, hockey goal nets, etc.
Shoe soles: A rope used in the meg of rope soled shoes.
Sporting and gymnasium equipment: See acrobatic rope.
Swing rope: Rope used in park or children's swings.
Tow rope—ski: A special rope used for towing skiers to the top of a ski slope or slide.
Toys and Games: i. e. Quoits, jump ropes, etc.
Trapeze rope: See acrobatic rope.

INTERPRETATION 1

[Superseded by paragraph (f) of M-84 on October 27, 1943]

[F. R. Doc. 43-19456; Filed, December 6, 1943; 11:01 a. m.]

PART 3290—TEXTILE, CLOTHING, AND LEATHER

[Conservation Order M-328, as Amended, Dec. 6, 1943]

PROVISIONS APPLICABLE TO TEXTILE, CLOTHING, LEATHER AND RELATED PRODUCTS

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of textiles, clothing, leather and related 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:

§ 3290.118 *Conservation Order M-328*—(a) *Restrictions on preference ratings for textiles, clothing, leather, etc.* (This paragraph states conditions which must be met to make ratings for items on Schedule A valid. However, even though a rating is not valid for the items, this does not prevent anyone from filling a purchase order if he can do so without disregarding valid ratings on other purchase orders or disregarding other orders or directions of the War Production Board.)

No person shall apply, extend or give any effect to any preference rating heretofore or hereafter assigned, applied, or extended to the delivery of any item on Schedule A unless:

(1) The rating has been assigned by a preference rating form or letter issued by or under the authority of the War Production Board to a named applicant and the form or letter specifically describes the item and specifies the quantity, description and type which may be obtained by the rating. No rating assigned by any L, M, P or other order or by any regulation (such as CMP-5 or CMP-5A) shall be valid for any item on Schedule A, except as permitted by paragraphs (a) (2), (a) (3) or (a) (4). For example, the rating for any fabric to comply with this subparagraph must be assigned on a War Production Board form or letter naming the person to whom the rating is assigned and stating the yardage, type and construction of the fabric for which the rating is assigned, or

(2) The rating has been assigned by or pursuant to a form, order or regulation of the War Production Board and is used to obtain the item for direct or ultimate delivery to, or for incorporation into any material for ultimate delivery to the Army or Navy of the United States (including military exchanges and service departments when the order bears the appropriate endorsement referred to in paragraph (c) of Priorities Regulation 17), the Maritime Commission or War Shipping Administration; or

(3) The rating has been assigned by or pursuant to any supplement to this order or the particular order specified after the item on Schedule A.

(4) The material to be delivered is actually required as, or is required for incorporation in, a functioning part of industrial machinery and is one of the following numbered items on Schedule A: 1, 4, 5, 6, 7, 11, 15, 17, 19.

SCHEDULE A

1. Animal bristles and hair.
2. Closures, apparel and all others which are restricted by L-68.
3. Clothing, footwear (including safety shoes), hats, gloves and all other outer or under garments or apparel, if made in whole or in part of leather or textile yarn, staple fiber or fabrics. This order does not apply to the following when specifically designed and used to furnish protection against specific occupational hazards (other than weather):
   Asbestos clothing.
   Gauntlet type welders' leather gloves and mittens, and electricians' leather protector or cover gloves.
   Metal mesh gloves, aprons and sleeves.
   Other safety leather gloves or mittens, but only if steel stitched or steel reinforced.
   Plastic and fibre safety helmets.
   Safety clothing impregnated or coated for the purpose of making the same resistant against fire, acids, other chemicals or abrasives.
   Safety industrial leather clothing other than gloves or mittens.
   Safety industrial rubber gloves and hoods and linemen's rubber gloves and sleeves.
4. Combinations of cotton, wool or synthetic yarn.
5. Combination of cotton, wool, or synthetic woven, felted, knitted or braided fabrics. M-166, M-298.
6. Cotton Yarn. L-282, M-317.
7. Cotton woven, knitted or braided fabric. M-166, M-207, M-298, M-317, P-116.
8. Dyestuffs.
9. Eyelets, metal.
10. Findings, shoe (metal) except shoe wire.
11. Hides, skins, furs and leather and products made primarily therefrom (subject to additional restrictions of M-310).
12. Manila, Agave, Istle, Hemp (Cannabis Sativa), Sunn Hemp, Raffia, Flax, Jute, Coir yarn and other fibers, when used for cordage; and cordage products made primarily therefrom. M-84, P-56, P-73.
13. Sponges.
14. Synthetic yarn.

15. Synthetic woven, knitted or braided fabric. M–166.
16. Tacks, cut steel and wire.
17. Textile fibers (animal or vegetable, including sisal processor's mill waste, sisal bagasse, curled istle, etc.), and products made primarily from textile fibers or textiles, not including fabrics which have been coated and not including fire hose. M–85, M–317.
18. Wool and wool yarn.
19. Wool woven, knitted, felted or braided fabric.

(b) *Notation on purchase orders bearing a preference rating.* (1) Any person applying or extending a preference rating shall satisfy the certification requirements of Priorities Regulation 3. In addition, any person applying or extending a preference rating which is permitted by paragraph (a) (1), (a) (2) or or (a) (4) shall place upon the purchase order a notation substantially as follows:

This rating can be used under Order No. M–328.

However, the Army or Navy of the United States, the Maritime Commission and the War Shipping Administration shall not be required to place this notation on their direct purchase orders.

If the rating is assigned by any order listed on Schedule A, the person applying or extending the same shall place upon the purchase order a notation substantially as follows:

This rating has been assigned by Order No. ------ (insert number of order on Schedule A assigning the rating).

If, however, the purchase order contains the specific identifying certification prescribed by an order on Schedule A or by M–148, the notation prescribed by this paragraph shall not be necessary.

(2) *Restriction on extension of ratings.* Notwithstanding the provisions of Priorities Regulation 3, no rating specifically permitted to be used by paragraphs (a) (1), (a) (3) or (a) (4) to obtain any item on Schedule A shall be extended for the delivery of any other item on Schedule A for physical incorporation into the item. For example, a rating for fabric may not be extended to obtain yarn unless to fill an Army, Navy, Maritime Commission or War Shipping Administration order as permitted by subparagraph (a) (2).

(c) *Specific directives.* The War Production Board may issue specific directions to individual producers or processors of items listed in Schedule A, with respect to the production, fabrication, processing or delivery of items to meet particular military or civilian requirements, and no producer or processor shall produce, fabricate, process, deliver or accept delivery contrary to directions.

(d) *Equitable distribution.* (This paragraph does not apply to sales by retailers, inasmuch as the Fair Distribution Policy for retailers is defined in Declaration of Policy of July 15, 1943.) Preference ratings are given to certain orders to further the war program. It is the policy of the War Production Board that items listed in Schedule A not required to fill rated orders shall be distributed equitably. In making such distribution due regard should be given to essential civilian needs, and there should be no discrimination in the acceptance or filing of orders as between persons who meet the seller's regularly established prices and terms of sale or payment.

Under this policy every seller of the items, so far as practicable, should make available an equitable proportion of his merchandise to his customers periodically, without prejudice because of their size, location or relationship as affiliated outlets.

It is not the intention to interfere with established channels and methods of distribution unless necessary to meet war or essential civilian needs. If voluntary observance of the policy outlined is inadequate to achieve equitable distribution, the War Production Board may issue specific directions to named concerns. A failure to comply with a specific direction shall be deemed a violation.

(e) *Rejects, over-runs and seconds—* (1) *Definitions.* "Rejects" means anything made to fill a rated order which (i) is so defective that it will be refused if tendered, (ii) the purchaser has refused, or (iii) the purchaser has notified the seller will be refused because of defects, failure to deliver on time, or termination of the procurement of the United States Government or any of its agencies for which the product was ordered. The term also is used to include seconds, over-runs or by products. A "Second" is anything made to fill a rated order but not actually offered or tendered to the purchaser because of defects, or for any other reason. An "Over-run" is anything made to fill a rated order but not delivered because in excess of the quantity actually needed to fill the order. A "By-product" is anything produced entirely or partly from a reject.

(2) *No one may purposely make a reject.* No manufacturer, processor or converter shall manufacture, process or order any product on Schedule A which he knows or should know will be a reject. This paragraph does not prohibit the production of seconds, over-runs or by-products to the extent that they are unavoidable in the manufacturer's operations.

(3) *Restrictions on the disposition of rejects.* No manufacturer, processor or converter shall sell or deliver a reject listed on Schedules B or C, and no one may accept delivery of such reject except as permitted by this subparagraph (e) (3) or by the schedule on which it is listed.

Rejected hides, skins and leather and products made primarily therefrom may be disposed of only as authorized under General Conservation Order M–310.

Any item listed on Schedule A, but not listed on Schedules B or C, or covered as to disposition of rejects by M–310 or by any direction issued pursuant to this order, may be disposed of for use in the United States or to fill a rated order without regard to the limitations of § 944.11 of Priorities Regulation 1.

(4) *How to get needed permission to dispose of a reject.* Any manufacturer who under the terms of this order needs specific permission to dispose of a reject may apply by letter to the War Production Board stating the number of the contract, the amount of material to be produced under it, the kinds of such material, a detailed statement of quantities and kinds of rejects, a copy of the rejection, and a statement of the efforts he has made to dispose of the rejects to the buyer. If the War Production Board decides he ought to be allowed to dispose of the reject, it will give him specific instructions.

(5) *Effect of specific instructions on disposition.* The War Production Board may issue specific instructions in writing to anyone respecting the use and disposition of rejects or material obtained with priorities assistance, but not used for the purpose for which the priorities assistance was given. These instructions may relate to rejects not yet manufactured on the date of their issuance. They must be obeyed even if they conflict with other provisions of this order.

(6) *Reports.* Manufacturers of textile, clothing and leather products shall report their rejects at such times and in such manner as the War Production Board may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(7) *Records.* All persons affected by this order shall keep for at least two (2) years records showing the quantities and kinds of rejects produced by them and the disposition thereof.

NOTE: Former Schedules C and E deleted; new Schedule C (formerly D) added Dec. 6, 1943.

SCHEDULE B—REJECTS WHICH MAY BE DELIVERED ONLY ON SPECIFIC AUTHORIZATION OF THE WAR PRODUCTION BOARD

Equipage: Military luggage and sleeping bags.
Plain print cloth, 80 sley and higher.
Slide fasteners.
Silk and nylon yarn, silk and nylon woven, knitted and braided fabrics.

SCHEDULE C—REJECTS WHICH MAY BE DELIVERED ONLY FOR USE IN THE UNITED STATES OR TO FILL A RATED ORDER AND ONLY FOR THE SPECIFIED END USES STATED BELOW

The following cotton textile rejects may be delivered only as follows:

8.5 oz. herringbone twill for footwear and foundation garments.
8.2 oz. twill, Types I, II, III, IV and V, for footwear, foundation garments and clothing.
30" 2.50 drill and pro-rata widths, for mattress or pillow tickings, pocketings, footwear and clothing.
6 oz. combed twill for clothing.
7.5 oz combed navy twill for footwear and foundation garments.
5 oz. wind resistant poplin for foundation garments and clothing.
9 oz. sateen for foundation garments, footwear and clothing.

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* Except as otherwise provided herein, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

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

(3) *Communications.* All reports to be filed hereunder and communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Ref: M-326.

(4) *Appeals.* Any appeal from the provisions of paragraphs (c), (d) or (e) 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.

Issued this 6th day of December 1943.

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

[F. R. Doc. 43-19457; Filed, December 6, 1943; 11:01 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-353]

PURE TITANIUM DIOXIDE

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

§ 3293.546 *Conservation Order M-353*—(a) *Definitions.* (1) "Pure titanium dioxide" means any pigment containing more than 30 per cent titanium dioxide whether alone or admixed with or precipitated on inerts, extenders or opaque pigments.

(2) "Military order" means any purchase order for pure titanium dioxide which is to be used in the manufacture of products delivered or to be delivered to, or to be used on, or incorporated in, material or equipment delivered or to be delivered to, the United States Army, Navy, Marine Corps, Coast Guard, Maritime Commission or the War Shipping Administration, or to or for the account of any foreign country under the Act of March 11, 1941 (Lend-Lease Act).

(b) *Inapplicability of certain preference ratings.* No person shall give any effect to any preference ratings below AA-2 on any purchase order for pure titanium dioxide, unless the person placing such purchase order furnishes a certificate in substantially the following form signed by a duly authorized official, either manually or as provided by Priorities Regulation No. 7:

The undersigned hereby certifies to the War Production Board and to _____ [insert name and address of supplier] that he is familiar with the provisions of Order No. M-353 and that his purchase order, dated _____, for pure titanium dioxide is a military order as defined in Order M-353.

_____
(Name of purchaser)

By _____
(Signature and title of duly authorized official)

Orders rated below AA-2, not accompanied by the certificate, may be filled as unrated orders to the extent permitted by Priorities Regulation No. 1. The certificate need not be filed with the War Production Board. Any person receiving it may rely upon it in filling orders unless he knows or has reason to believe that it is false. The standard certification described in Priorities Regulation No. 7 may not be used instead.

(c) *Special directives.* The War Production Board may at any time issue special directives to any person respecting the production or delivery of pure titanium dioxide, notwithstanding the other provisions of this order.

(d) *Expiration date of this order.* The provisions of this order shall expire at twelve o'clock midnight, February 29, 1944, unless extended by the War Production Board.

(e) *Applicability of regulations.* Except as provided in paragraph (b) above, 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.

(f) *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.

(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, Chemicals Division, Washington 25, D. C., Ref: M-353.

Issued this 6th day of December 1943.

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

[F. R. Doc. 43-19458; Filed, December 6, 1943; 11:02 a. m.]

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

[Priorities Reg. 1, Interpretation 9]

APPLICABILITY OF REGULATIONS AND ORDERS TO TERRITORIES AND INSULAR POSSESSIONS

The following interpretation is issued with respect to Priorities Regulation 1:

As stated in § 944.13 of Priorities Regulation No. 1, any rule, regulation or order of the War Production Board, in the absence of a contrary direction, applies to all deliveries and use of material after its effective date. This includes all transactions in the territories or insular possessions of the United States, unless the regulation or order specifically states that it is limited to the continental United States or to the 48 States and the District of Columbia.

Issued this 6th day of December 1943.

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

[F. R. Doc. 43-19452; Filed, December 6, 1943; 11:02 a. m.]

Chapter XI—Office of Price Administration

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

[MPR 403,[1] Amdt. 4]

CERTAIN RUBBER COMMODITIES PURCHASED FOR GOVERNMENTAL USE

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 403 is amended in the following respects:

1. In section 20 (c), items (9) to (24), inclusive, are renumbered (10) to (25), and a new item (9) is added to read as follows:

(9) Fairings for propellers.

2. In section 21, the form is amended by adding the words "of Maximum Price Regulation 403" after the words "section 6" in the heading; by substituting the date "August 1, 1943" for the date "June 1, 1943" under item b; and by adding a new column heading "Date price or rate in effect" after the column heading "Article being priced."

This amendment shall become effective December 9, 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 3d day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-19347; Filed, December 3, 1943; 3:35 p. m.]

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

[1] 8 F.R. 7498, 8837, 10434.

PART 1346—BUILDING MATERIALS

[MPR 276,[1] Amdt. 3]

ASPHALT TILE

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 276 is amended in the following respects:

1. Paragraph (b) of § 1346.315 is hereby amended by adding to Table No. II—Color Groups—a new column for Asphalt Floor Tile and for Greaseproof Asphalt Tile, headed "Hood Rubber Co.," with style designation as set forth below:

TABLE NO. II—COLOR GROUPS

HOOD RUBBER COMPANY

Asphalt Floor Tile:	
Color group A	A–701
	A–702
	A–704
Color group B	B–710
	B–712
	B–717
	B–718
	B–719
	B–720
	B–721
	B–722
	B–724
	B–725
Color group C	C–730
	C–731
	C–732
	C–733
	C–735
	C–736
	C–737
	C–738
	C–739
	C–744
	C–746
	C–750
	C–751
	C–752
	C–753
Color group D	D–760
	D–761
	D–763
	D–764

TABLE NO. II—COLOR GROUPS

HOOD RUBBER COMPANY

Greaseproof Asphalt Tile:	
Color group A–1	G–701
	G–702
	G–704
	G–710
	G–712
Color group B–1	G–717
	G–718
	G–719
	G–720
	G–724

2. Paragraph (d) of § 1346.315 is hereby amended by adding to Table No. III—Freight Charges—a new column headed "Hood Rubber Company" with numerals as set forth below:

TABLE NO. III—FREIGHT CHARGES

HOOD RUBBER COMPANY

Asphalt Floor Tile:	
Color Group A	(1)
Color Group B	(1)
Color Group C	(1)
Color Group D	(1)
Greaseproof Asphalt Tile:	
Color Group A–1	(1)
Color Group B–1	(1)

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

[1] 7 F.R. 10009, 10471, 10618; 8 F.R. 12136.

This amendment shall become effective December 9, 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 3d day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43–19348; Filed, December 3, 1943; 3:35 p. m.]

PART 1417—ANTIMONY

[MPR 497]

ANTIMONY METAL AND ANTIMONY COMPOUNDS

In the judgment of the Price Administrator it is necessary and proper to replace the General Maximum Price Regulation with a separate regulation establishing maximum prices for antimony metal and antimony compounds.

A statement of the considerations involved in the issuance of this Maximum Price Regulation No. 497 has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and of Executive Orders Nos. 9250 and 9328. So far as practicable, the Price Administrator has advised and consulted with representative members of the industries which will be affected by this regulation.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

§ 1417.1 *Maximum prices for antimony metal and antimony compounds.* 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. 497, Antimony Metal and Antimony Compounds, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1407.1 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 497—ANTIMONY METAL AND ANTIMONY COMPOUNDS

CONTENTS

Sec.
1. Applicability of this Maximum Price Regulation No. 497.
2. Meaning of terms used.
3. Maximum prices for antimony metal.
4. Maximum prices for antimony compounds.
5. Exports and imports.
6. Special sales of industrial materials.
7. Prohibition against dealing at prices above maximum prices.
8. Less than maximum prices.
9. Adjustable pricing.
10. Prohibited evasive practices.
11. Records.
12. Enforcement.
13. Licensing.
14. Petitions for amendment.

SECTION 1. *Applicability of this Maximum Price Regulation No. 497.* (a) The provisions of this Maximum Price Regulation No. 497 supersede the provisions of the General Maximum Price Regulation[1] with respect to sales and deliveries for which maximum prices are established by this regulation.

(b) This regulation does not apply to sales and deliveries of antimony ores and antimony ore concentrates.

(c) Nothing in this Maximum Price Regulation No. 497, or in the General Maximum Price Regulation shall apply to sales of laboratory reagent grades of any of the commodities subject to this regulation;

(1) To a person who will use such commodity for analytical and educational purposes, for the purpose of scientific and medical research, or for quality control of industrial products, or

(2) To a person who purchases for resale to a person mentioned in subparagraph (1).

(d) The provisions of this regulation shall apply only to the forty-eight states of the United States and to the District of Columbia.

SEC. 2. *Meaning of terms used.* (a) When used in this Maximum Price Regulation No. 497 the term:

(1) "Antimony salt" means any metallic derivative of an acid whether the antimony occupies a positive or negative position in the structure.

(2) "Dealer" includes "jobbers" and "distributors" and means any person who purchases antimony metal for resale.

(3) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(4) "Producer" means any person who recovers antimony in the form of metal from material containing antimony.

(5) "Producer's agent" means any person who sells antimony metal for a producer on a commission basis without taking title to the antimony metal.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

SEC. 3. *Maximum prices for antimony metal*—(a) *Base prices.*

Grade	Base price per pound
(1) 99.8% antimony metal and above. Maximum arsenic impurity to be no more than 0.05%; no other single impurity to be in excess of 0.1%	15¢
(2) 99.0% antimony metal up to, but not including 99.8%; 99.8% antimony metal and above, not meeting the specifications of (1) above	14½¢

Antimony metal which fails to meet the standards set forth above shall be sold at a price not in excess of 13¼¢ per pound of antimony content.

(b) *Maximum prices*—(1) *Carload lots*—(i) *Delivered buyer's receiving point.* The maximum price per pound for antimony metal in carload lots delivered buyer's receiving point shall be the

[1] 8 F.R. 3096, 3849, 4347, 4486, 4724, 4973, 4848, 6047, 6962, 8511, 9025, 9991, 11955, 13724.

base price set forth above plus carload freight from Laredo, Texas, to the buyer's receiving point.

(ii) *F. o. b. point of shipment.* Antimony metal in carload lots may be sold on an f. o. b. point of shipment basis, in which case the f. o. b. point of shipment price plus the actual freight to be paid by the buyer shall not exceed the maximum carload delivered price per pound established in subparagraph (1) (i), above.

(2) *Less-than-carload lots*—(i) *Delivered buyer's receiving point.* The maximum price per pound for antimony metal in less-than-carload lots delivered buyer's receiving point shall be the maximum carload delivered price at the seller's distributing point nearest the buyer's receiving point plus the less-than-carload freight from such distributing point to the buyer's receiving point. For the purpose of calculating a maximum less-than-carload delivered price under this subparagraph (2) (i), when the seller's distributing point nearest the buyer's receiving point is Bradley, Idaho, Kellogg, Idaho, Shont, Idaho or Silver King, Idaho, the seller shall use as the carload delivered price at such distributing point 15.50¢ per pound for the highest grade metal, 15.00¢ per pound for the next lower grade of metal and .50¢ per pound above the base price for other antimony metal. A seller's distributing point nearest the buyer's receiving point may be the seller's plant or warehouse.

(ii) *F. o. b. point of shipment.* Antimony metal in less-than-carload lots may be sold on an f. o. b. point of shipment basis, in which case the f. o. b. point of shipment price plus the actual freight to be paid by the buyer shall not exceed the maximum less-than-carload delivered price per pound established in subparagraph (2) (i) above.

(c) *Quantity differentials.* On sales of antimony metal in less-than-carload lots, the quantity differentials set forth in the following table may be added to the maximum prices established by this regulation:

Amount	Sales by producers or producers' agents	Sales by dealers, distributors jobbers
	Cents	*Cents*
10,000 pounds and less than a carload	¼	½
224 pounds and less than 10,000 pounds	½	1
Less than 224 pounds	2	3

(d) *Maximum packaging charges.* A maximum additional charge of ¼¢ per pound may be added to the maximum prices established in this section in the case of any sale or delivery of antimony metal packed in cases or boxes. In such cases, for the purpose of computing transportation charges that enter into the calculation of maximum prices under this section, the combined weight of the antimony metal and of the packages shall be considered the weight of the antimony.

(e) *Treatment of the 3% transportation tax.* The tax on the transportation of property imposed by section 620 of the Revenue Act of 1942 shall, for the purposes of figuring the applicable maximum price, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. Accordingly, whenever transportation charges enter into the calculation of a maximum price under this section, the freight charges shall be computed as though they were 3% higher than they actually are.

SEC. 4. *Maximum prices for antimony compounds.* (a) A seller's maximum price for any of the following commodities:

Antimony oxide
Antimony sulphide
Antimony pentasulphide
Needle antimony (liquated antimony sulphide, crude antimony sulphide)
Ground antimony sulphide
Granulated antimony sulphide
Antimony fines
Antimony trichloride
Antimony oxychloride
Antimony fluoride
Antimony lactate
Antimony pentachloride
Antimony potassium tartrate
Antimony salt (de Haens Salt), and
Antimony salts (see definition, sec. 2)

shall be (1) the highest price charged by the seller for the same commodity on a delivery made during March 1942 to a purchaser of the same class, or, if no such delivery was made during March 1942, (2) the highest offering price for delivery during March 1942 of the same commodity to a purchaser of the same class. "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for commodities on sales to different purchasers or kinds of purchasers.

(b) Whenever any seller of any of the commodities listed in this section is unable to determine his maximum price under paragraph (a) of this section, his maximum price shall be determined as follows:

(1) If his maximum price was determined prior to December 9, 1943, pursuant to the provisions of the General Maximum Price Regulation, that price shall be the seller's maximum price under this regulation.

(2) In all other cases, the seller shall calculate a price at which he proposes to sell this commodity and shall then file such price with the Office of Price Administration for approval as his maximum price. Such selling price should be a price in line with the selling prices of competitors during March, 1942 for the same commodity.

(3) When filing such a proposed price with the Office of Price Administration, the seller shall set forth all discounts, allowances, and differentials for all classes of buyers, a description of the commodity including specifications, a statement indicating why the commodity cannot be priced under subparagraphs (a) (1), (a) (2) and (b) (1) above, and a statement setting forth the method used in calculating the proposed price.

The proposed price may be filed before any sale is made and must be filed within fifteen days after the first sale is made at the proposed price. Pending action by the Office of Price Administration on prices submitted for approval, any seller may sell and deliver or offer to sell and deliver, and any person may buy, offer to buy, or receive from the seller in the course of trade or business, such commodity at the price submitted for approval. If, however, the Office of Price Administration determines that the price submitted is not in line with the selling prices of competitors during March, 1942 for the same commodity, the price submitted will be disapproved and the selling price shall be revised downward to the maximum price which may be approved, and any payment made in excess of the price so approved may be required to be refunded to the buyer. In the absence of notice to the contrary from the Office of Price Administration within 30 days after the receipt by the Office of Price Administration of a request for approval of a selling price, the price filed shall stand approved and shall be the maximum price applicable.

SEC. 5. *Exports and Imports*—(a) *Exports.* The maximum price at which any person may export any of the commodities covered by this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation [2] issued by the Office of Price Administration.

(b) *Imports*—(1) *Antimony metal.* Neither this regulation nor any other regulation issued by the Office of Price Administration shall apply to the importation into the continental United States of any antimony metal. This regulation, however, applies to the domestic resale of any such antimony metal which has been imported.

(2) *Antimony compounds.* The provisions of the Maximum Import Price Regulation [3] issued by the Office of Price Administration, with the exception of sections 1 and 10 of that regulation, shall apply to all imports of the commodities listed in section 4 of this regulation: *Provided, however,* That for the purposes of this regulation, any reference in the Maximum Import Price Regulation to the General Maximum Price Regulation shall be deemed a reference to Maximum Price Regulation No. 497.

SEC. 6. *Special sales of industrial materials.* The provisions of Revised Maximum Price Regulation No. 204 [4] for special sales of industrial materials shall apply to special sales, as defined in section 2 of that regulation, of industrial materials covered by this regulation.

SEC. 7. *Prohibition against dealing at prices above maximum prices.* On and after December 9, 1943, regardless of any contract, agreement or other obligation:

(a) No person shall sell or deliver any of the commodities subject to this regulation at a price higher than the maximum prices established by this Maximum Price Regulation No. 497.

(b) No person shall buy or receive in the course of trade or business, any of the commodities subject to this regula-

[2] 8 F.R. 4132, 5987, 7062, 9998.
[3] 8 F.R. 11681, 12237.
[4] 8 F.R. 11376, 12795.

tion at a price higher than the maximum prices established by this Maximum Price Regulation No. 497.

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

SEC. 8. *Less than maximum prices.* Lower prices than those established by this regulation may be charged, demanded, paid or offered.

SEC. 9. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization will be given by order and may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated.

SEC. 10. *Prohibited evasive practices.* Any practice or device which is an attempt to get the effect of a price higher than the maximum without actually charging a higher price is prohibited and is as much a violation of this regulation as an outright excessive price. This applies to devices involving commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

SEC. 11. *Records.* Every person making purchases or sales of any commodity covered by this regulation after December 8, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, purchase invoices or sale slips covering each such purchase or sale, showing the date thereof, the name and address of the seller or the buyer, the price paid or received, and the quantity of each kind or grade purchased or sold.

SEC. 12. *Enforcement.* Persons violating any provision of this Maximum Price Regulation No. 497 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 13. *Licensing.* The provisions of Licensing Order No. 1,[3] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violation of the license or of any one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 14. *Petitions for amendment.* Any person seeking a modification of any provision of this Maximum Price Regulation No. 497, may file a petition for an amendment in accordance with the provisions of Revised Procedural Regulation No. 1,[4] issued by the Office of Price Administration.

This Maximum Price Regulation No. 497 shall become effective December 9, 1943.

NOTE: All record keeping requirements of this Maximum Price Regulation No. 497 have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(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 3d day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-19346; Filed, December 3, 1943; 3:34 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] incl. Amdt. 12]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

Section 1 (f) (5) and section 15, Appendix G (a) (2) (iv), (b) (1), (c) (1) (i), (d) amended; section 15, Appendix G, (b) (4) (5), (c) (4) added by Amendment 12 effective December 3, 1943, so that Maximum Price Regulation No. 426 shall read as follows:

In the judgment of the Price Administrator, it is necessary and proper, in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, that maximum prices be established for certain sales of fresh fruits and vegetables for table use, except for sales at retail. So far as practicable, the Price Administrator has advised and consulted with representatives of the industry which will be affected by this regulation.

The following regulation supersedes Maximum Price Regulation No. 376[2] and establishes maximum prices for the fresh fruits and vegetables now or hereafter specified herein in a manner calculated to promote equitable distribution thereof through normal channels of trade.

The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.[3]

§ 1439.3 *Maximum prices for fresh fruits and vegetables for table use, sales except at retail.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders No. 9250 and 9328, Maximum Price Regulation No. 426 (Fresh Fruits and Vegetables for Table Use, Sales Except at Retail), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1439.3 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 426—FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

ARTICLE I—APPLICABILITY, PURPOSES AND DEFINITIONS

Sec.
1. Commodities covered and operation.
2. Adjustment of maximum prices.
3. Types of sales covered.
4. Geographical applicability.
5. Exempt sales.
6. Export sales.
7. Prohibition against sales above maximum prices.
8. Definitions.

ARTICLE II—ENFORCEMENT PROVISIONS AND MISCELLANEOUS PROVISIONS

9. Enforcement.
10. Relationship between this regulation, Maximum Price Regulation No. 376 and the General Maximum Price Regulation.
11. Evasion.
12. Petitions for amendment.
13. Adjustable pricing.
14. Records.

ARTICLE III—PRICE SCHEDULES

15. Appendices.

ARTICLE I—APPLICABILITY, PURPOSES AND DEFINITIONS

SECTION 1. *Commodities covered and operation of this regulation.* (a) This regulation covers the fresh fruits and vegetables set forth in the Appendices to Article III, section 15, whether imported or domestic, except when sold for commercial processing.

(b) It is the purpose of this regulation to establish flexible price control for fresh fruits and vegetables (except when sold for commercial processing) in such manner that flat ceiling prices in dollars and cents may be computed and published in each community, or by zones or regions.

(c) For this purpose, this regulation provides either (1) a method for establishing dollar-and-cents ceilings for sales of fresh fruits and vegetables in carlots or trucklots at any wholesale receiving point and in less than carlots or less than trucklots in the markets served from the particular wholesale receiving point, or (2) a method for establishing dollar-and-cents ceilings for sales of fresh fruits and vegetables to retailers and institutional users. Sales by retailers are to be covered by other regulations now in effect, or to be issued.

(d) A general plan is set up by this regulation for establishing ceiling prices for fresh fruits and vegetables. Each fresh fruit and vegetable will be separately considered. Special provisions

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[3] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806.

[1] 8 F.R. 9546, 10571.

[2] 8 F.R. 5487, 7391.

[3] Statements of considerations are also issued with amendments. Copies may be obtained from the Office of Price Administration.

[4] 8 F.R. 13240.

may be made for particular fresh fruits and vegetables, which do not apply generally. If any special provision is contrary to or inconsistent with any general provision, the special provision shall be controlling. The general provision shall apply to the extent that it is not contrary to or inconsistent with the special provision.

(e) The general plan is to establish maximum prices at certain points or levels in the distribution of fresh fruits and vegetables. The points of control will not necessarily be the same for all commodities. The ceiling prices may differ by season, regions, varieties, grades, or other factors. Ceiling prices or methods of computing ceiling prices for each commodity will be contained in an Appendix specifically covering that commodity. For example, the method for establishing lettuce prices will be found in Appendix A, that for cabbage in Appendix B, and so forth.

(f) Points of control, at which maximum prices are established will generally be one or more of the following:

(1) *Carlot or trucklot sales at any wholesale receiving point.* A ceiling price is established for sales in carlots, or trucklots at the wholesale receiving point. The ceiling price may be named in dollars and cents, at a particular wholesale receiving point (or by area or region) or a method may be given by which the ceiling price at a particular wholesale receiving point may be computed by adding to a given basing point price the freight from the basing point to the wholesale receiving point. The ceiling price for carlot or trucklot sales at a particular wholesale receiving point is the same regardless of the number and type of prior handlers, regardless of the seller's size or type of operation, and regardless of the purchaser's size or type of operation.

A pool car or pool truck, (that is, a car or truck containing one commodity owned by more than one seller or sold to more than one purchaser) shall be considered a carlot or trucklot.

[Above paragraph as amended by Am. 3, 8 F.R. 10673, effective 7-29-43]

A "carlot sale" or a "trucklot sale" means a sale of a quantity of fresh fruits or vegetables transported in one car or truck or other conveyance at one time out of which 75% or more by weight is sold to one person. The sale of the remaining quantity to another person or persons may be considered a less-than-carlot sale, or less-than-trucklot sale. The sale of that portion of the fresh fruits or vegetables moving in a mixed carlot or mixed trucklot with another commodity or commodities, must be on the basis of a "carlot sale" or "trucklot sale" if the entire carlot or trucklot or 75% thereof by weight is sold to one person.

It is necessary to compute a ceiling price for carlot or trucklot sales even though no such sales are made at the particular wholesale receiving point because the ceiling prices for carlot or trucklot sales are the base upon which the ceiling prices for less than carlot or less than trucklot sales are computed (See Appendices in Article III, Section 15). For instance, there is a carlot rate for lettuce from Salinas, California to Moline, Illinois. However, Moline cannot customarily handle straight cars of lettuce, so it is customary to ship L. C. L. from Chicago, Illinois to Moline. Under the definition of freight contained in Section 8 (a) (7), freight in this case would be the customary combination of carlot and less-than-carlot rates. That is, the ceiling price for carlot or trucklot sales in Moline, Illinois is the basing point price at Salinas, plus the freight at the carlot rate to Chicago, plus the freight at the less-than-carlot rate from Chicago to Moline. As another example, there is no carlot rate from Salinas, California to Pueblo, Colorado. However, there is a carlot rate from Salinas to Denver, Colorado and a less-than-carlot rate from Denver to Pueblo. In this case too, a ceiling price for carlot or trucklot sales must be computed for Pueblo. This is the basing point price at Salinas, plus the freight at the carlot rate to Denver, plus the freight at the less-than-carlot rate from Denver to Pueblo.

(2) *Less than carlot or trucklot sales in the market.* A ceiling price is established for sales in less than carlots or trucklots in the market. The ceiling price is computed from the carlot or trucklot ceiling price at the particular wholesale receiving point from which the market is served by adding a dollar-and-cent markup. The ceiling price is the same regardless of the number and type of prior handlers, regardless of the seller's size or type of operation, and regardless of the purchaser's size or type of operation.

(3) *Sales through commission merchants.* If a commission merchant makes a carlot or a trucklot sale to any wholesale receiving point, his maximum price for that sale shall be the ceiling price applicable to carlot or trucklot sales at that wholesale receiving point. If a commission merchant makes a less-than-carlot or less-than-trucklot sale, his maximum price for that sale shall be the ceiling price applicable to carlot or trucklot sales at the wholesale receiving point from which he is selling, plus either his usual charge or the markup established for less-than-carlot or less-than-trucklot sales of the particular fruit or vegetable, whichever is lower.

[Subparagraph (3) as amended by Am. 3, 8 F.R. 10673, effective 7-29-43]

(4) *Sales to retailers and institutional users.* In some cases, ceiling prices are not established for carlot and trucklot sales at the wholesale receiving point or for less-than-carlot and less-than-trucklot sales in the market. In such cases, ceiling prices are established only for sales to retailers and institutional users.

(5) *Notification of "minimum net weight".* The first person (including a grower) who packs fresh fruits or vegetables in a crate, box, lug or other container shall place, in legible printing or writing, the "minimum net weight" of the fruit or vegetable, on the container.

[Subparagraph (5) as amended by Am. 12, effective 12-3-43]

(g) Whenever used in this regulation, the terms "ceiling", "ceiling price", and "maximum price" all have the same meaning.

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

SEC. 2. *Adjustment of maximum prices.* (a) Any regional office of the Office of Price Administration, or such other offices as may be authorized by the appropriate regional office, may by order adjust downwards the less than carlot or less than trucklot ceiling price established for any market within its jurisdiction either (1) generally or (2) with respect to particular classes of sellers in any case in which it appears that such ceiling price will permit sellers generally or particular classes of sellers to obtain excessive margins. In determining whether or not margins are abnormal or excessive, the appropriate office shall consider margins prevailing in the particular market during the period July 1, 1942 to October 31, 1942, as being normal operating margins.

(b) Any regional office of the Office of Price Administration, or such other offices as may be authorized by the appropriate regional office, may by order adjust upwards the less than carlot or less than trucklot ceiling price established for any market within its jurisdiction either (1) generally or (2) with respect to particular classes of sellers in any case in which it appears that such ceiling price will prevent sellers generally or particular classes of sellers from providing adequate distribution. The appropriate office shall then adjust the ceiling price to provide normal operating margins for sellers necessary to maintain distribution. In determining normal operating margins, the appropriate office shall consider operating margins prevailing in the particular market during the period July 1, 1942 to October 31, 1942, as being normal operating margins.

In instances where there is additional handling outside of the free delivery zone of any intermediate seller at any wholesale receiving point for which a ceiling price is established, any regional office of the Office of Price Administration, or such offices as may be authorized by the appropriate regional office, may make an adjustment to include such charges but such adjustment shall not exceed the actual cartage from the wholesale receiving point to the buyer's place of business, at lowest rates for available transportation.

(c) In addition to the adjustments mentioned in paragraphs (a) and (b) above, any regional office of the Office of Price Administration or such other offices as may be authorized by the appropriate regional office may make those certain adjustments which may be specifically provided for in any appendix, or paragraph or subparagraph of an ap-

pendix, to this regulation with respect to the particular fresh fruits or vegetables mentioned therein.

[Paragraph (c) added by Am. 3, 8 F.R. 10673, effective 7-29-43]

SEC. 3. *Types of sales covered.* This regulation applies to each of the types of sales specified in the Appendices of Article III, section 15.

SEC. 4. *Geographical applicability.* The provisions of this regulation shall be applicable to the forty-eight states of the United States and the District of Columbia.

SEC. 5. *Exempt sales.* This regulation shall not apply to sales and deliveries at retail.

SEC. 6. *Export sales.* The maximum prices at which a person may export the fresh fruits and vegetables covered by this regulation shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation,[4] issued by the Office of Price Administration.

SEC. 7. *Prohibition against sales above maximum prices.* On and after July 20, 1943, regardless of any contract or other obligation, no person shall sell or deliver and no person, in the course of trade or business shall buy or receive fresh fruits and vegetables at prices higher than the maximum prices established by this regulation, and no person shall agree, offer, solicit, or attempt to do any of the foregoing. Lower prices than the maximum prices may be charged and paid.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

[NOTE: Supplementary Order No. 42 (8 F.R. 4968) provides that no price regulation of the OPA shall apply to sales or deliveries of any commodity or service made to Government agencies pursuant to secret contracts or subcontracts.]

SEC. 8. *Definitions.* (a) When used in this regulation the term:

(1) "Person" includes individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Grower" means a person who produces fresh fruits or vegetables.

(3) "Ultimate consumer" is a person who purchases fresh fruits or vegetables for table use or for home processing. It does not include institutional users or procurement agencies of the United States or any State.

(4) "Retailer" means a person, other than an intermediate seller who makes sales and deliveries to ultimate consumers.

[4] 8 F.R. 4132, 5987, 7662, 9998, 15193.

(5) "Sales at retail" means sales by retailers to ultimate consumers.

(6) "Intermediate seller" means any person who purchases fresh fruits or vegetables and who resells in less-than-carlot or less-than-trucklot quantities to any person who is not an ultimate consumer.

(7) "Freight from basing point to wholesale receiving point" or "freight from shipping point to wholesale receiving point" means the cost per package for transportation by the cheapest customary and generally available means. Freight shall not include the cost of refrigeration or other protective services or local cartage or unloading; but the transportation tax imposed by section 620 of the Revenue Act of 1942 may be included to the principal markets. This freight rate factor will ordinarily be based on the railroad carlot rate from the basing point or f. o. b. shipping point to the smaller markets. It may be based on the railroad carlot rate from the basing point or the f. o. b. shipping point to a large city near such smaller market plus the less-than-carlot rate from the larger city to the smaller market. For example, if a carlot of lettuce is shipped from Salinas, California to Denver, Colorado, part of which is intended for Pueblo, Colorado, the freight factor in this instance would be the railroad carlot rate to Denver plus the less-than-carlot rate from Denver to Pueblo. In other cases, the customary truck rate from the larger to the smaller city would be used. In still other instances, the freight factor at two smaller markets might be the same based upon the railroad carlot rate to the market more distant from the basing point plus the published charge of the rail carriers for storage in transit or for partial unloading.

For carlot or trucklot sales to any wholesale receiving point the maximum price shall not exceed the applicable basing point or f. o. b. shipping point price plus the applicable freight (using the most direct method of transportation available) from the basing point or shipping point to that wholesale receiving point.

Regional offices of the Office of Price Administration or such offices as may be authorized by the appropriate regional offices shall determine the cheapest method of transportation which is customary and generally available from basing points into each market, and shall compute the freight to be used for each market within its jurisdiction.

[Subparagraph (7) amended by Am. 3, 8 F.R. 10673, effective 7-29-43, and Am. 8, 8 F.R. 12951, effective 9-29-43]

(8) "Basing point" means a selected point in an area of production designated as a basing point by the Appendices of Article III, section 15, from which freight to the wholesale receiving point is computed for the purposes of calculating a maximum price.

(9) "Basing point price" includes all charges for protective services, including icing, refrigeration and charges under appropriate railroad refrigeration rules such as rules 240, 242, 247, etc. It includes all charges except freight as defined in this regulation. If a person purchases fresh fruits or vegetables, f. o. b. country shipping point, all charges for re-icing in transit, demurrage, or other similar charges, shall be paid by such purchaser out of the maximum price provided for him.

[Subparagraph (9) as amended by Am. 3, effective 7-29-43]

(10) "Net weight" means the actual weight of fresh fruits or vegetables without including the weight of the container or ice.

(11) "Records" means books of account, ledgers, sales and price lists, sales slips, receipts, invoices, bills of lading and other papers and documents.

(12) "Wholesale receiving point" means any place at which an intermediate seller receives fresh fruits or vegetables.

(13) "Market" means any area in which intermediate sellers sell fresh fruits and vegetables received at a particular wholesale receiving point.

(b) Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

ARTICLE II—ENFORCEMENT PROVISIONS AND MISCELLANEOUS PROVISIONS

SEC. 9. *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 by the Emergency Price Control Act of 1942, as amended.

SEC. 9a. *Licensing.* The provisions of Licensing Order No. 1,[5] licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Sec. 9a added by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

SEC. 10. *Relationship between this regulation, Maximum Price Regulation No. 376 and the General Maximum Price Regulation.*[6] (a) The provisions of this regulation supersede the provisions of Maximum Price Regulation No. 376 with respect to the fresh fruits and vegetables now or hereafter specified herein. However, the following provisions of the General Maximum Price Regulation, as well

[5] 8 F.R. 13240.

[6] 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511, 9025, 9991, 11955.

as any amendment thereto, shall be applicable to every fresh fruit and vegetable sale covered by this regulation:

(1) Current records (§ 1499.12).

(2) Sales slips and receipts (§ 1499.14).

(b) Revoked.

[Paragraph (b) revoked by Supplementary Order 72]

SEC. 11. *Evasion.* The price limitations which are set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to fresh fruits or vegetables alone or in conjunction with any other commodity or by way of commission, service, transportation or any other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

SEC. 12. *Petitions for amendment.* Persons seeking a modification of this regulation may file a petition therefor in accordance with the provisions of Revised Procedural Regulation No. 1[1] issued by the Office of Price Administration.

[1] 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806.

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5665; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

SEC. 13. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action to be taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any officer of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

SEC. 14. *Records.* (a) Every person subject to this regulation shall, so long as the Emergency Price Control Act of 1942, as amended, remains in effect, preserve for examination by the Office of Price Administration all his records, including invoices, sales tickets, cash receipts, or other written evidences of sale or delivery which relate to the prices charged pursuant to the provisions of this regulation.

(b) Every person subject to this regulation shall keep and make available for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of the same kind as he has customarily kept, relating to the prices which he charges for fresh fruits and vegetables after the effective date of this regulation and in addition as precisely as possible, the basis upon which he determined maximum prices for these commodities.

ARTICLE III—PRICE SCHEDULES

SEC. 15. *Appendices*

APPENDIX A—LETTUCE

(a) MAXIMUM PRICES FOR LETTUCE[1]

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, Variety Style of Pack, etc.	Unit	Season	Basing point	Maximum prices for carlot or trucklot sales at any wholesale receiving point.	Maximum prices for less than carlot or less than trucklot sales to any person except ultimate consumers.
1	Iceberg lettuce in L. A. or Salinas[2] crates containing not less than 48 heads with a minimum net weight of 60 pounds.	L. A crate or Salinas crate.	All year	Salinas, Calif.	$3.25 (basing point price) plus freight from basing point to wholesale receiving point.	Maximum price for carlot or trucklot sales (Col 6) plus 60 cents.
2	All lettuce in any container except iceberg lettuce in L. A. or Salinas crates, and except hothouse lettuce. If any lettuce is sold with a net weight of less than 60 pounds in any container or less than 48 heads in an L. A. or Salinas crate, such lettuce shall be priced under the provisions of this Item 2	Per pound	All year	----------	Maximum price above (Item 1, Col. 6) divided by 60.	Maximum prices for carlot or trucklot sales (Col. 6) plus 1 cent per lb.
3	Hothouse lettuce in any container	Per pound	All year	----------	Maximum price per pound above (Item 2, Col. 6) plus 8 cents.	Maximum price for carlot or trucklot sales (Col. 6) plus 1 cent per pound.

[1] If a grower makes a sale to an ultimate consumer, his maximum price for such sale shall be the ceiling price established under Col. 7 above for the particular market where such sale is being made by the grower, multiplied by 1.40.

[2] The first person (including a grower) who packs lettuce in L. A. or Salinas crates shall place, in legible printing or writing, the "minimum net weight" upon such crate.

[Table as amended by Am. 3, 8 F.R. 10673, effective 7-29-43]

Explanations and examples of operation of regulation. (1) Iceberg lettuce in an L. A. crate if the net weight is 60 pounds or more, shall be sold under the provisions applicable to Item No. 1 in paragraph (a) of this section. If the net weight of iceberg lettuce in an L. A. crate is less than 60 pounds, or if it is sold in any other type of container, it shall be sold under the provisions applicable to Item No. 2. The provisions of Item No. 2 shall apply to all sales of lettuce in any type of container except hothouse lettuce and except iceberg lettuce in L. A. crates with a net weight of 60 pounds or more. Hothouse lettuce in any type of container shall be sold under the provisions of Item No. 3 and shall be marked as hothouse lettuce upon the container.

(2) Examples:

(i) *Example 1.* The maximum price for carlot or trucklot sales at Chicago, Illinois, for iceberg lettuce in L. A. crates (5 dozen, net weight 62 pounds) shall be determined as follows:

Basing point price (includes charges for all protective services, additional freight for ice, etc.)	$3.25
Freight from Salinas, California (basing point to Chicago, Illinois, market)	1.12
Maximum price for carlot or trucklot sales	4.37

The maximum price for less than carlot or less than trucklot sales is the maximum price for carlot or trucklot sales ($4.37) plus $.60 or $4.97.

(ii) *Example 2.* The maximum price for carlot or trucklot sales at Chicago, Illinois, for iceberg lettuce or other lettuce (except hothouse lettuce) packed in 1½ bushel hampers with a net weight of 25 pounds shall be determined as follows:

Maximum price for carlot or trucklot sales for iceberg lettuce in 1½ bushel hampers with a net weight of 25 pounds is $4.37 (Item 1, Col. 6) divided by 60, or 7.3 cents per pound, or $1.83 for a hamper containing 25 pounds.

The maximum price for less than carlot or less than trucklot sales is the maximum price per pound for carlot and trucklot sales (7.3 cents, Col. 6) plus 1 cent, or 8.3 cents per pound, multiplied by 25, or $2.08.

(iii) *Example 3.* The maximum price for carlot or trucklot sales at Chicago, Illinois, for hothouse lettuce in a 10 pound container shall be determined as follows:

Maximum price per pound for carlot or trucklot sales for all lettuce except hothouse lettuce (Item 2, Col. 6) is 7.3 cents,

Plus differential of 8 cents for hothouse lettuce or 15.3 cents;

Or maximum price for 10 pound hamper (10x15.3) or $1.53.

Maximum price for less than carlot or less than trucklot sales is the maximum price per pound for carlot or trucklot sales (15.3 cents, Col. 6) plus 1 cent per pound or 16.3 cents per pound or $1.63 per 10 pound containers.

(b) Authority is delegated to all regional offices, or such of their district offices as they in turn may authorize, to adjust the maximum price of lettuce upward in sales to United States agencies to account for any increase in costs which is caused by special trimming or cutting to meet the specifications required by such purchasers for overseas shipment.

[Paragraph (b) added by Am. 5, 8 F.R. 11691, effective 8–21–43]

APPENDIX B—CABBAGE

(a) *Maximum prices for cabbage (all types, grades, varieties, style of package, etc.)*

(1) *Table 1—Maximum prices for sales to any person except ultimate consumers, in less than carlots or less than trucklots*[1] *as determined by freight rates from basing point market for the period December 1 to May 31, inclusive.* (See examples for use of following table.)

[Heading amended by Am. 6, 8 F.R. 11756, effective 8–23–43, and Am. 8, 8 F.R. 12951, effective 9–29–43]

Col. 1	Col. 2	Col. 3	Col. 4
Freight rate from basing point to market (dollars per 100 pounds)	December January February	March April	May
	Cents per pound	*Cents per pound*	*Cents per pound*
Under $.20	3.5	3.8	3.5
$.20–$.295	3.6	3.9	3.6
$.30–$.395	3.7	4.0	3.7
$.40–$.495	3.8	4.1	3.8
$.50–$.595	3.9	4.2	3.9
$.60–$.695	4.0	4.3	4.0
$.70–$.795	4.1	4.4	4.1
$.80–$.895	4.2	4.5	4.2
$.90–$.995	4.3	4.6	4.3
$1.00–$1.095	4.4	4.7	4.4
$1.10–$1.195	4.5	4.8	4.5
$1.20–$1.295	4.6	4.9	4.6
$1.20–$1.395	4.7	5.0	4.7
$1.40–$1.495	4.8	5.1	4.8

(2) Basing points and areas to which they apply:

December 1 to April 30

A. *El Centro, California*—for all markets west of Denver, Colorado.

B. *Brownsville, Texas*—for all markets east of and including Denver, Colorado, but excluding Area C below.

C. *Belleglade, Florida*—for all markets in the states of Florida, Mississippi, Tennessee, Alabama, Georgia, South Carolina, and in Virginia south of and including Lynchburg and Richmond.

May 1 to May 31

A. *Santa Maria, California*—for all markets west of Denver, Colorado.

B. *Brookhaven Mississippi*—for all markets east of and including Denver, Colorado.

(3) *Maximum prices for sales to retailers, institutional users and government procurement agencies in less-than-carlots or less-than-trucklots in the following zones for the period June 1 to November 30, 1943.*

	Col. 1 June	Col. 2 July, Aug.	Col. 3 Sept.	Col. 4 Oct., Nov.
	Cents per lb.	*Cents per lb.*	*Cents per lb.*	*Cents per lb.*
Zone I: States of Texas, Louisiana, Mississippi, Alabama, Georgia, South Carolina, Florida	4.0	3.9	3.7	3.5
Zone II: States of Kansas, Oklahoma, Missouri, Arkansas, Kentucky, Tennessee, Virginia, North Carolina, California, Arizona, Utah, New Mexico, Nevada Wyoming, Montana, North Dakota, South Dakota, Nebraska and Idaho	3.7	3.6	3.4	3.2
Zone III: All other states including District of Columbia	3.6	3.3	3.1	2.9

[Subparagraph (3) amended by Am. 3, 8 F.R. 10673, effective 7–28–43, and Am. 10, 8 F.R. 15610, effective 11–15–43]

(4) For sales of carlots or trucklots to retailers and institutional users, the maximum prices per pound shall be .6 cents less than the maximum prices for less than carlot or less than trucklot sales for each of the periods and freight rate classes listed above.

(5) If a grower makes a sale to an ultimate consumer, his maximum price for such sale shall be the ceiling price under paragraph 1 or paragraph 3 of this Appendix for the particular market where such sale is being made by the grower multiplied by 1.40.

(6) On sales of cabbage to Government procurement agencies, the maximum price shall be the prices listed in the table above for Zone I, II and III plus the amount by which the actual freight from the shipping point to the customary receiving point of the Government purchaser exceeds the following amounts:

Zone I—$1.10 per cwt.
Zone II—80¢ per cwt.
Zone III—45¢ per cwt.

[Subparagraph (6) added by Am. 8, 8 F.R. 12951, 14012, effective 9–29–43]

(b) *Explanation and examples of determining maximum prices under Appendix B.* (1) Cabbage of all types, grades, sizes, varieties and in any type of container or in bulk shall be sold under the provisions applicable to Appendix B. Cabbage sold under these provisions shall be "well trimmed" as defined in the United States Department of Agriculture standards for cabbage. The maximum prices established shall apply to sales by any person or persons to retailers and institutional users and are specified on a per pound basis. Maximum prices for sales of cabbage in any container shall be determined by multiplying the "net weight" of cabbage contained in the particular container, and so specified on the crate or other container, by the maximum price per pound for the particular market in which it is being sold.

(2) For the period December 1 to May 31, maximum prices for sales to retailers and institutional users in less than carlots or less than trucklots in a particular market shall be determined by determining the freight rate from the basing point specified for that particular market and finding the maximum price which corresponds to that particular freight rate in Table 1 above.

(i) *Example 1.* The basing point for Chicago, Illinois, during the months, December to April, is Brownsville, Texas. The freight rate per 100 pounds for cabbage from Brownsville, Texas, to Chicago, Illinois, is $1.02 and falls within the freight rate class, $1.00 to $1.095 as listed in column 1 of Table 1. The maximum price per pound to retailers and institutional users in less than carlots or less than trucklots in Chicago, Illinois, for December, January and February is then 4.4 cents per pound, as found in column 2, corresponding to the freight rate class $1.00–$1.095. For March and April the price in Chicago is 4.7 cents per pound and May, 4.4 cents per pound. The maximum price for a 50 pound sack of cabbage sold to a retailer in less than carlot or less than trucklot quantities in Chicago during December, January and February is 50 x 4.4¢ or $2.20; in March and April 50 x 4.7¢ or $2.35.

(ii) *Example 2.* The basing point for Atlanta, Georgia, is Belleglade, Florida. The freight rate from Belleglade to Atlanta is $.55 per 100 pounds and falls within the freight rate class of Table 1 of $.50–.595. Thus, the maximum price per pound by any seller to retailers and institutional users in less than carlots or less than trucklots in Atlanta, Georgia, is 3.9 cents for December, January and February, 4.2 cents for March and April and 3.9 cents for May.

(3) For the months June through November the regulation provides maximum prices for sales to retailers and institutional users in less than carlots or less than trucklots for all markets in the United States. There are no basing points. Each market has the same price. For example, as named in Section 3, the maximum price per pound at which any seller can sell to any retailer or institutional user in any market in the United States in less than carlot or less than trucklot quantities during June is 3.6 cents, 3.3 cents in July and August, 3.1 cents in September and 2.9 cents in October and November. Thus, the maximum price of an L. A. crate of cabbage with a net weight of 85 pounds sold to a retailer in less than carlot or less than trucklot quantities in all markets in the United States during July and August is 85 x 3.3 or $2.81.

(4) For sales to retailers or institutional users in carlot or trucklot quantities in Chicago, Illinois, during December, January and February, the maximum price per pound is 4.4 cents (maximum price for less than carlot or trucklot sales) minus .6 cents, or 3.8 cents. Thus the maximum price of a 50 pound sack of cabbage sold to a retailer in carlot or trucklot quantities is 50 x 3.8, or $1.90.

APPENDIX C—MAXIMUM PRICES FOR FRUITS AND VEGETABLES BASED ON MAXIMUM PRICES F. O. B. COUNTRY SHIPPING POINT

(a) This appendix establishes maximum prices for certain fruits and vegetables, f. o. b. country shipping point. For these commodi-

[1] See subparagraph 4 for maximum prices for carlot or trucklot sales.

ties, the maximum prices for carlot or trucklot sales at any wholesale receiving point and the maximum prices for less-than-carlot or less-than-trucklot sales in any market are computed respectively from the maximum price, f. o. b. country shipping point, by the addition of the cost of transportation (including refrigeration and other protective services) and a stipulated dollar-and-cent markup.

(b) When used in this regulation, the term:

(1) "Country shipping point" means a farm or other place in or near the producing area from which fruits and vegetables are sold, shipped, delivered or otherwise transferred to any person, or at which fruits and vegetables are prepared for sale, shipment, delivery, or other transfer to any person. "Prepared" means, for example, loading, sacking, grading, sizing or harvesting.

(2) "Cost of transportation" means:

(i) If shipment is by a common carrier whose maximum rates and charges are regulated by the Interstate Commerce Commission or other Federal or State regulatory body, the amount actually paid to the carrier, in conformance with its lawfully established rates and charges, including charges for pre-cooling, icing and other protective or accessorial services actually performed. Any allowance made by the carrier to a shipper or consignee for performing pre-cooling or other services may, nevertheless, be included in "cost of transportation" and may be retained by the person performing the services for which the allowance is made. The amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 may be added.

(ii) If shipment is by a carrier for hire other than a common carrier (such as a contract carrier) the amount actually paid to the carrier but not in excess of the maximum charges as determined by the General Maximum Price Regulation, amendments, and supplementary regulations thereto, or such other regulations of the Office of Price Administration as may be applicable to the services of such carrier at the time of movement. The amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 may be added.

(iii) If shipment is by a carrier other than described in (i) and (ii) above (such as an unregulated common carrier or a private carrier) the amount actually paid to the carrier but not in excess of an amount computed by applying to the actual weight of the shipment the lowest published rail carload rate between the rail stations nearest to the points of origin and destination plus rail charges for protective and accessorial services if equivalent services are performed. If the shipment is less than 20,000 pounds, an additional charge of 2 cents per 100 pounds may be made, *Provided:* That the total charge for a shipment of less than 20,000 shall not exceed the charge for a shipment of 20,000 pounds. In applying rail accessorial and protective charges which are stated in amounts per car, the per car charge may be made against a shipment of 20,000 pounds or more moving in a single conveyance, but only the proportion of such per car charge which the weight of the shipment bears to 20,000 pounds, may be made against a shipment of less than 20,000 pounds. When pre-cooling or icing, not included in the carrier's rates and charges, is performed by or for account of the shipper, the cost of this service, but not to exceed maximum prices prescribed by Maximum Price Regulation No. 165, may be added. The amount of the transportation tax imposed by section 620 of the Revenue Act of 1942, may be added, if the shipment is subject to that tax.

(iv) If shipment is by a means owned or controlled by the seller an amount not in excess of the lowest of the rates mentioned in (i), (ii), or (iii) above, available to the seller. The amount of the transportation tax imposed by section 620 of the Revenue Act of 1942, may be added if the shipment is subject to that tax.

(c) The first person (including a grower) and every person thereafter who makes sales of any of the fruits or vegetables covered by this Appendix C shall notify his purchaser on his invoice or other written evidence of the sale the exact amount of the "cost of transportation" as defined herein.

(d) The maximum prices for sales of red sour cherries shall be as follows:

Column 1	Column 2	Column 3
Maximum prices per pound, f. o. b. country shipping point.	Maximum prices per pound, for carlot or trucklot sales at any wholesale receiving point.	Maximum prices for less than carlot or less than trucklot sales to any person other than ultimate consumers.
10 cents per pound	10 cents per pound plus "cost of transportation" as defined above.	10 cents per pound plus "cost of transportation" as defined above, plus 1½ cents per pound.

(e) The maximum prices for sales of fresh berries in any container shall be as follows:

(1) For sales of any fresh berries covered by this Appendix by hotel or institutional supply houses, the maximum price shall be the maximum prices stated in column 2 above, plus 5¢ per quart or 3¢ per pint.

(2) In sales by growers to ultimate consumers the maximum price shall be the price stated in column 3 above, multiplied by 1.34.

(3) Any of the above-listed berries may be sold by the pint or by the quart or in cases of pints or quarts or mixed pints and quarts. A quart, dry measure shall contain 20 ounces, avoirdupois, or more, and a pint shall contain 10 ounces, avoirdupois, or more. The per pound prices listed above may be converted to per quart prices as follows: For a 20 ounce avd. quart the price shall be 20/16 of the per pound price listed above; for a 30 ounce avd. quart the price shall be 30/16 of the per pound price listed above, and so on. In all cases where the maximum price results in a fraction of a cent the figure shall be rounded to the nearest cent.

(4) *Adjustment provisions.* (See also section 2 of Article 1.) Any regional office or such district office of the Office of Price Administration as may be authorized by the appropriate regional office, may, by order, adjust the maximum prices for raspberries as follows: The upward limit to which prices in Column I may be adjusted is the lower of (a) the average price received by growers for the 1942 crop in the region or district wherein the adjusted price is to be effected as determined by the regional or district office from official United States Department of Agriculture market news sources plus 3 cents per pound or (b) 18 cents per pound plus an amount equal to the freight between the area for which the adjustment is being made and the shipping point, in Oregon, Washington, New York, Pennsylvania, Ohio and Michigan, which is nearest to that area. The prices in Column I so adjusted shall be substituted for the corresponding base figures in Column II and III.

No adjustment upward may be made for raspberries grown or sold in the states of Oregon, Washington, New York, Pennsylvania, Ohio, or Michigan.

	Column 1	Column 2	Column 3
	Maximum prices per pound, f. o. b. country shipping point, for variety of fresh berries	Maximum prices per pound for carlot or trucklot sales at any wholesale receiving point	Maximum prices for less than carlot or less than trucklot sales at any place other than the country shipping point and to any person other than a processor or ultimate consumer
	Cents	*Cents plus cost of transportation*	
Red raspberries	18	18	18¢ per pound plus cost of transportation plus 3¢ per pint or 4¢ per quart.
Black raspberries	16	16	16¢ per pound plus cost of transportation plus 3¢ per pint or 4¢ per quart.
Youngberries	15	15	15¢ per pound plus cost of transportation plus 4¢ per quart.
Boysenberries	15	15	15¢ per pound plus cost of transportation plus 4¢ per quart.
Loganberries	15	15	15¢ per pound plus cost of transportation plus 4¢ per quart.
Blackberries	15	15	15¢ per pound plus cost of transportation plus 4¢ per quart.
Gooseberries	11	11	11¢ per pound plus cost of transportation plus 4¢ per quart.

NOTE: For sales of any fresh berries covered by this Appendix by hotel and institutional supply houses, the maximum price shall be the maximum price stated in Column 2 above plus 5¢ per quart, or 3¢ a pint.

[Paragraph (e) added by Am. 2, 8 F.R. 9727, effective as to all sales f. o. b. country shipping point on 7–13–43, and as to all other sales on 7–19–43; amended by Am. 3, 8 F.R. 10673, effective 7–29–43; and Am. 6, 8 F.R. 11756, effective 8–23–43]

[Appendix C added by Am. 1, 8 F.R. 9568, effective 7–10–43]

APPENDIX D—MAXIMUM PRICES FOR TABLE GRAPES [1] [2]

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping point for shipments out of California [3]	Basing point	Maximum prices at any wholesale receiving point for carlot or trucklot sales [4]	Maximum prices for less than carlot or less than trucklot sales to any person except ultimate consumers [5]
1	Grapes in lug boxes with a minimum net weight of 28 lbs. sold in the U. S. except in California.	Lug box	August 1–October 31	$2.05	Bakersfield, Calif.	$2.20 (basing point price) plus freight from basing point to wholesale receiving point.	Maximum price for carlot or trucklot sales (Col. 7) plus 56 cents.
2			November 1–December 31.	2.30	Bakersfield, Calif.	$2.45 (basing point price) plus freight from basing point to wholesale receiving point.	Maximum price for carlot or trucklot sales (Col. 7) plus 56 cents.
3			January 1–End of season.	2.60	Bakersfield, Calif.	$2.75 (basing point price) plus freight from basing point to wholesale receiving point.	Maximum price for carlot or trucklot sales (Col. 7) plus 56 cents.
4	Grapes in any container except lug boxes with a minimum net weight of 28 lbs. sold in the U. S. except California.	Pound	August 1–October 31	.0725		Maximum price above (Item 1) divided by 28.	Maximum price for carlot or trucklot sales (Col. 7) plus 2¢ per lb.
5			November 1–December 31.	.0825		Maximum price above (Item 2) divided by 28.	Maximum price for carlot or trucklot sales (Col. 7) plus 2¢ per lb.
6			January 1–End of season.	.0925		Maximum price above (Item 3) divided by 28.	Maximum price for carlot or trucklot sales (Col. 7) plus 2¢ per lb.
7	Grapes in any container sold in the state of California for resale and consumption in California.	Pound	August 1–October 31	None	None	8.0 cents per pound	10.0 cents per pound.
8			November 1–December 31.	None	None	9.0 cents per pound	11.0 cents per pound.
9			January 1–End of season.	None	None	10.0 cents per pound	12.0 cents per pound.

[1] If a grower makes a sale to an ultimate consumer, the maximum price for such sale shall be the ceiling price established under Col. 7 above for the particular market where such a sale is being made by the grower, multiplied by 1.40.

NOTE: The maximum prices at wholesale receiving points established in this appendix are intended to operate on the same basis as those set forth in Appendix A of this section for sales of lettuce. The examples and explanations of the operation of the regulation with respect to establishing prices at wholesale receiving points, set forth in Appendix A apply to the maximum prices for grapes.

[2] Includes all varieties except the following: Concords, Alicante, Aramon, Barberone, Burger, Burgundy, Carignane, Chianti, Cinsaut, Gregano, Grenache, Juice Malagas, Malvoisie, Mataro, Mission, Muscat, Petite Bouschet, Petite Sirah, Valdepena, Zinfandel.

[3] Maximum price f. o. b. shipping point applies only to sales for shipment out of California. Sales for resale and consumption in California are not subject to control at f. o. b. shipping point.

[4] Basing point price is to be used in determining the maximum price delivered at any wholesale receiving point for carlot or trucklot sales. Difference between maximum price f. o. b. shipping point and basing point price in the allowance for protective services and risk in transit. Maximum prices f. o. b. shipping point for shipment out of California are those listed in Col. 5. Maximum prices delivered at any wholesale receiving point for carlot or trucklot sales are determined by adding freight to the basing point prices listed in Col. 7.

[5] Col. 8 does not apply to sales made l. c. l. at California shipping points for shipment out of California (See Col. 5).

[Appendix D added by Am. 4, 8 F.R. 11589, effective September 3, 1943, except that the f. o. b. shipping point prices in Column 5 of Appendix D shall become effective August 19, 1943. Any regional office or such district office of the Office of Price Administration as may be authorized by the appropriate regional office may, by order, extend the effective date of Amendment 4 with respect to the maximum prices named in Columns 7 and 8 of the table in Appendix D of section 15 for sales by any individual receiving a carlot of merchandise at a wholesale receiving point who (a) exhibits a bill of lading showing that the carlot was actually shipped from California prior to August 19, 1943 and (b) shows that he cannot dispose of the merchandise prior to September 3, 1943. The effective date may be extended only to such date that will permit the individual sufficient time in which to dispose of the merchandise, but in no event shall the effective date be extended beyond September 10, 1943.]

[Effective date provisions amended by Am. 7, 8 F.R. 12098, effective 8–31–43]

APPENDIX E—MAXIMUM PRICES FOR CONCORD GRAPES [1] [2]

Table 1. Maximum prices for sales to all persons, other than ultimate consumers.[3] Prices include transportation, protective services and all other charges.[4]

Col. 1	Col. 2	Col. 3
State	Sales in carlot or trucklot quantities	Sales in less-than-carlot or less-than-trucklot quantities
	Cents per pound	*Cents per pound*
Zone I: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Delaware, West Virginia, Virginia, District of Columbia, North Carolina, South Carolina, Tennessee, Mississippi, Alabama, Georgia, Florida	4.5	5.0
Zone II: Wisconsin, Illinois, Michigan, Ohio, Indiana, Kentucky.	4.0	4.5
Zone III: All other States except Washington, Oregon, Nevada and California.	3.75	4.25
Zone IV: Washington, Oregon, Nevada, California.	3.5	4.0

[1] If a grower makes a sale to an ultimate consumer, his ceiling price shall be 7¢ per pound in Zone I, 6.5¢ per pound in Zone II, 6¢ per pound in Zone III and 5.5¢ per pound in Zone IV.

[2] Concord grapes includes any and all strains of Concord type grapes of the purple slipskin varieties, including, for example, Concord, Cottage, Eaton, Hartford, Hicks, Rockwood, Ives and Worden.

[3] Includes wholesalers and retailers, among others. Sales to institutional users are also covered. Sales to commercial and industrial users are covered by Maximum Price Regulation No. 425, 8 F.R. 9303, 9879, 12632, 12952, 14154, 15674.

[4] In each case, the amount paid by the buyer for freight and all other charges plus the amount paid by the buyer to the seller shall not exceed the prices named above.

APPENDIX F—MAXIMUM PRICES FOR CALIFORNIA JUICE GRAPES [1] [2]

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum price f. o. b. shipping point for shipments out of California.[4]	Basing point	Maximum prices at any wholesale receiving point for carlot or trucklot sales [3] [4]	Maximum prices for less than carlot or less than trucklot sales, except at shipping point, to any person except ultimate consumers.[5]
1	Juice grapes in lug boxes with a minimum net weight of 36 pounds for shipment out of California.	Lug box	1943 shipping season.	$1.40	Bakersfield, California.	$1.60 (basing point price) plus freight from basing point to wholesale receiving point.	Maximum price for carlot or trucklot sales (Col. 7) plus 36 cents.
2	Juice grapes in containers other than lug boxes with a minimum net weight of 36 pounds for shipment out of California.	Pound	1943 shipping season.	.04	Bakersfield, California.	Maximum price above (item 1) divided by 36.	Maximum price for carlot or trucklot sales (Col. 7) plus 1 cent per pound.
3	Juice grapes in any container sold in the state of California for resale and consumption in California.	Pound	1943 shipping season.	None	None	4.0 cents per pound	5.0 cents per pound.

[1] If a grower makes a sale to an ultimate consumer, the maximum price for such sale shall be the ceiling price established under Col. 7 above for the particular market where such a sale is being made by the grower, multiplied by 1.40.

NOTE: *The maximum prices at wholesale receiving points established in this appendix are intended to operate on the same basis as those set forth in Appendix D of this section for sales of table grapes. The examples and explanations of the operation of the regulation with respect to establishing prices at wholesale receiving points set forth in Appendix A, apply to the maximum prices for California juice grapes.*

[2] Includes the following varieties: Alicante, Aramon, Barberone, Burger, Burgundy, Carignane, Chianti, Cinsaut, Gregano, Grenache, Juice Malagas, Malvoisie, Mataro, Mission, Muscat, Petite Bouschet, Petite Sirah, Valdepena, Zinfandel.

[3] Basing point price is to be used in determining the maximum price delivered at any wholesale receiving point for carlot or trucklot sales. Difference between maximum price f. o. b. shipping point and basing point price is the allowance for protective services and risk in transit. Maximum prices f. o. b. shipping point apply only to sales for shipment out of California. Sales of California juice grapes to commercial wineries for crushing for wine or brandy within California are not subject to the provisions of this appendix.

[4] No grower or shipper may receive more than the maximum price stated in Col. 5 for f. o. b. sales out of California or the maximum prices stated in Col. 7 for delivered sales. No grower or shipper may receive any part of the wholesale spread of 36¢ provided in Col. 8 above.

[5] The first person who breaks a carlot or trucklot for sale at auction or at private sale, shall not take more than 15¢ per 36-pound lug out of the wholesale spread of 36¢ provided in Col. 8, unless such person shall have sold and delivered to the premises of the retailer (or institutional user or government agency) where sale or transfer is to be made to ultimate consumers. All expenses of the auction sale shall be taken out of the 15¢ herein provided.

[6] Includes wholesalers and retailers, among others. Sales to institutional users are also covered. Sales to commercial and industrial users are covered by Maximum Price Regulation No. 425.

[Appendices E and F added by Am. 8, 8 F.R. 12951, effective September 29, 1943, except that for California juice grapes the f. o. b. shipping point prices shall become effective September 24, 1943 and all other prices with respect to California juice grapes shall become effective October 9, 1943. Any regional office or such district office of the Office of Price Administration as may be authorized by the appropriate regional office may, by order, extend the effective date of this amendment with respect to the maximum prices for sales by any individual receiving a carlot of merchandise at a wholesale receiving point who (a) exhibits a bill of lading showing that the carlot was actually shipped prior to September 24, 1943 and (b) shows that he cannot dispose of the merchandise prior to October 9, 1943.

The effective date may be extended only to such date that will permit the individual sufficient time in which to dispose of the merchandise, but in no event shall the effective date be extended beyond October 20, 1943.]

[Effective date provisions as corrected, 8 F.R. 14154, effective 10-1-43]

APPENDIX G—MAXIMUM PRICES FOR APPLES [1]

(Excluding Lady Apples and Crabapples)

(a) Contents and Guide to Appendix G.

(1) F. o. b. shipping point maximum prices for sales in certain states. (See paragraph d.)

(2) Maximum prices for delivered sales.

(i) Maximum price for carlot sales. (See paragraph c.)

(ii) Maximum price for sales through a broker. (See paragraph (c) (3).)

(iii) Maximum price for sales in auction markets. (See paragraph (b) (2).)

(iv) Maximum prices for less than carlot or less than trucklot sales to retail stores, etc. (See paragraphs (b) (1) and (b) (4)).

(v) Maximum prices for L. C. L. or L. T. L. sales to intermediate sellers. (See paragraph (b) (2).)

(3) Maximum price for sales by growers to consumers. (See paragraph (e).)

(b) Maximum prices for sales in less than carlots or less than trucklots for the following types of sales in the zones listed below: (This paragraph does not apply to sales covered by paragraph d.)

(1) Maximum prices for sales to retail stores, institutional users (hotels, restaurants, etc.) government procurement agencies and persons other than ultimate consumers and intermediate sellers, and except when the purchaser is located in a secondary marketing area. (See paragraph (b) (4).)

[1] These prices cover packed and wrapped fruit, loose fruit or any other style of pack.

TABLE OF MAXIMUM PRICES FOR L. C. L. AND L. T. L. SALES TO RETAILERS, ETC.

ZONES I AND VI

Item	Month	Dollars per container for specified container sizes (Minimum net weight of fruit)																Dollars per pound of fruit for all other containers
		35 lbs.	36 lbs.	37 lbs.	38 lbs.	39 lbs.	40 lbs.	41 lbs.	42 lbs.	43 lbs.	44 lbs.	45 lbs.	46 lbs.	47 lbs.	48 lbs.	49 lbs.	50 lbs.	
1	October	2.49	2.56	2.64	2.71	2.78	2.85	2.92	2.99	3.06	3.14	3.21	3.28	3.35	3.42	3.49	3.56	0.07⅛
2	November	2.62	2.70	2.78	2.85	2.92	3.00	3.08	3.15	3.22	3.30	3.38	3.45	3.52	3.60	3.68	3.75	.07½
3	December and January	2.76	2.84	2.91	2.99	3.07	3.15	3.23	3.31	3.39	3.46	3.54	3.62	3.70	3.78	3.86	3.94	.07⅞
4	February and March	2.89	2.97	3.05	3.14	3.22	3.30	3.38	3.46	3.55	3.63	3.71	3.80	3.88	3.96	4.04	4.12	.08¼
5	April, May, and June	3.02	3.10	3.19	3.28	3.36	3.45	3.54	3.62	3.71	3.80	3.88	3.97	4.05	4.14	4.23	4.31	.08⅝

ZONES II AND V

1	October	2.62	2.70	2.78	2.85	2.92	3.00	3.08	3.15	3.22	3.30	3.38	3.45	3.52	3.60	3.68	3.75	0.07½
2	November	2.76	2.84	2.91	2.99	3.07	3.15	3.23	3.31	3.39	3.46	3.54	3.62	3.70	3.78	3.86	3.94	.07⅞
3	December and January	2.89	2.97	3.05	3.14	3.22	3.30	3.38	3.46	3.55	3.63	3.71	3.80	3.88	3.96	4.04	4.12	.08¼
4	February and March	3.02	3.10	3.19	3.28	3.36	3.45	3.54	3.62	3.71	3.80	3.88	3.97	4.05	4.14	4.23	4.31	.08⅝
5	April, May, and June	3.15	3.24	3.33	3.42	3.51	3.60	3.69	3.78	3.87	3.96	4.05	4.14	4.23	4.32	4.41	4.50	.09

ZONES III AND IV

1	October	2.76	2.84	2.91	2.99	3.07	3.15	3.23	3.31	3.39	3.46	3.54	3.62	3.70	3.78	3.86	3.94	0.07⅞
2	November	2.89	2.97	3.05	3.14	3.22	3.30	3.38	3.46	3.55	3.63	3.71	3.80	3.88	3.96	4.04	4.12	.08¼
3	December and January	3.02	3.10	3.19	3.28	3.36	3.45	3.54	3.62	3.71	3.80	3.88	3.97	4.05	4.14	4.23	4.31	.08⅝
4	February and March	3.15	3.24	3.33	3.42	3.51	3.60	3.69	3.78	3.87	3.96	4.05	4.14	4.23	4.32	4.41	4.50	.09
5	April, May, and June	3.28	3.38	3.47	3.56	3.66	3.75	3.84	3.94	4.03	4.12	4.22	4.31	4.41	4.50	4.59	4.69	.09⅜

(2) Maximum prices for sales to intermediate sellers (for resale to retail stores, institutional users, and other persons, except ultimate consumers).

TABLE OF MAXIMUM PRICES FOR L. C. L. AND L. T. L. SALES TO INTERMEDIATE SELLERS, ETC.

ZONES I AND VI

Item	Month	Dollars per container for specified container sizes (Minimum net weight of fruit)																Dollars per pound of fruit for all other containers
		35 lbs.	36 lbs.	37 lbs.	38 lbs.	39 lbs.	40 lbs.	41 lbs.	42 lbs.	43 lbs.	44 lbs.	45 lbs.	46 lbs.	47 lbs.	48 lbs.	49 lbs.	50 lbs.	
1	October	2.32	2.38	2.45	2.52	2.58	2.65	2.72	2.78	2.85	2.92	2.98	3.05	3.11	3.18	3.25	3.31	0.06⅝
2	November	2.45	2.52	2.59	2.66	2.73	2.80	2.87	2.94	3.01	3.08	3.15	3.22	3.29	3.36	3.43	3.50	.07
3	December and January	2.58	2.66	2.73	2.80	2.88	2.95	3.02	3.10	3.17	3.24	3.32	3.39	3.47	3.54	3.61	3.69	.07⅜
4	February and March	2.71	2.79	2.87	2.94	3.02	3.10	3.18	3.26	3.33	3.41	3.49	3.56	3.64	3.72	3.80	3.88	.07¾
5	April, May, and June	2.84	2.92	3.01	3.09	3.17	3.25	3.33	3.41	3.49	3.58	3.66	3.74	3.82	3.90	3.98	4.06	.08⅛

ZONES II AND V

Item	Month	Dollars per container for specified container sizes (Minimum net weight of fruit)																Dollars per pound of fruit for all other containers
		35 lbs.	36 lbs.	37 lbs.	38 lbs.	39 lbs.	40 lbs.	41 lbs.	42 lbs.	43 lbs.	44 lbs.	45 lbs.	46 lbs.	47 lbs.	48 lbs.	49 lbs.	50 lbs.	
1	October	2.45	2.52	2.59	2.66	2.73	2.80	2.87	2.94	3.01	3.08	3.15	3.22	3.29	3.36	3.43	3.50	.07
2	November	2.58	2.66	2.73	2.80	2.88	2.95	3.02	3.10	3.17	3.24	3.32	3.39	3.47	3.54	3.61	3.69	.07⅜
3	December and January	2.71	2.79	2.87	2.94	3.02	3.10	3.18	3.26	3.33	3.41	3.49	3.56	3.64	3.72	3.80	3.88	.07¾
4	February and March	2.84	2.92	3.01	3.09	3.17	3.25	3.33	3.41	3.49	3.58	3.66	3.74	3.82	3.90	3.98	4.06	.08⅛
5	April, May and June	2.98	3.06	3.14	3.23	3.32	3.40	3.48	3.57	3.66	3.74	3.82	3.91	4.00	4.08	4.16	4.25	.08½

ZONES III AND IV

1	October	2.58	2.66	2.73	2.80	2.88	2.95	3.02	3.10	3.17	3.24	3.32	3.39	3.47	3.54	3.61	3.69	.07⅜
2	November	2.71	2.79	2.87	2.94	3.02	3.10	3.18	3.26	3.33	3.41	3.49	3.56	3.64	3.72	3.80	3.88	.07¾
3	December and January	2.84	2.92	3.01	3.09	3.17	3.25	3.33	3.41	3.49	3.58	3.66	3.74	3.82	3.90	3.98	4.06	.08⅛
4	February and March	2.98	3.06	3.14	3.23	3.32	3.40	3.48	3.57	3.66	3.74	3.82	3.91	4.00	4.08	4.16	4.25	.08½
5	April, May and June	3.11	3.20	3.28	3.37	3.46	3.55	3.64	3.73	3.82	3.90	3.99	4.08	4.17	4.26	4.35	4.44	.08⅞

(3) Description of zones.

States	Counties	Zones					
		I	II	III	IV	V	VI
NORTH ATLANTIC							
Maine	All	x					
New Hampshire	All	x					
Vermont	All	x					
Massachusetts	All	x					
Rhode Island	All	x					
Connecticut	All	x					
New York	All	x					
New Jersey	All	x					
Pennsylvania	All	x					
EAST NORTH CENTRAL							
Ohio	All	x					
Indiana	All	x					
Illinois	All	x					
Michigan	All counties east of Lake Michigan	x					
	Rest of State		x				
Wisconsin	Vernon, Sauk, Dodge, Columbia, Washington, Ozaukee counties and all counties south thereof.	x					
	Rest of State		x				
WEST NORTH CENTRAL							
Minnesota	All		x				
Iowa	All		x				
Missouri	Clark, Lewis and Marion counties	x					
	Rest of State		x				
North Dakota	All			x			
South Dakota	All			x			
Nebraska	Dakota, Thurston, Burt, Washington, Sarpy & Douglas counties.		x				
	Rest of State			x			
Kansas	Wyandotte county		x				
	Rest of State			x			
SOUTH ATLANTIC							
District of Columbia	All	x					
Delaware	All	x					
Maryland	All	x					
Virginia	All	x					
West Virginia	All	x					
North Carolina	All	x					
South Carolina	All	x					
Georgia	Effingham & Chatham counties	x					
	Rest of State		x				
Florida	All		x				

(3) *Description of zones*—Continued.

States	Counties	Zones					
		I	II	III	IV	V	VI
SOUTH CENTRAL							
Kentucky	All	x					
Tennessee	Scott, Morgan, Roane, Loudon and Monroe counties and all east thereof.	x					
	Rest of State		x				
Alabama	All		x				
Mississippi	All		x				
Arkansas	All		x				
Louisiana	Pointe Coupee, St. Martin, and Iberia parishes and all parishes east thereof.		x				
	Rest of State			x			
Oklahoma	Cimarron, Texas and Beaver counties				x		
	Rest of State			x			
Texas	Hardeman, Foard, Knox, Haskell, Jones, Taylor, Ronnels, Concho, Menard, Kimble, Edwards, Kinney counties, and all counties east thereof.			x			
	Rest of State				x		
WEST							
Montana	All					x	
Idaho	Lemhi, Custer, Camas, Blaine, Gooding and Twin Falls counties and all counties east thereof.					x	
	Rest of State						x
Wyoming	All				x		
Colorado	All				x		
New Mexico	All				x		
Arizona	All				x		
Utah	Daggett, Grand, San Juan and Uintah counties.				x		
	Rest of State					x	
Nevada	All					x	
Washington	All						x
Oregon	All						x
California	All					x	

(4) For sales and deliveries of apples in less than carlot or less than trucklot quantities, delivered to the premises of a retail store, institution or the designated receiving point of a government procurement agency, located in a secondary marketing area, the maximum prices shall be those set forth below. "Secondary marketing area" means any municipality, town, village or hamlet, having a population of less than 20,000 persons, or a rural store, which is located at a distance of 25 miles or more from the nearest carlot or trucklot receiving point, from which the purchaser customarily purchases, in a municipality, town, village or hamlet having a population of 20,000 persons or more.

TABLE OF MAXIMUM PRICES FOR L. C. L. AND L. T. L SALES TO RETAILERS, ETC., IN SECONDARY MARKETING AREAS

ZONES I AND VI

Item	Month	Dollars per container for specified container sizes (Minimum net weight of fruit)															Dollars per pound of fruit for other containers
		35 lbs.	36 lbs.	37 lbs.	38 lbs.	39 lbs.	40 lbs.	41 lbs.	42 lbs.	43 lbs.	44 lbs.	45 lbs.	46 lbs.	47 lbs.	48 lbs.	49 lbs.	50 lbs.	
1	October	2.62	2.70	2.78	2.85	2.92	3.00	3.08	3.15	3.22	3.30	3.38	3.45	3.52	3.60	3.68	3.75	0.07
2	November	2.76	2.84	2.91	2.99	3.07	3.15	3.23	3.31	3.39	3.46	3.54	3.62	3.70	3.78	3.86	3.94	.07⅞
3	December and January	2.89	2.97	3.05	3.14	3.22	3.30	3.38	3.46	3.55	3.63	3.71	3.80	3.88	3.96	4.04	4.12	.08¼
4	February and March	3.02	3.10	3.19	3.28	3.36	3.45	3.54	3.62	3.71	3.80	3.88	3.97	4.05	4.14	4.23	4.31	.08⅝
5	April, May, and June	3.15	3.24	3.33	3.42	3.51	3.60	3.69	3.78	3.87	3.96	4.05	4.14	4.23	4.32	4.41	4.50	.09

ZONES II AND V

1	October	2.76	2.84	2.91	2.99	3.07	3.15	3.23	3.31	3.39	3.46	3.54	3.62	3.70	3.78	3.86	3.94	0.07⅞
2	November	2.89	2.97	3.05	3.14	3.22	3.30	3.38	3.46	3.55	3.63	3.71	3.80	3.88	3.96	4.04	4.12	.08¼
3	December and January	3.02	3.10	3.19	3.28	3.36	3.45	3.54	3.62	3.71	3.80	3.88	3.97	4.05	4.14	4.23	4.31	.08⅝
4	February and March	3.15	3.24	3.33	3.42	3.51	3.60	3.69	3.78	3.87	3.96	4.05	4.14	4.23	4.32	4.41	4.50	.09
5	April, May, and June	3.28	3.38	3.47	3.56	3.66	3.75	3.84	3.94	4.03	4.12	4.22	4.31	4.41	4.50	4.59	4.69	.09⅜

ZONES III AND IV

1	October	2.89	2.97	3.05	3.14	3.22	3.30	3.38	3.46	3.55	3.63	3.71	3.80	3.88	3.96	4.04	4.12	0.08¼
2	November	3.02	3.10	3.19	3.28	3.36	3.45	3.54	3.62	3.71	3.80	3.88	3.97	4.05	4.14	4.23	4.31	.08⅝
3	December and January	3.15	3.24	3.33	3.42	3.51	3.60	3.69	3.78	3.87	3.96	4.05	4.14	4.23	4.32	4.41	4.50	.09
4	February and March	3.28	3.38	3.47	3.56	3.66	3.75	3.84	3.94	4.03	4.12	4.22	4.31	4.41	4.50	4.59	4.69	.09⅜
5	April, May, and June	3.41	3.51	3.61	3.70	3.80	3.90	4.00	4.10	4.19	4.29	4.39	4.48	4.58	4.68	4.78	4.88	.09¾

(5) *Maximum prices for sales in a terminal auction.* The maximum price for sales of apples in a terminal auction shall be the sum of the following:

(i) The applicable carlot or trucklot maximum price (as determined under paragraph (c) (1)); plus

(ii) 5¢ per container of 40 pounds or more, or 4¢ per container of less than 40 pounds; plus

(iii) The terminal auction company usual commission or fee, (as determined under Maximum Price Regulation No. 165); plus

(iv) Actual charges for unloading cars for sales at a terminal auction.

[Subparagraphs (4) and (5) added by Am. 12, effective 12-3-43]

(c) *Maximum prices for sales in carlots or trucklots delivered at any terminal market or other wholesale receiving point for the following types of sales.* Prices established by this paragraph include transportation, protective services, and all other charges. In each case, the amount paid by the buyer for transportation and all other charges plus the amount paid by the buyer to the seller shall not exceed the applicable maximum price figured on a delivered basis. (This paragraph does not apply to sales covered by paragraph d.)

(1) *Sales by any persons covered by this regulation, except carlot distributors and sales through brokers.* (i) For sales of apples produced in and received outside of each of the states of Idaho, Washington, or Oregon, the maximum price in each case shall be the applicable maximum price f. o. b. shipping point plus freight (including protective services), less any applicable freight equalization payment announced by the War Food Administration and for the Commodity Credit Corporation.

[Subparagraph (1) (i) as amended by Am. 12, effective 12-3-43]

(ii) For sales of apples produced in and received outside of each of the states of Pennsylvania, New York, Virginia or West Virginia, the maximum price in zones I, II and III shall be the applicable maximum price, f. o. b. shipping point, plus freight to the point of delivery, in zones I, II and III. In zones IV, V and VI, the maximum prices shall be those specified in paragraph (c) (1) (iii) hereof.

(iii) For all carlot or trucklot sales (except when made by carlot distributors and through brokers) not covered by paragraphs (c) (1) (i) and (c) (1) (ii) hereof, the maximum price shall be the applicable less-than-carlot or less-than-trucklot zone prices listed in paragraph (b) (1) less one cent per pound.

(2) *Sales by carlot distributors.* (i) For sales by carlot distributors (persons who buy and sell in carlots or trucklots, not including original shippers), the maximum price shall be the price determined under paragraphs (c) (1) (i), (c) (1) (ii) or (c) (1) (iii) hereof, whichever is applicable, plus 5 cents per container having a net weight of 40 pounds or more, or 4 cents per container having a net weight of less than 40 pounds.

(3) *Sales through brokers.* For sales through a broker, the maximum price shall be the price determined under paragraphs (c) (1) (i), (c) (1) (ii) or (c) (1) (iii) hereof, whichever is applicable, plus 3 cents per container having a net weight of 40 pounds or more, or 2½ cents per container having a net weight of less than 40 pounds.

(4) *Summary of provisions of paragraph (c): Chart showing methods of determining maximum prices for sales of apples in carlot or trucklot quantities delivered at any terminal market or other wholesale receiving point:*

Zone	Apples produced in and shipped out of New York, Pennsylvania, West Virginia and Virginia.	Apples produced in and shipped out of Washington, Oregon and Idaho	All other apples and apples sold in a market in the state of production	Sales by a carlot distributor	Sales through a broker in the terminal market
	(1)	(2)	(3)	(4)	(5)
I, II, III	The f. o. b. shipping point price (paragraph (d)) plus freight (including protective services)	The f. o. b. shipping point price (paragraph (d)) plus freight (including protective services) less freight equalization payments announced by the WFA and C. C. C.	The L. C. L. or L. T. L. price for sales to retailers etc. (paragraph (b) (1) minus one cent per pound).	The price under Col. 1, 2 or 3, whichever is applicable, plus 5 cents per container of 40 lbs. net weight or more, or 4 cents per container of less than 40 lbs. net weight.	The price under Col. 1, 2 or 3, whichever is applicable, plus 3 cents per container of 40 pounds net weight or more, or 2½ cents per container or less than 40 pounds net weight.
IV, V, VI	The L. C. L. or L. T. L. price for sales to retailers, etc. (paragraph (b) (1) minus one cent per pound.)				

[Subparagraph (4) added by Am. 12, effective 12-3-43]

(d) *Maximum prices f. o. b. shipping point for certain specified states.* The maximum prices established in the table below apply only to f. o. b. shipping point sales of apples, produced in each of the states of Idaho, New York, Oregon, Pennsylvania, Virginia, Washington, and West Virginia.

[Text of paragraph (d) as amended by Am. 12, effective 12-3-43]

(1) TABLE OF MAXIMUM PRICES, F. O. B. SHIPPING POINT [1]

Item	Month	Dollars per container for specified container sizes (minimum net weight of fruit)															Dollars per pound of fruit for all other containers
		35 lbs.	36 lbs.	37 lbs.	38 lbs.	39 lbs.	40 lbs.	41 lbs.	42 lbs.	43 lbs.	44 lbs.	45 lbs.	46 lbs.	47 lbs.	48 lbs.	49 lbs.	50 lbs.	
1	October	2.01	2.07	2.13	2.18	2.24	2.30	2.36	2.42	2.47	2.53	2.59	2.64	2.70	2.76	2.82	2.88	.05¾
2	November	2.14	2.20	2.27	2.33	2.39	2.45	2.51	2.57	2.63	2.70	2.76	2.82	2.88	2.94	3.00	3.06	.06⅛
3	December and January	2.28	2.34	2.40	2.47	2.54	2.60	2.66	2.73	2.80	2.86	2.92	2.99	3.06	3.12	3.18	3.25	.06½
4	February and March	2.41	2.48	2.54	2.61	2.68	2.75	2.82	2.89	2.96	3.02	3.09	3.16	3.23	3.30	3.37	3.44	.06⅞
5	April, May, and June	2.54	2.61	2.68	2.76	2.83	2.90	2.97	3.04	3.12	3.19	3.26	3.34	3.41	3.48	3.55	3.62	.07¼

[1] The maximum prices established by this table apply to any person making f. o. b. sales in the states listed above (including for example growers, grower-shippers, shippers and grower's sales agents).

(e) *Maximum prices for sales by growers and shippers to ultimate consumers in the following zones:* [1] [2]

Item	Month	Zones I and VI	Zones II and V	Zones III and IV
		Cents per pound	*Cents per pound*	*Cents per pound*
1	October	9½	10	10½
2	November	10	10½	11
3	December and January	10½	11	11½
4	February and March	11	11½	12
5	April, May, and June	11½	12	12½

[1] Sales by growers or shippers of five boxes of apples or less, each box having a net weight of not more than 26 pounds of fruit, in any one lot by parcel post, mail or express to any one consignee shall be exempt from the provisions of this regulation.

[Footnote (1) amended by Am. 11, 8 F.R. 16062, effective 11-25-43.]

[2] The maximum prices stated above shall not apply where community prices are established for apples sold at retail by district or regional offices of The Office of Price Administration.

[Appendix G added by Am. 9, effective October 7, 1943 as to f. o. b. shipping point prices. All other prices and provisions set forth in Am. 9 shall become effective October 22, 1943.]

This regulation shall become effective July 10, 1943 as to Appendix C of Article III, section 15, and on July 20, 1943 as to Articles I through III except Appendix C of Article III, section 15. [Issued July 10, 1943]

[Effective date provisions amended by Am. 1, 8 F.R. 9568, effective 7-10-43]

[Effective dates of amendments are shown in notes following the parts affected.]

NOTE: All 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.

Issued this 3d day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-19345; Filed, December 3, 1943; 3:34 p. m.]

PART 1340—FUEL

[MPR 120,[1] Amdt. 74]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

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

Maximum Price Regulation No. 120 is amended in the following respect:

In § 1340.207, paragraph (e) is designated paragraph (f) and new paragraph (e) is added to read as follows:

(e) A producer may obtain temporary adjustment of the maximum prices for the sale of coal from a mine:

(1) Where the mine is one at which the wages of the mine workers are computed in accordance with the provisions of the Memorandum of Agreement en-

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

[1] 8 F.R. 14560.

tered into between the Secretary of the Interior and the President of the United Mine Workers of America dated November 3, 1943, or in accordance with the provisions of a legal wage agreement substantially similar thereto.

(2) Where the mine is operating on a six-day work week basis.

(3) If the mine has not, subsequent to November 30, 1943, been granted any adjustment of maximum prices either individually, as one of a group or on a district-wide basis.

(4) If the producer has filed an application for adjustment on OPA Form No. 653–632 (or on OPA Form No. 653–572 where his mine's daily capacity is less than 50 tons) simultaneously with OPA Form No. 653–638 by sending an original and one copy of both such forms by registered mail to the Secretary, Office of Price Administration, Washington 25, D. C.

(5) If the producer has notified the Solid Fuels Branch, Office of Price Administration, Washington 25, D. C. by telegraph of the amount of the price adjustment computed on Form No. 653–638, prior to charging such adjustment.

(6) If the producer includes a statement on each invoice rendered during the period the temporary relief is in effect that the amount charged includes a temporary adjustment computed on OPA Form No. 653–638 and shows the amount per ton so added.

As soon as the producer has mailed such forms by registered mail and has given notice by telegraph he may add the amount of the adjustment properly computed on Form No. 653–638 uniformly to all of his maximum prices regardless of size, use or method of shipment until advised to the contrary by the Office of Price Administration or until advised of action on his application.

In the event it appears that the computation on OPA Form No. 653–638 was improperly made or that the adjustment was excessive in amount that fact will be taken into consideration by the Price Administrator in acting upon the application or in the maximum prices subsequently effective. Computations made on a basis other than that provided in OPA Form No. 653–638, or failure to comply with any other provision of this paragraph (e), will be considered an evasion of this regulation and will be 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.

This amendment shall become effective December 3, 1943.

NOTE: The 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.

(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 3d day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-19367; Filed, December 3, 1943; 4:39 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[1] Amdt. 87]

MILEAGE RATIONING: GASOLINE REGULATIONS

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

1. Section 1394.7551 (a) (10) is amended by deleting the phrase "exchange certificates on Form OPA R–548 issued by a Board in return for other evidences received,".

2. Section 1394.7551 (a) (51) is added to read as follows:

(51) "Folder" means an identification folder for use in connection with serially numbered coupons issued in strips, to identify such coupons with the person to whom, and any vehicle or fleet for which the coupons are issued.

3. Section 1394.7803 is amended to read as follows:

§ 1394.7803 *Transport ration coupons.* (a) Class T coupons, and, in the case of motorcycles owned or leased by the armed forces, Class D books marked "Transport" shall be issued as transport rations. Class T coupons shall each have a value of one unit. All Class T coupons issued for use after December 31, 1943 shall be issued in strips, and the coupons issued shall bear serial numbers in consecutive order. A folder shall be issued with such coupons, which shall identify the coupons with the vehicle or fleet and the owner of the vehicle or fleet for which the ration is issued.

(b) Coupons contained in a transport ration book shall authorize the transfer of gasoline to a consumer only during the period noted thereon by the Board. Serially numbered Class T coupons issued in strip form shall authorize the transfer of gasoline to a consumer only during the period noted by the Board on the folder which it issues with such coupons.

4. Section 1394.7805 is amended to read as follows:

§ 1394.7805 *Allowance and issuance of transport rations*—(a) *Presentation of certificate of war necessity.* No transport ration shall be issued unless:

(1) The applicant has presented to the Board, at the time of application, a currently valid single unit certificate or, in the case of a fleet, a fleet certificate issued for the fleet for which a ration is sought; or

(2) The ration is sought for use with a motor vehicle owned or leased by the armed forces as provided in paragraph (c) of this section.

(b) *Allowance of ration for vehicles operated under certificate of war necessity.* When an application is made for a transport ration for use with a motor vehicle operated under a certificate of war necessity, the Board shall examine the single unit certificate or the fleet certificate submitted and shall insert at the appropriate place provided in the application the maximum number of gallons of gasoline allowed by the certificate for the quarterly periods indicated thereon. The Board shall allow the maximum number of gallons of gasoline certified in the certificate of war necessity for the quarterly period for which the ration is sought, or the quantity of gasoline which the applicant states he requires for that period, whichever amount is less. However, no transport ration may be issued which will allow the applicant to acquire gasoline in excess of the amount allowed by such certificate for the calendar quarterly period for which the ration is sought. The Board shall issue ration evidences in accordance with the provisions of paragraph (d) of this section, to provide the number of gallons of gasoline which it has allowed.

(c) *Allowance of rations for vehicles owned or leased by the armed forces.* When an application is made for a ration for use with a motor vehicle which is owned or leased by the military or naval forces of the United States or State military forces organized pursuant to section 61 of the National Defense Act, as amended, no certificate of war necessity is required. In such a case, the Board shall allow the applicant the number of gallons of gasoline requested by the applicant for the calendar quarterly period during which the ration is to be used. The Board shall issue ration evidences in accordance with the provisions of paragraph (d) of this section, to provide the number of gallons of gasoline which it has allowed.

(d) *Issuance of transport rations.* In respect to motor vehicles, other than motorcycles, the Board shall issue a sufficient number of Class T coupons, bearing consecutive serial numbers, to provide the number of gallons of gasoline allowed. The Board shall issue with such coupons a folder, and shall note on the folder the serial numbers of the coupons issued, the date of issuance and expiration, the identification of the vehicle or fleet and the name and address of the owner of the vehicle or fleet.

In respect to motorcycles, the Board shall issue Class D books marked "Transport" containing coupons only in sufficient number to provide the number of gallons of gasoline allowed and shall remove and cancel all coupons in excess of the number required to supply the gallonage allowed.

However, if it is necessary for the applicant to receive bulk transfers of gasoline and if he meets the requirements of § 1394.8006 in regard to bulk transfers the Board shall issue the ration in the form and manner provided in § 1394.8003, to the extent of the transport ration gallonage allowed by it for which bulk transfers are required. The Board shall make a record of its action on the application.

(e) *Compliance with orders of the Office of Defense Transportation.* No transport ration issued for a vehicle for the operation of which a certificate of war necessity is required may be used with any vehicle on which the tires have

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

[1] 7 F.R. 9135.

not been inspected and approved in accordance with any applicable rule, regulation or order of the Office of Defense Transportation, or of the Office of Price Administration.

5. Section 1394.7807 is amended to read as follows:

§ 1394.7807 *Interchangeable transport rations.* An applicant for a transport ration for use with fleet vehicles may request the Board to note, on the folder accompanying the Class T coupons, (or, in the case of motorcycles, upon the Class D ration book), a clearly discernible name or other identification of the fleet, or if the vehicles bear no clearly discernible name or identification, the serial number of the fleet certificate issued for such vehicles, instead of the registration number of a particular vehicle. The Board may grant such a request with respect to any vehicles in the fleet which are used interchangeably and which bear a clearly discernible fleet name, identification or designation, or, in the absence of such designation, with respect to any vehicles for which a fleet certificate has been issued. Whenever any folder issued in connection with Class T coupons or any ration book issued as a transport ration bears a notation made by the issuing Board of a fleet identification or a fleet certificate number, the coupons contained in such book or identified on such folder may be used interchangeably for all vehicles in the fleet bearing such identification or covered by such fleet certificate.

6. Section 1394.7852 (b) is amended to read as follows:

(b) (1) If the Board grants the application, it shall determine and allow the quantity of gasoline which is essential to the applicant for the accomplishment of the purpose stated in the application from the date of its decision to the end of the period (not exceeding six months) for which the ration is sought. However, the quantity so determined and allowed shall not exceed any applicable limitations upon amount of rations or mileage set forth in § 1394.7851.

(2) The Board shall issue to the applicant coupons of any appropriate class, except Class A coupons, in sufficient number to afford the applicant the quantity of gasoline allowed by the Board upon the basis of the current gallonage value of such coupons. The coupons so issued shall be contained in a ration book, or, in the case of serially numbered coupons, shall be accompanied by an appropriate folder. The person issuing the ration shall remove from any ration book and shall cancel any coupons in excess of the number representing the allowed gallonage. He shall mark on any book or folder which is so issued the word "Special," the date of issuance, the date on which the ration expires and that the ration will expire on that date, the identification of any vehicle for which the ration is issued and the name and address of the owner. He shall also write in any folder which is so issued the serial numbers of the coupons issued. He shall also make a record of the Board's action on the application.

(3) The coupons so issued shall be valid for transfers of gasoline to consumers from the date of issuance and shall expire at the end of the period for which the ration is issued.

(4) If the total quantity of gasoline allowed by the Board does not exceed twenty gallons, the Board may issue, instead of coupons, one or more gasoline purchase permits (Form OPA R–571) to provide the amount of gasoline allowed. The Board shall note upon the face of each such permit the information required by the form. No one gasoline purchase permit shall be issued for an amount in excess of ten gallons of gasoline nor for a fractional part of a gallon, and the total gallonage value of gasoline purchase permits issued to any applicant upon the basis of one application shall not exceed twenty gallons.

7. The heading immediately preceding § 1394.7951 is amended to read as follows: "Issuance of Ration Evidences and Acknowledgments of Delivery by the Office of Price Administration, Washington, D. C."

8. Section 1394.7951 is amended to read as follows:

§ 1394.7951 *Issuance of ration evidences for secret governmental work.* The Office of Price Administration, Washington, D. C., in its discretion, may issue in blank gasoline ration evidences of all types to the Army, Navy, Marine Corps, Coast Guard and law enforcement agencies of the United States, solely for the use of such agencies and for distribution to and use by their officers, agents or employees in the performance of official duties which depend upon secrecy. Any such agency which requires ration evidences for use by such officers, agents or employees, shall make written application therefor to the Office of Price Administration, Washington, D. C., and shall state the number and type of ration evidences required, and the use for which such evidences are intended.

9. Section 1394.8004 is amended to read as follows:

§ 1394.8004 *Notations on ration books, folders, applications, coupons and tire inspection records*—(a) *Notations by Board on application.* The Board shall make a record on every application of the action taken with respect thereto.

(b) *Notations by Board on rations issued for motor vehicles.* At the time of issuance of any ration coupons for use with a registered or commercial motor vehicle, the person issuing the ration shall make a clear notation, on the cover of the ration book or folder, in ink, indelible pencil or by typewriter, of the following information:

(1) The registration number, if any, of the vehicle for which it is issued, or the official or fleet designation of the vehicles with which it may be used interchangeably;

(2) The name and address of the owner of such vehicle, and

(3) In the case of any ration other than a basic ration, the date when the ration becomes valid, and, as the case may be, the expiration date or the earliest renewal date of the ration.

(c) *Notations by Board on non-highway rations.* At the time of issuance of any non-highway ration represented by coupons, the Board shall make a notation, on the cover of the ration book or folder of the name and address of the applicant, the date on which the ration becomes valid for use and the earliest renewal date of the ration.

(d) *Notations by Board on tire inspection records.* (1) At the time of issuance of any ration in connection with which the presentation of a tire inspection record is required pursuant to § 1394.8010, the person issuing the ration shall write clearly in ink, indelible pencil, or by typewriter on the tire inspection record the following information:

(i) The date of issuance;

(ii) The class of ration issued;

(iii) Either the serial number of the ration book, if any, issued or the serial numbers, if any, of the ration evidences issued;

(2) Upon the renewal of a basic ration the Board shall transcribe and record on the new tire inspection record the following information:

(i) The date of the last previous tire inspection and approval;

(ii) All notations appearing on the old tire inspection record relating to violations and to revocations or denials of rations, and

(iii) The class, serial number and earliest renewal date of any currently valid supplemental ration which has been issued for use with the vehicle.

(e) *Notations by ration holder.* Immediately upon receipt of any ration coupons each person to whom such coupons are issued shall write, stamp or print, clearly and in ink, on the face of the coupons issued to him the following information:

(1) In the case of Class A coupons, the license number and state of registration of the vehicle for which such ration was issued.

(2) In the case of Class B, C, D and T coupons, the license number and state of registration of the vehicle for which the ration was issued. However, in the case of interchangeable ration books and folders accompanying serially numbered coupons issued for use interchangeably among fleet or official vehicles, the information shall be the official or fleet designation (or the certificate of war necessity number in the case of commercial vehicles not bearing fleet designations) and the state and city or town in which the principal office of the fleet operator is located.

(3) In the case of Class E and R coupons no notation need be made upon receipt of the ration, but when a transfer is made to a consumer at a place off of his premises, the ration holder shall write, stamp or print on the coupons exchanged, the name and address of the person to whom the ration was issued.

10. Section 1394.8005 is amended to read as follows:

§ 1394.8005 *Change in motor vehicle registration number.* (a) Whenever any change is made in the registration number of a vehicle, the holder of a tire inspection record, or ration book, or serially numbered coupons accompanied by a folder issued for such vehicle (other than a ration book or folder bearing an official or fleet identification) shall cancel the former registration number appearing on the tire inspection record and coupon book or folder and shall note thereon, in ink, indelible pencil or by typewriter, the new registration number issued for such vehicle.

(b) The holder of any book or identification folder bearing an official or fleet identification shall upon any change in the name, identification or designation of such official or fleet vehicles, submit such book or folder to the Board which issued it for appropriate modification. Upon ascertaining the new name, identification or designation of such official or fleet vehicles, the Board shall change the designation of such book or folder to correspond thereto.

(c) Nothing in this section shall be construed to authorize the continued use of a ration after a change in ownership of the vehicle for which it was issued.

11. Section 1394.8006 is amended to read as follows:

§ 1394.8006 *Authorization of bulk purchase.* (a) Any applicant for a ration who desires to acquire gasoline in drums or other containers or who desires to receive gasoline by transfers into a storage tank or by other bulk transfer may, when applying for a ration, request the Board to issue gasoline deposit certificates instead of any ration evidences which would otherwise be issued. He may also request the Board to authorize him to use for bulk transfers any Class A, B, C, D or T coupons issued to him.

(b) (1) If the applicant will acquire 960 gallons or more per month by bulk transfer the Board shall issue one or more gasoline deposit certificates to the extent of the gallonage allowed by it for which gasoline deposit certificates are requested. The Board shall first determine the type of ration and the earliest renewal date or expiration date of the ration and the number of coupons or gallons to which the applicant is entitled; it shall then issue one or more gasoline deposit certificates to the extent required by the applicant, but not in excess of the gallonage value of the coupons to which the applicant is entitled. If only a part of the ration is issued in gasoline deposit certificates the remaining portion of the ration shall be issued in the usual manner in appropriate coupons. The Board may also authorize the use of such coupons for bulk transfer in the same manner as directed in subparagraph (2) of this paragraph. Upon the renewal of such an applicant's ration the Board may issue gasoline deposit certificates even though the applicant's need for acquiring gasoline by bulk transfer may be slightly less than 960 gallons per month.

(i) At the time of issuance of any gasoline deposit certificate the Board shall note upon the application for a gasoline ration the serial number and gallonage of the gasoline deposit certificate issued, the date of issuance of the ration and, as the case may be, the expiration date or earliest renewal date of the ration.

(ii) Each gasoline deposit certificate shall contain the designation of the issuing Board, the signature of the issuing officer, the name and address of the applicant, the gallonage, in words and numerals, for which the certificate is issued, the type of ration or rations issued in the certificate, and the gallonage of each such type.

(2) If the applicant will acquire less than 960 gallons per month by bulk transfer the Board shall issue the ration in the usual manner, and shall make a notation upon the coupon book or upon the folder accompanying the coupons, as the case may be, indicating that the coupons contained in such book or accompanying such folder may be used for a bulk transfer of gasoline.

12. Section 1394.8007 is amended to read as follows:

§ 1394.8007 *Lost, stolen, destroyed, mutilated or wrongfully withheld coupon books, folders or serially numbered coupons*—(a) *Coupon books and serially numbered coupons.* In the event of loss, theft, destruction, or mutilation of any coupon book or serially numbered coupons or the wrongful withholding of such book or coupons from the rightful holder, the person entitled to their possession may apply for the replacement of such book or coupons in accordance with the provisions of Procedural Regulation No. 12. However, if the application is for replacement of a coupon book or serially numbered coupons that have been lost or stolen, the Board shall waive all waiting periods provided for in § 1300.954 of Procedural Regulation No. 12, where the requirement of such waiting periods would result in extreme hardship upon the individual, impede essential transportation, or be contrary to the public interest. If application is made to a Board other than the Board which originally issued the coupon book or coupons an additional copy of the application shall be made, to be forwarded to the Board which originally issued the ration.

(b) *Folders.* In the event a folder is lost, stolen, destroyed, mutilated or wrongfully withheld from the rightful holder, the person entitled to possession of the folder may apply to the issuing Board for a new folder. The Board shall issue such a folder of appropriate class, bearing notations of the following information, which the Board shall obtain from the application on the basis of which the ration was granted:

(1) The serial numbers of the coupons with which the original folder was issued;

(2) Their date of issuance and their expiration or earliest renewal date;

(3) The identification of any vehicle or fleet for which the original folder was issued; and

(4) The name and address of the owner of the vehicle or fleet, or the applicant, as the form may require.

13. In § 1394.8103 (a) the first sentence is amended to read as follows:

Upon cessation of use or change in ownership of any vehicle, boat or equipment, any ration issued for such vehicle, boat or equipment shall expire and the person to whom such ration was issued shall, within five (5) days after its expiration, surrender to the issuing Board all unused coupons and books and any folder for serially numbered coupons issued therefor.

14. In § 1394.8104 (a) the phrase "other evidences and tire inspection records" is amended to read "other evidences, folders and tire inspection records" in the two places where such phrase appears.

15. In § 1394.8104 (e) the last sentence is amended to read as follows:

Such order shall also require the ration holder to surrender to a specified board or officer all revoked coupons and any folder outstanding in connection therewith, and a certified ration check payable to the Office of Price Administration for all revoked credits in a ration bank account.

16. In § 1394.8104 (f) the first sentence is amended by inserting the phrase "or a folder" after the words "ration evidences".

17. In § 1394.8105 (a) (1) the parenthetical phrase is amended to read "(and in such a case require the surrender to it of coupons, coupon books or other ration evidences and any folder outstanding in connection therewith)".

18. In § 1394.8105 (a) (2) (i) the second sentence is amended by inserting after the phrase "direct him to surrender to it the coupons, coupon books or other ration evidences issued to him" the words "and any folder outstanding in connection therewith".

19. Section 1394.8112 is revoked.

20. Section 1394.8116 is revoked.

21. Section 1394.8153 (a) is amended to read as follows:

(a) *Coupons issued for registered and commercial motor vehicles.* Transfers may be made and accepted under the following conditions in exchange for Class A, B, C, D, or T coupons having an aggregate unit value equal to the amount of gasoline transferred. However, if the transferee is able to accept only a portion of the amount of gasoline represented by the unit value of the coupon, the transferor shall nevertheless require the surrender of an entire coupon.

(1) In the case of a coupon issued in a ration book, the transferor at the time of transfer, must require presentation of the coupon book and must detach therefrom coupons having an aggregate unit value equal to the amount of gasoline transferred. No transfer may be made pursuant to this subparagraph in exchange for a coupon detached before the presentation of the coupon book to the transferor.

(2) In the case of a serially numbered coupon issued in strips in connection with an identifying folder, the trans-

feror, at the time of transfer, must require presentation of the coupons and the identifying folder. No transfer may be made pursuant to this subparagraph in exchange for a coupon which does not bear a serial number included in the sequence of serial numbers specified on the cover of the identifying folder.

(3) Transfer may be made only into the fuel tank of a motor vehicle identified on the coupon book or folder presented and only if a sticker corresponding to the class of coupon book or coupon presented is conspicuously displayed on such vehicle, as required by the provisions of § 1394.8165 relating to stickers. These rules, however, are subject to the following three exceptions:

(i) Upon the presentation of a Class A book, transfer may be made into the fuel tank of a passenger automobile identified on such book if a Class B or C sticker is displayed.

(ii) If the ration book or identifying folder bears a notation by a Board indicating that bulk transfer is authorized, a bulk transfer may be made in exchange for a coupon contained in such book or bearing a serial number included in the serial numbers specified on such folder.

(iii) Bulk transfer may also be made, of an amount of gasoline not in excess of one unit, to enable a vehicle stranded for lack of gasoline to reach a source of supply; in such case the transferor shall retain the ration book presented, or the identifying folder and coupons presented, until the vehicle is brought to the place of transfer for identification.

(4) Transfer may be made only on and after the validity date noted on the cover of the ration book or identifying folder presented or, in the case of a Class A book only during the valid period of the coupon in exchange for which the transfer is to be made. In the case of rations issued for leased vehicles and special rations which bear an expiration date, and of Class T coupons, transfers may be made only during the valid period noted on the cover of the book or identifying folder which is presented.

(5) Transfer may be made only in exchange for coupons bearing the notations required by § 1394.8004 (d).

(6) (i) No transfer may be made before July 1, 1943 or after December 31, 1943 in exchange for coupons contained in Class T–1 or Class T–2 books issued on Form OPA R–532B or Form OPA R–533B (coupons which bear the printed double letters "TT" on the face of each coupon).

(ii) No transfer may be made in exchange for coupons contained in Class T–1 or Class T–2 books issued on Form OPA R–532A or Form OPA R–533A (book coupons which bear the printed single letter "T" on the face of each coupon).

(7) Notwithstanding any other provisions contained in this section, no transfer, may be made on or after September 1, 1943, in exchange for Class B or C coupons issued on Form OPA R–527, Form OPA R–527A, Form OPA R–528 or Form OPA R–528A.

22. Section 1394.8153 (c) (3) is amended to read as follows:

(3) No transfer may be made in exchange for any 100-gallon bulk coupon. On and after January 22, 1943 no transfer may be made in exchange for any one gallon bulk coupon which does not bear the word "gasoline" imprinted thereon and which is not issued on Form OPA R–554A.

23. Section 1394.8153 (c) (5) is revoked.

24. Section 1394.8165 is amended by substituting for the words "a Class A, B, C, T–1 or T–2 book coupon," the words "a Class A, B, C, or T coupon,".

25. Section 1394.8167 (a) (1) is amended by deleting the words "in the limitation area and in the states set forth in § 1394.7904".

26. Section 1394.8167 (a) (2) is amended by deleting the words "in the limitation area and in the states set forth in § 1394.7904 (b)".

27. Section 1394.8177 (b) is amended to read as follows:

(b) No person shall transfer or assign and no person shall accept a transfer or assignment of any gasoline deposit certificate, folder, or any coupon book, inventory or other coupon (whether or not such book was issued as a ration book and whether or not such coupon was issued as a ration or as part of a ration book) or other evidence, except in accordance with the provisions of Ration Order No. 5C.

28. Section 1394.8177 (c) is amended to read as follows:

(c) No person shall have in his possession any gasoline deposit certificate, folder, or any coupon book, inventory or other coupon (whether or not such book was issued as a ration book and whether or not such coupon was issued as a ration or as part of a ration book) or other evidence, or any identifying folder, except the person, or the agent of the person, to whom such book, coupon, certificate or folder was issued or by whom it was acquired in accordance with the provisions of Ration Book No. 5C.

29. Section 1394.8177 (e) is amended by redesignating the present paragraph (e) as paragraph (g) and amending the same and adding new paragraphs (e) and (f) all as set forth below:

(e) No person shall have in his possession any serially numbered ration coupon without an appropriate folder identifying such coupon except a dealer or distributor who has lawfully acquired such coupon in exchange for a transfer of gasoline.

(f) Any person to whom serially numbered ration coupons have been issued shall maintain such coupons with the appropriate folder identifying such coupons by number, and shall present such folder for inspection whenever he surrenders any such coupon in exchange for a transfer of gasoline.

(g) The provisions of paragraphs (a), (b), (c) and (e) of this section shall not be applicable to public officials acting in the performance of their official duties.

30. Section 1394.8178 is amended to read as follows:

§ 1394.8178 *Mutilation, destruction or counterfeiting of ration evidences or folders.* (a) No person other than a person authorized pursuant to Ration Order No. 5C shall deface, mutilate, alter, burn or otherwise destroy any folder or gasoline deposit certificate, or any coupon book, inventory or other coupon (whether or not such book was issued as a ration book and whether or not such coupon was issued as a ration or as a part of a ration book) or other evidence.

(b) No person shall counterfeit or forge any folder or gasoline deposit certificate, or any coupon book, inventory or other coupon, or any other evidence.

(c) No person shall transfer, receive a transfer of, possess, or use any forged, altered, or counterfeited folder, coupon book, gasoline deposit certificate, inventory or other coupon, or any other evidence.

(d) Any defacement, mutilation or alteration of a folder, gasoline deposit certificate, coupon book, inventory or other coupon, or any other ration evidence in violation of any provision of this section shall render such folder, gasoline deposit certificate, coupon, evidence or coupon book and the coupons therein, invalid. The detachment of any coupon from a ration book, except in accordance with the provisions of § 1394.8153, shall render such coupon invalid.

(e) The provisions of paragraphs (a), (c) and (d) of this section shall not be applicable to public officials acting in the performance of their official duties.

31. Section 1394.8206b (a) (7) is amended by deleting the parenthetical phrase "(coupons which do not bear the printed double letters "TT" on the face of each coupon)".

This amendment shall become effective December 9, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 4th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43–19427; Filed, December 4, 1943; 12:12 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 15]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of considerations involved in the issuance of the 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. 9546, 9568, 9727, 10571, 10673, 11589, 11691, 11756, 12098, 12951, 13743, 14012, 14154.

Maximum Price Regulation No. 426 is amended in the following respect:

1. A new paragraph is added to section 5 to read as follows:

Sales by growers or shippers of packages of mixed fresh fruits (containing no more than 16 pounds of grapes) are exempt from this regulation if shipped in lots of not more than 5 containers, each containing not over 26 pounds, net weight, to any one consignee, delivered by mail, parcel post or express, *Providing*, That not more than 15 percent by weight shall be composed of other items, including but not limited to dried fruits, nuts, glaced fruit, preserves, jellies, etc.

This amendment shall become effective December 4, 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 4th day of December 1943.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: December 3, 1943.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 43-19428; Filed, December 4, 1943; 12:12 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 1-2, Amdt. 3]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN THE BOSTON, MASS., DISTRICT

For the reasons set forth in a statement of considerations issued simultaneously herewith,* Restaurant Maximum Price Regulation No. 1-2 is hereby amended in the following respects:

1. The title "Food and Drink Sold for Immediate Consumption in the Boston, Massachusetts, District" is amended to read as follows: "Food and Drink Sold for Immediate Consumption in the Boston and Worcester, Massachusetts, Districts".

2. Section 11 is amended to read as follows:

SEC. 11. *Operation of several places.* If the seller owns or operates more than one eating or drinking place, he must do everything required by this regulation for each place separately.

3. Section 12 is amended to read as follows:

SEC. 12. *Relation to other maximum price regulations.* The provisions of this regulation shall not apply to any sale for which a maximum price is established by any other regulation, including the General Maximum Price Regulation, now or hereafter issued by the Office of Price Administration.

4. Section 13 is amended to read as follows:

SEC. 13. *Geographical applicability.* The provisions of this Restaurant Maximum Price Regulation No. 1-2 shall be applicable to the Boston District, i. e., the Counties of Essex, Middlesex, Suffolk, Norfolk, Plymouth, Barnstable, Bristol, Dukes and Nantucket, and to the Worcester District, i. e. the County of Worcester.

This amendment shall become effective November 22, 1943, except section 10 shall not apply to sellers in the Worcester District until November 29, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808)

Issued this 17th day of November 1943.

LAWRENCE J. BRESNAHAN,
District Director.

[F. R. Doc. 43-19430; Filed, December 4, 1943; 12:13 p. m.]

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

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 86]

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.*

1. A new Article XXVI is added to read as follows:

ARTICLE XXVI—HOUSEHOLD SALVAGE FATS

SEC. 26.1 *Explanation of the terms renderer and rendering establishment*—(a) *Rendering establishment.* Any place at which a "person" processes "household salvage fats" to produce tallow, grease, tankage, fatty acids, or detergent is a "rendering establishment". (This does not include a household in which a person processes such fats for use in that household only.)

(b) *Renderer.* Any person who has a rendering establishment is a "renderer".

SEC. 26.2 *Renderers must register between December 9 and December 11, 1943, inclusive*—(a) *General.* Every renderer must register his rendering establishment on OPA Form R-315 with the district office for the place where his establishment is located at any time from December 9, 1943, to December 11, 1943, inclusive. If he has more than one rendering establishment, he may register them together or separately. If he registers them together, he must register all on a single registration form and file that form with the district office for the place where his principal business office is located. If he registers each of them separately, he must file a separate registration form for each establishment with the district office for the place where that establishment is located. Each separately registered establishment is to be treated and operated separately for all the purposes of this order, just as if the establishments were owned by different persons.

(b) *Report of acquisitions of household salvage fats.* As part of his registration, the renderer must attach a statement showing the number of pounds of household salvage fats which he "acquired" each month during July, August, September, and October 1943. This statement must show:

(1) The name and address of each "independent collector", if any, from whom he acquired household salvage fats, and the number of pounds acquired from each during each month;

(2) The number of pounds of household salvage fats he acquired from all other sources during each month;

(3) The total number of pounds of household salvage fats he acquired each month, and the total acquired in the four month period.

If he has more than one rendering establishment, and registers them together, he must attach a separate statement for each.

SEC. 26.3 *Renderers may receive allotments*—(a) *General.* A renderer is given an allotment of points to enable him to obtain household salvage fats for processing. Allotments are given for fixed periods, called allotment periods. The first allotment period is from December 13, 1943, through March 31, 1944. The second period is from April 1, 1944, through June 30, 1944. The third period is from July 1, 1944, through September 30, 1944. The fourth period is from October 1, 1944, through December 31, 1944.

(b) *Application for allotments.* A renderer's registration is treated as his application for an allotment for the first allotment period. The report, as described in section 26.4, which he submits for the last month of an allotment period will be treated as his application for the succeeding allotment period. The application may, in the discretion of the district office, be made at any time during the allotment period, but if it is made more than 10 days after the beginning of the period the allotment shall be reduced in proportion to the part of the allotment period which has elapsed at the time the application is made.

(c) *Amount of allotment.* A renderer's allotment for the first allotment period is determined by multiplying the number of pounds of household salvage fats which he acquired in July, August, September and October 1943 by 2.4. For the second allotment period, his allotment is determined by multiplying the number of pounds of household salvage fats he acquired from January 1, 1944, through March 31, 1944, by 2. For each succeeding allotment period his allotment is determined by multiplying the number of pounds of household salvage fats he acquired in the allotment period preceding the period in question by a factor to be fixed in a supplement to this order. He will receive for each allotment period a certificate for the amount of his allotment less the number of points he has remaining from prior allotments for household salvage fats.

(d) *Renderers who need additional points.* If a renderer has acquired, during any allotment period, household salvage fats for which he has given up at least 75% of his allotment of points for that period, and does not have sufficient points to acquire all the household salvage fats he can obtain for the remain-

[1] 8 F.R. 13128, 13394.

der of that period, he may apply on OPA Form R–315 for additional points to the district office where he is registered. His application must show:

(1) The amount of his allotment for that period and the number of points he has on hand and in his household salvage fats ration bank account;

(2) The number of pounds of household salvage fats he acquired since the beginning of the allotment period;

(3) The average number of pounds of household salvage fats he has acquired daily since the beginning of the allotment period. (This figure to be determined by dividing the amount shown in (2) above by the number of days, including Sundays, from the beginning of the allotment period to the date of his application); and

(4) The number of points he needs until the end of the period. If the district office finds that he needs additional points, it will issue to him a certificate for the number of points he needs, on the basis of his average daily acquisitions of household salvage fats (less the points he has on hand and in his ration bank account) to acquire such fats through the end of the allotment period, or the number of points requested by him, whichever is less.

SEC. 26.4 *Renderers must file reports*—(a) *General.* Every renderer must file a report of his acquisitions of household salvage fats during each month beginning December, 1943. (However, this report for December, 1943 shall cover only the period from December 13, through December 31, 1943.) This report must be filed at the district office where he is registered within 10 days after the end of the month which it covers. If he has more than one rendering establishment he must file a separate report for each, whether or not they are registered together. The report must be signed by him or by his authorized agent, and is considered filed on time if the envelope in which it is enclosed is postmarked on or before the date it is due.

(b) *Information to be given.* The report must show:

(1) The name and address of each independent collector from whom he acquired household salvage fats during the allotment period covered in the report, and the number of pounds acquired from each in each month in that period;

(2) The number of pounds of household salvage fats acquired each month during the period from all other sources; and

(3) The number of points he has on hand and in his household salvage fats ration bank account at the end of the allotment period.

SEC. 26.5 *Renderers must keep records.* (a) Beginning December 13, 1943, every renderer must keep, at his rendering establishment, a record showing, for that establishment, his acquisitions of household salvage fats by weight, in each month of the allotment period; the name and address of each independent collector from whom he acquired household salvage fats during each month, the number of pounds acquired from each; and the date on which he acquired such fats. If he has more than one establishment and they are registered together, the record may be kept at his principal business office, but a separate record must be kept for each of his establishments.

SEC. 26.6 *Explanation of the terms independent collector and independent collector establishment.* (a) A place other than a "retail", "wholesale", or "primary distributor establishment", where a person who deals in household salvage fats regularly keeps, for sale or "transfer", stocks of those fats, is an "independent collector establishment".

(b) Any person who has an independent collector establishment is an "independent collector".

(c) Where an independent collector does not operate from any fixed place, his independent collector operations as a whole are regarded as a single independent collector establishment.

SEC. 26.7 *Independent collectors may register and apply for an allowable inventory*—(a) *General.* An independent collector may register on or after December 9, 1943, on OPA Form R–315, for an allowable inventory of points to acquire household salvage fats. His registration must be filed with the district office for the place where his independent collector establishment is located. His registration must show:

(1) The number of pounds of household salvage fats he has on hand; and

(2) The number of pounds of household salvage fats he acquired for sale or transfer during October 1943.

If he has more than one independent collector establishment he may register them together or separately. If he registers them together, he must register all on a single registration form and file that form with the district office for the place where his principal business office is located. If he registers each of them separately, he must file a separate registration form for each establishment with the district office for the place where that establishment is located. Each separately registered establishment is to be treated and operated separately for all the purposes of this order, just as if the establishments were owned by different persons.

(b) An independent collector who registers is given an allowable inventory of points to enable him to acquire household salvage fats for sale or transfer. This allowable inventory is his working capital and is determined by multiplying by 2 the number of pounds he has on hand on the date of his application. The district office will issue to him a certificate in this amount. An independent collector who does not register will have to operate on the basis of the stocks he has and the points he obtains from the persons to whom he sells or transfers such stocks.

SEC. 26.8 *Independent collectors must keep records.* (a) Beginning December 13, 1943, every independent collector must keep at his independent collector establishment a record, for that establishment, of his acquisitions and transfers, each month, of household salvage fats, by weight. If he has more than one establishment and they are registered together, the record may be kept at his principal business office.

SEC. 26.9 *Who may have ration bank accounts*—(a) *Renderer.* Every renderer must open a ration bank account for household salvage fats for his rendering establishment. If he has more than one rendering establishment and they are registered separately, he must open a separate account for each. If they are registered together, he may open one account for all, or a separate account for each or for any group of them, but all must have an account.

(b) *Independent collector.* Every independent collector who acquired for sale or transfer 15,000 pounds or more of household salvage fats in any month since July 1943, may open a ration bank account for household salvage fats for his independent collector establishment. If he has more than one independent collector establishment and they are registered separately he may open such accounts only for those establishments at which he acquired for sale or transfer 15,000 pounds or more of household salvage fats in any month since July 1943. If he has more than one independent collector establishment and they are registered together he may open accounts for any one or any group of them which acquired 15,000 pounds or more during any month since July 1943. No other independent collector may open an account.

SEC. 26.10 *How household salvage fats bank accounts are used*—(a) General. Every renderer and every independent collector who has or is required to have a bank account under section 26.9, must deposit in that account all points he receives for household salvage fats.

(b) *How household salvage fats checks are issued.* Any renderer or independent collector who issues a ration check for household salvage fats must in stating the name of his account on the check add thereto the words "Salvage Fats Account".

(c) *Use of household salvage fats checks.* Any person other than a renderer or independent collector, who has or is required to have a ration bank account under section 9.2, must deposit in that account checks which he receives which were issued as provided in paragraph (b). Any person who receives such a check and who does not have and is not required to have a ration bank account may endorse it and transfer it to his supplier for "foods covered by this order".

SEC. 26.11 *Points must be given up for household salvage fats*—(a) *General.* Beginning December 13, 1943, no person

of household salvage fats he acquired in October 1943 less the number of pounds he has on hand on the date of his application

may sell or transfer household salvage fats and no person may buy or acquire household salvage fats unless points are given up in the way this order requires.

(b) *How points are given up.* (1) Household salvage fats have a point value of one point for each one-half pound. No points may be given for any fraction of less than one-half pound.

(2) A person who acquires household salvage fats from a consumer or a Group I institutional user must give such person ration stamps or ration coupons (designated by the Office of Price Administration to be used for the acquisition of foods covered by this order).

(3) A person who has or who is required to have a ration bank account for household salvage fats and who acquires household salvage fats from persons other than consumers or Group I institutional users must give up points in the following way:

(i) If he acquired 100 pounds or more of household salvage fats he must issue a household salvage fats ration check for the number of points due to the person from whom he acquired the fats;

(ii) If he acquired less than 100 pounds he must make point payments for such fats in ration coupons designated for the acquisition of foods covered by this order. He may obtain ration coupons for this purpose by issuing a household salvage fats ration check to the order of his board and exchange such check at the board for ration coupons in such denominations as he needs.

(4) An independent collector who does not have and is not required to have a ration bank account for household salvage fats and who receives a household salvage fats ration check may endorse and exchange such check at any board for ration coupons designated for the acquisition of foods covered by this order.

(c) *When points must be given up.* (1) Points for household salvage fats must be given up to a consumer or Group I institutional user at the time of the transfer of the household salvage fats.

(2) Points for household salvage fats must be given up to all other persons within 30 days after the time the transfer is made. However, if money payment for the household salvage fats is made in less than 30 days, the points must be given up not later than the time the money payment is made.

(d) *General.* Points may be transferred freely between establishments of the same type operated by the same person, which are registered together, and points of one of those establishments may be used to get household salvage fats for another of them.

SEC. 26.12 *Point-free transfers.* (1) No points need be given up for a delivery of household salvage fats to a renderer or independent collector if such fats were in transit to him on December 12, 1943.

(2) Consumers may exchange, point-free, household salvage fats for foods covered by this order equal in point value to such household salvage fats.

(3) Point-free transfers of household salvage fats may be made under the conditions described in sections 11.5, 11.6, 11.7, 11.8, 11.9, 11.10, 11.12, and 11.16, as though household salvage fats were foods covered by this order.

SEC. 26.13 *Other sections of this order apply.* (a) For all the purposes of Articles 16 and 17, and sections 10.7, 10.8, 10.9, 15.1, 20.1, 20.2, 20.3, 20.5, and 23.1 of this order, household salvage fats are to be treated as though they were foods, covered by this order.

(b) For all purposes of sections 12.1, 12.3, 12.4, 14.1, 15.2, 18.1, and 19.1 of this order, renderers and independent collectors are to be treated as though they were wholesalers of foods covered by this order.

2. Section 24.1 is amended by adding the following definitions:

"Household salvage fats" means any fat produced by a consumer or Group I institutional user in preparing or cooking food.

"Group I institutional user" means a Group I institutional user as defined in General Ration Order 5.

This amendment shall become effective December 9, 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; and Supp. Dir. 1–M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 4th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43–19446; Filed, December 4, 1943; 4:56 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 148,[1] Amdt. 14]

DRESSED CARCASSES AND WHOLESALE PORK CUTS

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.*

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

[1] 7 F.R. 8609, 9005, 8948; 8 F.R. 544, 2922, 3367, 4785, 7322, 7671, 7826, 8376, 8677, 9998, 10571, 10732, 11380, 13296, 15191, 15609.

Revised Maximum Price Regulation No. 148 is amended in the following respects:

1. Section 1364.32 (c) (38) is added to read as follows:

(38) "Hams, long-cut bone-in" include hams cut off from the hog carcass at a point not to exceed three inches beyond the end of the saucer bone (slip bone), with the shank cut off not to exceed one inch below the hock joint, with loose gut fat removed from the face and pelvic cavity, with the cushion side well rounded and no excessive flank.

2. Items 2 through 20 of Schedule I (a) of § 1364.35 are redesignated Items 3 through 21.

3. A new Item 2 of Schedule I (a) of § 1364.35 is added to read as follows:

Item	Green or frozen	
	Weight (pounds)	Price (dollars)
2. Hams—long cut, bone-in (may be sold only to be "Virginia cured").	Under 14	22.25
	14 to 18	21.50
	Over 18	20.50

4. Schedule I (d) of § 1364.35 is amended to read as follows:

(d) Dried pork products

Item:	Price (dollars)
1. Virginia cured ham	38.50
2. Prosciutto hams	36.50
3. Virginia cured sides	26.00
4. Virginia cured bacon	28.75
5. Virginia cured jowls	20.00
6. Virginia cured shoulders	31.50
7. Capicalli butts	44.75

This amendment shall become effective December 10, 1943, except that § 1364.35, Schedule I (d) shall become effective January 15, 1944.

(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 4th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43–19441; Filed, December 4, 1943; 4:59 p. m.]

PART 1389—APPAREL

[MPR 330,[1] Corr. to Amdt. 2]

RETAILERS' AND WHOLESALERS' PRICES FOR WOMEN'S, GIRLS' AND CHILDREN'S OUTERWEAR GARMENTS

In Table II of paragraph (a) of Appendix C, the figure "3.00" for Category No. 26 under the column headed Cotton is corrected to read "2.00".

In Table II of paragraph (b) of Appendix C, the figure "1.87½" for Category

[1] 8 F.R. 2209, 11041, 1061.

No. 26 under the column headed Cotton is corrected to read "1.31¼".

This correction is effective as of December 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 4th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-19444; Filed, December 4, 1943; 4:57 p. m.]

PART 1340—FUEL

[RMPR 122,[1] Amdt. 15]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

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

Section 1340.254 (b), Rule 4, is amended by adding thereto an undesignated paragraph as follows:

The dealer may add to his maximum price established under this Rule 4 a sum not to exceed the amount of any increase in his supplier's maximum price which has been authorized by the Office of Price Administration by either amendment or order issued on or after November 24, 1943, except where such price has been amended by a regional office to reflect such increase in the supplier's maximum price.

This Amendment No. 15 shall become effective December 4, 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 4th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-19438; Filed, December 4, 1943; 4:55 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses,[2] Corr. to Amdt. 9]

DESIGNATED COUNTIES IN TENNESSEE AND KENTUCKY

Item 288 (Clarksville) in Schedule A of the Rent Regulation for Hotels and Rooming Houses is corrected to read as follows:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under Rent Regulation for Hotels and Rooming Houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(288) Clarksville	Tennessee	Henry, Montgomery, and Stewart.	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Kentucky	Christian, Todd, and Trigg	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942

(56 Stat. 23, 765)

Issued this 4th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-19443; Filed, December 4, 1943; 4:56 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing,[1] Corr. to Amdt. 13]

DESIGNATED COUNTIES IN TENNESSEE AND KENTUCKY

Item 288 (Clarksville) in Schedule A of the Rent Regulation for Housing is corrected to read as follows:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under Rent Regulation for Housing.	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(288) Clarksville	Tennessee	Henry, Montgomery, and Stewart.	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Kentucky	Christian, Todd, and Trigg	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942

(56 Stat. 23, 765)

Issued this 4th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-19442; Filed, December 4, 1943; 4:56 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[2] Amdt. 92]

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 21.1 (a) (10) (i) is amended by substituting the words "Fruit and purees" for the word "Fruits", by substituting the words "Vegetables and Purees" for the word "Vegetables", and by substituting the word "weight" for the word "volume" in the parenthetical clause after "mixed vegetables".

2. Section 21.1 (a) (10) (ii) is amended to read as follows:

(ii) The following frozen fruits, vegetables, juices, and purees:

Fruits, juices and purees:

Apples	Huckleberries
Applesauce	Loganberries
Apricots	Olympicberries
Blackberries	Peaches
Blueberries	Plums
Boysenberries	Prunes
Cherries	Raspberries
Currants	Rhubarb
Dewberries	Strawberries
Elderberries	Youngberries
Grapes	

Mixed fruits (containing over 20% by weight of fruits listed under this subdivision):

All fruit juices

Vegetables and purees:

Asparagus	Carrots
Beans, lima	Cauliflower
Beans, prepared dry (include baked, boiled, etc.)	Cut Corn
	Peas
	Pumpkin
Beans, snap	Spinach
Beets	Squash
Broccoli	All leafy greens
Brussels sprouts	

Mixed vegetables (containing over 20% by weight of vegetables listed under this subdivision).

3. Section 21.1 (a) (10) (iv) is amended to read as follows:

(iv) Dried prunes and raisins and mixed dried fruits (containing over 20% by weight of dried prunes or raisins).

4. "Nectarines and nectarine juice and nectar" are added in their alphabetical order to Appendix A.

This amendment shall become effective at 12:01 a. m., December 5, 1943.

[1] 8 F.R. 440, 1200, 3924, 4510, 5632, 6543.
[2] 8 F.R. 14676, 14814.

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

[1] 8 F.R. 14663, 14815.
[2] 8 F.R. 11048, 11383, 11483, 11513, 11753, 11812, 12026, 12297, 12312, 12446, 12485, 12548, 12560, 13301, 13492, 13980, 14346, 14472, 14473, 14476, 14477.

(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; Food Dir. 3, 8 F.R. 2005, and Food Dir. 5, 8 F.R. 2251)

Issued this 4th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-19445; Filed, December 4, 1943; 4:56 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 13,[1] Amdt. 32 to Rev. Supp. 1]

PROCESSED FOODS

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

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 10) which is made a part hereof.

This amendment shall become effective at 12:01 a. m. December 5, 1943.

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

Issued this 4th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-19440; Filed, December 4, 1943; 4:55 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[2] Amdt. 26 to Supp. 1]

MEAT, FATS, FISH AND CHEESES

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

(a) Foods covered by this order shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (No. 9) (OPA Forms R-1313 and 1611) which are made a part hereof.

This amendment shall become effective at 12:01 a. m., December 5, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; 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 4th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-19439; Filed, December 4, 1943; 4:55 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14A[1] to GMPR, Amdt. 9]

MILK AND MILK 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 1499.73a (a) (1) (viii) (*a*) (2) (*ii*) is amended to read as follows:

(ii) *Counties in Georgia not covered above—(A) Glynn County.* Except as hereinafter provided, the maximum price for approved fluid milk sold and delivered by any person within the boundaries of Glynn County, at wholesale or retail in glass or paper containers of one quart or less, shall be:

	Quart		Pint		½ quart		¼ pint	
	Glass	Paper	Glass	Paper	Glass	Paper	Glass	Paper
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
Inter-handler	14	15	7	8	5	6	3½	4½
Wholesale (other than inter-handler)	15	16	8	9	6	7	4½	5½
Retail out-of-store	17	18	9	10	7	8	5½	6½
Retail home-delivered	17	18	9	10	7	8	5½	6½

Definition. "Inter-handler" sale, as used above, means a sale by any person who sells fluid milk at wholesale in glass or paper containers of one quart or less to any person for resale as fluid milk, other than to stores, hotels, restaurants and institutions.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart, and two cents per half-pint.

Retail sales other than out-of-store sales, home-deliveries, retail sales by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The maximum price for retail sales, other than out-of-store sales, home-deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale (other than inter-handler) prices, subject to any applicable discounts or allowances.

(B) *Other counties.* Except as set forth below, the maximum prices for the sale of approved fluid milk in the following counties shall be the established maximum prices under the General Maximum Price Regulation or any supplementary or adjustment order of the Office of Price Administration issued with respect to such counties:

Bartow, Ben Hill, Bryan, Camden, Chatham, Cobb, De Kalb, Fulton, Gordon, Liberty, McIntosh, Monroe, Stephens, and Troup.

Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars, and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation, or he can determine his adjusted maximum price by adding to the wholesale price paid by him, three cents per pint, two and one-half cents per one-third quart and two cents per half-pint.

This amendment shall become effective December 4, 1943.

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

Issued this 4th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-19447; Filed, December 4, 1943; 4:57 p. m.]

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[1] 8 F.R. 1840, 3949, 4892, 5318, 5341, 5757, 6138, 6964, 7589, 8069, 8705, 9203, 10085, 10089, 10728, 11387, 11447, 11483, 11812, 12026, 12181, 2299, 13492, 14764, 14818, 15328.

[2] 8 F.R. 3591, 3714, 4892, 5408, 5758, 6840, 7264, 7492, 8869, 9203, 10090, 10728, 11688, 12299, 12444, 12549, 13164, 13165, 13395, 14818, 15190, 15195.

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

[1] 8 F.R. 9885, 10514, 12793, 13060, 13724, 15259, 15705.

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 7—UNITED STATES MARINE CORPS

Part 7, Chapter I, Title 34, is hereby amended and revised to read as follows:

ORGANIZATION AND MISSION

Sec.
7.1 Origin of the Corps.
7.1–1 Duties.
7.1–55 Birthday of the Marine Corps.
7.1–56 Flags of the Corps.
7.1–57 Colors of the Corps.

MARINE CORPS RESERVE

GENERAL

7.13–1 Establishment.
7.13–2 Mission.
7.13–3 Regulations, orders, and instructions applicable.
7.13–4 The Commandant of the Marine Corps.
7.13–6 Reserve District Commanders.
7.13–8 Marine Corps Reserve Policy Board.
7.13–9 Definitions.
7.13–10 Designations.
7.13–11 Employment in public service.
7.13–12 Military leave for training.
7.13–13 Appointment of midshipmen from enlisted men.
7.13–14 Requirements for appointment as midshipmen.
7.13–15 Physical disability and medical treatment.
7.13–15a Eligibility for benefits.
7.13–16 Government insurance.
7.13–17 Naval Militia.

COMPOSITION AND ORGANIZATION

7.13–20 Composition.
7.13–21 Purpose, composition, and organization of classes.
7.13–22 Territorial organization.

DISCIPLINE

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7.13–31 Inactive-duty status.
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7.13–33 Report of offenses.

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7.13–41 Precedence.

PROCUREMENT

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7.13–51 Eligibility for commission.
7.13–52 Eligibility for warrant.
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7.13–71 Promotion of warrant officers.
7.13–72 Promotion of enlisted men.

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INTERCLASS TRANSFER

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7.13–91 Officers.
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7.13–103 Records and reports of physical examinations.
7.13–104 Vaccination and typhoid prophylaxis.

SEPARATION

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7.13–113 Retirement.

INSTRUCTION AND TRAINING

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AUTHORITY: §§ 7.1 to 7.13–199, inclusive, issued under R. S. 1621, 41 Stat. 787, 56 Stat. 10, 52 Stat. 1175, 55 Stat. 3, 56 Stat. 266, 739; 34 U.S.C. 715, 622, 853–856.

NOTE: In §§ 7.1–55 to 7.13–199, inclusive, the numbers to the right of the decimal point correspond with the respective article numbers in the Marine Corps Manual, June 3, 1940, as amended to December 1, 1943.

ORGANIZATION AND MISSION

§ 7.1 *Origin of the Corps.* The United States Marine Corps dates from the War of the Revolution and became a permanent organization under the Act of July 11, 1798 (1 Stat. 594). It serves with the Navy except when detached for service with the Army. (R.S. 1621; 34 U.S.C. 715)

§ 7.1–1 *Duties.* The following duties may be performed by the Marine Corps, when so directed by the Secretary of the Navy:

(a) To furnish organizations for duty afloat on board armed transports for service either with fleets, squadrons, or divisions, or on detached service.

(b) To garrison the different navy yards and naval stations, both within and beyond the continental limits of the United States.

(c) To furnish the first line of the mobile defenses of naval bases and naval stations beyond the continental limits of the United States.

(d) To man such naval defenses and aid in manning, if necessary, such other defenses as may be erected for the defense of naval bases and naval stations beyond the continental limits of the United States.

(e) To furnish such garrisons and expeditionary forces for duties beyond the seas as may be necessary in time of peace. [Art. 552 (8), Navy Regulations]

§ 7.1–55 *Birthday of the Marine Corps.* The following will be read to the command on the 10th of November of each year:

(a) On November 10, 1775, a Corps of Marines was created by a resolution of the Continental Congress. Since that date many thousand men have borne the name Marine. In memory of them it is fitting that we who are marines should commemorate the birthday of our corps by calling to mind the glories of its long and illustrious history.

(b) The record of our Corps is one which will bear comparison with that of the most famous military organizations in the world's history. During the greater part of its existence the Marine Corps has been in action against the Nation's foes. Since the Battle of Trenton, marines have won foremost honors in war, and in the long eras of tranquillity at home, generation after generation of marines have grown gray in war in both hemispheres, and in every corner of the seven seas, that our country and its citizens might enjoy peace and security.

(c) In every battle and skirmish since the birth of our Corps marines have acquitted themselves with the greatest distinction, winning new honors on each occasion until the term "marine" has come to signify all that is highest in military efficiency and soldierly virtue.

(d) This high name of distinction and soldierly repute we who are marines today have received from those who preceded us in the Corps. With it we also receive from them the eternal spirit which has animated our Corps from generation to generation and has been the distinguishing mark of the marines in every age. So long as that spirit continues to flourish marines will be found equal to every emergency in the future as they have been in the past, and the men of our Nation will regard us as worthy successors to the long line of illustrious men who have served as "Soldiers of the Sea" since the founding of the Corps.

§ 7.1–56 *Flags of the Corps.* The following flags, pennants, guidons, and signs are authorized for use in the Marine Corps:

(a) *Flags.*

Marine Corps standard, silk, with staff.
National colors, silk, with staff.
Garrison, bunting.
Post, bunting.
Storm, bunting.
Recruiting, red, bunting.
Recruiting, blue, bunting.
Major general, Nos. 2 and 4, bunting, with staff.
Brigadier general, Nos. 2 and 4, bunting, with staff.
Boat, major general, bunting, with staff.
Boat, brigadier general, bunting, with staff.
Hospital, field, bunting.
Quarantine, field hospital, bunting.
Sanitary, cordon, bunting, with staff.
Signal, red 2-foot, with staff.
Signal, white, 2-foot, with staff.
Signal, red, 4-foot, with staff.
Signal, white, 4-foot, with staff.
Semaphore, bunting, with staff.

(b) *Pennants.*

Brigade, large, bunting.
Brigade, small, bunting.
Post commander, boat, bunting, with staff.
Quartermaster's supply depot and train, bunting.

(c) *Guidons.*

Silk, with staff.
Ambulance and dressing station, bunting, with staff.

(d) *Signs.*

Automobile, major general.
Automobile, brigadier general.

§ 7.1–57 *Colors of the Corps.* (a) Gold and scarlet are the official colors of the Marine Corps.

(b) All guidons, banners, athletic ribbons, pennants, and other articles ordinarily designed to represent the Marine Corps colors, will be made accordingly.

(c) Articles in Marine Corps colors carried by post exchanges will conform to the designated colors, the gold approximating as nearly as possible that in the regulation noncommissioned officers' chevrons.

Marine Corps Reserve

General

§ 7.13–1 *Establishment.* The Marine Corps Reserve is established and maintained under the provisions of the Naval Reserve Act of 1938 as a component part of the Marine Corps.

§ 7.13–2 *Mission.* The mission of the Marine Corps Reserve is to provide a trained force of officers and enlisted men available to serve as reinforcements to the Regular Marine Corps in time of war or national emergency.

§ 7.13–3 *Regulations, orders, and instructions applicable*—(a) *General.* In additio nto the instructions contained herein, the regulations, orders, and instructions governing the Regular Marine Corps are, except as modified herein or otherwise, applicable to the Marine Corps Reserve.

(b) *Quartermaster instructions.* The handling and accounting of all phases of subsistence, clothing, transportation, and public property by the Marine Corps Reserve shall be governed by instructions contained in the Marine Corps Manual, chapters 14 to 21,[1] inclusive, and by such quartermaster instructions for the Marine Corps Reserve as may be issued by the Commandant of the Marine Corps from time to time.

§ 7.13–4 *The Commandant of the Marine Corps.* The Marine Corps Reserve will be administered by the Commandant of the Marine Corps in the same manner, so far as practicable, as the Regular Marine Corps.

§ 7.13–6 *Reserve district commanders*—(a) *Duties.* Reserve district commanders will command all Class I and Class III reservists within their respective districts and are charged with the procurement, administration, training, and readiness for war of reservists under their jurisdiction, as may be directed from time to time by the Commandant of the Marine Corps.

(b) *Correspondence.* (1) In general, correspondence may be conducted by the Reserve district commander direct with the Commandant of the Marine Corps; however, matters such as personnel, training, etc., and items such as in the Regular service must pass through the commandant of the naval district, will be routed via that officer.

(2) All correspondence and administrative functions pertaining to reserve personnel in a Reserve district will be handled by the Regular personnel of the post or station, except where additional personnel has been authorized by the Commandant of the Marine Corps.

(c) *Supplies.* Requisitions for supplies for the use of a Reserve district will be submitted on the regular forms, in sextuplicate, to the Director, Personnel Department, except in the case of requisitions for stationery, which will be forwarded direct to the Depot Quartermaster, Philadelphia. The original and all copies will be forwarded via the post quartermaster, who will endorse thereon what items he can furnish. No supplies except stationery are authorized to be issued to any Reserve district commander until approved by the Director, Personnel Department, or the Quartermaster, Headquarters Marine Corps.

(d) *Officers' health records and enlisted men's staff returns; preparation of new records.* (1) In case officers' health records and enlisted men's staff returns are not received within 10 days from receipt of assignment notification, the Reserve district commander shall take steps to see if such records are in existence, and if none exist he shall immediately prepare a service record for enlisted men and health records for officers and enlisted men. In case it is necessary to prepare a health record, and the officer or enlisted man is not located where it is convenient to have him appear for physical examination, the Reserve district commander will prepare the health record, Bureau of Medicine and Surgery Form H, in blank, inserting the name, rank, and other data which may be on hand.

(2) Transmission of records for active duty. When reservists attached to a Reserve district are ordered to active or training duty, the Reserve district commander will forward the health records of officers and the staff returns of enlisted men to the place of training.

(e) *Physical examinations.* (1) Class I (b), (c), and (d). Reserve district commanders will see that quadrennial physical examinations are conducted and reported in the case of all Class I (b), (c), and (d) reservists as prescribed in §§ 7.13–102 and 7.13–103.

(2) Upon request for active or training duty. Upon receipt of a request for assignment to active or training duty, Reserve district commanders will furnish the reservist with the necessary forms and information so that a physical examination may be conducted as prescribed in §§ 7.13–101 (h) (2) and 7.13–102 (c). Upon receipt of the report of physical examination it will be forwarded, together with the request, to the Commandant of the Marine Corps.

(f) *Fitness reports.* Reserve district commanders will see that fitness reports

[1] Chapters 14 to 21, Marine Corps Manual, are available at Headquarters, U. S. Marine Corps, Washington, D. C.

are rendered by Class I (a) and Class III (a) reservists annually as of March 31, as prescribed in § 7.13–141.

§ 7.13–8 *Marine Corps Reserve Policy Board.* For the purpose of advising the Secretary of the Navy on the formulation of Marine Corps Reserve policies, there shall be convened annually at Headquarters, Marine Corps, a Marine Corps Reserve Policy Board, at least half the members of which shall be Marine Corps Reserve officers, and during peace such Marine Corps Reserve officers shall be called to this duty from an inactive duty status.

§ 7.13–9 *Definitions* — (a) *Officers.* This term, wherever it appears in §§ 7.13–1 to 7.13–199, inclusive, includes commissioned officers, commissioned warrant officers, aviation cadets, and warrant officers, including those on the honorary retired list, unless otherwise indicated by the context.

(b) *Enlisted men and enlisted reservists.* These terms include all men in grades corresponding to those of enlisted men of the Regular Marine Corps, irrespective of whether the reservist so designated entered the Reserve by enlistment or transfer, unless otherwise indicated by the context.

(c) *Active duty.* This term, wherever it appears in §§ 7.13–1 to 7.13–199, inclusive, includes active duty, with or without pay and allowances, unless otherwise indicated by the context.

(d) *Training duty.* This term, wherever it appears in §§ 7.13–1 to 7.13–199, inclusive, includes active duty for annual field or aviation training; active duty for training, with or without pay; and repeated active duty for training, without pay; unless otherwise indicated by the context. (See § 7.13–154.)

§ 7.13–10 *Designations*—(a) *Individual.* (1) The designation "USMCR" may be used by members of the United States Marine Corps Reserve.

(2) For administrative purposes, individuals of the Marine Corps Reserve will be designated as follows:

Members of Fleet Marine Corps Reserve	USMCR(F).
Members of Organized Marine Corps Reserve	USMCR(O).
Members of Volunteer Marine Corps Reserve (line)	USMCR(V).
Members of Volunteer Marine Corps Reserve (specialists)	USMCR(VS).
Members of Limited Service Marine Corps Reserve	USMCR(LS).
Members of Aviation Fleet Marine Corps Reserve	USMCR(AF).
Members of Aviation Organized Marine Corps Reserve	USMCR(AO).
Members of Aviation Volunteer Marine Corps Reserve (naval aviators)	USMCR(NAV).
Members of Aviation Volunteer Marine Corps Reserve (nonpilot specialists)	USMCR(AVS).
Members of Aviation Volunteer Marine Corps Reserve (line officers assigned to Aviation)	USMCR(AV).
Graduate Aviation Cadets, Volunteer Marine Corps Reserve	USMCR(NAVC).
Aviation Specialist Transport Pilot	USMCR(NAVT).

(3) For mailing purposes, the designation "USMCR" may be used for members of the Marine Corps Reserve of whatever class.

(b) *Organization.* Units of the Organized Marine Corps Reserve will be designated as follows:

First Battalion, Marine Corps Reserve; or 1st Bn., USMCR. Headquarters Company, First Battalion, Marine Corps Reserve; or Hq. Co., 1st Bn., USMCR. Company A, First Battalion, Marine Corps Reserve; or Co. A, 1st Bn., USMCR. Marine Reserve Scouting Squadron One; or VMS–1R. Marine Reserve Service Squadron Two; or SS–2MR.

§ 7.13–11 *Employment in public service.* Members of the Marine Corps Reserve are authorized to accept employment in any civil branch of the public service and to receive the pay and allowances incident to such employment in addition to any pay and allowances to which they may be entitled as members of the Reserve, or to practice their civilian professions or occupations before or in connection with any department of the Federal Government (34 U. S. C. 853b).

§ 7.13–12 *Military leave for training.* All officers and employees of the United States or of the District of Columbia, who are members of the Marine Corps Reserve, shall be entitled to leave of absence from their respective duties without loss of pay, time, or efficiency rating, on all days during which they are employed, with or without pay, under orders or authorization of competent authority, on training duty for periods not to exceed 15 days in any one calendar year. This leave shall be in addition to any leave of absence with pay authorized by other provisions of law (34 U. S. C. 853g).

§ 7.13–13 *Appointment of midshipmen from enlisted men.* The Secretary of the Navy may appoint not more than 50 midshipmen in any one year to the Naval Academy from the enlisted men of the Naval Reserve and the Marine Corps Reserve under similar conditions so far as applicable as prescribed by law for appointments from enlisted men of the Navy. Additional reservists may be appointed to fill vacancies left unfilled by appointments from the Regular naval service (34 U.S.C. 855f).

§ 7.13–14 *Requirements for appointment as midshipmen.* (a) Only enlisted men of the Marine Corps Reserve who meet the following requirements will be selected as a result of a competitive examination for appointments as midshipmen:

(1) Must be citizens of the United States who are not more than 21 years of age on April 1 of the year in which appointed.

(2) Must have been in the Marine Corps Reserve at least 1 year by July 1 of the year in which appointed. In this computation, service in the Marine Corps Reserve, Naval Reserve, in the Regular Navy, and in the Regular Marine Corps shall be credited.

(3) Must be attached to or associated with a unit of the Organized Marine Corps Reserve and have maintained efficiency by attending therewith at least 27 drills or periods of equivalent instruction or duty during the period between July 1 of the year preceding appointment and the third Wednesday in the following April, which is the date of mental examination for admission. Not more than seven of these periods may be periods of individual equivalent instruction or duty.

(4) Must have a good record.

(5) Must submit application prior to October 1 of the year preceding appointment. This application should be addressed to the Commandant of the Marine Corps and routed for further endorsement as to qualification via official channels. Transcript from the service record, and a report of physical examination on Bureau of Medicine and Surgery Form Y, in duplicate, should be attached to the application.

(6) Must be recommended by the commanding officer of the battalion or squadron.

(7) Must take a competitive examination which is held on the third Wednesday in April of each year and in the regular examination given to candidates nominated for appointment as midshipmen.

(8) Must meet the same mental and physical requirements as are required of other candidates for appointment as midshipmen. Requests for regulations governing the admission of candidates into the Naval Academy as midshipmen and sample examination papers may be addressed to the Commandant of the Marine Corps via the commanding officer.

CROSS REFERENCE: For regulations relating to the admission of candidates into the Naval Academy as Midshipmen, see Part 4, 8 F.R. 12893.

(b) Any enlisted man of the Marine Corps Reserve making application for appointment to the Naval Academy who has made a false statement as to his age when applying for enlistment, or subsequent thereto, shall be automatically barred from competing for such appointment, and his further retention as a member of the Marine Corps Reserve will be decided on the merits of the case and the recommendations of his commanding officer.

§ 7.13–15 *Physical disability and medical treatment*—(a) *Physical injury.* In time of peace if any officer or enlisted man of the Marine Corps Reserve is injured in line of duty while performing active duty, authorized training duty, drills, equivalent instruction or duty, appropriate duty, or other prescribed duty or while performing authorized travel to or from such duty; or dies as the result of such physical injury, whether or not he received pay for such service, he or his beneficiaries shall be entitled to all benefits prescribed by law for civil employees of the United States who are physically injured in line of duty, or who die as the result thereof; and the United States Employees' Com-

pensation Commission shall have jurisdiction in such cases, and shall perform the same duties with reference to them as in the cases of civil employees of the United States so injured (34 U. S. C. 855c).

(b) *Application of Pension Act of 1937.* Where a person who is eligible for the above benefits is also eligible for pension under the provisions of the act of June 23, 1937, entitled, "An Act to Amend the Provisions of the Pension Laws for Peacetime Service to Include Reserve Officers and Members of the Enlisted Reserve," he shall elect which benefit he shall receive (34 U. S. C. 855c).

(c) *Medical treatment and hospitalization.* Reservists who become ill or contract disease in line of duty during the performance of active or training duty, with or without pay, shall be entitled, at Government expense, to such medical, hospital, or other treatment as is necessary for the appropriate treatment of such illness or disease until the resulting disability cannot be materially improved by hospitalization or treatment. They are further entitled to necessary transportation and subsistence incident to such medical and hospital treatment and to be returned to their homes when discharged from treatment. However, treatment or hospitalization for such illness or disease shall not be continued for more than ten weeks following discharge from active or training duty, except on the approved recommendation of a board of medical survey, consisting of one or more medical officers of the Navy, or when authorized by the Surgeon General of the Navy, based on the certificate of a reputable physician. Such certificate must show that the illness or disease is a continuation of the illness or disease which was sustained or contracted during the period of active or training duty and that further benefit will result from continued treatment.

(d) *Sickness or disease not an injury.* In no case shall sickness or disease be regarded as an injury within the meaning of this section.

(e) *Medical treatment for injuries.* If an injury is incurred in the vicinity of a place where a United States Government activity employs civil personnel, the official in charge thereof shall be communicated with for information concerning a United States hospital or dispensary, or hospital or dispensary designated by the United States Employees' Commission, to which men may be sent for examination and first-aid treatment. If such facilities are available, the injured person must report for treatment without delay. If no such facilities are available in the vicinity, and the injury is such as to make hospital treatment necessary, the injured person may be taken to any available hospital. In such case he may select the hospital, but the Employees' Compensation Commission will pay for hospital service in a general ward only. The injured person may obtain service in a private room, provided he pays the difference between the rate for a private room and the rate for a general-ward patient. If hospital treatment is not necessary, but medical treatment for the injury is required, it may be secured in the same general manner as prescribed above.

(f) *Report of injuries.* The commanding officer, or other person in authority having immediate knowledge of the circumstances, shall immediately make a written report via the commanding officer of the battalion, aviation squadron, or Reserve district concerned, to the Commandant of the Marine Corps setting forth the circumstances under which the person was injured, the nature and extent of the injury, so far as known, and what action, if any, has been taken to provide treatment, as well as any other information that may be of value in establishing the injured person's right to compensation, or medical or hospital service.

(g) *Minor injuries to be recorded.* It is important that every minor injury be made a matter of record, including a statement of what first-aid treatment was rendered, as experience in handling claims of civil employees shows that injuries, thought to be of no importance when incurred, are subsequently made the basis of claims for compensation, hospitalization, or medical treatment.

(h) *Forms for report of injury.* The action indicated in the foregoing paragraphs having been taken, the commanding officer of the battalion, aviation squadron, Reserve district, or the official in charge of the nearest United States Government activity employing civil personnel, must be consulted, and the necessary forms obtained for making the additional reports required by the United States Employees' Compensation Commission.

(i) *Claim for compensation, when filed.* The compensation act requires that no claims for benefits on account of an injury can be considered unless filed within 1 year from the date of the injury so incurred, or in case death results, within 1 year from the date of death.

(j) *Class I (b), (c), and (d) reservists.* For hospitalization and medical treatment of Class I (b), (c), and (d), reservists, see article 3–31 (5).[1]

(k) *Funeral expenses.* If death occurs while on active duty the expense of funeral and local burial, or of transportation of remains to place in the United States designated by the next of kin, is payable by the Navy Department from the appropriation "Care of the Dead."

§ 7.13–15a *Eligibility for benefits.* All officers, warrant officers, and enlisted men of the United States Marine Corps Reserve, who, if called or ordered into active naval or military service by the Federal Government for extended naval or military service in excess of 30 days, suffer disability or death in line of duty from disease or injury while so employed, shall be deemed to have been in the active naval service during such period, and they or their beneficiaries shall be in all respects entitled to receive the same pensions, compensation, retirement pay, and hospital benefits as are now or may hereafter be provided by law or regulation for officers, warrant officers, and enlisted men of corresponding grades and length of service of the Regular Marine Corps. A person eligible for the benefits prescribed herein and who is also eligible for pension under the provisions of the act of June 23, 1937 (50 Stat. 305), compensation from the United States Employees' Compensation Commission under the provisions of section 304 of the Naval Reserve Act of 1938 (52 Stat. 1181; 34 U.S.C. 855c) or retired pay under the provisions of section 310 of the Reserve Act of 1938 (52 Stat. 1183; 34 U.S.C. 855*l*), shall elect which benefit he shall receive (Act of 27 August 1940). The benefits contained in this section include the 6 months' pay to beneficiaries of personnel of the Marine Corps Reserve ordered to active duty in excess of 30 days and who die while so employed. (Acts of 27 Aug. 1940 and 17 Mar. 1941.)

§ 7.13–16 *Government insurance.* All members of the Marine Corps Reserve are entitled to take out Government insurance after having served on active or training duty for a period of 16 or more days, provided application is made to the Administrator of Veterans' Affairs within 120 days after reporting for such duty.

§ 7.13–17 *Naval Militia.* (a) Any officer or man of the Marine Corps branch of the Naval Militia may, in the discretion of the Secretary of the Navy, be temporarily appointed or regularly enlisted in the Marine Corps Reserve and assigned to the Organized Reserve in the rank, not above that of captain, which he holds in the Naval Militia. Within a year from the date of appointment, such officers are required to qualify for the rank in which they were appointed in accordance with the regular provision for appointment to and promotion in the Marine Corps Reserve; failing qualifications, their temporary commissions will be revoked.

(b) The Commandant of the Marine Corps will specify the standard for the organization, administration, and training of marine companies of the Naval Militia.

(c) Officers or men of the Marine Corps Reserve who are members of the Naval Militia of any State, Territory, or the District of Columbia shall stand relieved from all service or duty with the Naval Militia when on active duty in time of war or national emergency, or when ordered to such duty.

COMPOSITION AND ORGANIZATION

§ 7.13–20 *Composition.* The Marine Corps Reserve consists of five classes as follows:

(a) *Class I: Fleet Marine Corps Reserve.* (1) Commissioned officers and warrant officers of the Marine Corps Reserve who were honorably discharged from the Regular Marine Corps after not less than 4 years' service.

(2) Enlisted reservists having 16 years' or more Regular naval service,

[1] Article 3–31 (5), Marine Corps Manual, is available at Headquarters, U. S. Marine Corps, Washington, D. C.

who served in the Regular Navy or Marine Corps on or before July 1, 1925.

(3) Enlisted reservists who served in the Regular Navy or Marine Corps on or prior to July 1, 1925, having 20 years' or more Regular naval service.

(4) Enlisted reservists who first enlisted in the Regular Navy or Marine Corps after July 1, 1925, or who reenlisted therein with broken service after July 1, 1925, having 20 years' or more Regular naval service. Continuous service is not required for transfer to Class I (d), Fleet Marine Corps Reserve.

(5) Enlisted reservists having 4 years' or more honorable Regular naval service who do not come under paragraph (a) (2), (3) or (4) of this section. The term "4 years" includes a minority discharge or a discharge 3 months prior to normal expiration of a 4-year enlistment.

(b) *Class II: Organized Marine Corps Reserve.* (1) Commissioned officers and warrant officers of the Marine Corps Reserve who are members of an organized unit and others as may be designated by the Commandant of the Marine Corps.

(2) Enlisted reservists who are members of an organized unit and others as may be designated by the Commandant of the Marine Corps.

(c) *Class III: Volunteer Marine Corps Reserve.* (1) Marine Corps Reserve officers qualified for general duties who are not assigned to class I or II.

(2) All trained enlisted reservists not otherwise assigned.

(3) All untrained enlisted reservists not otherwise assigned, as specified in § 7.13–54 (d) (3).

(4) Men enlisted in the Marine Corps Reserve for training as platoon leaders or aviation cadets.

(d) *Class IV: Limited Service Marine Corps Reserve.* Men enlisted or reenlisted in the Marine Corps Reserve for Limited Service, as provided in § 7.13–54 (1).

(e) *Class V: Specialist Volunteer Marine Corps Reserve.* (1) Marine Corps Reserve officers commissioned or appointed for specialist duties only.

(2) Men enlisted for specialist duties only.

NOTE 1. For general requirements for membership in the Marine Corps Reserve, see § 7.13–50.

2. For eligibility for commission or warrant in the Marine Corps Reserve, see §§ 7.13–51 and 7.13–52, respectively.

3. For eligibility for enlistment in the Marine Corps Reserve, see § 7.13–54.

4. For eligibility for transfer to the Marine Corps Reserve, see chapter 4.[1]

5. For eligibility for enlistment in Limited Service Marine Corps Reserve, see § 7.13–54 (1).

6. For regulations governing enlistments and appointments of Specialists, Class V, see §§ 7.13–51 (g), and 7.13–54 (p).

§ 7.13–21 *Purpose, composition, and organization of classes*—(a) *Fleet Marine Corps Reserve*—(1) *Purpose.* To provide an available reserve which may be utilized without further training to fill station assignments requiring experienced personnel in the initial stages of mobilization.

(2) *Composition.*. The Fleet Reserve comprises former officers and former enlisted men of the Regular Marine Corps.

(3) *Organization.* Personnel of the Fleet Reserve and Volunteer Reserve are combined and organized into units within Reserve districts as prescribed in paragraph (f) of this section.

(b) *Organized Marine Corps Reserve*—(1) *Purpose.* To provide a trained force of officers and men which, with qualified personnel from other sources, will be adeqate in numbers and composition to complete the war organization of the United States Marine Corps.

(2) *Composition.* The Organized Reserve comprises officers and men, available for immediate mobilization, who are required to perform annual training and other duties.

(3) *Organization.* The personnel shall be organized into units which shall conform in organization and equipment as far as practicable with corresponding units of the Regular Marine Corps.

(c) *Volunteer Marine Corps Reserve*—(1) *Purpose.* To provide a force of qualified officers and men in numbers which, added to those in other branches of the Reserve, will be adequate to fulfill the emergency needs of the Marine Corps.

(2) *Composition.* The Volunteer Reserve comprises officers and men not assigned to the Fleet Reserve or Organized Reserve who are qualified or partially qualified for prescribed mobilization duties.

(3) *Organization.* Personnel of the Volunteer Reserve and Fleet Reserve are combined and organized into units within reserve districts as prescribed in paragraph (f) of this section.

(d) *Limited Service Marine Corps Reserve*—(1) *Purpose.* To provide a force of enlisted men not qualified for general mobilization duties, but qualified for limited service as guards at naval shore activities, within the continental United States, to relieve younger men who are qualified for combat duty for service in the field in time of war or national emergency.

(2) *Composition.* The Limited Service Marine Corps Reserve shall be composed of men over 30 but less than 51 years of age when enlisted therein who by reason of age, dependents, marital status or physical defects are not qualified for general duties but who meet the reduced standards established for limited service.

(3) *Organization.* Personnel of the Limited Service Marine Corps Reserve are organized into the units within Reserve districts as prescribed in paragraph (f) of this section.

(e) *Specialist Volunteer Marine Corps Reserve*—(1) *Purpose.* To provide for the appointment or enlistment in the Marine Corps Reserve of officers and men who possess special qualifications which may be utilized by the Marine Corps in time of war or national emergency, but who, due to physical defects, age, or lack of training, are not qualified for general service.

(2) *Composition.* The Specialist Volunteer Marine Corps Reserve shall be composed of officers and men appointed or enlisted upon specific authority of the Commandant of the Marine Corps, to perform the specialist duties for which qualified.

(3) *Organization.* Personnel of the Specialist Volunteer Marine Corps Reserve are organized into the units within Reserve Districts as prescribed in paragraph (f) of this section.

(f) *Organization of the combined Fleet and Volunteer Reserve.* Within each reserve district, personnel of the combined Fleet and Volunteer Reserve are organized into units as follows:

(1) *General service unit.* Personnel whose emergency assignment is for general duties.

(2) *Aviation unit.* Personnel whose emergency assignment is for duty with aviation organizations.

(3) *Platoon leaders' unit.* Personnel who have been selected and designated for training with the platoon leaders' class.

(4) *Special service unit.* As per assignment by the Commandant of the Marine Corps, including members of the Limited Service Marine Corps Reserve, Class IV, and Specialists, Class V, when not on active duty.

§ 7.13–22 *Territorial organization.* The United States and its territorial possessions are divided into Reserve districts, each corresponding geographically and in numerical designation with the corresponding naval district. A reservist who resides without the continental United States and its territorial possessions shall be attached to the Reserve district, the headquarters of which is most accessible by mail and passenger route. The commanding officer of marine barracks as shown below is the district commander of the corresponding Reserve district.

1st Reserve District, M. B., NYd., Boston, Mass.

3rd Reserve District, M. B., NYd., New York, N. Y.

4th Reserve District, M. B., NYd., Philadelphia, Pa.

5th Reserve District, M. B., Norfolk NYd., Portsmouth, Va.

Severn and Potomac Reserve District, M. B., NYd., Washington, D. C.

6th Reserve District, M. B., NYd., Charleston, S. C.

7th Reserve District, M. B., NYd., Charleston, S. C.

8th Reserve District, M. B., N. A. S., Pensacola, Fla.

9th Reserve District, M. B., N. T. S., Great Lakes, Ill.

10th Reserve District, M. D., N. A. S., San Juan, P. R.

11th Reserve District (officer assigned by commanding general, Marine Corps base), M. C. B., NOB., San Diego, Calif.

12th Reserve District, M. B., NYd., Mare Island, Vallejo, Calif.

13th Reserve District, M. B., Puget Sound NYd., Bremerton, Wash.

14th Reserve District, M. B., NYd., Pearl Harbor, T. H.

15th Reserve District, M. B., S. B., Coco Solo, C. Z.

16th Reserve District, M. B., NYd., Cavite, P. I.

[1] Chapter 4, Marine Corps Manual, is available at Headquarters, U. S. Marine Corps, Washington, D. C.

DISCIPLINE

§ 7.13–30 *Laws and regulations governing.* Officers and men of the Marine Corps Reserve, when employed on active duty, authorized training duty, with or without pay, drill, or other equivalent instruction or duty, or when employed in authorized travel and to and from such duty, or appropriate duty, drill, or instruction, or during such times as they may by law be required to perform active duty, or while wearing a uniform prescribed for the Reserve, shall be subject to the laws, regulations, and orders for the government of the Navy.

§ 7.13–31 *Inactive-duty status.* Disciplinary action for an offense committed while so subject to the laws, regulations, and orders for the government of the Navy shall not be barred by release from active-duty status of the officer or man concerned. For the purpose of carrying out the above provisions, members of the Marine Corps Reserve may be retained on or returned to an active-duty status without their consent, but not for a longer period than may be required for disciplinary action.

§ 7.13–32 *Retired status.* Officers and men who have heretofore been or may hereafter be transferred to the retired list of the Marine Corps Reserve, with pay, shall be subject to the laws, regulations, and orders for the government of the Navy.

§ 7.13–33 *Report of offenses.* Recommendations for disciplinary action in cases of such seriousness as to warrant trials by courts martial will be reported to the Commandant of the Marine Corps. Such reports will be submitted as prescribed by Navy Regulations and Naval Courts and Boards.

RANK AND PRECEDENCE

§ 7.13–40 *Distribution of officers in grade*—(a) *Organized Marine Corps Reserve.* (1) The total number of officers in the Organized Reserve in the grades of major general, brigadier general, colonel, and lieutenant colonel shall not exceed one-half of 1 percent of the actual number of enlisted men regularly assigned to the units of the Organized Reserve (including aviation) and entitled to pay therefor, one of which may be allowed in the grade of major general or brigadier general (34 U.S.C. 855e).

(2) Computation to determine the number of officers above the rank of major will be made annually as of January 1 of each year. No officer shall be reduced in rank as the result of such computation.

(3) Whenever a final fraction occurs in computing the authorized number of officers in said higher grades, the nearest whole number shall be regarded as the authorized number.

(4) The total number of officers in the Organized Reserve in the grades of major, captain, first lieutenant, and second lieutenant shall not exceed, without authority of the Commandant of the Marine Corps, the number of officers in such respective grades required to complete the authorized allowance of officers in the various units of the Organized Reserve.

(b) *Volunteer Marine Corps Reserve.* The number of officers appointed or promoted to the grades of major, lieutenant colonel, and colonel in the Volunteer Reserve shall not exceed mobilization needs for such officers for duties appropriate to these grades. The number of officers in the sections of the special-service unit will be limited by the allowances prescribed therefor by the Commandant of the Marine Corps.

§ 7.13–41 *Precedence*—(a) *Within the Marine Corps Reserve.* Commissioned officers of the same rank and warrant officers of the Marine Corps Reserve shall take precedence among themselves according to dates and numbers of commissions or warrants. Commissioned officers of the same rank and warrant officers who are transferred in accordance with the provisions of the Naval Reserve Act of 1938 shall take precedence among themselves and with other officers of the Marine Corps Reserve according to the dates and numbers of the commissions or provisional assignments of rank or grade held by them at the time of transfer.

(b) *During war or national emergency.* (1) While serving with the Regular Marine Corps during war or a national emergency, each officer of the Marine Corps Reserve shall take precedence next after that officer of the Regular Marine Corps of the same rank or grade whose length of service in such rank or grade on the date of the declaration of such national emergency or war is one-half or the nearest one-half of that of the Reserve officer. This applies to all Reserve officers who were commissioned prior to the date of declaration of war or a national emergency, regardless of the date of reporting for such duty. A Marine Corps Reserve officer appointed after the declaration of war or national emergency shall take precedence, upon reporting for active duty in time of war or a national emergency, next after the officer of the Regular Marine Corps of the same rank or grade whose length of service in such rank or grade on the date the Reserve officer reports for such active duty is one-half or the nearest one-half of that of the Reserve officer. Thereafter officers of the Marine Corps Reserve who are advanced to higher grades while performing active duty, other than training duty, shall during the continuance of such active duty take precedence among themselves and with officers of the Regular Marine Corps in accordance with the date of such advancement or promotion. In time of peace each officer of the Marine Corps Reserve who reports for active duty, other than training duty, on or after July 1, 1938, shall take precedence next after that officer of the Regular Marine Corps of the same rank or grade whose length of service in such rank or grade on the date the active duty began is one-half or the nearest one-half of that of the Reserve officer in that rank or grade. In the event the date an officer last reported for active duty should be prior to July 1, 1938, for purposes of precedence he will be considered as having reported for active duty on that date. Thereafter officers of the Marine Corps Reserve who are advanced to higher grades while performing active duty, other than training duty, shall during the continuance of such active duty take precedence among themselves and with officers of the Regular Marine Corps in accordance with date of such advancement or promotion.

(2) In the event the computation of one-half of the Reserve officer's service in grade on date of mobilization as provided in paragraph (b) (1) of this section gives him a date of precedence identical with the date of rank of an officer or group of officers of the Regular Marine Corps, the Reserve officer takes precedence next after the junior officer of the Regular Marine Corps, having the same date of rank. If the computation results in a date of precedence for the Reserve officer between the dates of rank of two officers or two groups of officers of the Regular Marine Corps, the following rules shall apply:

(i) If the date for the Reserve officer is actually midway between two officers or two groups of Regular Marine officers, or above that point, the Reserve officer shall take precedence next after the junior officer immediately preceding.

(ii) If the date for the Reserve officer is below the midway point between two officers or two groups of Regular Marine officers, the Reserve officer shall take precedence next after the senior officer next following.

(3) In case there is no officer of the same rank or grade in the Regular Marine Corps senior in date of rank to the date of precedence of the Reserve officer on mobilization, the Reserve officer shall take precedence next after the senior officer of the Marine Corps in his grade.

(c) *Command of combined forces.* For the purpose of determining who shall exercise command over a combined force, composed of units commanded by officers of the Marine Corps Reserve and units commanded by officers of the Regular Marine Corps or Navy, acting in conjunction, an officer of the Reserve of or above the rank of major will be regarded as junior to majors and lieutenant commanders of the Regular Marine Corps and Navy, respectively.

(d) *Platoon leaders and aviation cadets.* (1) The position on the lineal list, among themselves, of officers commissioned second lieutenants in the Marine Corps Reserve from the platoon leaders' classes will be determined by the final standing in the class from which commissioned for those of the same date of commission; the commission to rank as of 1 July for those graduated from college in June of any year (otherwise as of actual date of graduation from college) or as of date of graduation from the platoon leaders' class whichever date is later, such later date to be the control date. The commission of any individual who for any reason (physical, business, lack of promptness, etc.) fails to submit the required evidence of qualification within thirty days from his control date

will, if commissioned later, rank from the date he is found qualified for appointment by the Marine Corps Reserve Examining Board.

(2) The position on the lineal list, among themselves, of officers commissioned second lieutenants in the Marine Corps Reserve from aviation cadets will be determined by the final marks attained by them upon completion of their flight training.

(3) The relative position on the lineal list of officers commissioned in the Marine Corps Reserve, with the same date of rank, from the platoon leaders' classes, aviation cadets, and other sources not herein specified, will be as determined by the Commandant of the Marine Corps.

(4) The precedence of Marine Corps Reserve aviation cadets is determined as follows:

(i) Second lieutenants (USMC and USMCR).

(ii) Commissioned warrant officers (USMC and USMCR).

(iii) Aviation cadets.

(iv) Midshipmen.

(v) Warrant officers (USMC and USMCR).

§ 7.13–50 *Eligibility for membership.* (a) Male citizens of the United States and of the insular possessions of the United States who have attained the age of 17 years and who, by appointment or enlistment therein, or by transfer thereto, obligate themselves to serve in the Marine Corps in time of war or during the existence of a national emergency declared by the President are eligible for membership in the Marine Corps Reserve.

(b) A person who has a claim pending for or who is drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States is not eligible for membership in the Marine Corps Reserve. (See § 7.13–150 (c) (2).)

(c) A member of any other naval or military organization, State or Federal (except the Marine Corps branch of the Naval Militia), is not eligible for membership in the Marine Corps Reserve.

(d) Ordinarily appointments to commissioned or warrant rank in the Marine Corps Reserve of foreign-born persons who have been naturalized less than 10 years will not be made. If the officer interviewing a candidate who has been naturalized less than 10 years considers the case exceptional and desires to recommend appointment, he should state fully his reasons therefor in his report to the Commandant of the Marine Corps.

(e) A civilian employee of the Marine Corps or Navy is not eligible for membership in the Organized or Volunteer Marine Corps Reserve, unless an officer is required in his present civilian position in time of war or emergency.

(f) The basic requisite for the existence of the Marine Corps Reserve is the immediate availability of its members for mobilization. It is therefore undesirable to accept individuals as members of the Marine Corps Reserve who, upon mobilization, would be required to sever their connection with their normal civil occupation, provided such occupation be of a nature vital to the service of the armed forces.

§ 7.13–51 *Eligibility for commission*—(a) *Meritorious noncommissioned officers.* (1) Meritorious noncommissioned officers of the Regular Marine Corps and Marine Corps Reserve may be commissioned second lieutenants in the Marine Corps Reserve, depending on the needs of the Service, provided they meet the following conditions:

(i) Be over 20 but not over 30 years of age when commissioned.

(ii) Have served at least 4 months in the Marine Corps or on active duty, including training duty, in the Marine Corps Reserve on date of application.

(iii) Be a citizen of the United States or of its insular possessions and a noncommissioned officer.

(iv) Be recommended for a reserve commission by his commanding officer.

(v) Be qualified for a commission as established by standing in his community, character, appearance, manner and bearing, and capacity for leadership.

(vi) Have the physical qualifications prescribed for officers of the Regular Marine Corps.

(vii) Present satisfactory evidence of educational qualifications as prescribed for noncommissioned officer applicants for regular commissions.

(2) The procedure prescribed under article 2–1 (3) (e) and (f)[1] will apply in the examination and selection of noncommissioned officer candidates for reserve commissions.

(3) Meritorious noncommissioned officers of the Marine Corps Reserve may be commissioned in the Regular Marine Corps under the same conditions as prescribed in article 2–1.[1]

(b) *Graduates of platoon leaders' classes.* As prescribed in § 7.13–194.

(c) *Graduates of candidates' classes.* Under such regulations as may be prescribed by the Secretary of the Navy, from time to time.

(d) *Former officers of the Regular Army, Navy, Coast Guard; Army, Naval, or Marine Corps Reserve, or National Guard.* If morally and physically qualified, may be commissioned, not above the rank of major, in the rank and with date of rank as recommended by the Commandant of the Marine Corps.

(e) *Graduates of the Naval Academy, the Military Academy, the Coast Guard Academy, the Senior Division, Army Reserve Officers' Training Corps or the Naval Reserve Officers' Training Corps.* If morally and physically qualified, may be commissioned, not above the rank of major, in the rank and with date of rank as recommended by the Commandant of the Marine Corps, upon presentation of proof of their graduation from a Service Academy or the R. O. T. C., provided they be over 20 years of age when commissioned. R. O. T. C. graduates must furnish proof of having:

(1) Satisfactorily completed the Senior Division course of the Army R. O. T. C.; or

(2) Satisfactorily completed the course prescribed in the Naval R. O. T. C.

(f) *Exceptional service in battle.* Enlisted men who do not meet the foregoing requirements may be appointed as commissioned officers in the Marine Corps Reserve for exceptional performance of duty in battle upon specific recommendations of the commanders concerned and of the Commandant of the Marine Corps.

(g) *For special duty.* Any specially desirable or qualified candidates for commission who do not meet the foregoing requirements, and whose services are required, may be appointed not above the rank of major, upon specific recommendation of the Commandant of the Marine Corps for assignment to the special duty for which qualified.

§ 7.13–52 *Eligibility for warrant.* Warrant officers may be appointed from noncommissioned officers of the Reserve and from civil life and will be required to pass a physical examination and present satisfactory evidence of their moral, mental, and professional qualifications. As evidence of moral character it will be necessary to furnish five letters from reputable citizens as to the character of the candidate. The professional qualifications required will be as prescribed in article 2-21 (2).[1]

§ 7.13–53 *Appointment.* Persons appointed to commissioned grades in the Reserve will be commissioned to serve during the pleasure of the President. Warrant officers, aviation cadets, and midshipmen will be appointed to serve during the pleasure of the Secretary of the Navy.

§ 7.13–54 *Eligibility for enlistment, reenlistment, and extension*—(a) *Eligibility for transfer from the Regular Marine Corps to the Fleet Marine Corps Reserve.* See chapter 4.[2]

(b) *Eligibility for enlistment and assignment to the Fleet Marine Corps Reserve.* Men discharged from the Regular Marine Corps with character very good or excellent, (1) after not less than 4 years' service therein, (2) receiving a 3 months' priority discharge, or (3) receiving a discharge upon completion of a minority enlistment, may, within 3 months from date of discharge from the Marine Corps and upon their own request, be enlisted in the Marine Corps Reserve and assigned to Class I (e), subject to appropriations. When appropriations do not permit, similar assignment may be made to Class III (b). (For rank on transfer and benefits, see chapter 4.)[2]

(c) *Eligibility for enlistment and assignment to the Organized Marine Corps Reserve.* In addition to the other requirements of this section, applicants

[1] Article 2–1, Marine Corps Manual, is available at Headquarters, U. S. Marine Corps, Washington, D. C.

[1] Article 2–21, Marine Corps Manual, is available at Headquarters, U. S. Marine Corps, Washington, D. C.

[2] Chapter 4, Marine Corps Manual, is available at Headquarters, U. S. Marine Corps, Washington, D. C.

must be acceptable to the commanding officer of the organization concerned. They need have no previous military training.

(d) *Eligibility for enlistment and assignment to the Volunteer Marine Corps Reserve.* In addition to the other requirements of this section, applicants must have one of the following qualifications:

(1) At least 1 year's service in the Regular Army, Navy, Marine Corps, or Coast Guard.

(2) At least 2 years' service in the Organized Marine Corps Reserve, Naval Reserve, Army Reserve, Naval Militia, or National Guard.

(3) No previous military experience, upon authorization of the Commandant of the Marine Corps.

(e) *Term of enlistment, and extensions thereof.* The term of enlistment or reenlistment in the Marine Corps Reserve is 4 years. The enlistment or reenlistment may be extended in accordance with the regulations governing extensions of enlistment in the Regular Marine Corps. A minority enlistment is counted as 4 years' service. Any enlistment terminated within 3 months prior to its expiration is counted as a full term of service for which enlisted.

(f) *Physical requirements.* (1) The physical requirements for enlistment in or assignment to the Fleet, Organized, or Volunteer Marine Corps Reserve will be the same as those prescribed for enlistment in the Regular Marine Corps, except that waivers may be granted by the Commandant of the Marine Corps for enlistment in the Volunteer Marine Corps Reserve in the case of applicants whose physical defects are not such as to prevent them from performing limited duty on shore in the United States, or specialist duties. (See § 7.13–102 (b).)

(2) Particular attention is invited to article 2–121 (6)[1] which prescribes the maximum and minimum sizes of clothing for which applicants may be accepted and also the final provision which states that the applicant must be rejected if he cannot wear issue clothing.

(g) *Age limit.* To be acceptable for first enlistment in the Marine Corps Reserve, applicants must be not less than 17 nor more than 35 years of age, except that in cases where the applicant has served honorably in the Regular Marine Corps and in other exceptional cases, the upper age limit may be waived by the Commandant of the Marine Corps. An applicant under 21 years of age should be required to furnish the written consent of his parent(s) or guardian(s). The consent of wife or waiver of marriage by the Commandant of the Marine Corps is not required for enlistment. After the expiration of 3 months from date of discharge, men will be reenlisted only if less than 35 years of age, unless in special cases, the age limit is waived by the Commandant of the Marine Corps.

(h) *Request for waivers.* Requests for waivers of physical defects or age limit will be forwarded to the Commandant of the Marine Corps for approval prior to enlistment. Requests for physical waivers will be submitted on NMC Form 588 in triplicate.

(i) *Reappointment to rank above private upon reenlistment.* Enlisted reservists above the rank of private who reenlist in the Marine Corps Reserve will be reappointed by the enlisting officer, upon reenlistment in the Reserve, to the rank and kind of warrant held when discharged. If assigned to a unit of the Organized Reserve, appointment to such rank will depend on vacancies in the authorized allowance of the organization to which assigned, except as provided in paragraph (m) of this section.

(j) *Former marines discharged on grounds of dependency.* Former Marines discharged on grounds of dependency may be enlisted in the Marine Corps Reserve without reference to the Commandant of the Marine Corps, provided they qualify in every other respect.

(k) *Compliance with article 2–115.*[1] The provisions of article 2–115 will be complied with in all cases of men applying for reenlistment either from the Regular Marine Corps, the Marine Corps Reserve, or from other armed branches of the United States Services, except as provided in paragraphs (m), (n), (o), and (p) of this section.

(l) *Eligibility for enlistment in Class IV, Limited Service Marine Corps Reserve.* (1) Men over 30 and under 51 years of age, who in addition, fulfill one of the following conditions, are eligible for enlistment in Class IV, Limited Service Marine Corps Reserve, during such times as enlistments in that class are authorized by the Commandant of the Marine Corps:

(i) Meet the reduced physical requirements as specified by the Commandant of the Marine Corps, but are not fully qualified for combat duty; or

(ii) By reason of marriage or dependents may not be qualified for general duty. (Former enlisted men between the ages of 30 and 34, inclusive, who are qualified for combat duty, are not eligible for enlistment in Class IV).

(2) Recruiting officers must exercise extreme care in the selection of men for enlistment in Class IV. Only high caliber and responsible men in good standing within their community will be accepted.

(3) Terms of enlistment and physical standards for Class IV will be as directed by the Commandant of the Marine Corps.

(m) *Reappointment and promotion.* (1) All World War veterans will be appointed or reappointed to the rank of private first class upon enlistment.

(2) Former marines who have had 4 or more years of continuous service will be reappointed upon reenlistment to the rank (line rank) held upon last discharge, not above sergeant. Appointments under this subparagraph will be made only when documentary evidence of previous rank is produced by the applicant, such evidence to consist of discharges or appointments by constituted authority.

(3) Class IV reservists may be promoted, after assignment to regular duty, under the same regulations as apply to other classes of reservists.

(n) *Choice of station and assignment to active duty.* (1) Insofar as practicable, men enlisted in Class IV will be given their choice of initial station, within the Reserve District in which enlisted. Before enlistment, however, they will be informed that no definite promise of choice of station can be guaranteed them nor that they will remain permanently at their initial duty station.

(2) All Class IV reservists will be ordered to a recruit depot for training before being assigned to a regular duty station.

(3) Assignments from recruit depots will be effected in accordance with instructions published by the Commandant of the Marine Corps.

(o) *Pay and allowances.* (1) The pay and allowances of members of Class IV will be governed by laws and regulations applying to other classes of the Marine Corps Reserve. Regardless of their rank, Class IV reservists, under the law are entitled to allowances for quarters and subsistence and to transportation of dependents and household effects in the same manner and under the same conditions as are authorized for men of the first three pay grades of the Marine Corps Reserve. However:

(i) Transportation of dependents and household effects is not authorized until assignment to permanent station has been made, recruit training being considered temporary duty.

(ii) Transportation of recruits from the place of enlistment shall be limited to the same class of transportation and sleeping car accommodations as are enlisted men of the Marine Corps of like grades.

(2) Men having dependents are entitled to commutation of quarters from the date of their enlistment, provided no Government quarters have been furnished them for their dependents. Commanding officers will inform these men of their rights under the law as set forth herein.

(p) *Enlistment of specialists.* (1) Men who possess special qualifications which can be utilized by the Marine Corps in time of war or national emergency, but who are not qualified for enlistment for general service by reason of age, physical defects, or the like, may be enlisted in the Marine Corps Reserve as "specialists" upon approval of the Commandant of the Marine Corps.

(2) Recommendation for the enlistment of a specialist will be made to the Commandant of the Marine Corps and will state his special qualifications in detail, as well as his disqualification for regular enlistment. If the disqualification is due to a physical defect, report of rejection on Form NMC–588 will accompany the recommendation.

[1] Article 2–121 (6), Marine Corps Manual, is available at Headquarters, U. S. Marine Corps, Washington, D. C.

[1] Article 2–115, Marine Corps Manual, is available at Headquarters, U. S. Marine Corps, Washington, D. C.

(3) Men enlisted for specialist duties will be assigned to Class V (b), Volunteer Marine Corps Reserve (see § 7.13–20 (e)), and the face of the service-record book will be plainly marked to show the special qualification for which enlisted, as "Stenographer," "Mechanic," "Radio technician," etc.

(4) Men assigned to Class V (b) will not be transferred from the organization to which assigned except upon specific authority from the Commandant of the Marine Corps.

NOTE 1: For administrative designation of specialist reservists, see § 7.13–10 (a) (2).

PROMOTION

§ 7.13–60 *Method of promotion for officers*—(a) *Second lieutenants, first lieutenants, and captains.* Second lieutenants, first lieutenants, and captains shall be promoted by seniority to the next higher rank when eligible and qualified physically, mentally, morally, and professionally for promotion.

(b) *Major and above.* Officers of the rank of major and above shall be promoted only upon the recommendation of a selection board, in the order selected by the board, when their running mates in the Regular Marine Corps are promoted, subject to physical, mental, moral, and professional examinations. The date of rank on promotion of such selected officers will be the date of rank on promotion of their running mates in the Regular Marine Corps, except that in no case shall such date of rank antedate the date of the vacancy in the grade to which promoted in the Marine Corps Reserve.

(c) *Running mates.* For the purposes of eligibility for selection and for promotion, each Reserve officer of the rank of major and above will be assigned as a running mate the officer of the same rank in the Regular Marine Corps whose date of rank is the same or nearest subsequent date of rank. Each such Reserve officer shall become eligible for consideration for selection when his running mate in the Regular service has been selected for promotion.

§ 7.13–61 *Selection boards.* Selection boards will be convened by the Secretary of the Navy, from time to time, as may be required. Each such board will be composed of not less than five officers of or above the grade for which selections are to be made, one of whom may be an officer of the Marine Corps Reserve. Selection boards shall make recommendations for promotion to the grades of lieutenant colonel, colonel, and brigadier or major general in numbers not exceeding those directed by the Secretary of the Navy.

§ 7.13–62 *Eligibility for promotion of officers.* In time of peace, officers of the Marine Corps Reserve will be eligible for promotion as follows:

(a) *Second Lieutenants.* Upon completion of 3 years in grade.

(b) *First Lieutenants.* Upon completion of 4 years in grade.

(c) *Captains.* Upon completion of 5 years in grade.

(d) *Majors, lieutenant colonels, and colonels.* Officers of and above the rank of major shall become eligible for promotion when their running mates become eligible for selection for promotion.

§ 7.13–63 *Examination for promotion of officers*—(a) *General.* When a Reserve officer is eligible for promotion, he will be examined to determine his physical, mental, moral, and professional fitness.

(b) *Physical and mental.* Physical and mental examinations will be conducted in accordance with §§ 7.13–66 (b) (1) and 7.13–101.

(c) *Moral.* The board will inquire into the moral character of the candidate to determine his moral fitness. It may call witnesses, question the candidate, or afford him opportunity to submit a statement relative to unfavorable matter on his record.

(d) *Professional.* The Marine Corps Reserve Examining Board will determine the candidate's professional qualification for promotion by an examination, appropriate to his rank and duty, based on the specified correspondence course as prescribed in § 7.13–121 (b) (4); or if exempted therefrom, by the provisions of § 7.13–65. The examining board may exclude from the examination any subcourse of the prescribed course which the candidate has completed.

(e) *Deficiency in professional qualifications.* When an officer of the Marine Corps Reserve becomes due for promotion and has not qualified professionally by the completion of the required correspondence course, the Director, Personnel Department, will address a letter to said officer requesting information as to whether or not the officer desires to be examined professionally for promotion. If he does not so desire to be examined, this notification and rejection by said officer of the opportunity for this examination will be considered as one failure of examination for promotion, and appropriate action in his case will be taken by the Commandant of the Marine Corps as set forth in § 7.13–66 (b) (3).

§ 7.13–64 *Examining boards.* (a) (1) Recommendations for appointment of offices of the Marine Corps Reserve shall be made by the Director, Personnel Department, who will certify to the Commandant of the Marine Corps that, in accordance with regulations and the instructions issued by that officer, the applicant is mentally, morally, and professionally qualified for appointment; *Provided*, That no applicant be initially appointed in the rank of lieutenant colonel or above except upon recommendation therefor by a selection board.

(2) Examinations for promotion of officers of the Marine Corps Reserve shall be conducted by boards appointed by the Commandant of the Marine Corps and in accordance with instructions issued by that officer, who is authorized to act on the reports of such boards. The examining boards will follow the procedure outlined in Naval Courts and Boards, with such modifications as may be prescribed by the Commandant of the Marine Corps.

(b) Supervisory examining boards will be appointed by the Commandant of the Marine Corps, or by his authority, and will function as prescribed in Naval Courts and Boards for regular officers, with such modifications as the Commandant of the Marine Corps may prescribe.

§ 7.13–65 *Exceptions to prescribed professional examination requirements.* In lieu of examination, the Marine Corps Reserve Examining Board may determine the candidate's professional qualification by:

(a) Satisfactory completion of a correspondence course, appropriate to the rank and duty for which he is a candidate for promotion, as prescribed in § 7.13–121 (b) (4); or

(b) Completion of 1 year of syllabus training in grade as a pilot; or

(c) One year's continuous active duty in grade; or

(d) Two years' duty in grade with an organized unit and attendance at two annual training camps; or

(e) Graduation from the Reserve officers class, Marine Corps Schools (second lieutenants only); or

(f) Solution of a map problem appropriate to the rank for which he is a candidate for promotion, provided he has, in his present grade attended annual training periods of at least 2 weeks' duration, performance of duty thereat being satisfactory, each as follows:

(1) Three for promotion to first lieutenant;

(2) Two for promotion to captain, major, or above.

§ 7.13–66 *Failure to qualify for promotion*—(a) *Failure to be selected.* Officers twice passed over for selection for promotion will be placed on the honorary retired list.

(b) *Failure on examination*—(1) *Physically or mentally.* An officer who fails to qualify physically or mentally will be honorably discharged or placed on the honorary retired list in accordance with § 7.13–111 or § 7.13–113.

(2) *Morally.* An officer who fails to qualify morally shall be discharged from the Marine Corps Reserve in accordance with § 7.13–111.

(3) *Professionally.* An officer who fails to qualify professionally may be honorably discharged or, in the discretion of the Commandant of the Marine Corps, be suspended from promotion for a period of 1 year from the date of his examination, with the loss of 1 year's numbers from the date he originally became due for promotion. Should he then qualify, his loss of numbers will be that of all officers of his rank, junior to him, who have been promoted during the year. At the end of 1 year should he fail to qualify upon reexamination, he shall be honorably discharged (see § 7.13–111), placed on the honorary retired list (see § 7.13–113), or retained in the Marine Corps Reserve as an extra number in grade until attaining 40 years of age in the grade of second lieutenant or first lieutenant; 46 years of age in grade of captain; 52 years of age in the grade of major; or 58 years of age in the grade

of lieutenant colonel; at which time he shall be honorably discharged or placed on the honorary retired list (34 U.S.C. 855g). While so serving as an extra number in grade, he may request reexamination and, if and when so qualified, may be reassigned to the regular lineal list with a consequent loss of numbers.

§ 7.13–68 *Temporary commissions, Class I.* When a vacancy exists in an organization in which no officer of appropriate rank is available, the commanding officer may recommend to the Commandant of the Marine Corps the temporary promotion of an officer to fill such vacancy. With the approval of the Commandant of the Marine Corps the officer recommended will be temporarily commissioned in the higher grade, subject to physical qualification, and will be carried as an extra number in such grade. His commission will be confirmed, if he is found qualified at the time he is due for promotion. If he fails to qualify, the provisions of § 7.13–66 apply. Temporary commissions may be revoked by the Commandant of the Marine Corps for sufficient cause. If relieved from his unit by reason of transfer, after 4 years' satisfactory service in grade therein, he will be carried as an extra number in grade until eligible for permanent commission, at which time his commission will be confirmed if he is found qualified; otherwise, the provisions of § 7.13–66 apply.

§ 7.13–69 *Promotion in time of war or national emergency.* (a) In time of war or national emergency, officers on the active list of the Marine Corps Reserve employed on active duty shall be advanced in grade in the same manner as prescribed for officers of the Regular Marine Corps. When so advanced they shall take precedence among themselves and with other officers of the Marine Corps in accordance with date of such advancement or promotion.

(b) No officer of the Marine Corps Reserve shall be advanced to a higher rank until he has qualified therefor by such physical, mental, moral, and professional examinations as the Secretary of the Navy may prescribed.

(c) Promotion or advancement: For the effective date for pay purposes see article 24–59 (2).[1]

(d) The above provisions do not apply to officers who have been, or may hereafter be, retired from the Marine Corps Reserve.

§ 7.13–70 *Promotion of aviation cadets.* (a) Aviation cadets may, if qualified after completion of training, be commissioned second lieutenants in the Marine Corps Reserve. (See § 7.13–182).

(b) Second lieutenants commissioned from aviation cadets may, after 3 years' service as such and if found qualified after examination, be commissioned first lieutenants.

§ 7.13–71 *Promotion of warrant officers.* Warrant officers will be eligible for promotion to chief warrant rank upon the completion of 6 years of service from date of rank. They will be examined for chief warrant rank in accordance with article 6–3.[1]

§ 7.13–72 *Promotion of enlisted men—*(a) *Class I (e) and Class III.* Promotions in all enlisted grades of Class I (e) and Class III may be made by Reserve district commanders only by authorization of the Commandant of the Marine Corps, except that such men having been ordered to active duty and having been examined and recommended for promotion by the commanding officer under whom serving while on active duty, may be so promoted, subject to the provisions of paragraph (c) of this section, by Reserve district commanders without reference to the Commandant of the Marine Corps.

(b) *Class II (b).* Promotions in all enlisted grades of Class II may be made, subject to provisions of paragraph (c) of this section, by commanding officers of battalions and squadrons, to fill vacancies within authorized allowances, without reference to the Commandant of the Marine Corps.

(c) *Examinations.* Examinations for promotion may be oral or written and practical and shall cover such subjects prescribed by the current Marine Corps Order governing the basic training of enlisted men for the respective ranks. In organized units the commanding officer of the battalion or squadron shall convene a board of from one to three officers, as may be practicable, to conduct examinations of enlisted men recommended for promotion.

(d) *Promotion in time of war.* In time of war or national emergency enlisted men of the Marine Corps Reserve employed on active duty will be promoted under the same regulations as those applying to enlisted men of the Regular Marine Corps.

REDUCTION

§ 7.13–80 *Reduction of noncommissioned officers and private first class—*(a) *Class I and Class III.* Reduction of enlisted men in Class I and Class III will be made only by sentence of court martial or by authorization of the Commandant of the Marine Corps.

(b) *Class II.* A commanding officer of a battalion or squadron is authorized to reduce for cause any noncommissioned officer under his command within 1 year from date of appointment, or any private first class under his command regardless of date of appointment. Other reductions will be made only by sentence of court martial or by authorization of the Commandant of the Marine Corps. Reports of reductions made by commanding officers of battalions or squadrons shall be made to the Commandant of the Marine Corps.

(c) *Transfer to Class II.* Upon transfer of a noncommissioned officer or private first class from Class I (e) or Class III to Class II, if no vacancy exists in the organization in the rank held by him, the commanding officer of the battalion or squadron shall reduce the man to such rank as may be necessary to avoid exceeding the authorized allowance in rank of the battalion or squadron concerned. If subsequently transferred back to Class I or Class III before attaining the rank held on joining, the commanding officer of the battalion or squadron shall reappoint him on transfer to the original rank with same date of rank held on joining.

(d) *Transfer from Class II.* Except as provided in paragraph (c) of this section, any noncommissioned officer or private first class with less than 1 year's service in grade, shall, upon transfer from the organization, be reduced to the rank held by him on joining or, to the last rank held therein for a period of 1 year or more, unless otherwise directed by the Commandant of the Marine Corps.

INTERCLASS TRANSFER

§ 7.13–90 *General.* (a) Officers and enlisted men whose services are determined to be of greater value to the Government in time of war, in present civilian occupation than they would be if mobilized as reservists, will be discharged, but without prejudice to their later reappointment or reenlistment in the rank held at the time of discharge, provided they are qualified in accordance with current regulations.

(b) Transfer in case of waivers. Reservists who were granted waivers of physical defects or over age for appointment or enlistment in the Marine Corps Reserve, will not be transferred to the Organized Marine Corps Reserve except upon approval of the Commandant of the Marine Corps.

§ 7.13–91 *Officers—*(a) *To Class II (a).* Officers of the Fleet or Volunteer Marine Corps Reserve are eligible for transfer to the Organized Marine Corps Reserve if there are vacancies and if physically qualified for active duty. Requests for transfer to the Organized Marine Corps Reserve with reports of physical examinations on Bureau of Medicine and Surgery Form Y, in duplicate, attached, will be forwarded to the Commandant of the Marine Corps via the Reserve district commander, the Inspector-Instructor, and the commanding officer of the battalion or aviation squadron concerned, for appropriate recommendations.

(b) *From Class II (a).* Requests for transfer from the Organized Reserve will be forwarded to the Commandant of the Marine Corps via the commanding officer of the battalion or squadron, and the Inspector-Instructor, for appropriate recommendations.

(c) *From the special service unit.* (1) Officers assigned to the special service unit will not be eligible for transfer to another class or section within the special service unit except when shown to be qualified by professional examination.

(2) *From Class V (a).* Officers assigned to Class V (a) will not be transferred from that class, nor, when on active duty, from the organization and duty to which assigned, except upon

[1] Article 24–59, Marine Corps Manual, is available at Headquarters, U. S. Marine Corps, Washington, D. C.

[1] Article 6–3, Marine Corps Manual, is available at Headquarters, U. S. Marine Corps, Washington, D. C.

specific authority of the Commandant of the Marine Corps.

§ 7.13–92 *Enlisted men*—(a) *To Class II (b).* Reserve district commanders are authorized to transfer enlisted members of Class III, Volunteer Marine Corps Reserve, who are physically qualified for active duty, to Class II (b), Organized Marine Corps Reserve, subject to the approval of the commanding officer of the battalion or squadron which they desire to join.

(b) *From Class II (b).* Commanding officers of battalions or squadrons are authorized to transfer members of Class II (b), Organized Marine Corps Reserve, from their commands to Class III, on request of the member concerned, or by reason of removal from company or unit station, or inability to attend drills or to train.

(c) *From Class I (e).* (1) On the completion of 4 years' service in Class I (e), men who extend their enlistment or reenlist, will be transferred to the Organized Reserve or Volunteer Reserve as appropriate.

(2) Reserve district commanders are authorized to transfer enlisted members of Class I (e) who are physically qualified for active duty to Class II (b), subject to approval of the commanding officer of the battalion or squadron which they desire to join. No such transfer shall be effected within 3 months from the date of original assignment and receipt of the initial advance payment.

(3) Enlisted men of Class II (b) who were originally assigned to Class I (e), may be retransferred to Class I (e) from the Organized Reserve within 4 years from their original assignment to Class I (e); however, only such time as they are actually assigned to Class I (e) may be counted in claiming the second and succeeding years' retainer pay of $20 per annum.

(d) *From Class III (c).* Class III (c) reservists on active duty will be transferred, immediately upon completion of recruit training, to Class III (b).

(e) *To Class IV.* Transfer to Class IV, Limited Service Marine Corps Reserve, from any other class will be effected only upon authority of the Commandant of the Marine Corps. Application for transfer to Class IV must be made via official channels, and must be accompanied by certificate of a medical officer, that the man concerned is not considered physically fit for combat duty, but meets the reduced physical standards for assignment to Class IV. The nature and degree of physical defects must be stated. The age of the applicant and existing vacancies in the Limited Service Marine Corps Reserve are governing factors in the consideration of such requests.

(f) *From Class IV.* Men enlisted in Class IV will not be transferred from that class except upon their own written request and approval of the Commandant of the Marine Corps. Requests for transfer will be made via official channels and will be accompanied by proof of qualification for assignment to the class to which transfer is desired. Men transferred from Class IV will not be eligible for the benefits as provided by law for the Limited Service Marine Corps Reserve. This should be explained to each man who requests such transfer.

(g) *From Class V (b).* Members of Class V (b) will not be transferred from that class nor, when on active duty, from the organization and duty to which assigned, except upon specific authority of the Commandant of the Marine Corps.

PHYSICAL EXAMINATIONS, VACCINATION, AND TYPHOID PROPHYLAXIS

§ 7.13–100 *Physical standards.* The physical standards prescribed for the Marine Corps Reserve are the same as those prescribed for the regular Marine Corps, with due consideration however for age in grade and the character of duty to be assigned in the event of war or national emergency.

§ 7.13–101 *Physical examination of officers*—(a) *When required.* All officers of the Marine Corps Reserve shall be examined physically as follows:

(1) Quadrennially, or more often if deemed necessary.

(2) For appointment and promotion in the Marine Corps Reserve.

(3) For active or training duty and release therefrom.

(4) For duty involving the actual flying of aircraft.

(5) For transfer to Class II.

(6) Special examinations as directed.

(b) *Quadrennial.* (1) Physical examination for any other purpose is sufficient to fulfill the requirements of the quadrennial examination, if properly reported on Bureau of Medicine and Surgery Form Y, in which event, the anniversary date of the quadrennial examination will be computed from the date of last examination.

(2) Reserve district commanders will notify all Marine Corps Reserve officers in their districts at least 60 days in advance of their quadrennial anniversary dates. If after being so notified, an officer has not appeared for examination, or submitted a satisfactory excuse for failure to do so, within 30 days after the date on which he became due, Reserve district commanders will submit a report to the Commandant of the Marine Corps in order that the officer may be discharged from the Marine Corps Reserve.

(c) *For appointment and promotion.* Physical examinations will be ordered by the Commandant of the Marine Corps upon receipt of an acceptable application for appointment, when eligible for promotion, and upon receipt of recommendation for a temporary promotion.

(d) *For active or training duty and release therefrom*—(1) *Prior to reporting.* A Marine Corps Reserve officer is required to take a physical examination prior to or as soon as practicable after reporting for active or training duty, with or without pay, and to be found physically qualified to perform active duty appropriate to his rank and class. If not physically qualified, he shall be returned to an inactive status.

(2) *Upon completion.* Upon completion of active or training duty, an officer shall be given such physical examination as necessary to determine whether or not his health has been adversely affected by such duty.

(3) *Repeated training duty.* Officers performing repeated training duty without pay shall be examined physically and found qualified therefor prior to commencement of the first authorized period of such training, and shall again be examined physically upon the completion of the last authorized period of such training. No other physical examination will be made during the extended period of training except in the case of injury, sickness, or disease; *Provided,* That officers authorized to perform flights shall have passed a satisfactory flight physical examination within 6 months immediately preceding any period of duty.

(e) *For duty involving the actual flying of aircraft.* A candidate for appointment, promotion, active duty, or training duty involving actual flying of aircraft, must be examined and found to be physically and psychologically qualified to serve as a pilot of Marine Corps or naval aircraft.

(f) *For transfer to Class II.* Officers will be examined physically and found qualified for active duty prior to being transferred to Class II.

(g) *Special examinations.* Special examinations and examinations by boards of medical survey may be ordered as required or at the request of a Reserve officer, to determine his fitness for retention, retirement, discharge, or other disposition. Reserve officers on continuous active duty shall report for physical examination annually in accordance with the requirements for officers of the Regular Marine Corps.

(h) *By whom conducted.* (1) Physical examinations for appointment and promotion shall, if practicable, be conducted by statutory boards of medical officers composed of medical officers of the Regular Navy, or the Naval Reserve, or of both. If impracticable to assemble the required board without incurring mileage or other expense, the physical examination may be conducted by one medical officer of the Regular Navy or of the Naval Reserve, or if this be impracticable the Commandant of the Marine Corps will direct the method by which the examination may be conducted. When the examination is not conducted by a statutory board, the report of medical examination, together with the medical history of the candidate on file with the Department, will be acted upon by the medical members of the Marine Corps Reserve examining board.

(2) Quadrennial physical examinations and physical examinations for transfer to Class II, and for active or training duty, and release therefrom, with or without pay, shall be conducted by a medical officer of the Regular Navy or Naval Reserve, if available. If no such medical officer is available without incurring mileage or other expense, such examinations may be conducted by a medical officer of the Army, Army Reserve, Public Health Service, Veterans' Administration, or in special cases by a reputable physician. Reports of such

examinations are received by the Bureau of Medicine and Surgery, together with the medical history of the officer on file in the Department.

(3) Physical examinations for duty involving the flying of aircraft shall be conducted by an officer of the Regular Navy or Naval Reserve who is qualified and designated to conduct such examination.

(4) Special physical examinations shall be conducted as directed.

§ 7.13–102 *Physical examination of enlisted men*—(a) *Class I (b), (c), and (d).* Members of Class I (b), (c), and (d) shall be examined physically at least once during every 4-year period by a medical officer of the Regular Navy or Naval Reserve.

(b) *For enlistment or reenlistment.* Candidates for enlistment or re-enlistment in the Marine Corps Reserve shall be examined physically by a medical officer of the Regular Navy or Naval Reserve.

(c) For transfer to Class II, and for active or training duty, and release therefrom, physical examination of enlisted men shall be conducted, as prescribed for officers, by the battalion or squadron medical officer.

§ 7.13–103 *Records and reports of physical examinations*—(a) *Health records.* New health records for members of the Marine Corps Reserve will be prepared at the time of entry into the Reserve and kept in the same manner in all respects (entry, promotion, active duty, training duty, death, etc.) as for members of the Regular Marine Corps. Health records of members of organized units of the Reserve will be kept at the headquarters of such units, and those of all other members of the Reserve will be kept at the headquarters of the Reserve district to which the reservists concerned are attached.

(b) *Entries in health record.* The result of every physical examination shall be entered in the reservist's health record and will become a part of his medical history. Should health record be not available for such entry, report will be made to the officer in whose charge the record may be, for attachment thereto or entry by him.

(c) *Report of physical examination of all officers.* (1) The results of all physical examinations of officers, other than those for appointments and duty involving flying in actual control of aircraft, shall be prepared on Bureau of Medicine and Surgery Form Y, in duplicate, and forwarded to the Bureau of Medicine and Surgery via the commanding officer concerned and the Commandant of the Marine Corps.

(2) The results of examinations for appointments and duty involving flying in actual control of aircraft shall be prepared on Bureau of Medicine and Surgery Form NMS–1, in quadruplicate, and forwarded as prescribed in paragraph (c) (1) of this section.

(d) *Report of physical examination of enlisted reserves, all classes.* Report of physical examinations of members of the Marine Corps Reserve, all classes, shall be made on Bureau of Medicine and Surgery Form Y, in duplicate, and forwarded by the examining officers to the commanding officers of organizations or districts concerned who, in turn, will forward such reports direct to the Bureau of Medicine and Surgery, Navy Department, Washington, D. C.

(e) *Purpose of examination indicated on report.* The Form Y or NMS–1 should clearly indicate the purposes of the examination at the top of the form.

(f) *Recommendations when not physically qualified.* If a reservist is found not physically qualified, the commanding officer concerned and the Commandant of the Marine Corps shall make appropriate recommendation as to retention, waiver, discharge, or transfer to the honorary retired list or to another class.

§ 713.104 *Vaccination and typhoid prophylaxis*—(a) *Class II.* (1) Marine Corps Reserve personnel shall be vaccinated and have typhoid prophylaxis administered in accordance with the provisions of the Medical Department Manual, United States Navy, when assigned to the Organized Marine Corps Reserve, or as soon thereafter as practicable. A record of such vaccination and inoculation shall be entered in their health records.

(2) Organized reservists who are not vaccinated and inoculated will not be ordered to active duty for training.

(b) *Class I and Class III.* (1) Members of Class I and Class III are encouraged to take such vaccinations and inoculations voluntarily. Naval and Naval Reserve medical officers will perform this service free of charge and, when accomplished, will either enter a record of such vaccination and inoculation in the health record, or report same to the reserve district commander concerned, who will cause the report to be attached to the appropriate health record.

(2) Upon reporting for active or training duty, members of Class I and Class III will be vaccinated and inoculated in accordance with the provisions of the Medical Department Manual, United States Navy, unless their health records indicate that such medical service has already been rendered.

SEPARATION

§ 7.13–110 *General*—(a) *When not on active duty.* When not on active duty, no officer or enlisted man of the Marine Corps Reserve shall be discharged except upon expiration of his term of service or upon his own request or for full and sufficient cause, in the discretion of the Secretary of the Navy in the cases of officers, and in the discretion of the Commandant of the Marine Corps in the cases of enlisted men. (See § 7.13–111.)

(b) *On active duty.* Officers and enlisted men of the Marine Corps Reserve on active duty shall be subject to separation therefrom in the same manner as may be provided by or in pursuance of law for the separation of officers and enlisted men of the Regular Marine Corps.

(c) *In Fleet Reserve and on retired list with pay.* Members of the Fleet Marine Corps Reserve and officers and enlisted men on the retired list of the Marine Corps Reserve or the honorary retired list with pay shall not be discharged therefrom without their consent, except by sentence of a court martial, or, in the discretion of the Secretary of the Navy, when sentenced by civil authorities to confinement in a State or Federal penitentiary as a result of a conviction for a felony.

(d) *Regulations applicable.* The regulations covering discharges in the Regular Marine Corps shall, so far as practicable, govern discharges in the Reserve.

§ 7.13–111 *Discharge of officers.* Except as provided in § 7.13–110, an officer of the Marine Corps Reserve will be discharged for one of the following reasons:

(a) Failure to qualify morally for promotion.

(b) When found not physically qualified for promotion or for active duty; unless, within the discretion of the Secretary of the Navy, he is placed on the honorary retired list of the Marine Corps Reserve (§ 7.13–113).

(c) Failure to qualify professionally for promotion; unless, within the discretion of the Commandant of the Marine Corps, he is suspended from promotion for 1 year with loss of numbers.

(d) Failure a second time to qualify professionally for promotion upon the expiration of 1 year's suspension from promotion; unless, within the discretion of the Commandant of the Marine Corps, he is transferred to or retained in the Volunteer Marine Corps Reserve as an extra number in grade.

(e) When 40 years of age in grade of second lieutenant or first lieutenant; 46 years of age in grade of captain; 52 years of age in the grade of major; or 58 years of age in grade of lieutenant colonel; unless, within the discretion of the Secretary of the Navy, he is placed on the honorary retired list of the Marine Corps Reserve (§ 7.13–113).

(f) Upon own request.

(g) To accept a commission in the Regular Army, Navy, Marine Corps, or Coast Guard.

(h) For other full and sufficient cause, such as failure to complete successfully prescribed course of study, failure to answer official correspondence, obvious lack of interest in the Reserve, serious breach of discipline, etc.

(i) An officer will be afforded a reasonable time, prior to discharge, to submit to the Secretary of the Navy, via official channels, any statement he may desire to make; which opportunity will be considered as having been afforded through the mailing of notice to his official address.

§ 7.13–112 *Discharge of enlisted men*—(a) *Cause.* Except as provided in § 7.13–110, enlisted men of the Marine Corps Reserve will be discharged for one of the following reasons:

(1) Upon expiration of term of service.

(2) When found not qualified physically for active duty, unless retention is affected as prescribed in § 7.13–103 (f) or in the case of the Class I (b), (c), or (d) men, unless transferred to the retired list of the Regular Marine Corps, as specified by § 7.13–113 (f).

(3) Upon own request.

(4) For enlistment or reenlistment in any other branch of the service.

(5) For other sufficient cause such as a breach of discipline, lack of interest in the Reserve, failure to attend drills or answer official correspondence, fraudulent enlistment (see § 7.13–150 (d)), such as concealment of prior criminal record, etc.

(b) *Upon expiration of term of service.* Commanding officers of battalions, aviation squadrons, and Reserve districts will discharge enlisted men upon expiration of enlistment or term of service.

(c) *When not physically qualified.* Upon receipt of a report from a medical officer who has found a man not qualified physically for active duty, commanding officers of battalions, aviation squadrons, and Reserve districts will forward the report to the Commandant of the Marine Corps with appropriate recommendations, for approval.

(d) *Upon own request.* Commanding officers of battalions, aviation squadrons, and Reserve districts are authorized to discharge enlisted men of the Marine Corps Reserve upon their own written request.

(e) *For enlistment or reenlistment in any other branch of the service.* Commanding officers of battalions, aviation squadrons, and Reserve districts will discharge a man to enlist or reenlist in any other branch of the service upon his own written request. Such discharge from the Reserve will be made as of the date prior to that on which he enlists or reenlists in the Regular Marine Corps or Navy. The following notation will be placed on his discharge certificate: "Discharged because of enlistment (or reenlistment) in the Marine Corps (or other branch of the Regular service)." When discharged to enlist or reenlist in the Regular or Reserve service other than the Regular Marine Corps or Navy, the following additional notation will be placed on his discharge certificate: "To become effective the day prior to enlistment (or reenlistment) in the Army (or other service)." When members of Class I (b), (c), or (d) are discharged, the Paymaster, Headquarters Marine Corps, will be so advised in order that payment of retainer pay may be discontinued. (See paragraph (h) (1).)

(f) *For other good and sufficient cause.* Recommendations for discharge will be made to the Commandant of the Marine Corps by commanding officers of battalions, aviation squadrons, and Reserve districts when warranted by breach of discipline, lack of interest in the Reserve, failure to attend drills, or answer official correspondence, etc. A written statement from the man concerned, if obtainable, will be forwarded with the recommendations.

(g) *Staff returns upon discharge.* The service-record book, with the request for discharge when made, attached, and the health record, will be forwarded upon discharge as in the case of a man in the Regular service, in accordance with instructions as contained in article 3–22,[1] except when the reservist is discharged for the purpose of accepting appointment to commissioned or warrant rank in the regular Marine Corps or the Marine Corps Reserve, in which case the health record will be retained by or forwarded to the commanding officer of the organization to which the individual is to be assigned as an officer.

(h) *Refund of initial annual payment.* (1) Members of Class I (e) discharged for the reasons stated in paragraph (e) of this section, within 3 months from the date of original assignment, and receipt of the initial advance payment, shall be required to refund such payment.

(2) In order that the disbursing officer paying the reenlistment allowance will have the necessary information to effect checkage, the recruiting officer who reenlists the man will furnish the disbursing officer concerned and the commanding officer of the post to which the man is transferred the following information: name, rank, class in the Reserve, date of last discharge from Regular Marine Corps, and date of discharge from the Marine Corps Reserve.

(3) If checkage is to be made on Form NMC–424, a letter with the above information will be submitted with this form to the proper disbursing officer, who will make the checkage thereon. If the refund is to be made by checkage on pay roll where first taken up for pay, the above information, and the complete service, class, and duration of active and inactive service, will be entered on the pay roll.

(i) *Action upon rejection of a reservist for enlistments in the Regular service.* When the rejection of a reservist at recruit depots or recruiting offices for enlistment in the Regular service warrant it, the case will be referred to the Commandant of the Marine Corps for consideration of the man's discharge from the Reserve. In these cases commanding officers of battalions, aviation squadrons, or Reserve districts will furnish all evidence available regarding such rejection for enlistment in the Regular service, together with recommendation regarding the man's retention or discharge.

§ 7.13–113 *Retirement*—(a) *Officers, physical.* If upon examination an officer is found not physically qualified for active duty, he shall be honorably discharged (see § 7.13–111) or, within the discretion of the Secretary of the Navy, be placed on the honorary retired list of the Marine Corps Reserve. Due consideration will be given to the character of duty to be assigned him in the event of war or national emergency.

(b) *Officers, age in grade.* Within the discretion of the Secretary of the Navy, officers may be discharged (see § 7.13–111) or placed on the honorary retired list of the Marine Corps Reserve upon the attainment of age in grade as follows: Second lieutenants and first lieutenants at the age of 40 years; captains at the age of 46 years; majors at the age of 52 years, and lieutenant colonels at the age of 58 years. Due consideration will be given to the duty to be assigned these officers in the event of war or national emergency.

(c) *Officers and enlisted men, age and service.* Officers and enlisted men of the Marine Corps Reserve, Class I (a), I (b), I (c), and I (d), excepted, shall be placed on the honorary retired list of the Marine Corps Reserve without pay or allowances upon reaching the age of 64 years; or upon their own request after 20 years' service in the Marine Corps Reserve. For this purpose service in the Army, Navy, Marine Corps, Coast Guard, Naval Auxiliary Service, Naval Reserve Force, Naval Militia, National Naval Volunteers, Naval Reserve, and Marine Corps Reserve shall be counted as service in the Marine Corps Reserve.

(d) *Reservists who have been specially commended.* Reservists who have been specially commended for their performance of duty in actual combat with the enemy by the head of the executive department under whose jurisdiction such duty was performed, shall, when placed upon the honorary retired list, be advanced to the next higher grade.

(e) *When transferred to the honorary retired list.* When transferred to the honorary retired list, officers and men of the Marine Corps Reserve will retain their respective class designations until transferred to another class of the Reserve by proper authority. When in inactive status, reservists on the honorary retired list will be carried on the rolls of the Reserve District in which they permanently reside. When on active or training duty, they will be carried on the rolls of the organization to which attached. Reservists on the honorary retired list will be shown on muster rolls under the heading "Honorary Retired List, Marine Corps Reserve" by class, and alphabetically according to rank.

(f) *Officers and men of the honorary retired list.* Officers and men of the honorary retired list who have performed a total of not less than 30 years' active service in the Army, Navy, Marine Corps, Coast Guard, Naval Auxiliary Service, Naval Reserve Force, Naval Militia in Federal status, National Naval Volunteers, Naval Reserve, and Marine Corps Reserve, or who have had not less than 20 years' such active service, the last 10 years of which shall have been performed during the 11 years immediately preceding their transfer to the honorary retired list, shall, except when on active duty, be entitled to pay at the rate of 50 per centum of their active-duty rate of pay.

(g) *Members of Class I (b), (c), and (d).* Upon completion of 30 years' service, or when found not physically qualified, members of Class I (b), (c), and (d) shall be transferred to the retired list of the Regular Marine Corps. Toward the 30 years all service in the Army, Navy, Marine Corps, Coast Guard, Naval Reserve Force, Fleet Naval Reserve, Fleet Reserve, and Marine Corps Reserve, and on the retired list of the Regular Marine Corps, shall be counted; and such service as has been authorized by law to be counted as double time shall be credited as double time in this computation.

[1] Article 3–22, Marine Corps Manual, is available at Headquarters, U. S. Marine Corps, Washington, D. C.

INSTRUCTION AND TRAINING

§ 7.13–120 *General*—(a) *Instruction and training policy.* It is the policy to provide for the instruction, and to conduct the training of individuals and units of the Marine Corps Reserve so as to provide trained personnel in numbers and composition to meet mobilization needs of the Marine Corps.

(b) *The Director, Personnel Department, and the Director of Aviation.* The Director, Personnel Department, or the Director of Aviation, as applicable, is charged with the instruction and training of the Marine Corps Reserve and prescribes the details of instruction and training for various individuals and units of the Marine Corps Reserve.

(c) *Departments of Headquarters, United States Marine Corps.* The various Departments of Headquarters, United States Marine Corps, will cooperate with and assist in the instruction and training of reservists insofar as pertains to their departments.

(d) *Reserve district commanders.* The commanders of the several Marine Corps Reserve Districts, under the supervision of the Director, Personnel Department, are charged with the instruction and training of Fleet and Volunteer reservists in an inactive status under their jurisdiction.

(e) *Personnel of the Regular Marine Corps*—(1) *Officers.* When practicable and desirable, the Commandant of the Marine Corps will detail officers of the Regular Marine Corps as Inspectors-Instructors for the various units of the Organized Reserve, who will be directly responsible to the Director, Personnel Department.

(2) *Enlisted men.* Enlisted men may be similarly assigned to assist in the instruction and training of Marine Corps Reserve units and individuals and, in the absence of the Regular officer, the senior noncommissioned officer will act as the Inspector-Instructor.

(f) *Commanding officers of Marine Corps posts and stations*—(1) *Type of duty.* When an individual reservist is ordered to a Marine Corps post or station for training duty, with or without pay, the orders will indicate the type of training (general, artillery, quartermaster, etc.) it is desired the reservist will be given to qualify him for his particular mobilization assignment.

(2) *Training provided.* Commanding officers of posts and stations engaged in training Marine Corps Reserve individuals and units are charged with the task of providing the maximum training obtainable during the training period, and may assign officers and troops under their command for that purpose.

(3) *Report of training.* Unless otherwise indicated in the orders, no report of training is necessary, other than the report of fitness prescribed by § 7.13–141 (d) (3).

(g) *Commanding officers of naval air stations and Naval Reserve aviation bases.* Commanding officers of naval air stations and Naval Reserve aviation bases will provide reservists the maximum training obtainable with the facilities and equipment of the bases.

(h) *Officers of the Marine Corps Reserve.* When desirable, the Commandant of the Marine Corps will detail officers of the Marine Corps Reserve to active duty to assist in the instruction and training of other reservists.

§ 7.13–121 *Instruction of the Marine Corps Reserve*—(a) *Means provided.* The following means are provided for the instruction of the Marine Corps Reserve:

(1) Correspondence Courses, Marine Corps Schools.

(2) Correspondence Courses, Marine Corps Institute.

(3) Correspondence Courses, Recruiting and Selective Service.

(4) Group Instructions at armories and aviation bases.

(b) *Correspondence courses, Marine Corps Schools*—(1) *Courses provided.* The list of correspondence courses provided by the Marine Corps schools will be published from time to time.

(2) *Eligibility.* All officers and noncommissioned officers of the Marine Corps Reserve are encouraged to enroll and are eligible for enrollment in correspondence courses appropriate to their rank and duty. Privates first class who have been selected for promotion are eligible for enrollment in the Primary Course upon application by them and favorable recommendation by their commanding officer.

(3) *Application for enrollment.* Application for enrollment should be made via the commanding officer of the organized unit, or the Reserve district commander concerned, as the case may be.

(4) *Requirement for promotion in the case of officers.* Satisfactory completion of the courses indicated in this paragraph, or a satisfactory knowledge of the subcourses contained in the required course as demonstrated by examination conducted by the Marine Corps Reserve Examining Board, is required for promotion of officers, except as prescribed in § 7.13–65. When an officer, due for promotion, has failed to complete the required course indicated in this paragraph and elects to take examinations on the various subcourses of the prescribed course, he shall be exempt from examination on such subcourses as he may have satisfactorily completed, upon submission to the Marine Corps Reserve Examining Board, or certificates of credit which will be issued by the correspondence school for work satisfactorily completed as a student.

GENERAL SERVICE

For the promotion to rank of:	*Marine Corps schools correspondence course*
First lieutenant	Basic.
Captain	Junior Reserve (first half).
Major	Junior Reserve (second half).
Lieutenant colonel	Senior Reserve.
Colonel	Solution of an appropriate map problem.

AVIATION

First lieutenant	Basic aviation.
Captain	Squadron aviation (first half).
Major	Squadron aviation (second half).
Lieutenant colonel	Senior Reserve
Colonel	Solution of an appropriate map problem.

The subcourses prescribed for the first and second halves of the Junior Reserve and squadron courses will be determined by the commandant, Marine Corps schools, and a list furnished the Director, Personnel Department. Students will not be permitted to enroll in second half of the Junior Reserve or squadron aviation courses without having satisfactorily completed the first half. Summaries of the above-listed courses will be furnished by the correspondence schools, Quantico, Va., upon request.

(5) *Reserve officers, below field rank, attached to Reserve Artillery Units.* Reserve officers, below field rank, attached to Reserve Artillery Units may qualify professionally for promotion, when eligible, by satisfactory completion of (i) the prescribed correspondence course for the general service unit appropriate to rank, or (ii) an examination based on such course, or (iii) an examination based on artillery subjects appropriate to the rank for which being examined. Such officers of field rank will be subject to the same requirements as officers of similar rank as prescribed under General Service Unit.

(c) *Correspondence courses, Marine Corps Institute*—(1) *Courses provided.* All commanding officers of Marine Corps posts and stations, Reserve district commanders, and commanding officers of Organized Marine Corps Reserve units, are provided with catalogs covering the courses provided by the Marine Corps Institute.

(2) *Eligibility.* The following members of the Marine Corps Reserve are eligible for enrollment in courses provided by the Marine Corps Institute: Officers and men on continuous active duty; officers and men attached to Organized units; officers and men of the Fleet Marine Corps Reserve; officers of the Volunteer Marine Corps Reserve (in the second lieutenants' preparatory course only), upon payment for the textbooks to be used; enlisted members of the recruiting staff of the Volunteer Marine Corps Reserve, upon the recommendation of the officer under whom they are serving.

(3) *Application for enrollment.* Application for enrollment will be submitted to the Director, Marine Corps Institute, via the commanding officer concerned and the Inspector-Instructor.

(4) *Completion of course upon change of status.* Enlisted men of the Organized Marine Corps Reserve who are

transferred to the Volunteer Marine Corps Reserve and who are enrolled in a course with the Marine Corps Institute will be disenrolled upon transfer, unless upon the recommendation of the Inspector-Instructor, and approval of the Commandant of the Marine Corps, the privilege of completing such course is considered to be in the best interest of the service. If a member of the Organized Marine Corps Reserve, prior to enlisting in the Reserve, has entered into a contract with the International Correspondence Schools, he will not be eligible for enrollment with the Marine Corps Institute for the same course he is taking from the International Correspondence Schools, and his eligibility for enrollment in other courses with the Marine Corps Institute will not in any way affect such contract with the International Correspondence Schools. Enlisted men of the Regular Marine Corps who are transferred to the Fleet Marine Corps Reserve, Class I (e); or who, within 3 months from discharge, enlist in the Marine Corps Reserve and are at the time of discharge enrolled for a course with the Marine Corps Institute, will be permitted to complete such course while a member of the Marine Corps Reserve.

§ 7.13–122 *Inspectors - Instructors—*(a) *Attendance at regular drills.* Officers and noncommissioned officers of the Regular Marine Corps and reservists who are assigned to instruct Marine Corps Reserve organized units shall attend each regular drill insofar as practicable. In attending regular drills, instructors shall wear appropriate uniforms.

(b) *Instruction of units not in immediate vicinity.* (1) Inspectors-Instructors assigned to organizations having units not located in their immediate vicinity will submit requests to the Commandant of the Marine Corps for orders to inspect and instruct such units, as many trips as practicable being made the subject of one request. Requests need not specify exact dates on which travel is to be performed, but must be submitted sufficiently in advance of the proposed travel to allow sufficient time for orders to be issued. In the event any travel for which orders have been issued is not performed, the Commandant of the Marine Corps shall be notified accordingly so that the tentative obligation of funds therefor may be removed.

(2) Under the above conditions, Inspector-Instructors will also submit requests to the Commandant of the Marine Corps for authority to issue travel orders to enlisted personnel of the Regular Marine Corps assigned to their offices as may be necessary in connection with the performance of their duties. Such requests should specify the number of men required to perform the duty involved, the place at which the duty is to be performed, and the number of trips to be made within a stated period.

(c) *Duties of Inspectors-Instructors.* Duties of the Inspector-Instructor are essentially advisory. Reserve officers in command of units are responsible for the efficiency of their commands, and instructors shall in no way usurp the functions of these officers. Reserve officers in command shall, however, lose no opportunity to utilize to the fullest extent the experience and practical and theoretical knowledge of the instructors. Advice of the instructor on all matters pertaining to training and instruction should be freely sought and given. Instructors shall prepare and deliver such lectures and assist in the planning and execution of instructions of both officers and men, as may be practicable, upon the request of commanding officers. As an inspector, the Inspector-Instructor is a direct representative of the Commandant of the Marine Corps, and as such his duties include the requirement to ascertain by inspections that required standards are met relative to troops, armory, Government property, records, etc. All inspections should be made with a view toward the correction of errors and mistakes, and compliance with regulations, orders, and instructions. He will confer with the commanding officer regarding unsatisfactory conditions noted, and report the facts to the Commandant of the Marine Corps, if he deems such action necessary.

§ 7.13–123 *Training of the Marine Corps Reserve—*(a) *Means provided.* The following means of training are provided for the Marine Corps Reserve:

(1) Regular drills.
(2) Equivalent instruction or duty.
(3) Appropriate duty.
(4) Administrative duty.
(5) Active duty.
(6) Annual training duty.
(7) Training duty with pay.
(8) Training duty without pay.
(9) Repeated training duty without pay.

(b) *Requests for assignment to duty—*(1) *With pay and allowances.* All requests for assignment to active or training duty, with pay and allowances, will be submitted to the Commandant of the Marine Corps, via the organization or Reserve district commander.

(2) *Without pay and allowances.* Request for assignment to active duty or training duty, without pay and allowances, will be submitted to the Commandant of the Marine Corps or the commanding general, Department of the Pacific, via the organization or Reserve district commander.

(c) *Physical examinations.* For instruction relative to physical examination for active or training duty, see §§ 7.13–101 and 7.13–102.

(d) *Vaccination and typhoid prophylaxis.* For instructions relative to vaccination and typhoid prophylaxis for active or training duty, see § 7.13–104.

(e) *Fitness reports.* For instructions relative to fitness reports for active or training duty, see §§ 7.13–141 and 7.13–142.

§ 7.13–124 *Regular drills (Organized Reserve)—*(a) *Definition.* A drill is an authorized assembly of officers and enlisted men of the Organized Reserve in the prescribed uniform, designated in advance, at which practical work of not less than 1½ hours' duration is conducted in duties pertaining to the Marine Corps.

(b) *Authorization.* The number of drills for the fiscal year will be as prescribed by the Commandant of the Marine Corps provided that the number of drills, periods of equivalent instruction or duty, and appropriate duty periods, combined, shall not exceed the total number of drills authorized for the fiscal year.

(1) For a company, battery, or a battalion, not more than one pay drill shall be held in any 1 calendar week.

(2) For an aviation squadron, not more than three pay drills shall be held on any one day, not more than three in any 1 calendar week, nor more than four in any 1 calendar month.

(c) *Restricted dates.* No paid drills are authorized on legal holidays as defined in article 330, Navy Regulations, or during the weeks in which fall Thanksgiving Day and Christmas Day.

§ 7.13–125 *Equivalent instruction or duty (Organized Reserve)—*(a) *Line—*(1) *Definition.* Equivalent instruction or duty for officers or enlisted men attached to a company, battery, or battalion of the Organized Reserve is any practical or theoretical instruction or duty, designated in advance, of not less than 1½ hours duration in connection with duties pertaining to the Marine Corps, performed or conducted either with or without the prescribed uniform, within the discretion of the commanding officer of the organization concerned, in lieu of a drill that has been or may be missed, and performed on a day other than one on which a regular drill has been prescribed, and deemed by the commanding officer essential for training.

(2) *Restrictions.* Not more than one period of such instruction or duty shall be performed in any 1 calendar week; not more than 3 in any one calendar month; nor more than 16 in any 1 fiscal year. (See § 7.13–124 (b).)

(b) *Aviation—*(1) *Definition.* Equivalent instruction or duty for officers and enlisted men of the aviation branch of the Marine Corps Reserve, is any practical or theoretical ground instruction, or actual flying in Navy or Marine Corps aircraft, or instruction or flying combined, of not less than 1½ hours' duration.

(2) *When performed.* Such equivalent instruction or duty can be performed only at such times as may be acceptable to the commanding officer of the station; it cannot be performed on a date on which a drill is held for the organization to which the individual is assigned; it need not be designated in advance; and it may be instruction or duty for either a squadron, a group or individuals, or an individual.

(3) *Certificates.* Officers and men performing equivalent instruction or duty under authority of this section will obtain certificates from the commanding officer of the station for presentation to their organization commanders as evidence of the instruction received or duty performed.

(4) *Restrictions.* (i) Except as provided in subparagraph (4) (ii) and (iii) of this paragraph, not more than 1 pe-

riod of equivalent instruction or duty shall be performed under the provisions of this section in any 1 calendar week; not more than 3 in any 1 calendar month; not more than 16 in any 1 fiscal year.

(ii) Officers in the employ of commercial airlines, whose duties with these companies preclude their drilling at certain of the prescribed drills, will be permitted to perform not more than 3 periods of equivalent duty at any 1 time and not more than 4 periods during any quarter; provided that the total number of equivalent duty periods for an individual does not exceed 16 in any 1 fiscal year.

(iii) Squadron commanders, squadron first sergeants, and one enlisted man in each squadron assigned to clerical duties, may be permitted to perform equivalent instruction or duty in lieu of authorized drills, provided such equivalent instruction or duty is performed in accordance with paragraph (b) of this section.

(iv) For additional restrictions see § 7.13–124 (b).

§ 7.13–126 *Appropriate duty (Organized Reserve)*—(a) *General.* Orders assigning a reservist to appropriate duty will be issued by the Commandant of the Marine Corps and shall state the nature of duty to be performed.

(b) *Line*—(1) *Definition.* Appropriate duty for officers and men attached to a company, battery, or battalion, is any duty specifically authorized by the Commandant of the Marine Corps, performed or conducted either with or without the prescribed uniform, within the discretion of the commanding officer of the organization concerned, and performed in unbroken periods of not less than 1½ hours each.

(2) *Restrictions.* Not more than one period of appropriate duty shall be held in any 1 calendar week. The number of appropriate duty periods for the fiscal year will be as authorized by the Commandant of the Marine Corps, for drills. (See § 7.13–124 (b).)

(c) *Aviation*—(1) *Definition.* Appropriate duty for members of the aviation branch of the Organized Marine Corps Reserve, is any duty specifically authorized by the Commandant of the Marine Corps.

(2) *Restrictions.* A period of appropriate duty shall consist of aggregate duty of not less than 1½ hours per calendar week. Such duty may be performed in broken increments, but the duty performed in 1 calendar week may not be credited in a subsequent calendar week. Not more than three periods of appropriate duty will be performed, in any 1 calendar week, not more than four in any 1 calendar month. (See § 7.13–124 (b).)

(3) *Certificates.* Whenever a part of the appropriate duty consists of actual flying in aircraft, it may be performed in Navy or Marine Corps aircraft. Such flights need not be designated in advance, but the individual concerned must arrange with the commanding officer of the station for such flights and must obtain from him a certificate of flight, which should be forwarded to his squadron commander as evidence of the amount of appropriate duty performed.

§ 7.13–127 *Administrative duty (Organized Reserve)*—(a) *Definition.* Administrative duties consist of those duties performed by an officer in command of an organization connected with the discipline, preservation of arms, equipment, and other Government property, pay, reports, returns, and the keeping of records of an organization.

(b) *Assignment to command.* The senior line officer of each battalion, squadron, company, or battery will be in command; except that in a battalion headquarters company or battery, the adjutant will be in command, and the commanding officer of a tactical squadron must be a naval aviator. During the temporary absence of the commanding officer, the next senior line officer will assume temporary command, but as such will only be considered in an administrative duty status for pay provided the regular commanding officer is absent from the organization for a period in excess of 14 days, in which case administrative duty pay will be allowed for the entire period of absence of the regular commanding officer.

(c) *Certificate.* The faithful performance of such administrative duties will be established by the certificate of the next superior commanding officer having administrative duties, or by the Inspector-Instructor of the organization where there is no other superior commanding officer, that the officer claiming administrative pay was actually and properly in command of the organization and faithfully performed the administrative duties in connection therewith during the period for which administrative duty pay is claimed.

§ 7.13–128 *Annual training duty (Organized Reserve).* Annual training duty prescribed for battalions, and squadrons of the Organized reserve, during which time intensive training will be conducted in duties particularly required for these organizations on mobilization.

§ 7.13–129 *Active duty.* Active duty is any duty other than for training so stated in and performed under competent orders, with or without pay and allowances, regardless of the length of time. It may be for a stated period of time or indefinitely until revoked. (See § 7.13–154.)

§ 7.13–130 *Training duty with pay*—(a) *Definition.* Training duty with pay is any active duty for training, performed with pay and allowances, and specified as active duty for training under competent orders.

(b) *When authorized.* Officers and enlisted men of the Marine Corps Reserve may be permitted, on their own application, to perform training duty with pay and allowances, dependent on the quota for the fiscal year, and in accordance with the succeeding paragraphs of this section.

(c) *Quota.* Quotas for assignment to active and training duty for officers and enlisted men are determined annually, dependent upon appropriations therefor.

(d) *In time of peace.* In time of peace members of the Organized Marine Corps Reserve are required to perform training duty not to exceed 15 days annually, subject to available appropriations, unless excused therefrom for good and sufficient reasons. Members of the Marine Corps Reserve may, upon their own request, be assigned additional training duty.

(e) *Frequency of training.* The frequency of training duty for individuals is dependent upon the quota assigned; e. g., should the quota be equivalent to one-quarter strength, individual training duty may be given once every 4 years, unless shortage of applications for training duty permits more frequent assignment for certain individuals.

§ 7.13–131 *Training duty without pay*—(a) *Definition.* Training duty without pay is any active duty for training, performed without pay or allowances, under competent orders.

(b) *When authorized.* Officers and enlisted men of the Marine Corps Reserve may be authorized, on their written application, and dependent upon the exigencies of the service, to perform training duty without pay or allowances and without expense to the Government for travel to and from such duty: *Provided, however,* That when authorized training or other duty without pay is performed by members of the Marine Corps Reserve they may in the discretion of the Commandant of the Marine Corps be furnished with transportation to and from such duty, with subsistence and transfers en route, and, during the performance of such duty, be furnished subsistence in kind or commutation thereof at a rate fixed from time to time by the Secretary of the Navy.

§ 7.13–132 *Repeated training duty without pay*—(a) *Definition.* Repeated training duty without pay is any active duty for training, performed under competent orders at no expense to the Government, during periods not in excess of 1 week each, over an extended period not in excess of 1 year.

(b) *When authorized.* Officers and enlisted men of the Fleet and Volunteer Marine Corps Reserve may be permitted on their written application and dependent upon exigencies of the service, to perform repeated training duty without pay, at Marine Corps posts or stations, naval air stations, and Naval Reserve aviation basis. Such authority may be renewed from year to year.

(c) *Aviation.* Officers who hold effective letters of authority to solo Marine Corps or Naval aircraft may be authorized to make flights under authority for repeated periods of duty in the same manner as they are authorized to perform flights while in an inactive duty status. Such flights shall constitute authorized training duty.

(d) *Injury, sickness, or disease incurred.* In case injury, sickness, or disease is incurred by any member of the Marine Corps Reserve performing such

duty, appropriate entries shall be made and reports submitted.

(e) *Endorsement of orders.* The authorization for repeated training duty without pay shall be retained at the post, station, or base where the duty is performed, until it expires or is canceled, at which time it will be returned to the individual concerned. At the expiration of each period, it shall be signed by the commanding officer and the reservist performing the duty. Upon expiration or cancelation, a complete copy shall be forwarded to the Commandant of the Marine Corps, and a copy shall be retained for future reference.

(f) *Cancelation.* The commanding officer of the post, station, or base where such duty is performed may, for lack of interest on the part of the reservist or for any other good and sufficient cause, recommend to the Commandant of the Marine Corps at any time that the authorization for such duty be canceled.

§ 7.13–133 *Instruction and training of the Organized Reserve*—(a) *Duties required.* (1) Officers and men of the Organized Reserve are required to perform weekly drills, equivalent instruction or duty, appropriate duty, and administrative duty, as directed; and training duty not to exceed 15 days annually. These duties will be performed in accordance with instructions herein.

(2) *Leave.* When an officer of the Organized Marine Corps Reserve is unable to attend drills due to his absence from the place of drill, for causes beyond his control, exclusive of sickness, he should request a leave of absence for such period, in order that this absence from the regular drill period will not count against his record of attendance for promotion and eligibility for the Reserve service medal.

(b) *Instructions.* (1) During the regular drill and field-training periods, all personnel of companies, batteries, and battalions will be instructed by officers and qualified enlisted men of the organization, in subjects prescribed by armory and field-training programs; in aviation units, in subjects prescribed by the commanding officer.

(2) Inspectors-Instructors and their staffs shall be employed as necessary for instructional purposes in delivering lectures and conducting practical demonstrations and schools for officers and noncommissioned officers.

(3) Other means for individual instructions are outlined in § 7.13–121.

(c) *Drills*—(1) *When conducted.* Regular drills will be conducted by companies, batteries, and battalions, in accordance with § 7.13–124 and as prescribed in the armory-training program; and by squadrons, as prescribed by the commanding officers thereof.

(2) *Drill schedules.* Commanding officers of battalions and squadrons will publish quarterly drill schedules in advance, showing the days, hours, and subjects scheduled, and will forward same in duplicate, 15 days prior to the beginning of the quarter, to the Director, Personnel Department, or Director of Aviation, as appropriate. Commanding officers of such units are authorized, for specific cause, to alter such drill dates as may be necessary, provided no drill will be conducted on a legal holiday, or during the weeks of Thanksgiving and Christmas.

(3) *Record and report of drills.* The commanding officer of each unit shall keep a monthly record of each officer and man of his organization at every drill or assembly for instruction, showing the number of drills prescribed during the month, the name of the person, the date of the drill, the period during which he was actually present and under instruction in uniform, and the character of drill and instruction for the entire period. The immediate commanding officer of a reservist authorized to receive equivalent instruction, perform equivalent duty, or to perform appropriate duties shall likewise maintain a complete record showing the date, place, amount, and character of the duty or instruction. Such reports will be submitted to the Director, Personnel Department, or the Director of Aviation, as appropriate, the last day of each month, on Form NMC 907.

(d) *Equivalent instruction or duty, appropriate duty, and administrative duty.* These duties will be performed in accordance with §§ 7.13–125, 7.13–126, and 7.13–127.

(e) *Annual training duty*—(1) *Requirement.* Officers and enlisted men of organized units are required to perform annual training duty with organizations to which attached, not to exceed 15 days annually, unless excused therefrom for good and sufficient reasons, subject to available appropriations for training of the Reserve. They may, upon their own requests, be assigned additional duty.

(2) *Application to be excused.* Application to be excused from annual training duty will be addressed to the commanding officer of the battalion or squadron, who is authorized to excuse individuals, if in his opinion such action is necessary and desirable.

(3) *Training programs.* Annual training duty will be conducted by battalions in accordance with the field-training program; and by squadrons, as prescribed by commanding officers thereof. Reserve organizations will be trained at such training centers and during such months as prescribed by the Commandant of the Marine Corps.

(4) *Training schedules.* Upon receipt of advance information regarding annual field training, commanding officers of battalions will prepare training schedules for their respective organizations and will submit same to the Director, Personnel Department, for approval. Commanding officers of squadrons will, prior to the training period, submit their training schedule to the Director of Aviation, for approval. Copies of approved training schedules will be furnished by commanding officers of battalions and squadrons to the commanding officers of the post, station, or base where the training is to be conducted.

(5) *Orders to training duty.* When authorized by the Commandant of the Marine Corps, Reserve organization commanders will cause each reservist under their command to be immediately informed as to the period assigned in order that individuals may play accordingly; and will issue the necessary travel orders to the designated post or station, furnishing the commanding officer thereof; the Commandant of the Marine Corps; the Paymaster, Headquarters Marine Corps (2 copies); the Paymaster, Reserve Accounts, Headquarters Marine Corps; the paymaster who will handle their accounts during the training period; and the Quartermaster, Headquarters Marine Corps; with one copy of the orders. In addition, in the case of officers, each officer concerned will be furnished two copies for pay purposes and two copies for each occasion when mileage may be claimed. In cases of reservists detailed to aviation duty, a copy of the orders will also be furnished the Director of Aviation. All orders must cover the following points:

(i) Reference to the authority for the orders.

(ii) Date on which the reservist assumes active duty, if known.

(iii) Necessary instructions for the travel involved.

(iv) Date on which the reservist is to report at the designated place, post, or station.

(v) Date on which the training period of reservist terminates, if known.

(vi) Necessary instructions relative to the return of the reservist to his home.

(vii) Date on which he is to resume his inactive status.

(viii) A statement of prior service for pay purposes in the case of officers. (The necessary information will be furnished by the Commandant of the Marine Corps.)

(ix) A statement that the travel enjoined is necessary in the public service.

(6) *Report of arrival.* Upon arrival at the location of training, commanding officers of battalions and squadrons will report by dispatch to the Director, Personnel Department, or Director of Aviation, as appropriate, the actual strength of their organizations present, as follows: Organization officers, casual officers, medical officers, organization enlisted, casual enlisted, and medical enlisted.

(7) *Report of training.* Upon the conclusion of the training each Reserve battalion and squadron commander will submit a report in duplicate to the Commandant of the Marine Corps showing the number of reservists in his organization, attendance, training activities, progress made, and such other information as may be of assistance in planning future training periods.

(f) *Inspection of Organized Reserve units.* Organized Reserve units shall be inspected at least once annually during the armory training period and once during each annual field-training period by an officer of the United States Marine Corps, preferably above the rank of captain. Units failing to meet satisfactory standards of strength and training may, in the discretion of the Commandant of the Marine Corps, be disbanded.

§ 7.13–134 *Instruction and training of the Fleet and Volunteer Reserve*—(a) *Duties*—(1) *Class I (b), (c), and (d).* In time of peace members of these classes may be required to perform not more than 2 months' active duty in each 4-year period.

(2) *Class I (a) and (e), and Class III.* Officers and enlisted men of these classes shall not be required to attend drills or perform training duty, but may, upon their own application, be given training duty with or without pay or assigned to repeated training duty without pay.

(b) *Individual instruction and training.* Officers and men of Class I (a) and (e) and Class III are instructed and trained as individuals in the specific duties of their particular rank and classification and in accordance with their mobilization assignment.

(c) *Instruction.* Correspondence courses are available to officers and men as specified in § 7.13–121.

(d) *Training.* Officers and men are encouraged to avail themselves of the training duty with or without pay or repeated training duty without pay as prescribed in §§ 7.13–130, 7.13–131, and 7.13–132.

(e) *Association with organized units.* During the armory training year, officers and men of the Fleet and Volunteer Reserve may be authorized to associate themselves with an organized unit for the purpose of instruction and training for a period of 10 drills. Upon the completion thereof, and if recommended by the Commanding Officer and Inspector-Instructor continued association may be authorized. Requests will be submitted to the Commandant of the Marine Corps via the Reserve district commander and commanding officer of the organized unit concerned. In the event of vacancy within the unit, assignment thereto may be made in accordance with §§ 7.13–90 to 7.13–92 inclusive.

(f) *Endorsement of orders.* (1) Reservists shall endorse on their orders the place, date, and hour of receipt, and the dates and hours of departure for and arrival at place of duty. Upon arrival they shall present their orders to the commanding officer of the post or station of duty for his endorsement. Upon completion of duty, their orders will be returned to them. Upon return to inactive duty status, reservists shall endorse on their orders the places, dates, and hours of departure from place of duty and arrival at place of relief from active duty.

(2) In case of travel involving no expense to the Government the only endorsements necessary are those of the commanding officer of the post or station of duty.

(g) *Reimbursement for travel.* In case of duty performed with pay and allowances, reservists should, upon completion of duty, request the necessary forms and instructions for reimbursement for travel performed and, upon assuming inactive duty status, should complete the forms, attach original and two certified copies of orders with all endorsements. In the case of officers their claims will be forwarded to the paymaster who carried their accounts while on active duty. In case of enlisted men, their claims will be forwarded to the Quartermaster, Headquarters, United States Marine Corps, Washington, D. C.

RECORDS, REPORTS, AND CORRESPONDENCE

§ 7.13–140 *Officers' records.* The records of Reserve officers will be forwarded to and kept at Headquarters, Marine Corps, in the same manner as the records of Regular officers.

§ 7.13–141 *Fitness reports, officers*—(a) *When rendered.* (1) Fitness reports will be rendered on March 31 and September 30 on all Class II officers and on Class I and Class III officers associated with an organized unit, and on March 31 on all other Class I and Class III officers.

(2) Additional fitness reports will be rendered on Reserve officers upon:

(i) Completion of any period of active or training duty, other than periods of repeated training duty.

(ii) Completion of the last authorized period of repeated training duty.

(iii) Transfer.

(iv) Receipt of orders for examination or reexamination for promotion.

(v) The relief of the reporting officer (no report is necessary when the Reserve district commander is relieved).

(3) Separate reports need not be submitted for periods of less than 2 months before or after the last day of the regular reporting date, provided such periods are included in the current regular report with an appropriate modification of the dates covered thereby.

(b) *Form.* (1) Form NMC 652 will be used in submitting fitness reports on all officers of the Organized Reserve and on all Reserve officers on active or training duty or associated with an organized unit of the Reserve.

(2) Form NMC 653 will be used in submitting fitness reports on all other Reserve officers.

(c) *The officer reported on.* The officer reported on will, at the prescribed times, submit to the commanding officer under whom he is serving or to his reporting senior, a fitness report form properly filled out and signed.

(d) *The reporting officer.* (1) The battalion or squadron commander will render the required fitness reports on all Reserve officers attached to or associated with his unit, forwarding them to the Commandant of the Marine Corps, via the Inspector-Instructor and the Director, Personnel Department, or the Director of Aviation, as the case may be. The Inspector-Instructor will append such comments thereto as he may see fit and, when reporting on the battalion commander or squadron commander, will enter his markings thereon in pencil. The base commander will render the required fitness reports on the respective squadron commanders and Inspector-Instructor, of Reserve aviation squadrons and units.

(2) Reserve district commanders will render the necessary fitness reports on all Class I and Class III officers within their districts to the Commandant of the Marine Corps, except during the period when such officers are associated with units of the Organized Marine Corps Reserve, or on active or training duty.

(3) The commanding officer under whom active or training duty is performed will render fitness reports on all officers upon the completion of the period of active or training duty to the Commandant of the Marine Corps via the Director, Personnel Department, or the Director of Aviation, as the case may be, entering under paragraph 16, "Remarks:" in addition to other appropriate comments, the type of duty the officer appears best qualified to perform; and, in case the duty was performed without pay, "Duty performed without pay."

(e) *Aviation.* The reporting officer in preparing fitness reports of officers on aviation duty will note thereon the desirability of continuing the officer concerned on such duty, giving particular consideration to his ability as an executive or for command assignment in aviation.

§ 7.13–142 *Fitness reports, noncommissioned officers.* Fitness reports shall be rendered on noncommissioned officers of the first four pay grades when performing active or training duty, on March 31 and September 30 of each year, also upon detachment of the reporting officer and upon completion of such periods of duty if occurring more than 3 months after the rendition of the last report. Those reports will be rendered in the handwriting of the reporting officer and forwarded by the reporting officer to the Commandant of the Marine Corps, via the Director, Personnel Department, or the Director of Aviation, as appropriate.

§ 7.13–143 *Enlistment records*—(a) *Preparation of records upon enlistment.* The following records will be prepared for enlistment in the Marine Corps Reserve:

(1) Enlistment contract (NMC 321c).

(2) Consent of parents or guardians to be submitted only for minors, in accordance with § 7.13–54 (g). (NMC 526 in the case of enlistment for assignment in the Organized Reserve and NMC 524 in the case of enlistment for assignment in the Volunteer Reserve.)

(3) Fingerprint form (NMC 330).

(4) Beneficiary slip, if not previously submitted (NMC 502).

(5) When necessary, documentary evidence of birth, citizenship status, and proof of discharge from another branch of the service. (Applicant should retain discharge certificate.)

(6) Waivers of physical defect (NMC 588), overage, etc., approved by the Commandant of the Marine Corps.

(7) Occupational qualification record (NMC 940 and 940a) in the case of Organized Reservists.

(8) Service record (NMC 110 and NMC 110a).

(9) Health record (Bureau of Medicine and Surgery, Form H complete).

(b) *Forwarding of records upon enlistment.* (1) The records listed in paragraph (a) (1) to (8), inclusive, will be forwarded direct to the Director, Personnel Department, Headquarters Marine Corps, except that, in the Department of the Pacific, they will be forwarded via the department commander.

(2) The records listed in paragraph (a) (7) and (8) will be retained by or

forwarded to the commanding officer of the organization to which the man is assigned.

§ 7.13–144 *Service records*—(a) *Joined by enlistment.* When a man enlists in the Marine Corps Reserve for assignment to any class other than Class I (b), (c), or (d), a new service-record (Form NMC 110 and 110a) will be prepared in accordance with instructions therein, and as follows: Under "Professional and conduct record" line 1, complete columns 1, 2, 3, and 4, and enter "Assigned Class —, USMCR," in columns 5, 6, 7, 8, 9, and 10, authenticated by the commanding officer's signature.

(b) *Entries.* Service-record books of reservists will be kept in accordance with instructions for the Regular Marine Corps by the commanding officers of organizations submitting muster rolls. Professional and conduct markings will be entered in accordance with instructions contained in the service-record book, except that in the case of Class I and Class III enlisted reservists, markings will be awarded only upon termination of each period of active or training duty and upon separation from the service.

§ 7.13–145 *Health records.* For instructions relative to health records, see § 7.13–103.

§ 7.13–146 *Pay rolls.* For instruction relative to pay rolls, see § 7.13–152.

§ 7.13–147 *Organization reports*—(a) *Articles 10–1 to 10–14.* See Articles 10–1 to 10–14.[1]

(b) *Change sheets.* Change sheets will be accomplished and forwarded in accordance with art. 10–17,[1] except that local changes in the address of Class II (b) and Class III (b) will not be shown. An additional copy will be forwarded to the appropriate paymaster, and to the Director, Marine Corps Institute, M. B., Eighth and Eye Streets SE., Washington, D. C. (See § 7.12–151 (e) and (f).)

(c) *Monthly report of drills and attendance.* For instruction pertaining to the report of drills and attendance submitted monthly by commanding officers of organized units, see § 7.13–133 (c) (3).

(d) *Report of death.* Upon notification of the death of a reservist, the organization or Reserve district commander concerned will, if possible, procure a death certificate from the authorities where the death occurred and forward it to the Director, Personnel Department. When a reservist dies, while on active duty or training duty, the same procedure will be followed as prescribed for the Regular Marine Corps.

§ 7.13–148 *Individual reports*—(a) *Officers employed by the Civilian Conservation Corps.* Officers of the Marine Corps Reserve who are employed by the Civilian Conservation Corps in a civil status will submit a report to the Commandant of the Marine Corps, via their commanding officer or Reserve district commander, giving the following information: Date of employment with the Civilian Conservation Corps; name and place of duty; nature of duty, such as camp or company commander, exchange officer, mess officer, or other duties assigned; together with any pertinent information which should be made a part of the officers' military record.

(b) *Change of address.* Reservists will report any change in home address to their organization or district commander. If change of address is permanent, and is in another Reserve district, the district commander or organization commander will transfer the staff returns and all records of the reservist concerned to the headquarters of the organization or district to which transferred. He will so notify the reservist and report the transfer and the new address on the change sheet. Members of Class I (b), (c), and (d) will also report changes of address direct to the Paymaster, Headquarters Marine Corps, Washington, D. C.

(c) *Report of civil employment.* A reservist, upon acceptance of appointment or upon enlistment, will report to his organization or Reserve district commander the name of his employer and the place and nature of such employment.

(d) *Leaving the United States.* Reservists intending to leave the United States, or to change their residence or status as may render them not available for call, are required to report the fact and probable duration of the absence from the United States or nonavailability, to the organization or Reserve district commander concerned. When residing outside the United States for indefinite periods, members of the Marine Corps Reserve must report their addresses to the nearest U. S. Naval Attaché and keep him informed of any change of address.

§ 7.13–149 *Correspondence*—(a) *Preparation.* All official correspondence will be prepared in accordance with chapter 52, Navy Regulations.

(b) *Organized Reserve.* All correspondence to and from a battalion or squadron of the Organized Marine Corps Reserve will be routed via the Inspector-Instructor for forwarding endorsement, recommendation, or comment. In the absence of the Inspector-Instructor, the Assistant to the Inspector-Instructor will endorse correspondence as Acting Inspector-Instructor.

(c) *Reserve Districts.* See § 7.13–6 (b).

(d) *Individual.* All correspondence originated by an individual of the Marine Corps Reserve will be forwarded via his immediate commanding officer (Reserve district commander, company commander, battery commander, etc.).

PAY AND ALLOWANCES

§ 7.13–150 *Inactive duty and retired pay and allowances*—(a) *Pay tables.* The following tables show the pay, other than for active or training duty, authorized for the Marine Corps Reserve:

CLASSES[1] AND RATES OF PAY[2] FOR FLEET MARINE CORPS RESERVE

RETAINER PAY

Commissioned, Chief Warrant and Warrant Officers

Class I (a)	$20 per annum in advance.

Enlisted men

Class I (b)	One-third of the base pay at time of transfer to the Reserve, plus all permanent additions thereto; plus 10 percent of the above amounts, if credited with extraordinary heroism in line of duty.
Class I (c)	One-half of the base pay at time of transfer to the Reserve, plus all permanent additions thereto; plus 10 percent of the above amounts, if credited with extraordinary heroism in line of duty or if the average markings in conduct after 20 years' or more service shall not be less than 95 percent of the maximum (or 4.75).
Class I (d)	One-half base pay at time of transfer to the Reserve.
Class I (e)	$20 per annum in advance.

RETIRED PAY

Commissioned, Chief Warrant and Warrant Officers

Class I (a)	No retired pay provided.

Enlisted men

Class I (b)	Pay they were receiving on date of retirement, plus the allowances authorized for retired enlisted men of the Regular Marine Corps. If retired for physical disability, entitled to the allowances only after the completion of 30 years' service, counting service on the active list, in the Reserve and on the retired list.
Class I (c)	Same as Class I (b).
Class I (d)	Pay they were receiving on date of retirement, plus all permanent additions thereto, plus the allowances authorized for retired enlisted men of the Regular Marine Corps. If retired for physical disability, entitled to receive all permanent additions to their base pay, plus the allowances, only after the completion of 30 years' service, counting service on the active list, in the Reserve, and on the retired list.
Class I (e)	No retired pay provided.

See footnotes at end of table.

[1] Articles 10–1 to 10–14 and 10–17, Marine Corps Manual, are available at Headquarters, U. S. Marine Corps, Washington, D. C.

CLASSES [1] AND RATES OF PAY [2] FOR ORGANIZED MARINE CORPS RESERVE

DRILL PAY

Commissioned, Chief Warrant and Warrant Officers

Class II (a)—*Drill pay—Equivalent instruction or duty pay. Appropriate duty pay.* One thirtieth of the monthly base pay of their rank, not to exceed $10, for the performance of each drill, period of equivalent instruction or duty or period of appropriate duty, authorized by the Commandant of the Marine Corps, but not to exceed 60 periods in any 1 fiscal year.

Aviation duty. For those performing aerial flights in the capacity of pilots, prescribed as part of their training, the pay prescribed above shall be increased by 50 percent for any quarter during which not less than four hours of such flying has been performed.

Administrative duties. In addition, officers regularly assigned to and commanding battalions, companies, batteries, or aviation squadrons shall receive compensation at the rate of $240 per annum for the faithful performance of the administrative duties connected therewith. (See § 7.13–127.)

Enlisted men

Class II (b)—*Drill pay—Equivalent instruction or duty pay. Appropriate duty pay.* Same as Class II (a), except that administrative duty pay is not authorized for enlisted men.

Aviation duty. Same as Class II (a).

RETIRED PAY [3]

Officers, Chief Warrant and Warrant Officers, and Enlisted Men

Class II (a) and (b) 50 percent of their active duty rate of pay if the conditions of footnote 3 apply.

CLASSES [1] AND RATES OF PAY [2] FOR VOLUNTEER MARINE CORPS RESERVE

INACTIVE DUTY

Officers, Chief Warrant and Warrant Officers, and Enlisted Men

Class III (a), (b), (c), and (d). No Pay provided.

RETIRED PAY

Officers, Chief Warrant and Warrant Officers, and Enlisted Men

Class III (a), (b), and (c). Same as Class II (a) and (b).

[1] For composition. See § 7.13–20.

[2] That the Secretary of the Navy, upon discovery of any error or omission in the service or rank, for transfer or retirement, is authorized to correct the same and upon such correction the person so transferred or retired shall be entitled to pay and allowances, in accordance with his rank and length of service as determined by the Secretary of the Navy.

[3] Officers and men of the honorary retired list created by sec. 309 of the Naval Reserve Act of 1938 (34 U.S.C. 855*h*) who have performed a total of not less than 30 years' active service in the Army, Navy, Marine Corps, Coast Guard, Naval Auxiliary Service, Naval Reserve Force, Naval Militia in Federal status, National Naval Volunteers, Naval Reserve, Marine Corps Reserve Force, and Marine Corps Reserve or who have had not less than 20 years' such active service, the last 10 years of which shall have been performed during the 11 years immediately preceding their transfer to the honorary retired list of the Marine Corps Reserve or to the honorary retired list in existence on the date of approval of the above act, shall, except while on active duty, be entitled to pay at the rate of 50 per centum of their active duty rate of pay. The pay of members of the honorary retired list shall be paid from the appropriations made for the maintenance of the Marine Corps Reserve.

(b) *Rate of pay.* The following table shows the rate of pay for each drill or period of equivalent instruction or duty, and appropriate duty:

COMMISSIONED AND WARRANT

Rank:	*Amount*
Major general	$10.00
Brigadier general	10.00
Colonel	10.00
Lieutenant colonel	9.72
Major	8.33
Captain	6.67
First lieutenant	5.56
Second lieutenant	4.17
Chief warrant officer	4.17
Warrant officer	4.93

ENLISTED MEN

First pay grade	4.20
Second pay grade	2.80
Third pay grade	2.40
Fourth pay grade	2.00
Fifth pay grade	1.80

ENLISTED MEN—continued

Rank—Continued.	*Amount*
Sixth pay grade	$1.20
Seventh pay grade	1.00
Seventh pay grade (less than four months' service)	.70

NOTE: See article 1–21,[1] for the relative rank of enlisted men in the various pay grades.

[1] Article 1–21, Marine Corps Manual, is available at Headquarters, U. S. Marine Corps, Washington, D. C.

(c) *Restrictions—(1) On active or training duty.* Pay for drills, equivalent instruction or duty, appropriate duties, or for administrative duties, shall not accrue to any officer or enlisted man during a period when he shall be lawfully entitled to pay for active or training duty.

(2) *Pensions, disability allowance, etc.* No member of the Marine Corps Reserve is entitled to compensation for active duty, training duty, for performing drills, equivalent instruction or duties, appropriate duties, or administrative duties, or for uniform gratuity, who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States, and "retired pay" as here used shall not include the pay of transferred members of reserve forces of the United States. (See annual naval appropriation act.)

(3) *Sundays, holidays, etc.* Compensation is not payable for drills held on a legal holiday, as defined in article 330, Navy Regulations, nor for drills held during the weeks in which fall Thanksgiving Day or Christmas Day. This restriction, however, does not apply to appropriate duty and equivalent instruction or duty. Officers and enlisted men of the Marine Corps Reserve shall receive compensation for all regular authorized drills performed on Sunday.

(d) *Fraudulent enlistment.* (1) Fraud is a willful concealing of facts that would, if known, disqualify the individual from enlisting in the Marine Corps Reserve, and, unless the Government, with knowledge of the fraud, waives its rights and permits the contract of enlistment to stand, no payments of pay or allowances may be made to the individual subsequent to the discovery of the fraud.

(2) Therefore, no individual will be certified for pay or allowances, subsequent to the actual knowledge or suspicion of fraud. Pay rolls will show in remarks "Presumption of fraudulent enlistment," and any amounts due the individual will be shown as "Due and unpaid," until such time as final disposition is made of the case by competent authority.

(3) It shall be the duty of the commanding officer, upon receiving information of a presumption of fraud, to immediately notify the paymaster carrying the accounts of the organization to which the individual is attached, by letter, that there is a presumption of fraud in his case.

§ 7.13–151 *Payment to reservists—(a) First payment to members of Class I (a) and Class I (e).* When an officer is appointed and assigned to class I (a) or a man is enlisted and assigned to Class I (e), the Reserve district commander, or other proper commanding officer, will certify to the Paymaster, Marine Corps, such individuals for annual advance payment of $20.

(b) *First payment of men transferred to Class I (e).* The first annual payment of men transferred from the Regular Marine Corps to Class I (e) will be made as prescribed in article 4–25 (3).[1]

(c) *Certification for pay of members of Class I (a) and I (e).* On or about the first of each month Reserve district commanders, or other proper commanding officers, will certify to the Paymaster,

[1] Article 4–25 (3), Marine Corps Manual, is available at Headquarters, U. S. Marine Corps, Washington, D. C.

Marine Corps, for payment, all members of Class I (a) and I (e) who were due for an annual advance payment of $20 during the preceding month, giving names, addresses, and anniversary dates. Prior to certifying members of Class I (a) and I (e) for payment, district commanders or other proper commanding officers will obtain a certificate from each man who is due for an anniversary payment to the effect that he is not drawing a pension, disability allowance, disability compensation, or retired pay from the United States Government, and district commanders will state in their certificate to the Paymaster that each individual has certified as herein. The Reserve district commander will enter "Certified for anniversary payment (date)" in the service-record book of each man so certified. The proper disbursing officer of the Paymaster's Office, Headquarters, Marine Corps, will make a card payment of $20 (but not before the anniversary date), forwarding the check to the payee direct. After payment, the Paymaster will inform the certifying officer of the check number and date of payment. The right of a member of Class I (a) or I (e) to receive and retain the advance payment of $20 per annum is not affected by reason of active duty performed during his period of assignment to Class I (a) or I (e) (6 Comp. Gen. 19).

(d) *Payment of Class I reservists.* Payments to transferred and assigned members of the Fleet Marine Corps Reserve will be made, except as provided for by chapter 4,[1] by the Paymaster, Retired and Reserve Allotment Section, Headquarters, U. S. Marine Corps. Checks covering such payments will be mailed to reservists direct.

(e) *Paymaster to be notified of transfers.* The Reserve district commander will promptly notify the Paymaster, Retired and Reserve Accounts, Headquarters, U. S. Marine Corps, Washington, D. C., by change sheet, showing new address of reservist, of all transfers of Class I reservists from his reserve district to another reserve district.

(f) *Designation of disbursing officers.* Compensation for drills, equivalent instruction or duties, appropriate duties, or administrative duties, will be paid on the basis of the fiscal quarter, by the Disbursing Officer, Paymaster Department, in the Pay Area in which the headquarters of the Reserve organization is located. The boundaries of the various pay areas are published in circular letters by the Paymaster. Paymasters paying drill pay rolls of Organized Marine Corps Reserve battalions and Reserve aviation squadrons when preparing the transcript, will make an extra copy (Form NMC–434–J) and forward it to the Director, Personnel Department, Headquarters Marine Corps, Washington, D. C.

(g) *Transmission of checks.* Checks for compensation, other than pay and allowances while on active or training duty, will be transmitted direct to the commanding officer of the battalion, company, battery, or aviation squadron to which the reservist is attached.

(h) *Disposition of checks not delivered.* (1) In the event of the reservist's transfer prior to receipt of check the commanding officer will return the check to the issuing paymaster together with the reservist's recorded address. Checks in the cases of officers and men transferred during the quarter to Class I or Class III, will be mailed by the paymaster direct to the reservist concerned to the address as shown in the remarks on the pay roll.

(2) If, after the drill roll is rendered, and prior to the delivery of the check, it is discovered that the man is in debt to the Government, or for any other reason should not be paid, the check will be returned to the disbursing officer.

(3) The disbursing officer concerned will furnish a schedule of checks mailed to an organization commander, showing the number, date, payee, and amount of check, the payee to sign his name and date of receipt opposite these entries. Upon completion of the schedule it is to be returned to the disbursing officer (Standard Form 1025 may be adapted to this use).

(4) Checks received by reserve organizations, and not delivered to the payee within 15 days from the date of receipt, will be returned to the disbursing officer with a statement of the reason for nondelivery in each case. In case checks are returned, the disbursing officer will make one final attempt to pay the man by mailing his check to the last-known address.

§ 7.13–152 *General instructions for pay roll*—(a) *Basic unit for pay purposes, Class II.* For purposes of rendition of organization pay rolls either for pay while on active or training duty, or for drill pay, the company or battery will be considered the basic unit of a Marine Corps Reserve line organization. For such purposes, the squadron will be considered the basic unit of a Marine Corps Reserve aviation organization. Commanding officers of such basic units will prepare and submit pay rolls as prescribed in the following paragraphs of this section.

(b) *When and how submitted*—(1) *While on active or training duty.* Pay rolls will be submitted when prescribed by the Paymaster, in accordance with, and on the same forms as prescribed for the Regular Marine Corps. When due for discharge while on active duty or training duty, Form NMC 90 will be rendered as prescribed for the Regular Marine Corps.

(2) *For the purpose of drill, equivalent instruction or duty, appropriate duty, and administrative duty pay.* Pay rolls will be prepared quarterly on Forms NMC 891, NMC 891a, and NMC 891c, as soon after the close of the quarter as possible, and submitted to the disbursing officer, in quadruplicate, by mail. Pay rolls should never be folded, but mailed either flat or rolled in mailing tubes.

(c) *Number of copies.* The pay roll will be prepared in quadruplicate (on the typewriter when practicable) and certified by the commanding officer of the unit or other commissioned officer acting in his absence.

(d) *Return of quadruplicate.* The disbursing officer will, after audit has been completed, compare the quadruplicate copy of the pay roll with the original, enter on the quadruplicate all corrections noted on the original, and return the quadruplicate copy to the organization for its files.

(e) *Notes*—(1) *Special.* Since the pay roll is the record in which reference is made in the adjustment of claims and other questions affecting those whose names are borne thereon, it is important in its preparation that nothing be omitted which properly pertains to the complete understanding of the status of the officer or man as affecting his pay, and in case of doubt an entry will always be preferable to an omission.

(2) *General.* The word "drill" wherever used in these instructions refers only to drill for which pay is claimed. Drills performed, which for administrative reasons are not to be claimed as "pay drills," will not be referred to on the pay roll.

(f) *All members attached to command to be shown.* (1) All officers and enlisted men attached to a command on the first day of the quarter (whether to be paid or not) must be shown on the pay roll for such period of the quarter as so attached.

(2) *Arrangement.* Those attached at the end of the quarter will appear in the body of the roll arranged according to rank; alphabetically in each rank, and numbered consecutively beginning with the number one (1) at the top of the first page.

(3) *Separations.* Those who become separated during the quarter for any cause will be shown on the back of the roll immediately following those attached under an appropriate heading, e. g., "Died," "Detached," "Transferred," "Discharged," "Retired," "Resigned," etc., and numbered separately under each heading. (See paragraph (n) (3).)

(4) *Accounts not extended.* Those separated to join other active organized units rendering drill pay rolls will not have their accounts extended into the ruled columns "Credit," "Debit," and "Amount due," but otherwise they will be stated in full. (See paragraph (n) (3) of this section.)

(5) *Extensions.* Those separated for all other causes will have their accounts extended in full including "Amount due." Where enlisted men are transferred to Class III, Volunteer Marine Corps Reserve, the remarks will show the address of the reservists so as to enable the paymaster to forward the check direct to the reservist concerned. (See paragraph (n) (3) of this section.)

(g) *Transfer of pay date on separation.* Where separations are effected, under paragraph (f) (4) of this section, the new unit commander concerned will be fully informed immediately of the individual pay status of the reservist concerned on Transfer of Pay Data Form as prescribed in § 7.13–153. The information shown on Transfer of Pay Data

[1] Chapter 4, Marine Corps Manual, is available at Headquarters, U. S. Marine Corps, Washington, D. C.

Form will agree with that shown on the pay roll from which transferred, as required by paragraph (n) (3) of this section.

(h) *Ruled spaces.* (1) Spaces have been ruled off for convenience in the preparation and subsequent audit of the pay roll to permit of 15 drills within a quarter. In these spaces the date upon which a drill is performed will be placed in such a manner as to bring the same date in each succeeding account directly under the same date in each preceding account. Drills should not be totaled at the bottom of the page, nor is it necessary to complete the summary on the cover sheet.

(2) Only dates of drills performed with the organization for which the roll is being submitted will appear in the ruled spaces. Drills performed with other organizations will be shown under "Remarks" only. (See paragraph (n) (1) of this section.)

(i) *Certificates*—(1) *Company.* The certificate of the unit commanders will be properly signed on the original of the pay roll in every case prior to submission of the roll to the proper disbursing officer for payment.

(2) *Battalion.* The certificate of the battalion commander will be required only if and when administrative-duty pay is claimed on the pay roll where the battalion commander is next superior in command of the claimant.

(3) *Inspector-instructor.* The certificate for inspector-instructor will be required only if and when administrative-duty pay is claimed upon the pay roll and there is no next superior officer attached to the command.

(j) *Front and back of sheet.* The pay-roll sheets have a front and back. The wide margin is to the left on the front and to the right on the back. Care should be used to prevent accounts belonging on the front being put on the back and vice versa, in order to permit easy binding into permanent records.

(k) *Pages to be identified.* Each page has at the top spaces provided for numbering, for the name of the organization, and the period for which the roll is rendered. These spaces will be filled out on every page to identify the page in the event it should become separated from the remainder of the roll.

(l) *Name, how shown.* The name will be shown, surname first (all capitals), then first name and middle initial.

EXAMPLE: JONES, Robert B.

(m) *Remarks to be shown.* (1) All changes of rank.

(2) All authorized checkages or back credits.

(3) All dates of enlistment and reenlistment.

(4) All extensions of enlistment.

(5) All facts affecting the pay status of reservists joined from or transferred (detached) to other organizations, or otherwise separated.

(6) All other facts affecting the pay of every officer or enlisted man appearing on the pay roll necessary to support the entries under "Credits" and "Debits."

(7) Inclusive dates between which active or training duty was performed.

(8) Presumption of fraud.

(n) *Guide for entry of remarks.* The minimum remarks to support the ordinary routing entries are herewith indicated as a guide. No additional remarks should ordinarily be needed. Periods will not be used after abbreviations for entries in pay rolls. Each entry will be started with a capital letter. For authorized abbreviations, see current Marine Corps Order.

(1) *Where the account of a reservist not appearing on the previous roll is entered.*

OFFICERS

Joining by new appointment: "Jd by orig appt"

Joining from a Reserve district: "(date) jd by tr fr ____ Res. Dist"

Joining from another organized unit with moneys due from old organization:" (date) jd by tr fr (organization) Perf drills and/or eiod, and/or appro d on (dates)" If the duty was performed with a different organization than that from which joined, add name of such organization to the entry.

ENLISTED MEN

Joining from another organized unit with moneys due from old organization: "(date) jd by tr fr (organization) Perf drills and/or eiod, and/or appro d on (dates)" If the duty was performed with a different organization than that from which joined, add name of such organization to the entry.

Joining from another organized unit without moneys due from old organization: "(date) jd by tr fr (organization) No cred cert as due"

Joining by enlistment or reenlistment: "Jd by enl" or, Jd by reenl Last sett of rolls of (organization)"; or, "Jd by reenl Last sett on acct No. ____ under dis this roll"

Joining from a Reserve district: "(date) jd by tr fr ____ Res. Dist No. prev sett curr fis yr" or "Last sett by _____ to _____ on rolls of _____ (Res Dist)" In the latter case, prior-paid drills should be entered in the space provided on the pay roll.

(2) (b) *Change in ranks.*

ENLISTED MEN

Promoted: "(Date) pro to (rank) by BN, (SQ), CO, Auth art. 13–72 MCM, or Ltr CMC (date)."

Reduced: "(Date) red to (rank) by BN, (SQ), CO, Auth art. 13–80 MCM, or Ltr CMC (date)."

Reappointment: "(Date) reappt (rank) by BN, (SQ), CO, Auth art. 13–54 (9) MCM, or Ltr CMC (date)."

(3) (c) *Separations.*

OFFICERS

Detached to a Reserve district: "(date) det to ____ Res Dist Sett for Prd fr _____ 19____ to _____ 19____ Not indeb to US for PP" State address.

Resigned, died, discharged, or retired: "(date) res (died, dis, or retd) Sett for prd fr _____ 19____ to _____ 19____ not indeb to US for PP" State address.

Detached to another active organized unit: "(Date) det to (organization) Unpaid dr this qtr (No unpaid dr this qtr)" Drill dates to be shown in proper spaces, and, if entitled to pay for administrative duty, add: "Faithfully perf adm d fr _____ 19____ to _____ 19____ as CO (organization)." In making this entry, be sure that the information shown on the pay roll agrees in full with the information furnished the man's new commanding officer on the Transfer Pay Data form.

ENLISTED MEN

Transferred to a Reserve district: "(date) tr to _____ (organization) _____ performed drills on dates as shown hereon to incl date of tr" or "No drills performed this qtr prior to tr" as appropriate.

(o) *Authorized checkages.* Any overpayments resulting from any cause must be checked, from any sums claimed due from the United States, before payment may be made. Lost, destroyed, or damaged Government property is an authorized checkage if responsibility is acknowledged by the persons to be checked, or the responsibility is determined by a board of survey. For reservists not on continuous active duty, clothing is classed as Government property the same as equipment. Overpayments or short-checkages resulting from administrative analyses will be adjusted by the disbursing officer paying the account, and an explanation thereof furnished the commanding officer for his information. In the case of a reservist checked for lost, destroyed, or damaged Government property, the "Remarks" will show: "Ckd $____ for PP per req (Name of officer requesting checkage) dated _____ 19__" in the column headed "Item" on blank line, enter "For PP." In the column headed "Debit" on the same line enter the amount. Where such adjustments produced an overpayment the amount of the overpayment will be entered in the "Amount Due" Column and will be plainly marked in red ink "Overpaid $_____" by the disbursing officer.

(p) *Credits.* (1) Drill pay will be entered on the pay roll showing the dates on which the drills were performed in the ruled spaces. (See paragraph (h) of this section)

(2) *Equivalent instruction or duty pay.* Equivalent instruction or duty will be entered on the pay roll by showing in remarks "EIOD (date or dates)" and, in the space provided for showing the drill date, the letters "EIOD" will be entered.

(3) *Appropriate duty pay.* Appropriate duty pay will be entered on the pay roll by showing in remarks "perf appro d auth CMC ltr dated _____ 19__" and in the ruled spaces the dates upon which the appropriate duties were performed. When the appropriate duty is performed in increments, the date on which the period of appropriate duty is completed will be shown in the ruled space provided for date. A certified copy of the letter authorizing the performance of appropriate duty will be filed with the first pay roll on which credit is claimed.

(4) *Flight pay.* Flight pay will be shown on the pay roll by entering on the first blank line in the individual's pay account "fit pay" and opposite thereof under "Credits," the amount of such flight pay. Form NMC 944, Flight Certificate and Schedule for members of the Organized Marine Corps Reserve, will be submitted with the pay roll to support credit for flight pay.

(5) *Administrative duty pay.* Administrative duty pay will be shown on the pay roll by entering in "Remarks": "Faithfully perf adm d as CO (Name of organization) fr _____ 19__ to _____ 19__."

(6) *Miscellaneous credits.* Short credits or overcheckages noted in the administrative analyses of account will be adjusted by the disbursing officer paying the account, and an explanation furnished the commanding officer for his information. In case an error is discovered by the commanding officer after payment has been made, adjustment will be made on subsequent pay roll and the "remarks" will show: "Cred $____ for (Explain nature of credit)."

(q) *Responsibility of commanding officers.* Commanding officers or other commissioned officers who sign certificates relative to pay, are held to be pecuniarily responsible for payments made on the strength of such certificates.

(r) *Doubtful payments.* A disbursing officer is not authorized to make payments in cases involving disputed questions of law or fact, the proper procedure being to send all such cases to the General Accounting Office, Claims Division, for direct settlement.

(s) *Ditto marks.* The use of the word "ditto" or ditto marks (") on a pay roll is prohibited.

(t) *Red ink.* The use of red ink on a pay roll is prohibited, except by the office of the disbursing officer paying the roll.

(u) *Credits from prior enlistments prohibited.* Amounts due from a prior enlistment should not be credited in a subsequent enlistment. The individual concerned should be advised of his right to make claim on the General Accounting Office.

(v) *Units disbanded.* Whenever an organization is disbanded and the officers and men are transferred to other organizations, a pay roll for the organization disbanded will be prepared for the fraction of the quarter elapsed prior to disbandment, the transfer pay roll to show the data required by paragraphs (f) (4) and (n) (3) of this section, as may be appropriate.

§ 7.13–153 *Transfer of pay data*—(a) *Instructions.* The form prescribed in paragraph (b) of this section will be prepared in triplicate in cases of transfer of any reservists.

(1) When transferred to another unit of the Organized Reserve, the original and duplicate will be forwarded to the reservist's new commanding officer, who will file the duplicate with the pay roll for file in the office of the disbursing officer paying the roll. The triplicate will be retained in the files of the originating office.

(2) When transferred to the Volunteer Reserve, the original and duplicate will be securely attached to the "Pay Account Record" page of the service record for future use in the event the reservist is retransferred to the Organized Marine Corps Reserve during the same fiscal year.

(3) The form is furnished as a guide for organizations in preparing transfer pay data. The form will not be furnished by the Quartermaster or by Headquarters Marine Corps, but will be prepared by each organization as needed, inserting the pertinent data shown on the face hereof.

(b) *Form.*

TRANSFER OF PAY DATA—ORGANIZED MARINE CORPS RESERVE

_____
(Name of organization)
_____
(Location)
_____, 19__.
(Date)

I certify that _____, USMCR (O), transferred from _____
(Organization from which transferred)
to _____ on
(Organization to which transferred)
_____, 19__, has performed the following duties: (Date)

Prior paid drills, current fiscal year, _____.
Prior paid EIOD's current fiscal year, _____.
Prior paid appropriate duty periods, current fiscal year, _____.
Unpaid drills, current quarter, performed on dates as follows: _____.
Unpaid EIOD's, current quarter, performed on dates as follows: _____.
Unpaid appropriate duty periods, current quarter, performed on dates as follows: _____.
Totals, drills, EIOD's, appropriate duty periods: _____.
Satisfactorily performed administrative duty as commanding officer of _____ from _____, 19__ to _____, 19__.
During the current quarter the reservist performed aerial flights in the capacity of pilot for ____ hours ____ minutes.
The above-named reservist was last settled on the drill pay roll of _____ by _____ for the quarter ending _____, 19__.
The date of commission or enlistment is _____.

_____
USMCR (O), Commanding.

§ 7.13–154 *Active and training duty pay and allowances*—(a) *Officers.* (1) Commissioned officers of the Marine Corps Reserve, including those on the honorary retired list or who may have been retired, when employed on active duty or training duty, with pay, or when employed in authorized travel to and from such duty, shall be deemed to have been confirmed in grade and qualified for all general service and shall receive the pay and allowances, including longevity pay, as provided by law (34 U. S. C. 853e, as amended by section 8, Naval Aviation Personnel Act of 1940) for the Reserve Forces of the United States, and shall, when traveling under orders, or under competent authority, receive transportation in kind, mileage, or actual expenses as provided by law for travel performed by officers of the Regular Marine Corps. For the purpose of computing increases in pay of commissioned officers on account of length of service, active service in grade of aviation cadet shall be considered as commissioned service.

(2) Pay periods: when Reserve officers, exclusive of chief warrant officers, are authorized by law to receive Federal pay, those serving in grades corresponding to those of colonel, lieutenant colonel, major, captain, first lieutenant, and second lieutenant shall receive the pay of the sixth, fifth, fourth, third, second, and first periods, respectively (37 U. S. C. 7).

(3) For pay and allowances of aviation cadets, see § 7.13–175.

(b) *Chief warrant officers, warrant officers, and enlisted men.* Chief warrant officers, warrant officers, and enlisted men of the Marine Corps Reserve, including those on the honorary retired list, or who may have been retired, when employed on active or training duty, with pay, or when employed in authorized travel to and from such duty, shall receive the same pay and allowances as received by chief warrant officers, warrant officers, and enlisted men of the Regular Marine Corps of the same rank and of the same length of service, which shall include active service in the Regular Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service; and active service, other than for training, in the Naval Militia and National Naval Volunteers; active service, other than for training, prior to June 30, 1925, in the Naval Reserve, Marine Corps Reserve, and the National Guard. No chief warrant officer promoted to other commissioned grade or warrant officer promoted to chief warrant officer or other commissioned grade shall suffer any reduction of pay by reason of such promotion. All periods, whether active or inactive, during which chief warrant officers have held commissions in the Marine Corps Reserve shall be included in computing their pay as provided in the act of February 16, 1929 (45 Stat. 1186; 37 U.S.C. 5) (Comp. Gen. B–12441, Feb. 6, 1941).

(c) *Beginning and termination of active and training duty pay.* (1) The pay and allowances to which officers and enlisted men of the Naval Reserve are entitled while on active or training duty begin on the date when between the hours of two successive midnights they entrain, and end on the date when between the hours of two successive midnights they could reach their homes, following detachment under orders, over the shortest usually traveled route (7 Comp. Gen. 100).

(2) Released from active duty. When an officer of the Marine Corps Reserve is ordered home, and, upon arrival, to assume an inactive status, pay and allowances, including pay and allowances for the time necessary to travel to his home, will be credited and paid on the current pay voucher prior to his departure from his active duty station.

(d) *Pay for the 31st day of any month.* When officers and men of the Marine Corps Reserve perform active duty or training duty for periods of 30 days or less, such duty performed on the thirty-first day of any month shall be paid for at the same rate as for any other day (34 U.S.C. 853e).

(e) *Aviation.* Officers and enlisted men, while employed on active or training duty, with pay, which involves actual flying in aircraft, shall receive the same increase of pay of their ranks as may be received by officers and enlisted men in similar ranks in the Regular Marine Corps for the performance of similar duty (34 U.S.C. 853e).

(f) *Payment.* Pay and allowances of officers and enlisted men of the Marine Corps Reserve on active or training duty will be paid by subordinate officers of the Paymaster Department in accordance with instructions issued by the Paymaster, United States Marine Corps.

§ 7.13–155 *Uniform gratuity*—(a) *When eligible.* In time of peace, upon first reporting for active or training duty, with pay, at a location where uniforms are required to be worn, or after the authorized performance of fourteen drills, a commissioned or warrant officer of the Marine Corps Reserve shall be paid a sum not to exceed $100 as reimbursement for the purchase of the required uniforms. Thereafter he shall be paid an additional sum of $50 for the same purpose upon the completion of each period of not less than 4 years in the Marine Corps Reserve. The last-named amount of $50 shall not become due any officer until he has completed not less than 150 drills or periods of other equivalent instruction or duty or appropriate duties and 56 days' active or training duty or 75 drills and 84 days' active or training duty, or 112 days' active or training duty. Any officer who has heretofore received a uniform gratuity shall not be entitled to a further uniform gratuity, except in time of war or national emergency, until the expiration of 4 years from the date of the receipt of the last gratuity. Reservice officers will become entitled to the uniform gratuity mentioned above only after they have provided themselves with the uniform and equipment prescribed for them (34 U.S.C. 855a). The foregoing provisions are also applicable in time of war or national emergency. (21 Comp. Gen. 739.)

(b) *During war or national emergency.* In time of war or national emergency a further sum of $150 for the purchase of required uniforms shall be paid to officers of the Marine Corps Reserve when they first report for active duty. The purchase of uniforms in this latter case is not a prerequisite.

(c) *Payment of uniform gratuities.* (1) When any of the above conditions, with respect to the $100 and $50 uniform gratuities have been met, claim will be submitted on Form NMC–890 and NMC–890a to the Paymaster, Headquarters, U. S. Marine Corps, Washington, D. C., for payment.

(2) The payment of the $150 uniform gratuity to former aviation cadets under section 11, Act of August 4, 1942, or the payment of the $150 uniform gratuity to commissioned and warrant officers upon first reporting for active duty in time of war or during a national emergency under the last proviso of section 302 of the Naval Reserve Act of 1938, will be made by the disbursing officer first taking up their accounts upon reporting for active duty by crediting the same on their pay vouchers. Disbursing officers subsequently taking up their pay accounts are not authorized to pay this gratuity without authority from Headquarters, Marine Corps.

(d) When claim for uniform gratuity of $100 is based upon completion of 14 drills, a certificate as to the completion of the required number of drills, signed by the battalion commander, will be submitted with the voucher.

UNIFORM

§ 7.13–160 *Uniform prescribed.* The uniform for officers and enlisted men of the Marine Corps Reserve shall be the same as that prescribed for corresponding ranks and grades of officers and enlisted men of the Regular Marine Corps.

§ 7.13–161 *Wearing of uniform*—(a) *At drills; on appropriate occasions.* Members of the Marine Corps Reserve shall wear the uniform of their rank and grade when at drills. They may wear such uniforms on appropriate occasions.

(b) *At a military school.* Marine Corps Reserve personnel employed in any capacity by a military school will not wear the Marine Corps uniform while performing such duty, except on specific authority of the Commandant of the Marine Corps, and when such authority is granted, they will wear the insignia of their rank in the Marine Corps Reserve. School insignia will not be worn on the Marine Corps uniform.

(c) *The Marine Corps Reserve service medal.* See chapter 8[1] for instructions on eligibility, wearing, and type.

(d) *Naval Reserve personnel.* Officers or enlisted men of the Naval Reserve, attached to and serving with an Organized Marine Corps Reserve unit, are eligible for the Marine Corps Reserve service medal under the same conditions as apply to members of the Marine Corps Reserve.

§ 7.13–162 *Eligibility, submission of claim, and payment of uniform gratuity.* For eligibility, submission of claim, and payment of uniform gratuity, see § 7.13–155.

§ 7.13–163 *Articles of uniform required*—(a) *Organized Reserve.* Reserve officers attached to an organized unit will provide themselves with such uniforms and equipment as prescribed by the Commandant of the Marine Corps.

(b) *For active or training duty.* Reserve officers ordered to active or training duty shall provide themselves with the following articles of uniform:

1 belt, officers', Model 1935, with 1 shoulder strap.[2]
1 belt, trousers, woven.[3]
1 boots or leggings, pair.[3]
1 cord, hat.[3]
1 hat, field.[3]
1 insignia of rank, pair.
1 ornament, cap and hat, service.
1 ornament, collar, service, pair.
1 scarf, service.[3]
3 shirts, khaki.[3]
2 shoes, brown, pairs.[3]

(1) *Additional articles required outside the Department of the Pacific:*

3 breeches, service, summer, pairs.[4]
1 buttons, coat, bronze, set.[4]
2 coats, service, summer.[4]
1 cap, service, summer.[3]
2 trousers, service, summer.[3 4]

(2) *Additional articles required in the Department of the Pacific.*

1 coat, service, winter (with buttons).[4]
1 breeches, service, winter.[4]
1 trousers, service, winter.[4]
1 cap, service, winter.[3]
2 breeches, service, summer.[4]
1 trousers, service, summer.[3 4]

(c) *Other articles allowed.* The procurement of regulation uniforms and equipment not specified above is optional unless an officer is ordered on some specific duty requiring their use.

SELECTION AND TRAINING OF AVIATION CADETS

§ 7.13–170 *Qualifications*—(a) *General requirements.* An applicant for appointment as Marine Corps Reserve aviation cadet must:

(1) Be a male citizen of the United States.

(2) Be not less than 20 years of age at time of appointment in the Marine Corps Reserve, and not over 27 years of age at the time the training course at Pensacola is completed.

(3) Be unmarried and remain so during first 2 years of training.

(4) Agree (with consent of parents or guardian, if a minor) to remain on active duty four years (including period of training duty at Pensacola), if such is authorized by the Commandant of the Marine Corps.

(5) Agree to maintain flying efficiency insofar as is practicable by associating himself with a Marine Corps Reserve aviation unit, after completing his training and required active duty.

(6) Be physically, mentally, morally, and psychologically qualified for appointment as an aviation cadet, in accordance with prescribed standards.

(7) Submit five letters of recommendation signed by persons of recognized standing in the community in which the applicant resides.

(b) *Educational requirements.* Not less than 2 years of training at an accredited college or university. Preference will be given to:

(1) Graduates.

(2) Those who have pursued a course in military science.

(3) Those who have pursued a course in aeronautical engineering.

(c) *Physical requirements.* Covered by Manual of the Medical Department, chapter 11. Provision should be made for submission of reports on Bureau of Medicine and Surgery Forms Y and Aviation No. 1.

NOTE: The minimum height of officers is 66 inches; maximum height 74 inches. Each selected applicant is an embryo officer and must qualify as such for appointment as an aviation cadet.

[1] Chapter 8, Marine Corps Manual, available at Headquarters, U. S. Marine Corps, Washington, D. C.

[2] Leather goods to be dark russet, dark brown, mahogany, or cordovan.

[3] These articles may be purchased from any depot, post, or reserve battalion, or squadron quartermaster.

[4] These articles, or buttons, and materials for making uniforms, may be purchased from the Depot Quartermaster, United States Marine Corps, 1100 South Broad St., Philadelphia, Pa.

§ 7.13–171 *Method of nomination and selection.* (a) Candidates shall be nominated by the commanding officers of Marine Corps Reserve aviation units.

(b) Applications and supporting papers, together with the recommendation of the nominating officer, will be forwarded to Headquarters, Marine Corps, for review and final selection by the Commandant of the Marine Corps.

(c) Candidates who have previously failed in flight training, due to unsatisfactory performance, in either an Army or Navy flight school, shall not be eligible for selection. This does not apply, however, to failure in elimination flight training at Naval Reserve aviation bases.

§ 7.13–172 *Records*—(a) *Forms.* The following forms will record the history of a private first class, USMCR (AV), and aviation cadet, USMCR, until he graduates or has failed in training:

Application Form.
Form N. Nav. 139 (revised 1935)—Elimination Flight Training.
Pensacola—NAS—Training School Record.

(b) *Application form.* The application form will be accomplished by all applicants. Only the original and supporting papers will be retained in the files at the Headquarters, Marine Corps.

(c) *Form N. Nav. 139.* Upon completion of elimination flight training, Form N. Nav. 139 will be completed and forwarded to Headquarters, Marine Corps. Under remarks on this form, one of the following statements shall be made:

(1) Qualified; recommended for appointment as aviation cadet, and flight training Pensacola, Fla.

(2) Qualified but in excess of allowed quota for this class; placed on eligible list for possible selection later.

(3) Failed elimination flight training.

(d) *Training-school record.* The training-school record of each student, upon completion of training or when the student has failed, is forwarded by the Commandant, Naval Air Station, Pensacola, Fla., to Headquarters, Marine Corps.

§ 7.13–173 *Flight training*—(a) *Phases of training.* The training will take place in three phases as follows:

(1) Elimination flight training as a private first class, USMCR(AV). This course will last about 30 days.

(2) Primary and advanced flight training at a designated naval air station, as an aviation cadet of the United States Marine Corps Reserve. This course is conducted in accordance with the same syllabus as is used for the Regular service and covers a period of about 12 months. Upon satisfactory completion of training at a designated naval air station, aviation cadets will be eligible for appointment as second lieutenants in the Marine Corps Reserve, with date of precedence as of the date of reporting for active duty undergoing training.

(3) Active duty in the aircraft squadrons of the United States Marine Corps as a second lieutenant of the Marine Corps Reserve, provided such duty is authorized by the Commandant of the Marine Corps. This duty will commence immediately after graduation at a designated naval air station, and will continue for a period of approximately 3 years.

(b) *Active duty undergoing training, and active duty.* Aviation cadets shall be deemed to be serving on "active duty undergoing training" while at a designated naval air station. Upon acceptance of appointment as second lieutenant in the Marine Corps Reserve, each officer shall be deemed to be on "active duty" as distinguished from "active duty undergoing training."

(1) Aviation cadets who fail to meet the prescribed requirements while undergoing training shall be released from active duty and discharged from the United States Marine Corps Reserve by the Commandant of the Marine Corps, by direction of the Secretary of the Navy.

(2) Aviation cadets shall be given an opportunity to be heard by the commandant of the naval air station at which their training is conducted, prior to being recommended for release and discharge, such commandants being hereby designated as the agencies by whom the aviation cadets may be heard.

(c) *Orders.* When the final selection of students has been made at Headquarters Marine Corps, instructions will be issued, by the Commandant of the Marine Corps, for the Inspectors-Instructors to enlist the selected candidates, at Naval Reserve aviation bases, and then assign them active duty for elimination flight training. Upon receipt of Form N. Nav. 139, which should be forwarded to Headquarters Marine Corps at the close of each elimination flight training class, those privates first class, USMCR (AV), who are qualified for further training will be selected within the quota allowed, appointed aviation cadets by the Secretary of the Navy, and orders issued for them to proceed to the naval air station, Pensacola, Fla., and report for active duty undergoing training.

§ 7.13–174 *Designations*—(a) *Student naval aviation pilots.* Privates first class, USMCR (AV), upon assignment to active duty for elimination flight training, will be designated student naval aviation pilots. The issuance of designations will be made by the commanding officer of the Naval Reserve aviation base to which the student is first ordered for elimination flight training, and will be revoked by him or by the officer in command of any training activity to which the student may later be attached at such time as he fails or his training is abandoned. It will not otherwise be revoked while he is in training in an enlisted status on active or inactive duty.

(b) *Student naval aviator.* If a student is appointed as aviation cadet by the Secretary of the Navy and further orders issued for him to report at the naval air station, Pensacola, Fla., he will be designated as a student naval aviator by the commandant, naval air station, Pensacola.

(c) *Naval aviators.* Upon successful completion of the flight course, his designation as a student naval aviator will be terminated and he will be designated as a naval aviator.

§ 7.13–175 *Pay and allowances*—(a) *Elimination flight training.* Upon reporting for elimination flight training, privates first class, USMCR (AV), will be entitled to the pay of a private first class, USMC, plus flight pay, subsistence allowance at the rate of $1.20 per diem, and where adequate quarters are not provided, quarters allowance at the rate of 75 cents per diem.

(b) *Active duty undergoing training.* While on active duty undergoing training at the naval air station, Pensacola, Fla., aviation cadets will receive pay at the rate of $75 per month, which pay shall include pay for flying risk as provided by law, plus a subsistence allowance at the rate of $1 per diem.

(c) *Active duty.* During the period of active duty as commissioned officers they will receive the pay and allowances of their rank.

(d) *Uniform allowance.* Upon acceptance of appointment as second lieutenant in the Marine Corps Reserve, with immediate assignment to active duty, each officer shall be paid a uniform allowance of $150. This allowance shall be paid by the paymaster handling the accounts of the officer concerned when he accepts his appointment. This disbursing officer will endorse the original order showing fact and date of such payment. Credit will be entered under "Paymaster's statement" with the following notation opposite the credit: "Uniform allow." A certified copy of the order detaching the officer from training and assigning him to active duty must be filed with the voucher on which credit is given and forwarded with the accounts of the disbursing officer concerned, in support of the payment of the uniform allowance.

(e) *Restriction on pay and allowances.* See § 7.13–150 (c) (2).

(f) *Travel.* For allowances while traveling see article 16–23.[1]

§ 7.13–176 *Insurance.* The basic law provides that while on active duty undergoing training, aviation cadets will be issued Government life insurance in the amount of $10,000, the premiums on which shall be paid out of the current appropriations for the Marine Corps Reserve, until commissioned, when the premiums will be checked against the officer's pay. In accordance with § 7.13–16, men selected for elimination flight training may apply for Government life insurance upon the completion of 16 days of their elimination flight training, the premiums of such part as may be in effect prior to appointment as aviation cadet to be paid by them. When an aviation cadet is commissioned in the Marine Corps Reserve and ordered to active duty the insurance shall be continued in force, but the premiums shall be deducted from the pay of the officer concerned and paid by allotment to the Treasurer of the United States, Veterans' Administration, Washington, D. C. When released from active duty or discharged they have the

[1] Article 16–23, Marine Corps Manual, is available at Headquarters, U. S. Marine Corps, Washington, D. C.

option of continuing the insurance at their own expense.

§ 7.13–177 *Compensation for injuries.* The provisions of section 304 of the Naval Reserve Act of 1938 (34 U.S.C. 855c) make the benefits authorized for civilian employees of the Government in the case of injury in the line of duty, or death resulting from such injury, applicable to privates first class, USMCR (AV), aviation cadets, USMCR, and second lieutenants, USMCR (AVC), while performing active military or naval service which shall include the performance of active duty with or without pay, training duty with or without pay, drills, equivalent instruction or duty, appropriate duty, or other prescribed duty, or while performing authorized travel to or from such duties. In case of injury, or death resulting from injury, commanding officers will be guided by § 7.13–15.

§ 7.13–178 *Bonus.* (a) When officers commissioned in the Marine Corps Reserve pursuant to the Naval Aviation Reserve Act of 1939 are released from active duty that has been continuous for 1 or more years, they are entitled to a lump sum payment of $500 for each complete year of active service excluding duty as aviation cadets undergoing training, and to pro rata part of such sum for fractional parts of each year of such duty; but if released from active duty at their own request or as a result of disciplinary action, the fractional part of the year in which released will not be included in computing the lump-sum payment. No lump-sum payment is authorized if the period of active service is less than 1 year.

(b) The lump-sum payments authorized herein are in addition to any pay, allowances, compensation, or benefits which such officers may otherwise be entitled to receive (Sec. 6, Naval Aviation Personnel Act of 1940).

§ 7.13–179 *Next of kin.* Enlistment papers and service records shall show the name and address of next of kin. Upon appointment as aviation cadets and in case of any subsequent change in the name or address of next of kin aviation cadets shall report to Headquarters Marine Corps the name and address of their next of kin.

§ 7.13–180 *Discharge.* Upon appointment as aviation cadet, USMCR, a private first class, USMCR (AV), will be issued a discharge as of the day preceding acceptance and oath of office as aviation cadet, and records as enlisted man closed out in accordance with articles 3–11 (e) and 3–22.[1]

§ 7.13–181 *Uniforms*—(a) *For elimination flight training.* Upon the reporting of enlisted students for elimination flight training, they will be issued the clothing specified in list I, below, which must last for the entire period of elimination flight training. This clothing will be furnished by the accountable officer of the Marine Corps Reserve aviation activities at the station or base concerned. Students who fail to successfully complete elimination flight training will be required to turn in all uniform clothing prior to relief from active duty.

(b) *For active duty undergoing training.* Upon reporting at the naval air station, Pensacola, Fla., for active duty undergoing training, aviation cadets, USMCR, will be issued the additional uniform clothing specified in list II, below, by the Post Quartermaster, Marine Barracks, Naval Air Station, Pensacola, Fla., as may be necessary. Additional articles of uniform, specified in list III, below, will be obtained from sources indicated and issued to aviation cadets, USMCR, after they have reported at the naval air station, Pensacola, Fla.

(c) *Upon successful completion of the flight course.* See § 7.13–175 (d).

LIST I—ELIMINATION TRAINING (TO BE ISSUED AT NAVAL RESERVE AVIATION BASES)

		Source
1	Belt, trousers, woven	Reg. stock.
2	Caps, garrison, service, summer, or if weather conditions warrant, 1 cap, garrison, service, winter.	Reg. stock.
4	Drawers, knee	Reg. stock.
2	Scarfs, service	Reg. stock.
1	Shoes, leather, pair	Reg. stock.
3	Shirts, cotton	Reg. stock.
4	Socks, cotton, pair	Reg. stock.
3	Trousers, service, summer; or if weather conditions warrant, 2 trousers, service, winter.	Reg. stock.
4	Undershirts, cotton	Reg. stock.
1	Clasp, collar	Reg. stock.
1	Gloves, leather, lined, pair (winter issue only)	Reg. stock.
1	Ornament, bronze, collar, pair	Reg. stock.

LIST II—ADVANCED AVIATION CADETS (TO BE ISSUED AT PENSACOLA)

		Source
1	Cap, garrison, service, winter, or if weather conditions warrant, 2 caps, garrison, service, summer.	Reg. stock.
4	Drawers, knee	Reg. stock.
1	Scarf, service, cotton	Reg. stock.
1	Scarf, black, officers	D. Q. P.
1	Shoes, leather, pair	Reg. stock.
5	Shirts, cotton	Reg. stock.
8	Socks, cotton, pair	Reg. stock.
2	Trousers, service, winter, or 5 trousers, service, summer	Reg. stock.
4	Undershifts, cotton	Reg. stock.

LIST III—ADVANCED AVIATION CADETS (TO BE ISSUED AT PENSACOLA)

		Source
1	Belt, officers', Model 1935, Complete	D. Q. P.
1	Ornament, bronze (cap and hat)	Reg. stock.
2	Coats, white (warrant officers)	D. Q. P.
1	Coat, dress (warrant officers)	D. Q. P.
1	Cap, dress (warrant officers)	D. Q. P.
1	Cap, white (warrant officers)	D. Q. P.
1	Cap, service, summer (warrant officers)	D. Q. P.
2	Coats, service, summer (warrant officers)	D. Q. P.
1	Shoes, white, pair	Local purchase.
1	Shoes, black, pair	Local purchase.
4	Socks, white, lisle, pair	Local purchase.
4	Socks, black, lisle, pair	Local purchase.
1	Insignia, bronze, pair	D. Q. P.
1	Insignia, gilt, pair	D. Q. P.
1	Ornaments, collar, dress, pair	Local purchase.
1	Ornaments, gold and silver plated, cap, dress	Local purchase.
4	Shirts, white	Local purchase.
4	Collars, white	Local purchase.
2	Trousers, white (warrant officers)	D. Q. P.
1	Trousers, dress (warrant officers)	D. Q. P.
2	Trousers, service, summer (warrant officers)	D. Q. P.

§ 7.13–182 *Commissioning in Regular Marine Corps.* (a) Naval Aviators of the Marine Corps Reserve, who are former aviation cadets, are eligible for appointment to the Regular Marine Corps, under the provisions of the Naval Aviation Personnel Act of 1940, in such numbers as the President may authorize and the authorized number of commissioned officers of the Marine Corps is increased accordingly.

(b) Such officers, on June 30 of the calendar year in which appointed, must have completed not less than 18 months of continuous active service next following the completion of their active duty as aviation cadets undergoing training and must have been less than 25 years of age upon successful completion of training as aviation cadets. They must also establish their moral, physical, mental, and professional qualifications to the satisfaction of the Secretary of the Navy. They will be appointed in the Regular Marine Corps in the same grade occupied by them in the Marine Corps Reserve at the time of such appointment and will take precedence in such grade in accordance with the provisions of § 7.13–41 (b).

(c) A board will be convened each year at Headquarters Marine Corps for

[1] Articles 3-11 (e) and 3-22, Marine Corps Manual, are available at Headquarters, U. S. Marine Corps, Washington, D. C.

the purpose of selecting recommended applicants for appointments in the Regular Marine Corps under the provisions of the Naval Aviation Personnel Act of 1940.

(d) To be eligible for consideration each applicant must meet the age and service requirements stated in paragraph (b) of this section and must be recommended therefor by his present commanding officer. Such recommendation must include a specific notation as to the moral and mental fitness of the applicant as determined from personal interview. No applicant selected shall be appointed in the Marine Corps until he shall have successfully passed a physical examination before a board of naval medical examiners.

(e) In computing the pay of officers so appointed, credit for longevity shall be given them for all service, including service as aviation cadets, with which they have heretofore been credited.

(f) Each officer so appointed to the grade of second lieutenant and each officer so appointed to a grade above that of second lieutenant, shall, respectively, become eligible for promotion or for consideration by a selection board as of the date the line officer next junior to him at the date of appointment becomes so eligible.

SELECTION AND TRAINING OF PLATOON LEADERS

§ 7.13–190 *Qualifications*—(a) *General requirements.* An applicant for enlistment for training as a platoon leader must:

(1) Be a male citizen of the United States.

(2) Be over 18 and less than 23 years of age at time of enlistment.

(3) Furnish written consent of parents or guardian to enlistment if a minor.

(4) Be a freshman or sophomore in an accredited college or university.

(5) Not be a medical, dental, or theological student.

(6) Sign an application for 6 weeks' active-duty training for the current year.

(7) Not be a member of any military organization, including Army and Navy R. O. T. C. units, except the Naval Militia.

(b) *Physical requirements.* Physical requirements, except height, are the same as prescribed for enlistment in the Regular Marine Corps. The following height standards will govern: Ages 18 to 20, inclusive, minimum height, 67 inches; Ages 21 to 23, inclusive, minimum height, 68 inches.

(c) *Moral requirements.* A student selected for this training must possess unquestioned moral integrity, better than average scholastic standing, and must be of commissioned-officer caliber as established by character, appearance, manner and bearing, and capacity for leadership.

(2) In their forwarding endorsements the organization commander and the Inspector-Instructor will make such comments and recommendations as they deem desirable with regard to the fitness of the applicant for assignment to the platoon leaders' class.

(d) *Transfer for training duty.* When ordered to training duty, platoon leaders will be transferred by staff returns to the training center, and upon return to inactive status will be transferred back to their respective districts or organizations.

(e) *Rank.* Upon his assignment to training duty with the platoon leaders' class, a member of the Organized Reserve so selected will be appointed or reduced to the rank of private first class for duty with the platoon leaders' class prior to transfer to the training center.

(f) *Orders for training duty.* Orders to training duty will be issued by the Commandant of the Marine Corps or as directed by him.

(g) *Transportation.* Transportation requests will be forwarded with orders to each platoon leader traveling on Government request. Subsistence en route will be paid after arrival at the training center.

§ 7.13–191 *Method of nomination and selection*—(a) *From accredited colleges and universities.* A list of accredited colleges and universities from which it is desired to enlist applicants will be compiled annually at Headquarters, United States Marine Corps, and a quota assigned to each school so selected. Recruiting officers will be designated by the Commandant of the Marine Corps to visit these schools to interview and enlist desirable applicants. Recruiting officers will make two visits to each school, the first one to contact authorities of the school and to accept applications; the second trip will be to enlist the applicants. Each visit will be made at a time when students are present and free from examinations.

(b) *Enlistment and assignment.* Each student will be enlisted as a private; appointed private first class without reference to the Commandant of the Marine Corps; assigned to Class III (d), Volunteer Marine Corps Reserve; and transferred by staff returns to the platoon leaders, unit of the Reserve district in which he permanently resides, by the officer who effects the enlistment.

(c) *Assignment from the Organized Reserve.* (1) Members of Organized battalions, squadrons, and units of the Marine Corps Reserve who have the qualifications listed in § 7.13–190, are eligible for assignment to the platoon leaders' class. A reservist desiring this assignment will submit his application to the Commandant of the Marine Corps via his organization commander and the Inspector-Instructor. This application will include the following information:

(i) Full name, rank, and organization of the applicant.
(ii) Date of birth.
(iii) College or university he is attending.
(iv) Graduating year of his class.
(v) Subject in which he is specializing.
(vi) Prior military training.
(vii) Present height and weight.

§ 7.13–192 *Training*—(a) *Time and place.* Each training period will be continuous for 6 weeks, beginning the first Sunday in July unless otherwise designated by the Commandant of the Marine Corps. The training will be conducted at such posts as may be designated by the Commandant of the Marine Corps and will be under the supervision of the Commandant, Marine Corps Schools.

(b) *Training schedule.* A training program will be prepared by the Commandant, Marine Corps Schools, and submitted to the Commandant of the Marine Corps for approval by April 15 of each year.

(c) *Training, advanced course.* All members of the advanced course will be assigned to training duty as privates first class for a period of 4 weeks, after which they will, if qualified, be commissioned second lieutenants, Marine Corps Reserve, and assigned to 2 weeks' training duty with troops. Applicants for the advanced course will comply with § 7.13–194 prior to being assigned and furnished travel orders to the place of training.

(d) *Relief from training.* The Commandant, Marine Corps Schools, and the Commanding General, Marine Corps Base, Naval Operating Base, San Diego, Calif., are authorized to relieve from training duty and return home any member of the platoon leaders' class for any of the following reasons:

(1) Because of obvious inaptitude for the military service; i. e., failure to meet the standards demanded of a platoon leader.

(2) Because of physical defect discovered by a board of medical examiners.

(3) Upon request of the individual.

§ 7.13–193 *Organization*—(a) *Class.* Classes will be formed as separate organizations and will be designated as "Eastern (Western) Platoon Leaders' Class, 19—."

(b) *Junior course.* The basic group, consisting of newly enlisted students undergoing their first period of training, will be assigned to the junior course.

(c) *Senior course.* Students taking the second year of training will be assigned to the senior course.

(d) *Advanced course.* Students who have completed the required two periods of training and return for the third period of training will be assigned to the advanced course.

§ 7.13–194 *Commission in the Marine Corps Reserve.* After qualifying for commission by the successful completion of the senior course to receive a commission as a second lieutenant in the Marine Corps Reserve, an applicant must:

(a) Make application, in writing, for appointment to commissioned rank in the Marine Corps Reserve.

(b) Furnish documentary evidence of graduation with a degree from college. Graduates of the senior course who do not possess a degree from college must meet the educational qualifications prescribed for noncommissioned officer applicants for regular commissions. Commissions in such cases, however, will not be issued until the normal date of graduation from college of those members of the same platoon leaders' class who complete their college course.

(c) Furnish birth certificate or sworn affidavit of parents showing date and place of birth.

(d) Furnish a report of physical examination on Bureau of Medicine and Surgery Form Y, in duplicate.

§ 7.13–195 *Commission in the Regular Marine Corps*—(a) *Eligibility for consideration.* Graduates of the senior course of the Eastern and Western Platoon Leaders' Classes, who have made outstanding records during both the junior and senior courses, and have completed such further service as the Commandant of the Marine Corps may decide, will be eligible for consideration for commission in the U. S. Marine Corps in accordance with the needs of the service, provided they possess the following additional qualifications:

(1) Desire to be officers of the United States Marine Corps.

(2) Have not attained the age of 25 years on date of commissioning.

(3) Are citizens of the United States.

(4) Are unmarried.

(5) Meet the physical requirements for appointment to commissioned rank in the United States Marine Corps.

(b) *Educational qualifications.* The educational qualifications for applicants appointed under the provisions of this section will be as prescribed for noncommissioned officer applicants for regular commissions.

§ 7.13–196 *Discharge.* For discharge from the Marine Corps Reserve, see § 7.13–112.

§ 7.13–197 *Pay and allowances.* Members of the platoon leaders' class are entitled to the pay and allowances of a private, first class, Marine Corps Reserve, while on training duty.

§ 7.13–198 *Clothing*—(a) *Issue.* The quartermasters of the commands where reservists report for training duty with the platoon leaders' classes will issue the following articles of clothing. The triplicate copy of the issue slip will be securely placed in the back of the service-record book,

2 belts, trousers, woven.
1 cap, garrison, S. S.
6 Chevrons, S. S. Pfc., sets.
1 coveralls.
6 drawers, knee.
1 hat, field.
2 leggings, canvas, pairs.
1 ornament, bronze (cap and hat).
1 ornament, collar, bronze, pair.
6 scarfs, service, cotton.
6 shirts, cotton.
2 shoes, leather, pairs.
6 socks, wool, pairs.
6 trousers, service, summer.
6 undershirts, cotton.

(b) *Reissues.* For the purpose of issue or reissue to platoon leaders, both new, clean, and serviceable recovered articles of clothing may be issued as available, except that underwear, socks, and shoes shall not be reissued to another individual.

(c) *Recovery*—(1) *Junior course.* Upon completion of the training period, members of the junior course will be required to turn in all clothing except shoes in separate packages for reissue to them in the following year. Shoes will be retained and cared for by the individual for use during the following year.

(2) *Senior course.* Upon completion of the training period, members of the senior course will be required to turn in all articles of clothing except underwear, socks, and shoes.

(3) *Advanced course.* Upon completion of the training period, members of the advanced course will be permitted to retain all articles of clothing issued to them except ornaments.

(4) *Disposition.* All articles of recovered clothing found to be unserviceable or otherwise unsuitable for reissue will be surveyed or otherwise disposed of as may be directed by the Commandant of the Marine Corps.

(d) *Replacements.* When members of the senior course report for duty the accountable officers mentioned in paragraph (a) of this section are authorized to replace such of the articles listed as are unserviceable due to wear during the preceding period of training; the replacement issue to be made as specified in paragraph (a) of this section for initial issue.

§ 7.13–199 *Reports and records*—(a) *Reports.* Upon the termination of each year's period of training, the commandant, Marine Corps Schools, Quantico, Va., or the Commanding General, Marine Corps Base, Naval Operating Base, San Diego, Calif., will submit the Commandant of the Marine Corps, a report on the platoon leaders' class embodying the following:

(1) List of those recommended for designation as honor graduates (5 percent of the current senior course).

(2) List of members of senior course recommended for reserve commissions, in order of their final class standings. (See § 7.13–194.)

(3) List of members of senior course recommended for disenrollment, stating reason in each case for such recommendation.

(4) List of members of junior course recommended for further training.

(5) List of members of junior course recommended for disenrollment, stating reason in each case for such recommendation.

(6) List of all members of platoon leaders' class relieved from training duty and returned to inactive status prior to completion of training period, stating reason in each case, and stating whether the men are recommended for disenrollment or for further training.

(7) Other information and recommendations.

(b) *Platoon leaders' record card.* Platoon leaders' record card, Form NMC–111, will be kept in the case of each member of the platoon leaders' class, and upon separation of any member of the class by graduation, discharge, disenrollment, or other cause, the record cards for that man will be forwarded to the Director, Personnel Department, for file with his military record.

LIEUT. GEN. T. HOLCOMB,
Commandant of the Marine Corps.

Approved:

JAMES FORRESTAL,
Acting Secretary of the Navy.

[F. R. Doc. 43–19344, Filed December 3, 1943; 2:43 p. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 115–B]

PART 95—CAR SERVICE

FRUITS AND VEGETABLES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 2d day of December, A. D. 1943.

Upon further consideration of the provisions of Corrected Service Order No. 115 (8 F.R. 4266) of April 1, 1943, as amended (8 F.R. 6480; 8 F.R. 13262; 8 F.R. 14224) and good cause appearing therefor: It is ordered, That:

§ 95.306 *Cars of fruits and vegetables not to be held for diversion, reconsignment, or orders.* Corrected Service Order No. 115 (8 F.R. 4266) of April 1, 1943, as amended (8 F.R. 6480; 8 F.R. 13262; 8 F.R. 14224), be, and it is hereby, suspended until March 5, 1944. (40 Stat 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)–(17).)

It is further ordered, that this order shall become effective at 12:01 a. m., December 5, 1943; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43–19431; Filed, December 4, 1943; 11:45 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591) as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Woman's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F. R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations May 16, 1941 (6 F.R. 2446), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Baldwin Shirt Co., 2400 Broadway, Parsons, Kansas; shirts, nightshirts, pajamas, girls' gym suits; 5 learners (T); effective December 8, 1943, expiring December 7, 1944.

Frackville Manufacturing Company, Inc., Broad Mt. Avenue and Oak Streets, Frackville, Pennsylvania; pajamas and nightshirts; 10 percent (T); effective December 3, 1943, expiring December 2, 1944.

Hegins Manufacturing Co., Inc., Maple Street, Hegins, Pennsylvania; boys' shirts; 10 percent (T); effective December 4, 1943, expiring December 3, 1944.

F. Jacobson & Sons, Inc., East Vine Street, Salisbury, Maryland; army shirts; 10 percent (T); effective December 4, 1943, expiring December 3, 1944.

F. Jacobson & Sons, Inc., 127 Arch Street, Albany, New York; civilian shirts and pajamas, army shirts and hospital pajamas; 10 percent (T); effective December 4, 1943, expiring December 3, 1944.

F. Jacobson & Sons, Inc., Smith and Cornell Streets, Kingston, New York; men's shirts; 10 percent (T); effective December 4, 1943, expiring December 3, 1944.

F. Jacobson & Sons, Inc., Jay & River Streets, Troy, New York; men's and army pajamas; 10 percent (T); effective December 4, 1943, expiring December 3, 1944.

S. Liebovitz & Sons, Inc., Snow Hill, Maryland; sport shirts; 10 learners (T); effective December 4, 1943, expiring December 3, 1944.

S. Liebovitz & Sons, Inc., Pine, Oak and Hemlock, Hazleton, Pennsylvania; men's dress and military shirts; 10 percent (T); effective December 15, 1943, expiring December 14, 1944.

H. Linsk & Company, Inc., Westville, New Jersey; children's cotton dresses; 5 learners (T) effective December 1, 1943, expiring November 30, 1944.

R. Lowenbaum Manufacturing Company, 2225 Locust Street, St. Louis, Missouri; junior dresses; 10 learners (T); effective December 4, 1943, expiring December 3, 1944.

Lucas Manufacturing Company, Rear 420 Walnut Street, Columbia, Pennsylvania; children's cotton wash dresses, play togs, slack suits; 10 percent (T); effective December 8, 1943, expiring December 7, 1944.

Madison Dress Company, Wyoming and Green Streets, Feeley Building, Hazleton, Pennsylvania; women's dresses; 10 learners (T); effective December 15, 1943, expiring Decembr 14, 1944.

S. Mover and Son, 33 Harrison Avenue, Boston, Massachusetts; ladies' sportswear, skirts; 10 learners (T); effective December 8, 1943, expiring December 7, 1944.

Nora Lee Lingerie Company, Inc., Church Street, Granville, New York; ladies' nightgowns, slips and panties; 10 learners (T); effective December 1, 1943, expiring November 30, 1944.

New England Company, 80 Langdon Street, Roxbury, Massachusetts; white duck clothing, work clothing, government garments; 10 percent (T); effective December 11, 1943, expiring December 10, 1944.

Pinckneyville Manufacturing Company, First and South Streets, Pinckneyville, Illinois; dresses, WAC uniforms and nurses' jackets; 10 percent (T); effective December 15, 1943, expiring December 14, 1944.

Irving Reznick, Church and Maple Streets, Salem, Illinois; cotton dresses, uniforms; 25 learners (E); effective December 1, 1943, expiring May 31, 1944.

Schaefferstown Garment Company, Schaefferstown, Pennsylvania; men's government pajamas; 10 learners (T); effective December 8, 1943, expiring December 7, 1944.

I. Taitel & Son, Prettyman Street, Knox, Indiana; trousers; 10 percent (T); effective December 8, 1943, expiring December 7, 1944.

Valmor Undergarment Company, 118 Ninth Street, Passaic, New Jersey; ladies' underwear; 10 learners (T); effective December 1, 1943, expiring November 30, 1944.

The Van Wert Manufacturing Company, 201–203 Main Street, Van Wert, Ohio; men's pants, overalls, jackets and work shirts; 10 percent (T); effective December 1, 1943, expiring November 30, 1944.

Wee Tog Manufacturing Company, Amber and Willard Streets, Philadelphia, Pennsylvania; children's dresses; 10 percent (T); effective December 15, 1943, expiring December 14, 1944.

Wiener & Co., 725 Arch Street, Philadelphia, Pennsylvania; beachwear and bathing trunks; 10 percent (T); effective December 8, 1943, expiring December 7, 1944.

White Fabric Company, 1954 University Avenue, St. Paul, Minnesota; nurses' uniforms; 2 learners (T); effective December 1, 1943, expiring November 30, 1944.

GLOVES INDUSTRY

Good Luck Glove Company, Washington and College Streets, Carbondale, Illinois; work gloves; 30 learners (AT); effective December 1, 1943, expiring May 31, 1944.

Milwaukee Glove Company, 807 S. 14th Street, Milwaukee, Wisconsin; leather dress and work gloves; 5 learners (T); effective December 6, 1943, expiring December 5, 1944.

HOSIERY INDUSTRY

Jackson Hosiery Mills, Inc., 1811 English Street, High Point, North Carolina; seamless hosiery; 5 percent (T); effective December 1, 1943, expiring November 30, 1944.

The Locke Hosiery Mills, 4937 Mulberry Street, Philadelphia, Pennsylvania; seamless hosiery; 8 learners (AT); effective December 1, 1943, expiring May 31, 1944.

Montgomery Knitting Mill, Commerce Street, Summerville, Georgia; seamless hosiery; 20 percent (AT); effective December 4, 1943, expiring June 3, 1944.

Rambo & Regar, Inc., Main below Ford Street, Norristown, Pennsylvania; seamless hosiery; 25 learners (AT); effective December 29, 1943, expiring June 28, 1944.

Rambo & Regar, Inc., Main below Ford Street, Norristown, Pennsylvania; seamless hosiery; 5 percent (T); effective December 4, 1943, expiring December 3, 1944.

TELEPHONE INDUSTRY

Citizens Telephone Company, Higginsville, Missouri; to employ learners as commercial switchboard operators at its Higginsville exchange, located at Higginsville, Missouri; effective December 4, 1943, expiring December 3, 1944.

Hamilton County Farmers Telephone Association, 1109 K Street, Aurora, Nebraska; to employ learners as commercial switchboard operators at its Aurora exchange, located at 1109 K Street, Aurora, Nebraska; effective December 4, 1943, expiring December 3, 1944.

KNITTED WEAR INDUSTRY

Clifton Underwear Mills, Inc., 173 Beechwood Avenue, New Rochelle, New York; knitted underwear; 5 learners (T); effective December 6, 1943, expiring December 5, 1944.

Rathgeb Knitting Mills, Milton Avenue, Highland, New York; knitted outerwear; 5 learners (T); effective December 6, 1943, expiring December 5, 1944.

Van Raalte Company, Inc., 84 Sweeney Street, North Tonawanda, New York; cotton and rayon flat knit goods; 5 percent (T); effective December 6, 1943, expiring December 5, 1944.

TEXTILE INDUSTRY

Bonita Ribbon Mill, Inc., Brewton, Alabama; narrow rayon ribbon; 3 percent (T); effective December 1, 1943, expiring November 30, 1944.

Culpeper Textile Mills, Inc., Culpeper, Virginia; linings, dress goods, underwear; 6 learners (AT); effective December 2, 1943, expiring June 1, 1944.

Signed at New York, N. Y., this 4th day of December, 1943.

ISABEL FERGUSON,
Authorized Representative of the Administrator.

[F. R. Doc. 43–19465; Filed December 6, 1943; 11:18 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. SA–87]

ACCIDENT OCCURRING NEAR BELOIT, WISC.

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC32572 and NC39015 which occurred near Beloit, Wisconsin, on November 29, 1943.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding,

that hearing is hereby assigned to be held on Wednesday, December 8, 1943, at 9:30 a. m. (CWT) in the Post Office Building, Beloit, Wisconsin.

Dated at Washington, D. C., December 4, 1943.

[SEAL] W. K. ANDREWS,
Presiding Officer.

[F. R. Doc. 43-19450; Filed, December 6, 1943; 10:03 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4987]

SEALY, INC., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 3d day of December, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Webster Ballinger, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, December 13, 1943, at ten o'clock in the forenoon of that day (Central Standard Time), in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence, with his conclusions of fact, and law and his recommendation for appropriate action by the Commission.

By direction of the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 43-19451; Filed, December 6, 1943; 10:42 a. m.]

INTERSTATE COMMERCE COMMISSION.

[Special Permit 4 Under S. O. 70-A]

SHIPMENT OF VEGETABLES

RECONSIGNMENT OF CARS

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, November 27 to 30, 1943, inclusive, by L. S. Taube Company, of Cars PFE 94440 to Jackson, Mississippi, PFE 1905 to Middlesboro, Kentucky, PFE 50474 to Harlingen, Texas, NWX 7122, ART 15471, and PFE 42368 to unnamed points, all loaded with potatoes.

The waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of November 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-14919; Filed, December 4, 1943; 11:45 a. m.]

[Special Permit 5 Under S. O. 70-A]

SHIPMENT OF VEGETABLES

RECONSIGNMENT OF CARS

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, by La Mantia Brothers Arrigo, of car ART 18831, tomatoes, to Linck Brokerage Company, Danville, Illinois. (In on R. I.—out via Big 4.)

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of November 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-19420; Filed, December 4, 1943; 11:45 a. m.]

[Special Permit 6 Under S. O. 70-A]

SHIPMENT OF VEGETABLES

RECONSIGNMENT OF CARS

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Detroit, Michigan, of cars MDT 18187 and PFE 63095, potatoes, from Presque Isle and Ashland, Maine, to C. F. Smith, Detroit, Michigan; reconsigned to E. H. Anderson and Company, Chicago, Illinois; reconsigned due to restriction in Michigan State law when bags not properly marked with correct grade.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of December 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-19421; Filed, December 4, 1943; 11:45 a. m.]

[Special Permit No. 4 Under S. O. 164, Amendment]

SHIPMENT OF CITRUS FRUITS

STANDARD REFRIGERATION

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration to refrigerator cars loaded with straight carloads of tangerines, originating at any point or points in the State of Florida, moving to destinations in official and western classification territories and western Canada, provided the waybills make reference to this permit.

This permit shall become effective at 12:01 a. m., November 28, 1943, and shall expire at 12:01 a. m., January 1, 1944.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of November 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43-19422; Filed, December 4, 1943; 11:46 a. m.]

[Special Permit 5 Under S. O. 164]

SHIPMENT OF CITRUS FRUITS

STANDARD REFRIGERATION

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any com-

mon carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration on car ART 18849, tangerines, from Rio Grande Valley Citrus Exchange, Mission, Texas, December 1, 1943, to North American Distributors, Vancouver, British Columbia, Canada, (MP–CB&Q–GN)

The waybill shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of December 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43–19423; Filed, December 4, 1943; 11:46 a. m.]

[Special Permit 6 Under Service Order 164]

SHIPMENT OF CITRUS FRUITS

STANDARD REFRIGERATION

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration on car PFE 41952, tangerines, from Rio Grande Valley Citrus Exchange, Edinburg, Texas, December 1, 1943, to Ches Brothers, Vancouver, British Columbia, Canada. (SP–Frisco–CB&Q–GN)

The waybill shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of December 1943.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 43–19424; Filed, December 4, 1943; 11:46 a. m.]

[S. O. 167]

CANNED OR PRESERVED FOODSTUFFS, MALT LIQUORS AND WINES

USE OF REFRIGERATOR CARS

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

It appearing, that the movement of canned or preserved foodstuffs (not cold-pack), beer and other malt liquors, or wines in refrigerator cars diminishes the use of such cars acutely needed for the transportation of perishable freight; in the opinion of the Commission an emergency exists requiring immediate action to prevent a shortage of refrigerator cars: it is ordered, that:

(a) *Use of refrigerator cars for canned or preserved foodstuffs (not cold-pack), beer and other malt liquors, or wines.* No common carrier by railroad subject to the Interstate Commerce Act shall transport or move in a standard or giant refrigerator car or cars (RS Type) canned or preserved foodstuffs (not cold-pack), beer and other malt liquors, or wines without a permit issued by the agent of the Interstate Commerce Commission named in paragraph (d) of this order.

(b) *Tariff provisions suspended.* The operation of all tariff rules or regulations providing for the use of standard or giant refrigerator cars (RS Type) for the transportation of canned or preserved foodstuffs (not cold-pack), beer and other malt liquors, or wines is hereby suspended.

(c) *Application.* The provisions of this order shall not be construed to prohibit the shipment of canned or preserved foodstuffs (not cold-pack), beer and other malt liquors, or wines in refrigerator cars authorized under Service Order No. 104, as amended, nor to the transportation of such commodities west-bound in such refrigerator cars to points in the States of Montana, Oregon, or Washington, or west-bound within those states.

(d) *Special and general permits.* The provisions of this order shall be subject to any special or general permits to be issued by Robert B. Hoffman, Manager, Refrigerator Car Section, Car Service Division, Association of American Railroads, 59 East Van Buren Street, Chicago, Illinois, as agent of the Interstate Commerce Commission; and Robert B. Hoffman is hereby appointed as agent of the Interstate Commerce Commission and authorized to issue permits for the movement of canned or preserved foodstuffs (not cold-pack), beer and other malt liquors, or wines in refrigerator cars under exceptional circumstances or when weather conditions require the use of refrigerator cars.

(e) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(f) *Suspension of Service Order No. 93.* The provisions of Service Order No. 93 (7 F.R. 8903) of October 30, 1942, as amended (8 F.R. 13752–53; 8 F.R. 13925) are hereby suspended insofar as inconsistent with the provisions of this order from 12:01 a. m. December 7, 1943, until 12:01 a. m. December 21, 1943.

(g) *Suspension of Service Order No. 165.* The provisions of Service Order No. 165 (8 F.R. 16172) of November 23, 1943, are hereby suspended from 12:01 a. m. December 7, 1943, until 12:01 a. m. December 21, 1943. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)–(17))

It is further ordered, that this order shall become effective at 12:01 a. m. December 7, 1943, and shall expire at 12:01 a. m. December 21, 1943; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 43–19432; Filed, December 4, 1943; 11:45 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 258, as amended, Amendment]

JOSEPH FEILER AND HELENE FEILER

In re: Certain real and personal property in Brooklyn, New York, owned by Joseph Feiler and Helene Feiler.

Vesting Order Number 258, dated October 28, 1942, as amended, is hereby further amended to read as follows:

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 address of both Joseph Feiler and Helene Feiler, his wife, is Berlin, Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Joseph Feiler and Helene Feiler, his wife, are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the Borough of Brooklyn, County of Kings, City and State of New York, and particularly described as follows; 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:

(1) Beginning at a point on the Northeasterly side of Joralemon Street distant one hundred and seventy-six feet, ten inches, Northeasterly from the corner formed by the intersection of the Northeasterly side of Joralemon Street with the Northwesterly side of Hicks Street; running thence Northwesterly along the Northeasterly side of Joralemon Street, twenty feet, ten inches, thence Northeasterly at right angles to Joralemon Street and part of the distance through a party wall, sixty-nine feet, one inch to land former of Harriet L. Packer; thence Southeasterly along the said land of Harriet L. Packer, twenty feet, ten inches to a point where the same would be intersected by a line drawn at right angles to Joralemon Street, from the point of the Beginning; thence Southwesterly at right angles to Joralemon Street and part of the distance through a party wall sixty-eight feet, ten

inches to the Northeasterly side of Joralemon Street at the point or place of Beginning.

Said Premises being known as 61 Joralemon Street;

(2) Beginning at a point on the Northwesterly side of Willow Place distant three hundred and sixty-two feet, nine inches, Northeasterly from the corner formed by the intersection of the Northwesterly side of Willow Place, with the Northwesterly side of State Street running thence Northeasterly along the Northwesterly side of Willow Place, sixteen feet, three inches; thence Northwesterly parallel with State Street and part of the distance through a party wall seventy-three feet to a line, drawn parallel with and distant seventy-eight feet Southeasterly from the southeasterly side of Columbia Place, thence Southwesterly along said line drawn parallel with Columbia Place, sixteen feet, three inches to a point where the same would be intersected by a line drawn parallel with State Street from the point or place of Beginning; thence Southeasterly parallel with State Street and part of the distance through a party wall, seventy-two feet, eleven and a half inches to the Northwesterly side of Willow Place at the point or place of Beginning.

b. All right, title, interest and claim of any name or nature whatsoever, of Joseph Feiler and Helene Feiler, his wife, and each of them in and to all indebtedness, contingent or otherwise, and whether or not matured, owing to Joseph Feiler and Helene Feiler, his wife, or either of them, by Justin Winter, 410 Central Park West, New York, New York, including but not limited to any and all collateral for any and all of such indebtedness and the right to enforce and collect such indebtedness,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraph 3–b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a 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 (Germany);

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 in subparagraph 3–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3–b hereof,

All such property so vested 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 November 19, 1943.

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

[F. R. Doc. 43–19384; Filed December 4, 1943; 11:04 a. m.]

[Vesting Order 1237]

DURAND & CIE

In re: Copyright interests of Durand & Cie.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Durand & Cie, a company organized under the laws of France, which has its principal place of business at Paris, France, is a national of a foreign country (France);

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and the several States thereof, of the aforesaid Durand & Cie, of Paris, France, in, to and under the following:

(a) Every copyright, claim of copyright and right to copyright in each and all of the works designated in Exhibits A, B, C, D, E, F, and G, all of which exhibits are attached hereto and hereby made a part hereof; [1]

(b) Every copyright, claim of copyright and right to copyright in each and all of the works subject to copyright, in which such rights and claims are held by the aforesaid Durand & Cie, whether or not such works are specifically designated in this order;

(c) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

(d) All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

(e) All rights of reversion or revesting, if any, in any or all of the foregoing;

(f) All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

(g) All right, title or interest in any paper or other copies of the works described in the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, a national of a foreign country;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States: *Provided, however,* That this order shall not vest any right of any person to renew any copyright in any or all of the works above described.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on April 12, 1943.

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

[F. R. Doc. 43–19400; Filed, December 4, 1943; 11:17 a. m.]

BUREAU INTERNATIONAL DE L'EDITIONS MECHANIQUE (B. I. E. M.)

[Vesting Order 2095]

In re: Certain rights under copyrights in which interests are held by Bureau International de l'Editions Mechanique (B. I. E. M.) and members thereof.

Under the authority of the Trading with the Enemy Act, as amended, and

[1] Filed as part of the original document.

Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that Bureau International de l'Editions Mechanique (B. I. E. M.) is an organization created and operating under the laws of, and has its principal place of business in, and therefore is a national of a foreign country (France);

2. Finding that the members of Bureau International de l'Editions Mechanique (B. I. E. M.) are residents of, and therefore are nationals of foreign countries;

3. Finding that the property described in subparagraph 4 hereof is the property of Bureau International de l'Editions Mechanique (B. I. E. M.) and/or of the members thereof;

4. Finding that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several states thereof, of Bureau International de l'Editions Mechanique (B. I. E. M.) and/or each and every member thereof, in, to, and under the following:

a. Every right under copyright, claim of copyright or right to copyright in and for the arrangement or setting of each musical composition or the melody thereof, in any system of notation or any form of record in which the thought of an author may be recorded and from which it may be read or reproduced, so far as such rights secure copyright or rights to copy right controlling the parts of instruments serving to reproduce mechanically any and all musical compositions in which such rights are held by Bureau International de l'Editions Mechanique (B. I. E. M.) and/or each and every member thereof;

b. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

c. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

d. All rights of reversion or revesting, if any, in any or all of the foregoing;

e. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing.

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on September 4, 1943.

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

[F. R. Doc. 43–19385; Filed December 4, 1943; 11:04 a. m.]

[Vesting Order No. 2096]

GERMAN MUSIC PUBLISHERS

In re: Copyright interests held by German music publishers.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person whose name and last known address is listed in Exhibit A attached hereto and by reference made a part hereof, if an individual is a resident of, or if a business organization is organized under the laws of, and therefore is a national of the foreign country appearing after his or its respective name;

2. Finding that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in said Exhibit A, in, to and under the following:

a. Every copyright, claim of copyright and right to copyright in each and all of the compositions described in the assignments registered in the Copyright Office on the dates stated and on the respective books and pages described in said Exhibit A, held by the individuals and companies, and each of them, whose names and last known addresses are listed in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works subject to copyright, in which such rights and claims are held by the persons designated in said Exhibit A, whether or not such works are specifically designated in this Order;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

g. All right, title or interest in any paper or other copies of the works described in the foregoing;

is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on September 4, 1943.

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

EXHIBIT A

Names and addresses of individuals and companies holding interests under copyrights:	*Description of assignments of copyrights, date of entry, book and page*
Ed. Bote & G. Bock, Berlin, Germany	Apr. 29, 1929; 219; 158-181.
Ed. Bote & G. Bock, Berlin, Germany	Apr. 14, 1930; 244; 33-44.
Ed. Bote & G. Bock, Berlin, Germany	Sept. 20, 1930; 254; 15-18.
Ed. Bote & G. Bock, Berlin, Germany	Nov. 21, 1931; 279; 101-104.
Ed. Bote & G. Bock, Berlin, Germany	Apr. 15, 1933; 300; 65-69.
Ed. Bote & G. Bock, Berlin, Germany	Aug. 19, 1933; 304; 180-184.
Ed. Bote & G. Bock, Berlin, Germany	May 29, 1934; 315; 238-241.
Ed. Bote & G. Bock, Berlin, Germany	Sept. 20, 1935; 337; 163-166.
Ed. Bote & G. Bock, Berlin, Germany	Feb. 24, 1937; 366; 133-137.
Ed. Bote & G. Bock, Berlin, Germany	Aug. 22, 1938; 401; 95-97.
Ed. Bote & G. Bock, Berlin, Germany	Apr. 8, 1940; 436; 252-256a.
Breitkopf & Härtel, Leipzig, Germany	Nov. 18, 1930; 258; 52-138.
Breitkopf & Härtel, Leipzig, Germany	Jan. 9, 1932; 281; 248-250.
Breitkopf & Härtel, Leipzig, Germany	Feb. 28, 1933; 298; 108-113.
Breitkopf & Härtel, Leipzig, Germany	Dec. 12, 1933; 308; 159-164.
Breitkopf & Härtel, Leipzig, Germany	Oct. 23, 1934; 321; 173-175.
Breitkopf & Härtel, Leipzig, Germany	May 24, 1935; 332; 122-125.
Breitkopf & Härtel, Leipzig, Germany	Nov. 5, 1935; 340; 12-15.
Breitkopf & Härtel, Leipzig, Germany	Jan. 6, 1937; 364; 12-15.
Breitkopf & Härtel, Leipzig, Germany	Feb. 18, 1938; 390; 237-241.
Breitkopf & Härtel, Leipzig, Germany	Sept. 21, 1938; 402; 152-156.
Breitkopf & Härtel, Leipzig, Germany	Apr. 8, 1940; 436; 245-251.
C. F. Kahnt, Leipzig, Germany	Apr. 15, 1937; 369; 118-120.
F. E. C. Leuckart, Leipzig, Germany	June 5, 1929; 222; 168-181.
F. E. C. Leuckart, Leipzig, Germany	Jan. 6, 1930; 237; 30-37.
F. E. C. Leuckart, Leipzig, Germany	June 5, 1930; 247; 184-190.
F. E. C. Leuckart, Leipzig, Germany	Mar. 20, 1931; 266; 50-53.
F. E. C. Leuckart, Leipzig, Germany	June 14, 1932; 289; 176-178.
F. E. C. Leuckart, Leipzig, Germany	Oct. 20, 1933; 306; 191-194.
F. E. C. Leuckart, Leipzig, Germany	Aug. 14, 1934; 319; 18-20.
F. E. C. Leuckart, Leipzig, Germany	Nov. 12, 1935; 340; 59-61.
F. E. C. Leuckart, Leipzig, Germany	Jan. 12, 1937; 364; 63-65.
F. E. C. Leuckart, Leipzig, Germany	Oct. 5, 1937; 383; 66-69.
F. E. C. Leuckart, Leipzig, Germany	Nov. 23, 1938; 405; 231-234.
Adolph Nagel, Hanover, Germany	March 14, 1936; 346; 220-222a.
B. Schott's Söhne, Mainz, Germany	June 5, 1929; 222; 182-227.
B. Schott's Söhne, Mainz, Germany	Feb. 26, 1930; 241; 61-73.
B. Schott's Söhne, Mainz, Germany	July 2, 1930; 249; 197-200.
B. Schott's Söhne, Mainz, Germany	Sept. 13, 1930; 253; 119-121.
B. Schott's Söhne, Mainz, Germany	Jan. 31, 1931; 263; 108-111.
B. Schott's Söhne, Mainz, Germany	June 26, 1931; 272; 180-183.
B. Schott's Söhne, Mainz, Germany	Dec. 15, 1931; 280; 123-125.
B. Schott's Söhne, Mainz, Germany	May 19, 1932; 288; 192-194.
B. Schott's Söhne, Mainz, Germany	Oct. 1, 1932; 292; 187-189.
B. Schott's Söhne, Mainz, Germany	Dec. 6, 1932; 295; 102-104.
B. Schott's Söhne, Mainz, Germany	July 26, 1933; 303; 310-313.
B. Schott's Söhne, Mainz, Germany	Oct. 25, 1934; 321; 273-276.
B. Schott's Söhne, Mainz, Germany	May 2, 1935; 331; 42-43.
B. Schott's Söhne, Mainz, Germany	June 12, 1935; 333; 48-51.
B. Schott's Söhne, Mainz, Germany	Jan. 14, 1936; 343; 197-199.
B. Schott's Söhne, Mainz, Germany	July 11, 1936; 354; 73-76.
B. Schott's Söhne, Mainz, Germany	Apr. 24, 1937; 369; 216-219.
B. Schott's Söhne, Mainz, Germany	Aug. 11, 1937; 377; 197-199.
B. Schott's Söhne, Mainz, Germany	July 19, 1938; 399; 201-205.
B. Schott's Söhne, Mainz, Germany	May 17, 1939; 416; 203-205.
B. Schott's Söhne, Mainz, Germany	Apr. 15, 1939; 414; 214-219.
N. Simrock, Leipzig, Germany	June 22, 1928; 203; 38-44.
N. Simrock, Leipzig, Germany	Sept. 11, 1928; 206; 107-109.
N. Simrock, Leipzig, Germany	May 8, 1929; 220; 123-129.
N. Simrock, Leipzig, Germany	Aug. 27, 1929; 227; 195-205.
N. Simrock, Leipzig, Germany	Sept. 16, 1936; 357; 210-218.
N. Simrock, Leipzig, Germany	Sept. 16, 1936; 357; 200-209.

EXHIBIT A—Continued

Names and addresses of individuals and companies holding interests under copyrights—Con.	*Description of assignments of copyrights, date of entry, book and page*
N. Simrock, Leipzig, Germany	Sept. 16, 1936; 357; 219-252.
N. Simrock, Leipzig, Germany	Mar. 25, 1939; 413; 63-79.
N. Simrock, Leipzig, Germany	Dec. 13, 1940; 451; 124-129.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Mar. 28, 1927; 153; 1-139.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Feb. 10, 1928; 195; 88-104.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Nov. 16, 1928; 210; 9-27.
Universal-Edition, A. G., Vienna and Berlin, Germany.	June 5, 1929; 222; 228-238.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Aug. 27, 1929; 227; 206-214.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Dec. 17, 1929; 236; 79-86.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Mar. 20, 1930; 242; 195-207.
Universal-Edition, A. G., Vienna and Berlin, Germany.	May 2, 1930; 245; 81-87.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Aug. 26, 1930; 252; 88-95.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Dec. 19, 1930; 260; 140-147.
Universal-Edition, A. G., Vienna and Berlin, Germany.	June 26, 1931; 272; 184-192.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Apr. 1, 1932; 286; 14-21.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Jan. 5, 1933; 296; 111-124.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Feb. 28, 1933; 298; 124-131.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Jan. 3, 1934; 309; 76-86.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Oct. 23, 1934; 321; 176-185.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Jan. 9, 1936; 343; 141-151.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Apr. 22, 1936; 349; 24-30.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Feb. 12, 1937; 366; 32-37.
Universal-Edition, A. G., Vienna and Berlin, Germany.	July 1, 1937; 376; 17-24.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Dec. 27, 1937; 388; 124-130.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Sept. 10, 1938; 402; 58-86.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Apr. 8, 1939; 414; 54-60.
Universal-Edition, A. G., Vienna and Berlin, Germany.	Mar. 23, 1940; 435; 53-71.
Rob. Forberg, Leipzig, Germany	Jan. 7, 1939; 408; 133.
Rob. Forberg, Leipzig, Germany	Oct. 11, 1939; 425; 57.
Fritz Schuberth, Jr., Leipzig, Germany	Dec. 31, 1941; 474; 183.
Fritz Schuberth, Jr., Leipzig, Germany	Sept. 19, 1939; 423; 229.
Chr. Friedrich Vieweg, Berlin, Germany	July 18, 1940; 443; 103-104.
Edition Adler, Berlin, Germany	Mar. 24, 1933; 299; 76.
Edition Adler, Berlin, Germany	Feb. 28, 1933; 298; 114.
Rob. Forberg, Leipzig, Germany	July 5, 1933; 302; 223-224.
Rob. Forberg, Leipzig, Germany	Dec. 24, 1935; 342; 202-214.
Rob. Forberg, Leipzig, Germany	Nov. 9, 1937; 385; 217-218.
Rob. Forberg, Leipzig, Germany	Dec. 31, 1937; 388; 223-224.

EXHIBIT A—Continued

Names and addresses of individuals and companies holding interests under copyrights—Con.	*Description of assignments of copyrights, date of entry, book and page*
Rob. Forberg, Leipzig, Germany	Apr. 30, 1937; 372; 44-45.
Rob. Forberg, Leipzig, Germany	July 21, 1936; 354; 175-176.
Fritz Schuberth, Jr., Leipzig, Germany	Oct. 21, 1938; 404; 23-26.
Chr. Friedrich Vieweg, Berlin, Germany	Sept. 7, 1937; 381; 134-139.
Chr. Friedrich Vieweg, Berlin, Germany	Nov. 10, 1937; 385; 225-227.
Chr. Friedrich Vieweg, Berlin, Germany	May 11, 1938; 396; 54-55.
Chr. Friedrich Vieweg, Berlin, Germany	Nov. 3, 1936; 360; 185-186.

[F. R. Doc. 43-19386; Filed, December 4, 1943; 11:04 a. m.]

[Vesting Order 2097]

COPYRIGHT INTERESTS OF FOREIGN NATIONALS

In re: Certain rights under copyrights in which interests are held by foreign nationals.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each organization listed in Exhibit A attached hereto and by reference made a part hereof is organized under the laws of, and has its principal place of business in, and is a national of, the foreign country appearing after its respective name;

2. Finding that the members of the organizations listed in the said Exhibit A are residents of and therefore are nationals of foreign countries;

3. Finding that the property described in subparagraph 4 hereof is property of the organizations to which reference is made in said Exhibit A and/or each and every member thereof;

4. Determining that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of the organizations to which reference is made in said Exhibit A, and/or each and every member thereof, in, to, and under the following:

a. Every right under copyright, claim of copyright or right to copyright in and for the non-dramatic performance for profit of any and all musical compositions in which such rights are held by the organizations to which reference is made in said Exhibit A and each and every member thereof.

b. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing,

c. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing,

d. All rights of reversion or revesting, if any, in any or all of the foregoing,

e. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing,

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by nationals of foreign countries.

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 4, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States;

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on September 4, 1943.

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

EXHIBIT A

Name of Organization and Last Known Principal Place of Business

Staatlich Genehmigte Gesellschaft Der Autoren, Komponisten Und Musikverleger (AKM), Vienna, Austria.

Association Coop. Bulgare Pour La Protection Des Droits D'Auteur (AVTOR), Sofia, Bulgaria.

Ochranné Sdružení Autorské (OSA), Praha, Czecho Slovakia.

Internationalt Forbund Til Beskyttelse Af Komponistrettigheder I Danmark (KODA), Copenhagen, Denmark.

La Societe des Auteurs Compositeurs et Editeurs de Musique (SACEM), Paris, France.

Staatlich Genehmigte Gesellschaft Zur Verwertung Musikalischer Urheberrechte (STAGMA), Berlin, Germany.

Magyar Szovegirok, Zeneszerzok Es Zenemukiadok Szovetkezete (MARS), Budapest, Hungary.

Società Italiana Degli Autori Ed Editori (SIAE), Rome, Italy.

Ente Italiano Per Il Diritto Di Autore (EIDA), Rome, Italy.

Udruzenje Jugoslovenskih Muzickih Autora (UJMA), Zagreb, Jugoslavia.

Societatea Compozitorilor Romani (SOCORO), Bucarest, Rumania.

[F. R. Doc. 43-19387; Filed, December 4, 1943; 11:04 a. m.]

[Vesting Order No. 2098]

COPYRIGHT INTEREST OF FOREIGN NATIONALS

In re: Copyright interests held by certain foreign-nationals.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person whose name, nationality, and last known address where established, is listed at the top of each page of Exhibit A attached hereto and by reference made a part hereof,[1] if an individual is a resident or citizen of, or if a business organization is organized under the laws of, and holds the nationality designated after the name of such person;

2. Finding that the persons listed in said Exhibit A jointly or severally own or control the property hereinafter described in subparagraph 3;

3. Determining that the property described as follows:

a. All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each person whose name, nationality, and last known address, where established, is designated at the top of each page of said Exhibit A in, to and under the following:

1. Every copyright, claim of copyright and right to copyright, or rights related thereto, in each and all of the works described in each page of said Exhibit A under the name of such person;

2. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

3. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

4. All rights of reversion or revesting, if any, in any or all of the foregoing;

5. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by, and such property itself constitutes interests held

[1] Filed as part of the original document.

therein by, nationals of one or more foreign countries.

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate 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 it 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 4, 1943.

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

[F. R. Doc. 43–19401; Filed, December 4, 1943; 11:17 a. m.]

[Vesting Order 2099]

COPYRIGHT INTERESTS OF FOREIGN NATIONALS

In re: Copyright interests held by certain foreign-nationals.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person whose name, nationality, and last known address where established, is listed at the top of each page of Exhibit A attached hereto and by reference made a part hereof,[1] if an individual is a resident or citizen of, or if a business organization is organized under the laws of, and holds the nationality designated after the name of such person;

2. Finding that the persons listed in said Exhibit A jointly or severally own or control the property hereinafter described in subparagraph 3;

3. Determining that the property described as follows:

a. All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each person whose name, nationality, and last known address, where established, is designated at the top of each page of said Exhibit A in, to and under the following:

1. Every copyright, claim of copyright and right to copyright, or rights related thereto, in each and all of the work described in each page of said Exhibit A under the name of such person;

2. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

3. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

4. All rights of reversion or revesting, if any, in any or all of the foregoing;

5. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by, and such property itself constitutes interests held therein by, nationals of one of more foreign countries.

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

5. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate 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 it 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 4, 1943.

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

[F. R. Doc. 43–19402; Filed, December 4, 1943; 11:17 a. m.]

[Vesting Order 2164]

L. U. C. E. (ISTITUTO NAZIONALE LUCE)

In re: Motion picture film in the United States owned by L. U. C. E. (Istituto Nazionale Luce), Rome, Italy.

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 L. U. C. E. (Istituto Nazionale Luce) is a company organized under the laws of Italy, with its principal place of business at Via di S. Susanna 17, Rome, Italy, and is a national of a designated enemy country (Italy);

2. That L. U. C. E. (Istituto Nazionale Luce) is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

All motion picture film in the United States owned by L. U. C. E. (Istituto Nazionale Luce), Via di S. Susanna 17, Rome, Italy,

is property within the United States owned or controlled by a national of a designated enemy country (Italy);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of 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, 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.

[1] Filed as part of the original document.

Executed at Washington, D. C., September 8, 1943.

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

[F. R. Doc. 43-19388; Filed, December 4, 1943; 11:04 a. m.]

[Vesting Order 2511]

KLEIM & UNGERER

In re: Interest of Kleim & Ungerer in an agreement with Dexter Folder Company.

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 Kleim & Ungerer is a limited partnership organized under the laws of Germany and composed of Hans Ehrig and Ulrich Keilhauer, of Leipzig, Germany, and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Kleim & Ungerer;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Kleim & Ungerer by virtue of an agreement dated February 15, 1937 (including all modifications thereof and supplements thereto, including, but without limitation, a letter from Kleim & Ungerer to Dexter Folder Company dated July 28, 1937) by and between said Kleim & Ungerer and Dexter Folder Company, which agreement relates, among other things, to United States Patent No. 2,060,800,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 it 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 November 2, 1943.

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

[F. R. Doc. 43-19389; Filed, December 4, 1943; 11:06 a. m.]

[Vesting Order 2512]

WILHELM LINNMANN, JR.

In re: Patent and Interest of Wilhelm Linnmann, Jr., in agreements with The Central Foundry Company, Gerhard Wagner and Allen A. Dicke.

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 Wilhelm Linnmann, Jr., is a resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is the property of Wilhelm Linnmann, Jr.;

3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 it 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 November 2, 1943.

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

EXHIBIT A

(1) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Reissue Patent Number, Date, Inventor and Title

17,776, 8-26-30, Wilhelm Linnmann, Jr., apparatus for separating liquids of different specific gravities.

(2) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Wilhelm Linnmann, Jr., by virtue of an agreement dated November 3, 1930 (including all modifications thereof and supplements thereto, if any) by and between Wilhelm Linnmann, Jr. and The Central Foundry Company, relating, among other things, to certain United States Letters Patent, including Patent No. 1,995,742,

(3) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Wilhelm Linnmann, Jr., by virtue of an agreement dated November 19, 1930 (including all modifications thereof and supplements thereto, if any) by and between Wilhelm Linnmann, Jr. and Gerhard Wagner, relating among other things, to certain United States Letters Patent, including Patent No. 1,995,742,

(4) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Wilhelm Linnmann, Jr. by virtue of an agreement dated August 1, 1932 (including all modifications of and supplements to such agreement, including, but without limitation, an amendment to said agreement executed by Allen A. Dicke on January 11, 1933) by and between Wilhelm Linnmann, Jr., Gerhard Wagner and Allen A. Dicke, relating, among other things, to certain United States Letters Patent, including Patent No. 1,995,742,

(5) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Wilhelm Linnmann, Jr. by virtue of an agreement dated June 7, 1933 (including all modifications thereof and supplements thereto, if any) by and between Wilhelm Linnmann, Jr., Gerhard Wagner and Allen A. Dicke, relating, among other things, to certain United States Letters Patent, including Patent No. 1,995,742.

[F. R. Doc. 43-19375; Filed December 4, 1943; 11:07 a. m.]

[Vesting Order 2513]

PIETER DANIEL VAN ESSEN

In re: Patents and interest of Pieter Daniel Van Essen in an agreement with Bethlehem Steel Company.

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 Pieter Daniel Van Essen is a resident of The Netherlands and is a national of a foreign country (The Netherlands);

2. That the property described in subparagraph 3 hereof is property of Pieter Daniel Van Essen;

3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (The Netherlands);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 it 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 November 3, 1943.

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

EXHIBIT A

(1) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Pieter Daniel Van Essen by virtue of an agreement dated May 13, 1924 (including all modifications thereof and supplements thereto, if any) by and between Bethlehem Steel Company and Pieter Daniel Van Essen, which agreement relates, among other things, to United States Letters Patent Nos. 1,626,651 and 1,742,836;

(2) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date, Inventor and Title

1,742,836; 1-7-30; Pieter Daniel Van Essen; Projectile.

(3) An undivided one-half (50%) interest which stands of record in the United States Patent Office in the name of Pieter Daniel Van Essen in and to the following patent:

Patent Number, Date, Inventor and Title

1,626,651; 5-3-27; Pieter Daniel Van Essen & Clarence H. Froelich; Breech mechanism;

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled.

[F. R. Doc. 43–19376; Filed, December 4, 1943; 11:07 a. m.]

[Vesting Order 2514]

HERMANN BECHTEL ET AL.

In re: Undivided interests in real property owned by Hermann Bechtel, and others.

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 following-named persons, whose last known addresses appear opposite their respective names, are residents of Germany and are nationals of a designated enemy country (Germany):

National and Last Known Address

Hermann Bechtel, 10 Neckarweg Wilhelmshoeke, Kassel, Germany.

Hans Bechtel, 1 Heinsius Street, Sorau, Germany.

Gretchen Schlemmer, 12 Leipzigerstrasse, Kassel, Germany.

Charlotte Hose, 5 Koerner Street, Kassel, Germany.

Bertha Hose, 5 Koerner Street, Kassel, Germany.

Fritz Hose, 14 Leipzigerstrasse, Kassel, Germany.

Else Stiebing, Forstfeld No. 5, Kassel, Germany.

Else Nelken, 18 Ulmenstrasse, Frankfort am Main, Germany.

Frieda Roetteken, also known as Frieda Rottenken, Schieder in Lippen, Obersoerserei, Germany.

2. That Hermann Bechtel, Hans Bechtel, Gretchen Schlemmer, Charlotte Hose, Bertha Hose, Fritz Hose, Else Stiebing, Else Nelken and Frieda Roetteken, also known as Frieda Rottenken, are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

The undivided nine-twelfths interest, identified as the interest which was devised to Hermann Bechtel, Hans Bechtel, Gretchen Schlemmer, Charlotte Hose, Bertha Hose, Fritz Hose, Else Stiebing, Else Nelken and Frieda Roetteken, also known as Frieda Rottenken, each receiving a one-twelfth interest, by the Last Will and Testament and Codicil of Lina Bechtel, deceased, filed for probate before the Register of Wills for Beaver County, Pennsylvania, on February 4, 1939, in and to the real property situated in Beaver County, Pennsylvania, particularly described in Exhibits A, B and 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,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And 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 (Germany);

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 in subparagraph 3 hereof, 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 November 4, 1943.

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

EXHIBIT A

All that certain lot of land situate on Doctors Heights, Moon Township, Beaver County and State of Pennsylvania being lot numbered 7 in a plan of lots laid out by Herman J. Speyerer and Edward Kaye, the plan thereof being recorded in the office for the recording of Deeds and plan of lots for Beaver County in Plat Book No. 1 Page 30 and known as Docktors Heights. Said lot number Seven in said plan of lots as hereby conveyed being bounded and described as follows, to wit:

Beginning at a stake at the corner of intersection of Main Street and Johnston Avenue, thence west along the south line of Johnston Avenue fifty (50) feet to a stake; thence south along the east line of lot numbered six in said plan one hundred feet to a stake on

north line of Palmer Alley, thence east along the north line of Palmer Alley fifty 50 feet to a stake on the west line of Main Street, th nce North along west line of Main Street One hundred feet to a stake and corner, the place of beginning. Said lot numbered seven having a front of fifty feet on Johnston Avenue, and extending back therefrom the same width one hundred feet to Palmer Alley aforesaid. Said lot number Seven in said plan of lots known as Doctors Heights.

EXHIBIT B

All those certain lots marked and numbered 175–176 in a plan of lots laid out by the Colonial Land Co. situate in Beaver County and to be recorded.

Beginning at the dividing line between lots One hundred seventy six and One hundred seventy seven (176–177) and Colonial Avenue; thence southwardly along said dividing line One hundred feet; thence westwardly forty four (44) feet to line of lot numbered One hundred seventy five; thence eastwardly along line of said lot One hundred feet to Colonial Avenue; thence eastwardly along said Avenue forty four (44) feet to place of beginning.

EXHIBIT C

All those two (2) certain lots or pieces of ground situate in Beaver County, Pennsylvania, being known and numbered as lots number four and five (4–5) in a plan of lots laid out by the Colonial Land Company, situate in Beaver County, Pennsylvania, and to be recorded.

Beginning at a pin at the dividing line between lots three and four (3–4) on Colonial Avenue; thence northwardly one hundred three and twenty hundredths (103.20) feet to an alley; thence westwardly along said alley forty four and four hundredths (44.04) feet to a pin corner of lot six (6); thence southwardly along line of said lot six (6) one hundred one and twenty hundredths (101.20) feet to Colonial Avenue; thence eastwardly along said Colonial Avenue forty four (44) feet to place of beginning.

[F. R. Doc. 43–19390; Filed, December 4, 1943; 11:06 a. m.]

[Vesting Order 2515]

TOOJIRO AND MASANOBU TABUSHI

In re: Real property and claim owned by Toojiro Tabushi and Masanobu Tabushi.

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 Toojiro Tabushi is the same person known as T. Tabushi and that Masanobu Tabushi is the same person known as Massanobu (no last name given) and Masanobe Tabushi;

2. That the last known address of Toojiro Tabushi and Masanobu Tabushi is Wakayama-Kon, Japan, and that they are residents of Japan and nationals of a designated enemy country (Japan);

3. That Toojiro Tabushi and Masanobu Tabushi are the owners of the property described in subparagraph 4 hereof, and that their respective interests in the property are as follows: That Toojiro Tabushi and Masanobu Tabushi each own an undivided ½ interest in that portion of the property described in Exhibit A as Parcel One; that Toojiro Tabushi is the owner of that portion of the property described in Exhibit A as Parcel Two;

4. That the property described as follows:

a. Real property situated in Solano County, California, more particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances hereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. Farm equipment consisting of four two-horse side-hill plows, two one-horse cultivators, one straight harrow, one one-horse scraper, three two-horse duckfoot cultivators, and one revolving harrow, now in the possession of A. R. Gonzales, on the property located at Route 1, Box 51, Winters, California, and

c. All right, title, interest and claim of any name or nature whatsoever of Toojiro Tabushi and Masanobu Tabushi in and to any and all obligations, contingent or otherwise, and whether or not matured, owing to Toojiro Tabushi and Masanobu Tabushi, and each of them, by Alejandro "Red" Gonzales, also known as A. R. Gonzales and A. Gonzales, and particularly that obligation owing by Alejandro "Red" Gonzales in the amount of $183.17, arising out of the use and occupation of the real property described in subparagraph 4–a hereof, including but not limited to all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect such obligations,

is property within the United States owned or controlled by nationals of a designated enemy country (Japan);

And determining that the property described in subparagraph 4–c is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 4–a above) 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 (Japan);

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 in subparagraph 4–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 4–b and 4–c hereof,

All such property so vested 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 November 4, 1943.

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

EXHIBIT A

All that certain real property situated in the County of Solano, State of California, and described as follows, to-wit:

Parcel one: Beginning at the most Easterly corner of said Lot 24 of said subdivision, thence South 36° East 46 links; thence south 33¾° East 6.32 chains; South 15°25' West 10.86 chains; South 24¼° East 12.16 chains; South 0°40' West 5.72 chains; South 63°23' West 6.71 chains, to pine tree three feet in diameter; thence South 11¾° West 81 links to the most Southerly corner of Lot 23; thence North 63¼° West 1.32 chains; North 51° West 4.40 chains; North 58¼° West 3.90 chains; North 47° West 2.99 chains; North 24½° West 2.35 chains; North 48° West 2.54 chains; North 67° West 1.85 chains; North 38°10' East 7.23 chains; North 30°35' West 7 chains; North 74¾° West 4.08 chains; North 15¼° West 4.93 chains; North 53°50' West 2.59 chains; North 22¼° West 2.10 chains; thence along the North boundary line of said Lot 24, North 52° East 5.42 chains; North 64° East 2.17 chains; South 84° East 3.78 chains; North 80° East 5.33 chains; South 82¾° East 1.21 chains; South 87½° East 2.64 chains; South 73° East 3.47 chains to the place of beginning.

Being all of Lot Twenty-three (23) and portions of Lots Twenty-one (21), Twenty-two (22) and Twenty-four (24) as said Lots are shown on that certain map entitled: "Map of the Susan Wolfskill Subdivision, Solano County, California", filed for record January 9, 1897 in Book 2 of Maps on page 43.

Reserving that portion of Glendale Avenue adjoining Lots 23 and 24 and also reserving a right of way for road purposes 20 feet wide along the Northerly boundary of said Lot 24, from the Westerly boundary of the above described tract to Central Avenue, containing Sixty-one and 67/100 acres after deducting said reservations.

Parcel two: Beginning at the most Westerly corner of Lot 20 of the Susan Wolfskill Subdivision; thence South 86¾° West 2.90 chains; South 73¼° West, 3.20 chains; North 60½° West 2.65 chains; South 61½° West 4.21 chains; North 77° West 2.19 chains; North 72° West 4.07 chains, to the Westerly boundary of land sold to Frank Thompson; thence South 2½° East 7.04 chains to a pine tree three feet in diameter; thence South 59° East 3.83 chains; thence along the boundary between Lots 24 and 25, North 52° East 5.42 chains; North 64° East 2.17 chains; South 84° East 3.78 chains; North 80° East 5.33 chains; South 82¾° East 1.21 chains to the boundary of said Lot 20; thence along the same North 25° West 4.75 chains to the place of beginning.

Being a portion of Lot Twenty-five (25), as said lot is shown on that certain map entitled: "Map of the Susan Wolfskill Subdivision, Solano County, California", filed for record January 9, 1897 in Book 2 of Maps on Page 43.

[F. R. Doc. 43–19391; Filed, December 4, 1943; 11:06 a. m.]

[Vesting Order 2539]

RUDOLF DREVERHOFF

In re: Patents of Rudolf Dreverhoff.

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 Rudolf Dreverhoff is a citizen and resident of Germany and is a national of a foreign country (Germany);

2. That the property identified in subparagraph 3 hereof is property of Rudolf Dreverhoff;

3. That the property identified as follows: All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patents:

Patent Number, Date, Inventor and Title

1,993,363; 3-5-35; Rudolf Dreverhoff; Crank shaft-lathe.

1,997,768; 4-16-35; Rudolf Dreverhoff; Mechanical razor.

2,155,857; 4-25-39; Rudolf Dreverhoff; crankshaft lathe,

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 it 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 November 6, 1943.

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

[F. R. Doc. 43–19378; Filed, December 4, 1943; 11:07 a. m.]

[Vesting Order 2540]

PATENTS OF NATIONALS OF NORWAY

In re: Patents of nationals of Norway.

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 each of the persons to whom reference is made in Exhibit A attached hereto and made a part hereof as inventors and grantees of the patents identified in said Exhibit A, if an individual is a resident of, or, if a corporation or other business organization, has its principal place of business in Norway and is a national of a foreign country (Norway);

2. That the patents and other property related thereto identified in subparagraph 3 hereof are property of the persons identified as the inventors and grantees thereof in said Exhibit A;

3. That the property identified as follows: All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in Exhibit A attached hereto and made a part hereof,

is property of nationals of a foreign country (Norway);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 it 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 November 6, 1943.

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

EXHIBIT A

1,660,527. Means for driving the shafts of cigarette machines. Muller J. C. N. V. (grantee). Issued 2-28-28.

1,699,177. Process for obtaining hydrogenation gas from hydrogenating carbon and hydrocarbons from gases containing methane and hydrogen. N. V. Internationale Bergin Cie. Voor Olie en Kolenchemie (grantees). Issued 11-15-29.

1,857,149. Device for testing electric voltage regulators. N. V. Machinerieen en Apparaten Fabrieken Mcaf (grantees). Issued 5-10-32.

1,861,144. Method of and apparatus for applying sealing strips. Muller J. C. N. V. (grantee). Issued 5-31-32.

1,976,417. Valve control means. N. V. Machinenerieen en Apparaten Fabrieken (grantees). Issued 10-9-34.

2,019,240. Bottle with means for filling pens. Van der Woerd Andries (inventor). Issued 10-29-36.

2,023,944. Movable weir of triangular cross section. Amsterdamsche Liquidatiekas N. V. (grantee). Issued 12-10-35.

2,124,931. Method and apparatus for producing packing devices. N. V. Balkan im en Export Maatschaapij Balkimex (grantees). Issued 7-26-38.

2,140,167. Manufacture of cigars. Muller J. C. N. V. (grantee). Issued 12-13-38.

[F. R. Doc. 43–19377; Filed, December, 4, 1943; 11:07 a. m.]

[Vesting Order 2541]

COMPAGNIE GENERALE D'ELECTRICITE

In re: Patent Application of Campagnie Generale d'Electricite.

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 Compagnie Generale d'Electricite is a corporation organized under the laws of and having its principal place of business in France and is a national of a foreign country (France);

2. That the property identified in subparagraph 3 hereof is property of Compagnie Generale d'Electricite;

3. That the property described as follows: Patent application identified as follows: Serial number, 277,649; filing date, 6–6–39; inventer, L. Martenet; and title, Apparatus for detecting defects in electrical systems, is property of a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 it 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 November 6, 1943.

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

[F. R. Doc. 43–19379; Filed, December 4, 1943; 11:07 a. m.]

[Vesting Order 2546]

IDA BALLEER

In re: Real property and a claim owned by Ida Balleer.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, the pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Ida Balleer, also known as Mrs. Ida M. Balleer, is c/o Dr. Hermann Janssen, Buchstrasse 16, Bremen, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Ida Balleer is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in Bibb County, Georgia, particularly described in Exhibit A, 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, and

b. All right, title, interest and claim of any name or nature whatsoever of Ida Balleer in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Ida Balleer by the Dessau Realty and Insurance Co., Macon, Georgia, and represented on the books of the Dessau Realty and Insurance Co., as a credit balance due Ida Balleer, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3–b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a hereof) belonging to the same national 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 national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3–b hereof,

All such property so vested 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 November 10, 1943.

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

EXHIBIT A

All those lots or parcels of land situate, lying and being in the Vineville District of the County of Bibb and State of Georgia, being known as:

Lots Numbers four (4) and five (5) according to a resubdivision of part of lot number two (2), block (4) of the Napier property as shown by plat of said resubdivision recorded in the Clerk's Office of Bibb Superior Court in Plat Book 3, folio 139. The lots hereby conveyed each have a frontage of twenty-nine and nine-tenths (29.9) feet on the south side of Napier Avenue; lot number four (4) extending back in a southerly direction one hundred and eleven and seven-tenths (111.7) feet on its eastern side and one hundred and twenty-eight and three tenths (128.3) feet on the western side, and being twenty-five (25) feet in width across the rear; lot number five (5) joining lot number four (4) on the west and extending back from Napier Avenue in a southerly direction one hundred and twenty-eight and three-tenths (128.3) feet on its eastern side and one hundred and forty-four and eight-tenths (144.8) feet on its western side, and being twenty-five (25) feet in width across the rear; being the same property conveyed to The First National Bank & Trust Company in Macon as administrator de bonis non cum testamento annexo of the estate of Aaron A. Roff on January 9, 1932, by deed of record in the Clerk's Office of Bibb Superior Court.

[F. R. Doc. 43–19392; Filed, December 4, 1943; 11:06 a. m.]

[Vesting Order 2547]

ERNA BECK, ET AL.

In re: Interests in real property, insurance policies, trade fixtures and income account owned by Erna Beck, Eleanor Beck, and Peggy Beck.

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 address of Erna Beck, Eleanor Beck, and Peggy Beck is 120 Frankfurterstrasse, Offenbach on Main, Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Erna Beck, Eleanor Beck, and Peggy Beck are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

(a) The undivided two-ninths interest, identified as the interest acquired by Erna Beck, Eleanor Beck, and Peggy Beck in the manner set forth in the Order of the Circuit Court for Baltimore City, Maryland, dated August 28, 1942, In the Matter of the Trust Estate of William H. Lohmeyer, deceased, in and to the real property situated in Baltimore City, Maryland, particularly described in Exhibit A, 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, and

(b) The undivided two-ninths interest, identified as the interest acquired by Erna Beck, Eleanor Beck and Peggy Beck in the manner set forth in the Order of the Circuit Court for Baltimore City, Maryland, dated August 28, 1942. In the Matter of the Trust Estate of William H. Lohmeyer, deceased, in and to certain store equipment and trade fixtures located in the store and warehouse building at 16 North Charles Street, Baltimore, Maryland, including but not limited to a cash desk, certain oak shelving and seven mahogany and glass show cases, and

(c) All right, title, and interest of Erna Beck, Eleanor Beck and Peggy Beck and each of them in and to fire insurance Policy No. 427426 issued by the Great American Insurance Company; rental value insurance Policy No. 931630 issued by the Royal Insurance Company; plate glass insurance Policy No. G26335C issued by the Indiana Insurance Company of North America; public liability insurance Policy No. 60080 issued by the St. Paul Mercury Insurance Company; and war damage insurance Policy No. 276–32–3850 issued by the War Damage Corporation, all such policies insuring the premises described as Parcel I in Exhibit A, attached hereto and by reference made a part hereof, and

(d) All right, title, and interest of Erna Beck, Eleanor Beck and Peggy Beck and each of them in and to fire insurance Policies No. 427422 issued by the Great American Insur-

ance Company, and No. 939080 issued by the American Union Insurance Company; rental value insurance Policy No. 713250 issued by the Royal Insurance Company; public liability insurance Policy No. 60080 issued by the St. Paul Mercury Insurance Company; war damage insurance Policy No. 276–32–3850 issued by the War Damage Corporation; and fixtures and equipment insurance Policy No. 931655 issued by the Royal Insurance Company, all such policies insuring the premises described as Parcel II in Exhibit A, attached hereto and by reference made a part hereof, and

(e) All right, title, interest and claim of any name or nature whatsoever of Erna Beck, Eleanor Beck and Peggy Beck and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Erna Beck, Eleanor Beck and Peggy Beck and each of them by the Safe Deposit and Trust Company of Baltimore, Thirteen South Street, Baltimore, Maryland, and represented on the books of the Safe Deposit and Trust Company of Baltimore as an income account due Erna Beck, Eleanor Beck and Peggy Beck, and each of them, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3–c, 3–d, and 3–e hereof is necessary for the maintenance or safeguarding of other property (namely that property described in subparagraphs 3–a and 3–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 (Germany);

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 in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designate enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b, 3-c, 3-d, and 3-e hereof.

All such property so vested to be held, used, administered, liquidate, 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 November 10, 1943.

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

EXHIBIT A

All those tracts or parcels of land situated in Baltimore City, Maryland, more particularly described as follows:

PARCEL I

All that lot or parcel of ground situate and lying in the City aforesaid and which is described as follows, that is to say: Beginning for the same on the east side of Hanover Street at the distance of twenty one feet northerly from the corner formed by the intersection of the north side of Camden Street and the east side of Hanover Street and running thence northerly binding on the east side of Hanover Street twenty feet thence easterly parallel with Camden Street sixty six feet to a three foot alley thence southerly parallel with Hanover Street and bounding on said alley with the use and privilege of the same twenty feet and thence westerly parallel with Camden Street to the place of beginning. It being part of a lot of ground particularly described in a deed of conveyance from Samuel Keener and wife to John Berry and Thomas L. Berry as tenants in common bearing date the eighteenth day of October in the year one thousand eight hundred and forty one and recorded among the Land Records of Baltimore County now City in Liber TK No. 313 folio 291 &c whereof the said John and Thomas L. Berry died seized and possessed and the said John Berry by his last Will and Testament dated the eleventh day of August A. D. 1856 and recorded among the Records of the Register of Wills Office for Baltimore County in Liber I folio 289 &c "Wills" among other property devised his interest and estate in the lot of ground hereinbefore mentioned and described, to his children John S. Berry, Eliza E. Berry, Susan L. Hurst, H. Emily Berry, Juliet A. Turner and Sarah J. Bull, Grantors in these presents and the said Thomas L. Berry by his Last Will and Testament dated the twelfth day of February A. D. 1851 and recorded in the Office of the Register of Wills as aforesaid in Liber J L R No. 1 folio 266 &c among other property devised his interest and estate in the lot hereinbefore mentioned and described to his children Mary E. Berry, Christiana D. Berry, John T. Berry, Jasper M. Berry and William B. Berry, Grantors in these presents which heirs and devisees of John Berry and of Thomas L. Berry with their wives and husbands unite to convey to said William H. Lohmeyer and his heirs the part of said lot hereinbefore particularly described. *Together* with the buildings and improvements thereupon erected made or being and all and every the rights, roads, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

PARCEL II

All those two several lots, pieces or parcels of ground situate, being and lying in the City of Baltimore aforesaid and respectively described as follows, that is to say: Beginning for the first piece or parcel thereof on the west line of Charles Street about two feet eight inches north eighty nine degrees and one quarter of a degree east from the division joint between the wall of the brick dwelling and brick store lately occupied by David Leche in his life time which point of beginning is thirty feet three inches southerly from the south line of Fayette Street agreeably to the wall of the north side of the said brick dwelling which has been established to be the south line of Fayette Street and running from the said place of beginning binding on the line of the west side of Charles Street southerly twenty one feet nine inches to the centre of the division wall or joint between the two walls of the brick store house on the lot now being described and that of the brick store house on the south next adjoining then through the centre of said division wall and parallel to Fayette Street south eighty nine degrees and one quarter of a degree west one hundred and four feet eight inches to the end of the eight feet line of the lot of ground devised by the said David Leche deceased to his wife for life then binding on that lot and the rear wall of the lot now being described northerly twenty two feet to the end of the twenty two feet line of the lot devised as aforesaid by said David Leche to his wife for life and to intersect a line drawn from Charles Street westerly through the wall dividing the dwelling house and store occupied by David Leche in his life time then reverse of the line so drawn and through the said dividing wall about one hundred and four feet nine inches to the place of beginning. Beginning for the second or other piece or parcel thereof on the line of the north side of Strange Alley at the distance of about one hundred and seventeen feet westerly from the west side of North Charles Street which place of beginning is at a point where the dividing line between the property of Mary Jane Pendleton and the property of Elizabeth E. Crawford intersects the north side of Strange Alley and running thence east bounding on the north side of Strange Alley sixteen feet thence north parallel with Charles Street twenty two feet to the southernmost boundary of the whole lot herein before first described thence west and bounding in part on said lot and parallel with Strange Alley to the above mentioned dividing line between the property of Mary J. Pendleton and Elizabeth E. Crawford and thence south on said dividing line twenty two feet to the place of beginning. For title Vide Last Will and Testament of Ann R. Crane, Liber JHB No. 41 folio 483 &c Register of Wills Office, Baltimore City. Together with the building and improvements thereupon erected made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

[F. R. Doc. 43–19393; Filed, December 4, 1943; 11:05 a. m.]

[Vesting Order 2548]

RUBINO CLEMENTINA, ET AL.

In re: Real property, bank account, and fire insurance policy owned by Rubino Clementina, also known as Clemintina Rubino and as Clemintino Allaria; Domenica Gallinati, also known as Dominica Gallinati, and as Domenica Allaria, and Secondo Allaria, also known as Secundo Allaria.

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 Rubino Clementina is the same person known as Clemintina Rubino, and as Clemintino Allaria; that Domenica Gallinati is the same person known as Dominica Gallinati, and Domenica Allaria; and that Secondo Allaria is the same person known as Secundo Allaria;

2. That the last known address of Rubino Clementina, Domenica Gallinati, and Secondo Allaria is Aglie, Canovese San Grato, Provincia Asota, Italy, and that they are residents of Italy and nationals of a designated enemy country (Italy);

3. That Rubino Clementina, Domenica Gallinati and Secondo Allaria are the owners of the property described in subparagraph 4 hereof;

4. That the property described as follows:

a. Real property situated in the City of Merced, County of Merced, State of California, particularly described as Lot four (4), Block one hundred eighty-two (182), according to "Supplemental Map to Town of Merced," recorded March 4, 1889, in Book One (1) of Maps, page twelve (12), Merced County Records, 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, and

b. All right, title, interest and claim of Rubino Clementina, Domenica Gallinati and Secondo Allaria, and each of them, in and to a certain bank account in the First National Bank of Merced, California, which is due and owing to, and held for, Rubino Clementina, Domenica Gallinati, and Secondo Allaria in the name of "Natalie Kalliris, Trustee," including but not limited to all security rights in and to any and all collateral for any and all of such account or portion thereof and the right to enforce and collect the same, and

c. All right, title, interest and claim of Rubino Clementina, Domenica Gallinati, and Secondo Allaria, and each of them, in and to Fire Insurance Policy No. 219559 issued by the United States Fire Insurance Company of New York, insuring the premises described in subparagraph 4–a hereof,

is property within the United States owned or controlled by nationals of a designated enemy country (Italy);

And determining that the property described in subparagraphs 4–b and 4–c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 4–a 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 in subparagraph 4–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 4–b and 4–c hereof,

All such property so vested 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 November 10, 1943.

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

[F. R. Doc. 43–19394; Filed, December 4, 1943; 11:05 a. m.]

[Vesting Order 2551]

MITSUJI TAKATSUKA

In re: Note and mortgage, fire insurance policy, claim, and savings account owned by Mitsuji Takatsuka.

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 address of Mitsuji Takatsuka is Tachibana Machi, Kamifuku, Okayama, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That the said Mitsuji Takatsuka is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. A first mortgage executed on October 10, 1938, by Ryosuke Niimoto and Chikuyo Niimoto (wife of the said Ryosuke Niimoto) as mortgagors, in favor of Mitsuji Takatsuka, as mortgagee, and recorded on October 10, 1938, in the Office of the Bureau of Conveyances, Honolulu, T. H., in Liber 1466, pages 172–176, and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid first mortgage) for any and all of such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds, and other instruments evidencing such obligations,

b. All right, title, and interest of Mitsuji Takatsuka in and to fire insurance policy No. 92906, issued by the Fidelity-Phenix Fire Insurance Company, San Francisco, California, insuring the dwelling house on the premises covered by the mortgage described in subparagraph 3–a hereof,

c. A demand promissory note in the original amount of $650 executed by M. Inouye on October 25, 1938, which is in the possession of C. K. Karimoto, attorney in fact for Mitsuji Takatsuka, and any and all obligations evidenced by said promissory note, including but not limited to all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds, or other instruments evidencing such obligations, and

d. All right, title, interest and claim of Mitsuji Takatsuka in and to a certain bank account with the Liberty Bank of Honolulu, Honolulu, T. H., which is due and owing to, and held for, Mitsuji Takatsuka, in the name of "Blocked Account of Mitsuji Takatsuka by C. K. Karimoto, attorney-in-fact," including but not limited to all security rights in and to any and all collateral for such account, or portion thereof, and the right to enforce and collect such account,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraphs 3-b, 3-c and 3-d hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national 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 national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

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 in subparagraph 3 hereof, 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 November 10, 1943.

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

[F. R. Doc. 43–19395; Filed, December 4, 1943; 11:05 a. m.]

[Vesting Order 2552]

HANS GUENTHER VON KLOEDEN, ET AL.

In re: Interests in real property and in a coin collection and claims owned by Hans Guenther von Kloeden and other German nationals.

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 address of Anna Stromeyer, Meta Eyl and Hans Eyl is Hannover, Germany, and the last known address of Hans Guenther von Kloeden is Trautenau, No. 18, Berlin-Wilmersdorf, Germany, and that Anna Stromeyer, Hans Eyl, Meta Eyl and Hans Guenther von Kloeden are residents of Germany and nationals of a designated enemy country (Germany);

2. That Hans Guenther von Kloeden is the owner of the property described in subparagraphs 3-a and 3-b hereof and that Anna Stromeyer, Meta Eyl, Hans Eyl and Hans Guenther von Kloeden are the owners of the property described in subparagraphs 3-c and 3-d hereof;

3. That the property described as follows:

a. The undivided one-fifteenth interest, identified as that interest inherited by Hans Guenther von Kloeden from his mother, Elsa von Kloeden, in and to the real property situated in Upton County, Texas, particularly described as being 426⅔ acres in Upton County, Texas, and being a part of Survey No. 49, Certificate No. 371, issued to Mrs. Nancy A. Lee for 1280 acres, Patent No. 176, Vol. 34, to said Nancy A. Lee, Abst. No. 5576, The said 426⅔ acres are the same conveyed by said Nancy A. Lee to J. M. Henderson and by said Henderson to Leon Haflin, and is more particularly described as follows, viz; Being a part of Survey No. 49, 1280 acres for Nancy A. Lee beginning at a stake S. E. corner of said 1280 acre Survey; thence W 1267 vrs.; Thence N. 1900 vrs. a stake on N. line of said Survey; thence E. 1267 vrs. to the N. E. corner of said survey; thence S. 1900 vrs. to the place of beginning; and being the same land conveyed by Leon Haflin to Henry J. Runge, June 7, 1886, by deed recorded in Book 18, page 52, of the Deed Records of Upton County, Texas, 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. The undivided one-twelfth interest, identified as that interest inherited by Hans Guenther von Kloeden from Henry J. Runge, in and to that certain coin collection presently in the possession of Henry J. Runge, Galveston, Texas,

c. All right, title, interest and claim of Anna Stromeyer, Meta Eyl, Hans Eyl and Hans Guenther von Kloeden, and each of them, in and to any and all final liquidating dividends in the liquidation of the Southern Cotton Press and Manufacturing Company, owing to Anna Stromeyer, Meta Eyl, Hans Eyl, and Hans Guenther von Kloeden by the Hutchings-Sealy National Bank, as successor trustee in said liquidation, including but not limited to all security rights in and to any and all collateral for any or all of such obligations, and the right to enforce and collect the same, and

d. All right, title, interest and claim of Anna Stromeyer, Meta Eyl, Hans Eyl and Hans Guenther von Kloeden, and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Anna Stromeyer, Meta Eyl, Hans Eyl, and Hans Guenther von Kloeden by the District Clerk of Galveston County, Texas, arising from the deposit of monies in the Registry of the Galveston County District Court in the cause numbered 60,368 and styled Rosenberg Library Association, et al. vs. Sealy and Smith Foundation, etc., et al., including but not limited to all security rights in and to any and all collateral for any or all of such obligations and the right to enforce and collect the same,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And 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 (Germany);

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 in subparagraph 3–a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3–b, 3–c and 3–d hereof,

All such property so vested 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 November 10, 1943.

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

[F. R. Doc. 43–19396; Filed, December 4, 1943; 11:05 a. m.]

[Vesting Order 2580]

JAKOB DICHTER, ET AL.

In re: Patents and patent applications of Jakob Dichter and Luigi Marzocchi; interests of Jakob Dichter, Felix Meyer and Jenaer Glaswerk Schott und Genossen in contracts relating to patents.

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 Jakob Dichter and Luigi Marzocchi are citizens and residents of Germany and Italy, respectively, and each of them is a national of a foreign country (Germany and Italy, respectively);

2. That Felix Meyer is a citizen of Germany, that his last known address is Brussels, Belgium and that he is a national of foreign countries (Germany and Belgium);

3. That Jenaer Glaswerk Schott und Genossen is a business organization having its principal place of business in Germany and is a national of a foreign country (Germany);

4. That the property described in subparagraphs 8a, 8b, 8c and 8d hereof is property of Jakob Dichter;

5. That the property described in subparagraphs 8e and 8f hereof is property of Luigi Marzocchi;

6. That the property described in subparagraph 8g hereof is property of Felix Meyer;

7. That the property described in subparagraph 8h hereof is property of Jenaer Glaswerk Schott und Genossen;

8. That the property described as follows:

(a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the patents identified in Exhibit A attached hereto and made a part hereof,

(b) Patent applications identified as follows:

Serial Number, Filing Date, Inventor and Title

52,679; 12–3–35; Jakob Dichter; Container and method for making the same.

382,081; 3–6–41; Jakob Dichter; Method and apparatus for shaping glass tubes;

(c) The unexecuted patent applications identified in Exhibit B attached hereto and made a part hereof, together with the entire right, title and interest throughout the United States and its territories in and to, including the right to file applications in the United States Patent Office for Letters Patent for, the invention or inventions shown or described in such applications,

(d) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Jakob Dichter by virtue of an agreement, dated Berlin, March 28, 1934, and Vineland, New Jersey, April 29, 1934 (including all modifications thereof and supplements thereto, if any) by and between Jakob Dichter and Kimble Glass Company, relating among others to Patent No. 1,962,985, dated June 12, 1934, inventor Jakob Dichter, for Machine for the Manufacture of Ampullas and the Like Glass Bodies, such agreement having been recorded in the assignment records of the United States Patent Office on October 18, 1939 at Liber D181, Page 322,

(e) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following patent:

Patent Number, Date, Inventor and Title

2,277,597, 8-24-42; Luigi Marzocchi; Machine for printing on cylindrical glassware;

(f) Patent application identified as follows:

Serial Number, Filing Date, Inventor and Title

385,180; 3-25-41; Luigi Marzocchi; Conveyor for cylindrical articles;

(g) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Felix Meyer by virtue of an agreement dated June 2, 1933 (including all modifications thereof and supplements thereto, if any) by and between Felix Meyer and Kimble Glass Company, relating among others to Patent No. 2,209,739, dated July 30, 1940, inventor Felix Meyer, for Method of Shaping Tubes,

(h) All interests and right (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Jenaer Glaswerk Schott and Genossen by virtue of an agreement dated on or about May 18, 1940 (including all modifications thereof and supplements thereto, if any) by and between Jenaer Glaswerk Schott und Genossen and Kimble Glass Company, relating among others to Patent No. 1,699,305, dated January 15, 1929, inventor Felix Meyer, for Method of Making Glass Vessels,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries (Belgium, Germany, Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 it 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 November 10, 1943.

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

EXHIBIT A

Patents which are identified as follows, the inventor of which is Jakob Dichter:

Patent Number, Date, Inventor and Title

2,050,088; 8-5-36; Jakob Dichter; Forming machines.

2,065,305; 12-22-36; Jakob Dichter; Method of molding an article & apparatus therefor.

2,077,827; 4-20-37; Jakob Dichter; Glassworking machine.

2,102,357; 12-14-37; Jakob Dichter; Method & apparatus for making double-walled glass vessels.

2,107,979; 2-8-38; Jakob Dichter; Apparatus for forming screw-threaded necks.

2,110,327; 3-8-38; Jakob Dichter; Automatic machine for manufacturing ampullae from glass tubes.

2,119,271; 5-31-38; Jakob Dichter; Method and means for fitting caps to tubular containers.

2,135,390; 11-1-38; Jakob Dichter; Method & machine for fitting closures on containers.

2,151,840; 3-28-39; Jakob Dichter; Method & apparatus for producing glass vessels.

2,199,332; 4-30-40; Jakob Dichter; Method & machine for forming ampules.

2,203,457; 6-4-40; Jacob Dichter; Stencilling apparatus.

2,219,223; 10-22-40; Jakob Dichter; Machine for filling receptacles.

2,226,303; 12-24-40; Jakob Dichter; Vial forming machine.

2,234,402; 3-11-41; Jakob Dichter; Apparatus for forming inner threads on containers.

2,282,993; 5-12-42; Jacob Dichter; Manufacture of ampoules.

EXHIBIT B

Unexecuted patent applications which are identified as follows, and in which the inventor is Jakob Dichter:

TC number, Title and Corresponding German Application

258; Method of producing hollow bodies from thermoplastic materials; SND–81,373.

258 (a); Method for producing contractions on glass tubes, rods or other objects of glass; SND–84,544.

258 (b); A machine for separating or cutting off tubes, rods and other objects of glass or similar material; SND–85,086 add to SND–84,772.

258 (c); Machine for dividing or cutting tubes, rods and similar objects of glass; SND–84,772.

[F. R. Doc. 43–19380; Filed, December 4, 1943; 11:07 a. m.]

[Vesting Order 2581]

N. V. NORIT-VEREENIGING VERKOOP CENTRALE, AND N. V. ALGEMEENE NORIT MAATSCHAPPIJ

In re: Interests of N. V. Norit-Vereeniging Verkoop Centrale and N. V. Algemeene Norit Maatschappij in agreements with American Norit Company.

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 N. V. Norit-Vereeniging Verkoop Centrale and N. V. Algemeene Norit Maatschappij are corporations organized under the laws of The Netherlands and are nationals of a foreign country (The Netherlands);

2. That the property identified in subparagraph 4a hereof is property of N. V. Norit-Vereeniging Verkoop Centrale;

3. That the property identified in subparagraph 4b hereof is property of N. V. Algemeene Norit Maatschappij;

4. That the property described as follows:

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in N. V. Norit-Vereeniging Verkoop Centrale by virtue of an agreement dated December 12, 1934 (including all modifications thereof or supplements thereto, if any) by and between N. V. Norit-Vereeniging Verkoop Centrale and American Norit Company, relating, among others, to patent number 1,849,503, issued March 15, 1932, inventor H. D. Mommaerts, for Process for the Manufacture of Highly Activated Adsorptive Carbons;

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in N. V. Algemeene Norit Maatschappij by virtue of an agreement dated December 12, 1934 (including all modifications thereof or supplements thereto, if any) by and between N. V. Algemeene Norit Maatschappij and American Norit Company, relating, among others, to patent number 1,641,053, issued August 30, 1927, inventor J. N. A. Sauer, for Process for the Manufacture of Active Carbon.

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (The Netherlands);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 it 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 admis-

sion 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 November 10, 1943.

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

[F. R. Doc. 43-19380; Filed, December 4, 1943; 11:08 a. m.]

[Vesting Order 2582]

INTERESTS OF NATIONALS OF GERMANY AND HUNGARY

In re: Interests of nationals of Germany and Hungary in agreements with Winthrop Chemical Company and others relating to patents.

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 I. G. Farbenindustrie Aktiengesellschaft, Zimmer & Co. and E. Merck & Co. are corporations organized under the laws of and having their principal places of business in Germany and are nationals of a foreign country (Germany);

2. That Chinoin Fabrik fur Heilmittel und Chemische Produkte A-G (Dr. Kereszty und Wolf) is a corporation organized under the laws of and having its principal place of business in Hungary and is a national of a foreign country (Hungary);

3. That Hans Schmidt, Emil Hees, Ferdinand Blum, Heinz Ohle, Richard Kuhn, Burkhardt Helferich, Gustav Pfeiffer, Friederich Schonbeck, Hermann Schroder, Professor Morgenroth, Dr. Friedmann, Dr. E. K. Frey, Dr. H. Kraut, Professor H. Slotta, Dr. Straub, Professor Dr. Koenig, Dr. Greiner, Professor Dr. Holtz, Professor Biedl, Professor Dr. G. Klemperer, Privy Councilor Willstater, Dr. Oppenheimer, Professor Dr. Gansslen and the heirs of Professor Much are residents of Germany and are nationals of a foreign country (Germany);

4. That the property identified in subparagraphs 28a, 28b, 28c, and 28d hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

5. That the property identified in subparagraphs 28e and 28f hereof is property of Hans Schmidt;

6. That the property identified in subparagraph 28g hereof is property of Emil Hees;

7. That the property identified in subparagraph 28h hereof is property of Ferdinand Blum;

8. That the property identified in subparagraph 28i hereof is property of Heinz Ohle;

9. That the property identified in subparagraph 28j hereof is property of Richard Kuhn;

10. That the property identified in subparagraph 28k hereof is property of Burkhardt Helferich;

11. That the property identified in subparagraph 28*l* hereof is property of Gustav Pfeiffer;

12. That the property identified in subparagraph 28m hereof is property of Friederich Schonbeck and Hermann Schroder;

13. That the property identified in subparagraph 28n hereof is property of Zimmer & Co.;

14. That the property identified in subparagraph 28o hereof is property of Professor Morgenroth and Dr. Friedmann;

15. That the property identified in subparagraph 28p hereof is property of Dr. E. K. Frey and Dr. H. Kraut;

16. That the property identified in subparagraph 28q hereof is property of Professor H. Slotta;

17. That the property identified in subparagraph 28r hereof is property of Dr. Straub;

18. That the property identified in subparagraph 28s hereof is property of Professor Dr. Koenig and Dr. Greiner;

19. That the property identified in subparagraph 28t hereof is property of Professor Dr. Holtz;

20. That the property identified in subparagraph 28u hereof is property of E. Merck & Co.;

21. That the property identified in subparagraph 28v hereof is property of Chinoin Fabrik fur Heilmittel und Chemische Produkte A-G (Dr. Kereszty und Wolf);

22. That the property identified in subparagraph 28w hereof is property of Professor Biedl;

23. That the property identified in subparagraph 28x hereof is property of Professor Dr. G. Klemperer;

24. That the property identified in subparagraph 28y and 28z hereof is property of Privy Councilor Willstater;

25. That the property identified in subparagraph 28aa hereof is property of Dr. Oppenheimer;

26. That the property identified in subparagraph 28bb hereof is property of Professor Dr. Gansslen;

27. That the property identified in subparagraph 28cc hereof is property of the heirs of Professor Dr. Much;

28. That the property identified as follows:

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Farbenfabriken Vorm. Friedr. Bayer & Company by virtue of an agreement dated April 9, 1923 (including all modifications thereof and supplements thereto, if any) by and between Farbenfabriken Vorm. Friedr. Bayer & Company and Winthrop Chemical Company Incorporated, which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 2,291,285,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated November 15, 1926 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company, Inc., which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 2,291,285,

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Farbenfabriken Vorm. Friedr. Bayer & Co. by virtue of an agreement dated April 9, 1923 (including all modifications thereof and supplements thereto, if any) by and between Farbenfabriken Vorm. Friedr. Bayer & Co. and Sterling Products Co., Inc., as evidenced by a letter to Farbenfabriken Vorm. Friedr. Bayer & Co. from Sterling Products Co. Inc., which agreement relates, among other things, to certain United States Letters Patent and Trademarks,

(d) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated November 10, 1928 (including all modifications thereof and supplements thereto, if any) by and between I. G. Farbenindustrie Aktiengesellschaft, Wisconsin Alumni Research Foundation, Harry Steenbock and Winthrop Chemical Company, Inc., which agreement relates, among other things, to certain United States Letters Patent, including Patent No. 1,873,942,

(e) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Hans Schmidt by virtue of every agreement relating, among other things, to inventions of the character disclosed in Patent No. 1,988,632 between the said Hans Schmidt and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company,

(f) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Hans Schmidt by virtue of every agreement relating, among other things, to inventions of the character disclosed in Patent No. 1,873,668 between the said Hans Schmidt and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company,

(g) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Emil Hees by virtue of every agreement relating, among other things, to inventions of the character disclosed in Patent No. 2,076,889 between the said Emil Hees and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company,

(h) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Ferdinand Blum by virtue of every agreement relating, among other things, to inventions of the character disclosed in Patent No. 1,856,533 between the said Ferdinand Blum and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company,

(i) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Heinz Ohle by virtue of every agreement relating, among other things, to inventions of the character disclosed in Patent No. 2,160,621 between the said Heinz Ohle and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company,

(j) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Richard Kuhn by virtue of every agreement relating, among other things, to inventions of the character disclosed in Patent No. 2,238,874

between the said Richard Kuhn and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company,

(k) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Burkhardt Helferich by virtue of every agreement relating, among other things, to inventions of the character disclosed in Patent Nos. 2,068,453 and 2,207,680 between said Burkhardt Helferich and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company,

(l) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Gustav Pfeiffer by virtue of every agreement relating, among other things, to inventions of the character disclosed in Patent Nos. 2,160,167 and 2,160,168 between the said Gustav Pfeiffer and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company,

(m) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Friederich Schonbeck and Hermann Schroder, and each of them, by virtue of every agreement relating, among other things, to inventions of the character disclosed in Patent No. 2,135,915 between the said Friederich Schonbeck and Hermann Schroder and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company,

(n) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Zimmer & Co. by virtue of every agreement relating, among other things, to inventions of the character disclosed in Patent No. 1,629,873 between the said Zimmer & Co. and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company,

(o) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Professor Morgenroth and Dr. Friedmann, and each of them, by virtue of every agreement relating, among other things, to inventions of the character disclosed in Patent No. 1,629,873 between the said Professor Morgenroth and Dr. Friedmann and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company.

(p) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Dr. E. K. Frey and Dr. H. Kraut, and each of them, by virtue of every agreement relating, among other things, to inventions of the character disclosed in Patent No. 2,069,019 between the said Dr. E. K. Frey and Dr. H. Kraut and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company,

(q) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Professor H. Slotta by virtue of every agreement relating, among other things, to inventions of the character disclosed in Patent Nos. 2,202,619 and 2,203,611 between the said Professor H. Slotta and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company.

(r) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Dr. Straub by virtue of every agreement relating, among other things, to inventions of the character disclosed in Patent No. 1,882,984 between the said Dr. Straub and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company.

(s) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Professor Dr. Koenig and Dr. Greiner, and each of them, by virtue of every agreement relating, among other things, to inventions of the character disclosed in Patent No. 1,993,039 between the said Professor Dr. Koenig and Dr. Greiner and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company,

(t) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Professor Dr. Holtz by virtue of every agreement relating, among other things, to inventions of the character disclosed in Patent Nos. 2,070,117 and 2,228,491 between the said Professor Dr. Holtz and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company,

(u) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in E. Marck & Co. by virtue of every agreement relating, among other things, to inventions of the character disclosed in Patent Nos. 2,070,117, 2,228,491, 2,233,375, 1,690,796, 1,923,239 and 1,947,944 between the said E. Merck & Co. and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company,

(v) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Chinoin Fabrik fur Heilmittel und Chemische Produkte A-G (Dr. Kereszty und Wolf) by virtue of an agreement dated July 11, 1940 (including all modifications thereof and supplements thereto, if any) by and between Maltbie Chemical Company, E. R. Squibb & Sons, American Cyanamid Company, Eli Lilly and Company, Merck & Co. Inc., Sharp & Dohme, Inc., Society of Chemical Industry in Basel, Chinoin Fabrik fur Heilmittel und Chemische Produkte A-G (Dr. Kereszty und Wolf) and Winthrop Chemical Company, Inc., which agreement relates, among other things, to certain United States patent applications, including Serial No. 268,525,

(w) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Professor Biedl by virtue of every agreement between the said Professor Biedl and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company by which the said Professor Biedl acquired the right to receive royalties from the said I. G. Farbenindustrie Aktiengesellschaft and/or Winthrop Chemical Company based upon the sale of certain products sometimes called by the trade name "Unden",

(x) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Professor Dr. G. Klemperer by virtue of every agreement between the said Professor Dr. G. Klemperer, Dr. Hermann Fischer and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company by which the said Professor Dr. G. Klemperer acquired the right to receive royalties from the said I. G. Farbenindustrie Aktiengesellschaft and/or Winthrop Chemical Company based upon the sale of certain products sometimes called by the trade names "Elarson", "Iron Elarson", "Iodine Elarson", "Optarson", and "Solarson",

(y) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Privy Councilor Willstatter by virtue of every agreement between the said Privy Councilor Willstatter, Dr. Walter Duisberg and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company by which the said Privy Councilor Willstatter acquired the right to receive royalties from the said I. G. Farbenindustrie Aktiengesellschaft and/or Winthrop Chemical Company based upon the sale of certain products sometimes called by the trade name "Compral",

(z) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights

and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Privy Councilor Willstatter by virtue of every agreement between the said Privy Councilor Willstatter, Dr. Walter Duisberg and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company by which the said Privy Councilor Willstatter acquired the right to receive royalties from the said I. G. Farbenindustrie Aktiengesellschaft and/or Winthrop Chemical Company based upon the sale of certain products sometimes called by the trade name "Avertin",

(aa) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Dr. Oppenheimer by virtue of every agreement between the said Dr. Oppenheimer and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company by which the said Dr. Oppenheimer acquired the right to receive royalties from the said I. G. Farbenindustrie Aktiengesellschaft and/or Winthrop Chemical Company based upon the sale of certain products sometimes called by the trade name "Amphotropin Solution",

(bb) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreements hereinafter described, together with the right to sue therefor) created in Professor Dr. Gansslen by virtue of every agreement between the said Professor Dr. Gansslen and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company by which the said Professor Dr. Gansslen acquired the right to receive royalties from the said I. G. Farbenindustrie Aktiengesellschaft and/or Winthrop Chemical Company based upon the sale of certain products sometimes called by the trade name "Campolon",

(cc) All interests and rights within the jurisdiction of the United States (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Professor Much by virtue of every agreement between the said Professor Much and I. G. Farbenindustrie Aktiengesellschaft and/or between the said I. G. Farbenindustrie Aktiengesellschaft and Winthrop Chemical Company by which the said Professor Much acquired the right to receive royalties from the said I. G. Farbenindustrie Aktiengesellschaft and/or Winthrop Chemical Company based upon the sale of certain products sometimes called by the trade name "Omnadin",

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries (Germany and Hungary);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, 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 it 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 November 10, 1943.

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

[F. R. Doc. 43–19382; Filed, December 4, 1943; 11:08 a. m.]

[Vesting Order 2604]

BERNHARD AND IDA SCHENKBAR

In re: Claim of Bernhard Schenkbar and Ida Schenkbar, his wife, for compensation arising out of condemnation by the City of New York of certain real property.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Bernhard Schenkbar and Ida Schenkbar, his wife, is Karl Strasse 12, Schmalkaden, Thuringen, Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Bernhard Schenkbar and Ida Schenkbar, his wife, are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

All right, title and interest of any name or nature whatsoever of Bernhard Schenkbar and Ida Schenkbar, his wife, in and to a claim for fair and just compensation arising out of the condemnation by the City of New York of certain real property, particularly described in Exhibit A hereto attached and made a part hereof, pursuant to a proceeding entitled "In the Matter of Acquiring Title for a Circumferential Parkway from Coney Island Avenue to Marine Park in the Borough of Brooklyn", in the Supreme Court of the State of New York, County of Kings, Index No. 8728/1940,

is property which is in condemnation proceedings and which is payable or deliverable to, or claimed by, nationals of a designated enemy country, and is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And 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 (Germany);

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 in subparagraph 3 hereof, 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 November 19, 1943.

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

EXHIBIT A

All that certain lot, piece or parcel of land with the buildings and improvements thereon erected, or to be erected, and all fixtures and articles attached to, or to be attached to, or used in connection with said premises, situate lying and being in the Borough of Brooklyn, County of Kings, City and State of New York bounded and described as follows:

Beginning at a point on the easterly side of Ford Street distant 192 feet northerly from the corner formed by the intersection of the easterly side of Ford Street with the northerly side of Harkness Avenue, running thence easterly parallel with Harkness Avenue 100 feet; thence northerly parallel with Ford Street 28 feet; thence westerly and again parallel with Harkness Avenue 100 feet to the easterly side of Ford Street and thence southerly along the said easterly side of Ford Street 28 feet to the point or place of beginning.

Together with all the right, title and interest of Bernhard Schenkbar and Ida Schenkbar, his wife, in and to the land lying in the bed of the street or avenue in front of and adjoining said premises to the center line thereof.

This property is identified as Damage Parcel #428 on the Damage Map of a proceeding entitled: "In the Matter of Acquiring Title for a Circumferential Parkway from Coney Island Avenue to Marine Park in the Borough of Brooklyn", in the Supreme Court of the

State of New York, Kings County, Index No. 8728/1940.

This property is further identified as Tax Lot No. 117, Block 7507 on the Tax Maps of the City of New York.

[F. R. Doc. 43–19397; Filed, December 4, 1943; 11:05 a. m.]

[Vesting Order 2605]

GIOVANNI LAGOMARSINO

In re: Interest in a note and deed of trust unsecured promissory note, a fire insurance policy, bank account, and safe deposit box contract owned by Mr. Giovanni Lagomarsino.

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 address of Giovanni Lagomarsino is San Columbano Certenoli, Province of Genoa, Italy, and that he is a resident of Italy and a national of a designated enemy country (Italy);

2. That Giovanni Lagomarsino is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. An undivided 49.14 percent interest (amounting to the sum of $1,140) in a certain note in the sum of $2,320 executed by Silvio Canepa and Nick Canepa on January 20, 1939, and in a deed of trust executed on January 20, 1939 by Silvio Canepa, as Trustor, and Giovanni Lagomarsino, and Agostino Lagomarsino, Trustee for Frank Lagomarsino, as Beneficiaries, and recorded on January 25, 1939 in the Recorder's Office of San Joaquin County, California, in Volume 640 of Official Records at page 17, and any and all obligations secured by said deed of trust, including but not limited to all security rights in and to any and all collateral (including the aforesaid deed of trust) for any and all such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds, or other instruments evidencing such obligations,

b. A certain promissory note in the amount of $1,000 executed by Vitorio Oneto, as Maker, on March 30, 1941, in favor of Giovanni Lagomarsino, which is now in the possession of G. B. Poggi, 940 N. Sierra Nevada Street, Stockton, California, attorney in fact for Giovanni Lagomarsino, and any and all obligations secured by said promissory note, including but not limited to all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds, or other instruments evidencing such obligations,

c. All right, title, interest and claim (including but not limited to, the right of access to the safe deposit box hereinafter referred to) of Giovanni Lagomarsino, arising by reason of a contract, evidenced by a lease, between the Bank of America, Hunter Square Branch, Stockton, California, and G. B. Poggi, attorney in fact for Giovanni Lagomarsino, relating to Safe Deposit Box No. 393 in the vaults of the Bank of America, Hunter Square Branch, Stockton, California,

d. All right, title and interest of Giovanni Lagomarsino in and to Fire Insurance Policy No. 157254, issued by the Travelers Fire Insurance Company of Hartford, Connecticut, insuring the property covered by the deed of trust described herein, and

e. All right, title, interest and claim of Giovanni Lagomarsino in and to a certain bank account in the Bank of America, Hunter Square Branch, Stockton, California, which is due and owing to and held for Giovanni Lagomarsino and in the name of G. B. Poggi, attorney in fact for Giovanni Lagomarsino, including but not limited to all security rights in and to any and all collateral for any and all of such account, and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Italy);

And determining that the property described in subparagraphs 3–d and 3–e hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3–a hereof) belonging to the same national 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 national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Italy);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in paragraph 3 hereof, 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 November 19, 1943.

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

[F. R. Doc. 43–19398; Filed, December 4, 1943; 11:05 a. m.]

[Supplemental Vesting Order 2642]

CASTLE RAYON CORPORATION

In re: Castle Rayon Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order 39, dated June 30, 1942, that all of the issued and outstanding capital stock of Castle Rayon Corporation, a corporation organized under the laws of the State of New York, consisting of 100 shares, were owned by Chatillon S. A. I., Milano, Italy, and having vested said 100 shares of stock;

2. Finding that Castle Rayon Corporation, a corporation organized under the laws of the State of New York, is a business enterprise within the United States;

3. Finding that Chatillon S. A. I., whose principal place of business is located in Milano, Italy, is a national of a designated enemy country (Italy);

4. Finding that Castle Rayon Corporation is a national of a designated enemy country (Italy);

5. Finding that Viscose Rheinfelden Suisse S. A., Rheinfelden, Switzerland, has claims against Castle Rayon Corporation, which, as of September 25, 1942, aggregated $8,321.88, and represent an interest in said Castle Rayon Corporation;

6. Finding that Viscose Rheinfelden Suisse S. A. is a wholly owned subsidiary of Chatillon S. A. I.;

and determining:

7. That Viscose Rheinfelden Suisse S. A. is controlled by Chatillon S. A. I. and is a national of a designated enemy country (Italy);

8. 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 required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interest of Viscose Rheinfelden Suisse S. A. in Castle Rayon Corporation, as represented on the books and records of said corporation as accounts payable, and hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

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 vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in

whole or in part, nor shall it 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", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 30, 1943.

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

[F. R. Doc. 43–19383; Filed, December 4, 1943; 11:06 a. m.]

[Supplemental Vesting Order 2682]

ERNST H. MESSER

In re: Certain shares of irrigation stock owned by Ernst H. Messer.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found, in Vesting Order 1145, dated March 29, 1943, that Ernst H. Messer is a national of a designated enemy country (Germany);

2. Having vested by said Vesting Order 1145, real property situated in Weld County, Colorado, personal property, bank accounts and a claim, all of which are particularly described in said Vesting Order 1145 and all of which were owned by the said Ernst H. Messer on March 29, 1943;

3. Finding that Ernst H. Messer is the owner of the property described in subparagraph 4 hereof;

4. Finding that the property described as follows:

One-half (½) share of stock of the Boulder and Weld County Ditch Company, Erie, Colorado, registered in the name of Ernst H. Messer, evidenced by Certificate No. Twenty-eight (28); and, twelve and one-half (12½) shares of stock of the Layner Cottonwood Consolidated Ditch Company, Erie, Colorado, registered in the name of Ernst H. Messer, evidence by Certificate No. Two Hundred and Ten (210) [Original Certificate No. One Hundred and Eighty Seven (187)]; and, five (5) shares of stock of The Base Line Land & Reservoir Company, Longmont, Colorado, registered in the names of Ernst and Marie Messer, evidenced by Certificate No. One Hundred and Nine (109),

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 4 hereof is necessary for the maintenance or safeguarding of the property described in subparagraph 2 hereof;

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 in subparagraph 4 hereof, 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 November 30, 1943.

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

[F. R. Doc. 43–19399; Filed, December 4, 1943; 11:06 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 327]

MINES IN BIG VEIN AND TYSON SEAMS, MARYLAND

ORDER GRANTING ADJUSTMENT

Order No. 327 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Docket Nos. 3120–560 and 3120–584. Granting adjustment to mines in the Big Vein and Tyson seams in Maryland.

For the reasons set forth in the opinion issued herewith and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

(a) Coals produced at any mine in the Big Vein or Tyson Seams in Subdistrict Nos. 43 and 44 in District No. 1 for all methods of shipment and all uses may be sold and purchased at f. o. b. mine prices not to exceed the following:

Size Groups:	
1	$4.05
2	3.85
3	3.85
4	3.70
5	3.70
Smithing Coal (any size)	4.60

(b) In Order No. 219, paragraphs (a) (1), (2), (3) and (4), insofar as the last relates to Mine Index No. 500, are revoked. Order Nos. 49, 222 and 239 are revoked.

(c) This Order No. 327 may be revoked or amended by the Price Administrator at any time.

(d) Unless the context otherwise requires the definitions in § 1340.208 of Maximum Price Regulation No. 120 shall apply to terms used herein.

This Order No. 327 shall become effective December 6, 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 4th day of December 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43–19448; Filed, December 4, 1943; 4:55 p. m.]

Regional and District Office Orders.

[Region II, Amdt. 2 to Order G–9 Under 18 (c) and SR 15]

FLUID MILK IN BINGHAMTON-ROCHESTER AREA, N. Y.

Amendment No. 2 to Order No. G–9 under § 1499.18 (c) of the General Maximum Price Regulation and under § 1499.75 of Supplementary Regulation No. 15 to the General Maximum Price Regulation.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Acting Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, and § 1499.75 of Supplementary Regulation No. 15, *It is hereby ordered,* That the schedule set forth in paragraph (b) of Order No. G–9 be amended to read as follows:

Locality	Type of fluid milk	Type of delivery	Container size	Adjusted maximum price per container
				Cents
Area IV	Grade A pasteurized.	Into store	Quart	12
			Pint	7
		Out of store and to the home	Quart	14
			Pint	8

It is further ordered, That there be added at the end of the schedule set forth in paragraph (a) the following:

Locality	Type of fluid milk	Type of delivery	Container size	Adjusted maximum price per container
				Cents
Area IX	Grade A pasteurized.	Into store	Quart	11
			Pint	6½
		Out of store and to the home	Quart	13
			Pint	7½

It is further ordered, That paragraph (h) (8) be amended to read as follows:

(8) "Area VI" means that part of the State of New York which consists of the counties of Livingston, Yates, Allegany, Wayne (with the exception of the township of Arcadia), Seneca (with the exception of the townships of Waterloo and Seneca Falls) and Steuben (with the exception of the townships of Erwin, Lindley, Corning, Caton and Hornelville).

It is further ordered, That a new subparagraph be added to paragraph (h) to be designated paragraph (h) (11) to read as follows:

(11) "Area IX" means that part of the State of New York which consists of the County of Ontario (with the exception of the town of Geneva),

and that subparagraphs (11), (12), (13) of paragraph (h) be redesignated subparagraphs (12), (13) and (14) respectively.

This amendment to Order No. G–9 shall become effective November 21, 1943.

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

Issued this 20th day of November 1943.

JOHN R. JOHNSTON,
Acting Regional Administrator.

[F. R. Doc. 43–19352; Filed, December 3, 1943; 3:38 p. m.]

[San Antonio Order G–1 Under MPR 426]

LETTUCE IN SAN ANTONIO, TEX., DISTRICT

Order No. G–1 under Maximum Price Regulation 426, as amended. Fresh fruits and vegetables for table use, sales except at retail. Maximum prices for lettuce.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator for Region V of the Office of Price Administration, and by him delegated on the 13th day of July, A. D. 1943, by Region V Delegation of Authority Order No. 27, to the District Director of the San Antonio, Texas, District Office of Region V of the Office of Price Administration, by virtue of section 2 (b) of Maximum Price Regulation No. 426, as amended, it is hereby ordered:

SECTION 1. *Maximum prices.* The maximum price for less than carlot or less than trucklot sales of iceberg lettuce in L. A. Crates containing from four (4) to six (6) dozen heads with a minimum net weight of sixty (60) pounds to any person, except to an ultimate consumer, shall be the maximum price for carlot or trucklot sales at any wholesale receiving point, plus ninety cents (90¢).

SEC. 2. *Applicability of Maximum Price Regulation 426.* Except as specifically provided in this order, the provisions of Maximum Price Regulation 426 as amended, are in no way affected and shall continue to remain in full force and effect.

SEC. 3. *Geographical applicability.* The provisions of this order shall apply to the San Antonio District composed of the following counties located in the State of Texas, to wit:

Aransas, Atascosa, Bandera, Bastrop, Bee, Bexar, Blanco, Brooks, Burnet, Caldwell, Calhoun, Cameron, Comal, Crockett, DeWitt, Dimmit, Duval, Edwards, Frio, Gillespie, Guadalupe, Goliad, Gonzales, Hays, Hidalgo, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kerr, Kinney, Kimble, Kleberg, La Salle, Live Oak, Llano, McMullen, Mason, Maverick, Medina, Menard, Nueces, Real, Refugio, San Patricio, Schleicher, Starr, Sutton, Terrell, Travis, Uvalde, Val Verde, Victoria, Webb, Willacy, Williamson, Wilson, Zavala, Zapata, and that portion of Lavaca County which lies within the corporate limits of the City of Yoakum, Texas.

SEC. 4. *Revocation.* This order may be revoked, amended or corrected at any time.

SEC. 5. *Definition.* The terms herein used shall be the same in meaning as like terms used in Maximum Price Regulation 426, as amended, and defined therein.

SEC. 6. *Effective date.* This order shall become effective at 12:01 a. m., central war time, November 28, 1943, and shall remain in full force and effect until specifically revoked, corrected or amended.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681; and Maximum Price Regulation 426, 8 F.R. 9546)

Issued at San Antonio, Texas, this 25th day of November, A. D. 1943.

FRANK M. COVERT, Jr.,
District Director.

[F.R. Doc. 43–19354; Filed, December 3, 1943; 3:38 p. m.]

[Region VI Order G–18 Under MPR 329]

FLUID MILK IN CLINTON, IOWA

Order No. G–18 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Producers' milk prices in Clinton, Iowa.

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 (b) 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, either

1. 73c per pound of butterfat, or

2. The maximum price which distributors to whom this order applies are permitted to pay to producers pursuant to the provisions of Maximum Price Regulation No. 329, Purchases of Milk from Producers for Resale as Fluid Milk,

whichever of the above two prices is higher.

(b) This order shall apply to all purchases of milk by distributors whose bottling plants are located within Clinton, Iowa, or who sell in such city 50% or more of the milk bottled by them.

(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 become effective November 26, 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 22d day of November 1943.

RAYMOND S. MCKEOUGH,
Regional Administrator.

[F. R. Doc. 43–19355; Filed, December 3, 1943; 3:37 p. m.]

[Region VII 2d Rev. Order G–12 Under 18 (c), Amdt. 2]

FLUID MILK IN THE STATE OF MONTANA

2d Revised Order No. G–12 under § 1499.18 (c) of the General Maximum Price Regulation, Amendment No. 2. Order modifying wholesale and retail prices for fluid milk in the State of Montana.

Pursuant to the Emergency Price Control Act of 1942, as Amended, § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 2 is issued.

1. Paragraph (b) of said 2d Revised Order No. G–12 is hereby amended to read as follows:

(b) *State of Montana divided into four districts.* For the purpose of this second revised general order, the State of Montana is hereby divided into four districts to be known as District No. 1, District No. 2, District No. 3, and District No. 4, as hereinafter defined.

2. A new paragraph designated (e–1) and inserted immediately after paragraph (e) is added to read as follows:

(e–1) *Maximum prices for fluid milk at wholesale and retail in District No. 4 of the State of Montana.* The maximum prices for fluid milk sold at wholesale in

glass bottles or paper containers in a quantity less than one gallon, and sold in bulk by the gallon, and sold at retail in glass bottles or paper containers or in bulk in District No. 4 of the State of Montana, shall be, from and after the effective date of this second revised general order, as follows:

	Wholesale price in glass bottles or paper containers	Retail price in glass bottles, paper containers or in bulk
Container size:		
Half pints	$0.04	$0.06
Pints	.06	.08
Quarts	.11	.13
	In container other than glass or paper	
In bulk:		
Gallon	$0.40	

(1) Except as to fluid milk sold in bulk, the prices hereinabove specified for District No. 4 may be increased ½¢ per quart for every ½% or major fraction thereof of butterfat content in excess of 4%.

3. Paragraph (f) (4) is hereby amended by insertion therein immediately after the county name "Stillwater" in the sixth line thereof, the following:

Except the municipality of Columbus and all that area immediately adjacent thereto and lying within a distance of five miles from its corporate boundaries at all points.

4. A new subparagraph designated (4a) is added to paragraph (f) to follow immediately after subparagraph (4) and being as follows:

(4a) "District No. 4 of the State of Montana" means the municipality of Columbus and all that area immediately adjacent thereto and lying within a distance of five miles from its corporate boundaries at all points.

5. This Amendment No. 2 shall become effective as of November 27, 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 November 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-19356; Filed, December 3, 1943; 3:36 p. m.]

[Region VII 2d Rev. Order G-7 Under SR 15]

FLUID MILK IN CERTAIN AREAS IN COLORADO

2d Revised Order No. G-7 under Supplementary Regulation 15 of the General Maximum Price Regulation. Adjusted maximum prices for fluid milk sold at wholesale and at retail in certain areas in the State of Colorado.

Pursuant to the Emergency Price Control Act of 1942, as amended, Supplementary Regulation 15 to the General Maximum Price Regulation, as amended, and for the reasons set forth in the accompanying opinion, Revised Order No. G-7 under Supplementary Regulation 15 of the General Maximum Price Regulation is hereby redesignated 2d Revised Order No. G-7 under Supplementary Regulation 15 of the General Maximum Price Regulation and is revised and amended to read as follows:

(a) *What this order does.* This second revised order covers only those areas in the State of Colorado not covered by Amendment No. 7 to Supplementary Regulation 14A drawn by the Washington Office of the Office of Price Administration and issued simultaneously herewith; and that part of the State of Colorado covered by this second revised order is divided into six areas, numbered respectively from 1 to 6 and geographically defined in paragraph (c) hereof.

(b) *Adjusted maximum prices in the several Colorado areas covered.* On and after the effective date of this second revised order the maximum prices for fluid milk of approved grade in the several Colorado areas defined in paragraph (c) hereof, when sold in glass or paper containers, at wholesale and at retail shall be as follows:

Size of glass or paper container	Area 1		Area 2		Area 3	
	Wholesale	Retail out of store or home delivered	Wholesale	Retail out of store or home delivered	Wholesale	Retail out of store or home delivered
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
½ pint	3½	5	3½	5	3½	6
Pint	6	7	5	7	5½	7
Quart	11	13	10	12	10½	12½
½ gallon	21	25	19	22	20	24
Gallon	41	48	37	44	39	46

Size of glass or paper container	Area 4		Area 5		Area 6	
	Wholesale	Retail out of store or home delivered	Wholesale	Retail out of store or home delivered	Wholesale	Retail out of store or home delivered
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
½ pint	5	7	4	6		
Pint	7	9	6	8		
Quart	13	15	12	14		14
½ gallon	25	29	23	27		
Gallon	49	56	45	52		

Maximum prices for certain milk products sold at retail in glass or paper containers in Area 6

	Cents per quart
Coffee cream (18% butterfat)	50½
Buttermilk	11½
Chocolate drink	13½

(c) *Definitions.* (1) "Area 1" means all that area in the State of Colorado contained within the counties of Baca, Bent, Boulder, Clear Creek, Delta, Fremont, Gilpin, Hinsdale, Las Animas, Mesa, Mineral Moffat, Montrose (except that portion contained in Area 4), Otero, Ouray, Pitkin, Prowers, Summit (except that portion contained in Area 6), the municipality of Crested Butte in Gunnison County, and a distance of five miles beyond the corporate limits thereof at all points, the coal mining camps of Somerset and Oliver in Gunnison County, the municipality of Rico in Dolores County, and a distance of five miles beyond the corporate limits thereof at all points, the towns of Oak Creek, Phippsburg, Pinnacle, Haybro, Routt, and Oak Hills in Routt County.

(2) "Area 2" means all that area in the State of Colorado contained within the counties of Alamosa, Chaffee, Cheyenne, Conejos, Costilla, Crowley, Custer, Dolores (except that portion contained in Area 1), Eagle (except that portion contained in Area 6), Elbert, El Paso (except that portion covered by Amendment No. 7 to Supplementary Regulation 14A as issued by the Washington office), Garfield, Grand, Gunnison (except that portion contained in Area 1), Kit Carson, Kiowa, Jackson, Lincoln, Morgan, Park, Phillips, Pueblo (except that portion covered by Amendment No. 7 to Supplementary Regulation 14A as issued by the Washington office), Rio Blanco, Rio Grande, Routt (except that portion contained in Area 1), Saguache, San Miguel (except that portion contained in Area 4), Washington and Yuma.

(3) "Area 3" means all that area in the State of Colorado contained within the counties of Adams (except that portion covered by Amendment No. 7 to Supplementary Regulation 14A as issued by the Washington office), Arapahoe (except that portion covered by Amendment No. 7 to Supplementary Regulation 14A as issued by the Washington office), Archuleta, Douglas, Jefferson (except that portion covered by Amendment No. 7 to Supplementary Regulation 14A as issued by the Washington office), Huerfano, La Plata, Larimer, Logan, Montezuma, Teller, Sedgwick, and Weld.

(4) "Area 4" means all that area in the State of Colorado contained within the county of San Juan, all that part of San Miguel County contained within the boundaries of the Montezuma National Forest, and the mining camps of Naturita and Uravan, in Montrose County.

(5) "Area 5" means all that area in the State of Colorado contained within

the county of Lake, except the mining town of Climax and that portion contained within Area 6.

(6) "Area 6" means all that area in the State of Colorado contained within the Camp Hale Military Reservation.

(7) "Milk" or "Fluid Milk" means cow's milk produced, processed or unprocessed, and of approved grade, when sold in glass or paper containers for consumption in fluid form as whole milk.

(d) *Higher established maximum prices may be maintained.* Any seller who has established a maximum price under § 1499.2 of the General Maximum Price Regulation, or any other applicable price regulation or pursuant to any market agreement or order made or issued under the provisions of the Agricultural Market Agreement Act, as amended, that is higher than the price fixed by this second revised order may continue to sell at such higher established maximum price and the same shall not be modified or superseded by this second revised order.

(e) *Fractional prices.* In computing prices for a quantity purchase, either at wholesale or at retail, fractions of less than one-half cent shall be adjusted downward to the next cent, and fractions of one-half cent or more shall be adjusted upward to the next cent, and where a sale involves a single fractional unit or a single unit with a fractional price, the price shall be adjusted upward to the next cent. For example, a maximum price of 12½¢ for one unit will be adjusted to 13¢.

(f) *Applicability of other regulations.* This 2d Revised Order No. G–7 supersedes Revised Order No. G–7, subject to the terms and provisions of Supplementary Order No. 40. But except insofar as the same are contradictory of or inconsistent with one or more of the terms and provisions hereof, 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 selling milk under this 2d Revised Order No. G–7.

(g) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(h) *Right to revoke or amend.* This 2d Revised Order No. G–7 may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This 2d Revised Order No. G–7 shall become effective on November 16, 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 16th day of November 1943.

R. BATTERTON,
Acting Regional Administrator.

[F. R. Doc. 43–19358; Filed, December 3, 1943; 3:37 p. m.]

[Region VII 2d Rev. Order G–10 Under MPR 329]

MILK IN CERTAIN AREAS IN COLORADO

2d Revised Order No. G–10 under Maximum Price Regulation No. 329. Adjusted maximum prices paid by purchasers of milk to producers in certain areas of the State of Colorado.

Pursuant to the Emergency Price Control Act of 1942, as amended, § 1351.403 (a) (b) of Maximum Price Regulation No. 329, and for the reasons set forth in the accompanying opinion, Revised Order No. G–10 under Maximum Price Regulation No. 329 is redesignated 2d Revised Order No. G–10 under Maximum Regulation No. 329, and is revised and amended to read as follows:

(a) *What this second revised order does.* This 2d Revised Order No. G–10 supersedes, revises, and amends Revised Order No. G–10 under Maximum Price Regulation No. 329; divides all that part of the State of Colorado not covered by Amendment No. 15 to Maximum Price Regulation No. 329, issued by the Washington Office of the Office of Price Administration, into four separate areas; and establishes the maximum prices that may be paid in each area by a purchaser to a producer for fluid milk delivered in such area.

(b) *Maximum area prices.* The maximum price that may be paid in the several areas defined in paragraph (c) of this second revised order by a purchaser to a producer for fluid milk delivered to the purchaser's customary receiving point shall be the area price as set forth below for the area in which such receiving point is located:

(1) Area 1, 34¢ per gallon.
(2) Area 2, 90¢ per pound of butterfat content.
(3) Area 3, 85¢ per pound of butterfat content.
(4) Area 4, 80¢ per pound of butterfat content.

(c) *Definitions.* (1) "Area 1" means Lake County in the State of Colorado.

(2) "Area 2" means the counties of Baca, Bent, Boulder, Clear Creek, Delta, Gilpin, Hinsdale, Las Animas, Mesa, Moffat, Montrose, Mineral, Otero, Ouray, Pitkin, Prowers, and Summit, in the State of Colorado; the municipality of Crested Butte and a distance of five miles beyond the corporate limits thereof at all points in Gunnison County, Colorado; the municipality of Rico and a distance of five miles beyond the corporate limits thereof at all points in Dolores County, Colorado; the towns of Oak Creek, Phippsburg, Pinnacle, Haybro, Routt and Oak Hills in Routt County, Colorado.

(3) "Area 3" means the counties of Adams (except that part covered by Amendment No. 15 to Maximum Price Regulation No. 329, issued by the Washington Office of the Office of Price Administration), Arapahoe (except that part covered by Amendment No. 15 to Maximum Price Regulation No. 329, issued by the Washington Office of the Office of Price Administration), Archuleta, Douglas, Elbert, Fremont, Huerfano, Jefferson (except that part covered by Amendment No. 15 to Maximum Price Regulation No. 329, issued by the Washington Office of the Office of Price Administration), La Plata, Larimer, Logan, Montezuma, Sedgwick, Teller, and Weld, in the State of Colorado.

(4) "Area 4" means the counties of Alamosa, Chaffee, Cheyenne, Conejos, Costilla, Crowley, Custer, Dolores (except that part contained in Area 2), Eagle, El Paso (except that part covered by Amendment No. 15 to Maximum Price Regulation No. 329, issued by the Washington Office of the Office of Price Administration), Garfield, Gunnison (except that part contained in Area 2), Grand, Jackson, Kit Carson, Kiowa, Lincoln, Morgan, Park, Phillips, Pueblo (except that part covered by Amendment No. 15 to Maximum Price Regulation No. 329, issued by the Washington Office of the Office of Price Administration), Rio Blanco, Rio Grande, Routt (except that part contained in Area 2), Saguache, San Miguel, Washington, and Yuma, in the State of Colorado.

(5) "Milk" or "fluid milk" means cow's milk in a raw, unprocessed state which is purchased for resale for human consumption as fluid milk.

(6) "In a raw, unprocessed state" means unpasteurized and not sold or delivered in glass or paper containers.

(7) "Producer" means a farmer, or other person or representative, who owns, superintends, manages, or otherwise controls the operation of a farm on which milk is produced. Farmers' cooperatives are producers with regard to all sales of "milk" by them, except that milk processed for them by operators of milk receiving or processing plants and except that milk handled in physical facilities for receiving, processing or distributing milk which are owned or leased by the cooperative.

(8) "Purchaser" means any person who buys "milk" from a producer for resale. It refers to any branch, division, subsidiary, affiliate, or portion of a business organization, whether corporate or otherwise, purchasing milk from producers in a particular market as distinguished from purchases or other operations in different localities.

(d) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(e) *Applicability of other regulations.* This 2d Revised Order No. G–10 supersedes Revised Order No. G–10 under Maximum Price Regulation No. 329, subject to the terms and provisions of Supplementary Order No. 40, but except insofar as the same are contradictory of or inconsistent with one or more of the terms and provisions hereof, all of the terms and provisions of Maximum Price Regulation No. 329 shall remain in full force and effect and be applicable to all persons selling milk under this 2d Revised Order No. G–10.

(f) *Right to revoke or amend.* This 2d Revised Order No. G–10 may be re-

voked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

Effective date. This second revised order shall become effective as of November 16, 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 16th day of November 1943.

R. BATTERTON,
Acting Regional Administrator.

[F. R. Doc. 43-19357; Filed, December 3, 1943; 3:36 p. m.]

[Region VIII Order G-2 Under 18 (c), Amdt. 16]

MILK IN CERTAIN LOCALITIES IN CALIFORNIA

Amendment No. 16 to Order No. G-2 under § 1499.18 (c) of the General Maximum Price Regulation, as amended. Fluid milk prices at wholesale and retail in certain localities in the State of California.

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 § 1499.75 (a) (9) of Supplementary Regulation No. 15, Order No. G-2 is hereby amended as set forth below:

(a) The preamble is amended to read as follows:

For the reasons set forth in the 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 and § 1499.75 (a) (9) of Supplementary Regulation No. 15, *It is hereby ordered:*

(b) Schedule B is amended by striking out the heading "Shasta-Tehama-Siskiyou Marketing Area" and substituting therefore the following:

(1) Shasta and Tehama Counties.

	Wholesale	Retail	Out of distributor's own store
Gallon container	$0.45	$0.50	$0.45
Half-gallon container	.225	.26	.24
Quart glass	.12	.14	.12
Quart fiber	.13	.145	
Half pint	.04		

(2) The towns of Weed, Mt. Shasta, and Dunsmuir.

	Wholesale	Retail
Quart, glass	$0.12	$0.14

(3) Siskiyou County except the towns of Weed, Mt. Shasta, and Dunsmuir.

Not less than—	Wholesale delivered		Retail store		Retail home delivered	
	3.5 percent milk fat	4.2 percent milk fat	3.5 percent milk fat	4.2 percent milk fat	3.5 percent milk fat	4.2 percent milk fat
Gallon	$0.43	$0.47	$0.48	$0.52	$0.48	$0.52
Half-gallon	.215	.235	.25	.27	.25	.27
Quart, glass	.1125	.12	.13	.14	.13	.14
Quart, fiber	.1275	.135	.145	.155	.145	.155
Pint	.0625	.0675	.08	.085	.08	.085
Half-pint	.04	.042				

	Out of distributor's own store.
Gallon	$0.45
Half-gallon	.24
Quart	.12

This amendment to Order No. G-2 shall become effective December 1, 1943.

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

Issued this 22d day of November 1943.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 43-19359; Filed, December 3, 1943; 3:37 p. m.]

[Region VIII Order G-67 Under 18 (c), Amdt. 1]

FIREWOOD IN DESIGNATED COUNTIES IN WASHINGTON

Amendment No. 1 to Order No. G-67 under § 1499.18 (c), as amended, of the General Maximum Price Regulation. Certain firewood in Douglas, Grant, and Okanogan counties 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 that Order No. G-67 under § 1499.18 (c), as amended, of the General Maximum Price Regulation be amended as set forth below:

(a) Paragraph (b) is hereby amended by adding at the end thereof the following:

THE CITIES OF MANSFIELD AND WATERVILLE

Length of wood, 16 in. or shorter; unit of sale, cord; and maximum price, $15.00.

(b) A new paragraph, designated as paragraph (b-1), is hereby inserted following paragraph (b) to read as follows:

(1) The maximum price for applewood in 16. in. length or shorter delivered to the premises of the consumer in the cities of Mansfield and Waterville shall be $17.00 per cord.

(2) The maximum price for mill slabwood in 16 in. lengths or shorter delivered to the premises of the consumer in the city of Waterville shall be:

(i) For green wood, $9.25 per cord.

(ii) For dry wood, $10.50 per cord.

(c) Paragraph (c) is hereby amended by adding at the end thereof the following:

(3) The term "Cities of Mansfield and Waterville" shall include the area within 10 miles of each said city.

This amendment shall become effective upon issuance.

(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 24th day of November 1943.

L. F. GENTNER,
Regional Administrator.

[F.R. Doc. 43-19360; Filed, December 3, 1943; 3:38 p. m.]

[Region VIII Order G-75 Under 18 (c)]

FIREWOOD IN BENTON AND FRANKLIN COUNTIES, WASHINGTON

Order No. G-75 under § 1499.18 (c), as amended, of the General Maximum Price Regulation. Certain firewood in Benton and Franklin Counties, 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) With respect to the sales and deliveries of certain specified kinds of firewood in Benton and Franklin Counties, Washington, the maximum prices therefor shall be the seller's previous maximum prices as determined under section 2 of the General Maximum Price Regulation, or the adjusted maximum prices set forth in paragraph (b), whichever are the higher.

(b) The maximum prices for mixed mill slabwood in 16 in. lengths or shorter shall be as follows:

(1) For sales of wood delivered to the consumer's premises, $11.50 per cord.

(2) For sales of Wood f. o. b. seller's distribution yard. $9.50 per cord.

(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 allowances, discounts, and other price differentials.

(d) Lower prices than the maximum prices established by this order may be charged, demanded, offered, or paid.

(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.

(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 24th day of November 1943.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 43-19351; Filed, December 3, 1943; 3:35 p. m.]

[Region VIII Order G-28 Under MPR 329]

MILK IN JEFFERSON AND CLALLAM COUNTIES, WASHINGTON

Order No. G-28 under Maximum Price Regulation No. 329, as amended. 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 Regional Administrator of the Office of Price Administration by §§ 1351.408 and 1351.402 (c) of Maximum Price Regulation No. 329, as amended, *It is hereby ordered:*

(a) The maximum price at which any person may purchase fluid milk from producers located in Jefferson and Clallam Counties in the state of Washington shall be the purchaser's maximum price, as determined under § 1351.402 of Maximum Price Regulation No. 329 or the applicable maximum price as set forth below, whichever is higher:

(1) For purchases of milk f. o. b. producer's dairy, the maximum price shall be $0.77 per pound milk fat.

(2) For purchases of milk delivered to the purchaser's plant, the maximum price shall be the price specified in paragraph (a) (1) above, plus an allowance for transporting the milk from the producer's dairy to the purchaser's plant computed as follows:

(i) Where the milk is transported by means of facilities not operated or controlled by 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 producers, the transportation allowance shall be equal to the lowest available common or contract carrier rate for the same or similar service.

(b) Definitions are as follows:

(1) "Fluid milk" means liquid cows' milk in a raw unprocessed state sold for human consumption as fluid milk.

(2) Where the producer has customarily placed milk at a platform or other pick up point to be picked up by purchasers, the term "f. o. b. producer's dairy" shall mean placed at such point.

(3) All other terms used in this order shall have the same meaning as in Maximum Price Regulation No. 329, unless the context clearly requires otherwise.

(c) This order may be revoked, amended or corrected at any time.

This order shall become effective November 29, 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 24th day of November 1943.

L. F. GENTNER,
Regional Administrator.

Approved:
BUELL F. MABEN,
Regional Director,
Pacific Region.

[F.R. Doc. 43-19349; Filed, December 3, 1943; 3:36 p. m.]

[Region VIII Order G-29 Under MPR 329]

MILK IN SHASTA AND TEHAMA COUNTIES, CALIFORNIA

Order No. G-29 under Maximum Price Regulation No. 329, as amended. 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 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 at which any person whose place of business is located in Shasta or Tehama County in the state of California may purchase fluid milk from a producer located in Shasta or Tehama County shall be as follows:

(1) For purchases of milk delivered to the purchaser's plant, the maximum price shall be $.90 per pound milk fat.

(2) For purchases of milk f. o. b. the producer's dairy, the maximum price shall be $.86 per pound milk fat.

(b) The maximum price at which any person whose place of business is located outside of Shasta and Tehama Counties may purchase milk from producers located within Shasta or Tehama County shall be $.86 per pound milk fat f. o. b. producer's dairy.

(c) Definitions are as follows:

(1) "Fluid milk" means liquid cows' milk in a raw, unprocessed state meeting the minimum health and sanitary requirements specified by state and local health agencies, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

(2) "Purchaser" means any person who buys fluid milk from producers for resale for human consumption as fluid milk.

(3) Where the producer has customarily placed milk to be picked up by purchasers at a platform or other pick up point at or near his dairy, the term "f. o. b. producer's dairy" shall mean placed at such point.

(4) "Purchaser's plant" means a building where milk purchased from producers is collected and cooled by a purchaser by mechanical refrigeration prior to delivery to another plant or to wholesalers, retailers, or ultimate consumers.

(d) This order may be revoked, amended or corrected at any time. This order shall become effective November 30, 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 22d day of November, 1943.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 43-19350; Filed, December 3, 1943; 3:36 p. m.]

[Jackson Order G-1 Under MPR 426]

ICEBERG LETTUCE IN MISSISSIPPI

Order No. G-1 issued under Maximum Price Regulation 426. Fresh fruits and vegetables for table use, sales except at retail. Adjustment of maximum prices for sales of iceberg lettuce in Mississippi in less than carlot or less than trucklot quantities.

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 section 2 (b) of Maximum Price Regulation 426, and by Regional Delegation Order No. 16 issued by Region IV of the Office of Price Administration, dated September 7, 1943, *It is hereby ordered:*

(a) On and after the effective date of this order, regardless of any contract, agreement, or other obligation, no person shall sell or deliver, and no person, in the course of trade or business, shall buy or receive, any iceberg lettuce in less than carlot or less than trucklot quantities in Mississippi, at prices higher than the maximum prices established by this order, and no person shall agree, offer, solicit, or attempt to do any of the foregoing. Lower prices than the maximum prices may be charged, demanded, offered, and paid.

(1) The maximum prices established for the sale of iceberg lettuce in Los Angeles or Salinas crates, containing not less than 48 heads, with a minimum weight of 60 pounds, shall be:

(i) On a sale by an "intermediate seller" to a wholesaler, $4.72.

(ii) On a sale in Hinds County, made by any seller, to a "retailer", institutional user, or procurement agency of the United States or of any state, $5.27.

(iii) On a sale outside Hinds County, made by any seller, to a "retailer", institutional user, or procurement agency of the United States or of any state, $5.27, plus 20¢ per crate.

(2) The maximum price per pound for the sale of iceberg lettuce in Mississippi, of a type covered in paragraph (a) (1), in any container except a Los Angeles or Salinas crate, or if sold in a Los An-

geles or Salinas crate containing less than 48 heads or with a net weight of less than 60 pounds, shall be the price per crate established for that particular type of sale covered in paragraph (a) (1) divided by 60.

(b) *Definitions.* (1) "Retailer" means a person other than an intermediate seller who makes sales and deliveries to ultimate consumers.

(2) "Intermediate seller" means any person who purchases fresh fruits and vegetables and who resells them in less than carlot or less than trucklot quantities to any person who is not an ultimate consumer.

(3) Unless the context otherwise requires, the definitions set forth in section 8 of Maximum Price Regulation 426, as amended, shall be applicable herein.

(c) *Geographical applicability.* This order applies only to sales made within the state of Mississippi.

(d) *Applicability of Maximum Price Regulation 426.* Except as herein provided, all sales shall remain subject to the provisions of Maximum Price Regulation 426 and to all amendments and orders which heretofore have been or hereafter may be issued.

(e) This order may be revoked, amended, or corrected at any time.

(f) This order shall become effective the 29th day of November, 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 the 25th day of November, 1943.

WILLIAM E. HOLCOMB,
District Director.

[F. R. Doc. 43-19353; Filed, December 3, 1943; 3:38 p. m.]

[Little Rock Order 1, Amdt. 1, Under MPR 5-10]

LUNCHEON MENUS IN ARKANSAS

Amendment No. 1 to Order No. 1, under Restaurant Maximum Price Regulation No. 5-10. Food and drink sold for immediate consumption. Specific prices for certain food items and meals.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, Order No. 1 under Restaurant Maximum Price Regulation No. 5-10 is hereby amended in the following respect:

1. Section 6, paragraph (a), is amended to read as follows:

(a) "Noon-day luncheon" means any entree or main dish served separately or in combination with other food items or beverages as a mid-day meal, every day except Sunday, Thanksgiving and Christmas.

This amendment shall become effective November 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; Gen. Order 50, 8 F.R. 4808)

Issued at Little Rock, Arkansas, this 22d day of November 1943.

ROBERT P. HALL,
District Director.

[F. R. Doc. 43-19429; Filed, December 4, 1943; 12:21 p. m.]

[Boise Order 2, Amdt. 1. Under MPR 7-1]

MALT BEVERAGES IN IDAHO

Amendment No. 2 to Order No. 1 under Restaurant Maximum Price Regulation No. 7-1. Food and drink sold for immediate consumption. Maximum prices for malt beverages sold by eating or drinking places.

Pursuant to section 2 of the Emergency Price Control Act of 1942, as amended and section 20 of 2d Revised Restaurant Maximum Price Regulation No. 7-1 and to the authority delegated to the District Director of the Boise, Idaho, District Office by Region VII Revised Delegation Order No. 15, dated September 20, 1943, and for the reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered,* That the above described order be amended in the following respect:

Section 3 (f) is hereby revoked.

This Amendment No. 2 shall become effective at 12: 01 a. m. November 17, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808)

Issued at Boise, Idaho, this 17th day of November, 1943.

C. C. ANDERSON,
District Director.

[F. R. Doc. 43-19426; Filed, December 4, 1943; 12:12 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under General Order 51 were filed with the Division of the Federal Register on December 3, 1943.

REGION II

Altoona Order No. 8, filed 4:10 p. m.
Altoona Order No. 9, filed 4:11 p. m.
Binghamton Order No. 8, Amendment No. 1, filed 3:54 p. m.
Newark Order No. 7, filed 4:02 p. m.
New York Order No. 10, filed 3:56 p. m.
New York Order No. 11, filed 3:34 p. m.

REGION III

Cleveland Order No. F-4, Amendment No. 8, filed 4:08 p. m.
Iron Mountain Order No. 1-F, Amendment No. 5, filed 4:02 p. m.
Iron Mountain Order No. 2-F, Amendment No. 4, filed 4:03 p. m.
Iron Mountain Order No. 3-F, Amendment No. 4, filed 4:03 p. m.
Iron Mountain Order No. 4-F, Amendment No. 4, filed 4:04 p. m.
Iron Mountain Order No. 5-F, Amendment No. 4, filed 4:04 p. m.
Iron Mountain Order No. 6-F, Amendment No. 3, filed 4:05 p. m.
Iron Mountain Order No. 7-F, Amendment No. 3, filed 4:06 p. m.
Iron Mountain Order No. 8-F, Amendment No. 3, filed 4:06 p. m.
Louisville Order No. 1-F, Amendment No. 6, filed 4:00 p. m.
Saginaw Order No. 1-F, Amendment No. 3, filed 4:07 p. m.

REGION IV

Jacksonville Order No. 1-F, Amendment No. 4, filed 3:54 p. m.
Nashville Order No. 2-F, Amendment No. 7, filed 4:01 p. m.
South Carolina Order No. 1-F, Amendment No. 9, filed 4:08 p. m.

REGION V

Oklahoma City Order No. 1-F, Amendment No. 1, filed 4:08 p. m.

REGION VI

Moline Order No. 19, filed 3:58 p. m.

REGION VII

Montana Order No. 31, Amendment No. 1, filed 4:00 p. m.
Montana Order No. 32, Amendment No. 1, filed 3:59 p. m.
Montana Order No. 33, Amendment No. 1, filed 3:59 p. m.
Montana Order No. 34, Amendment No. 1, filed 3:58 p. m.
Montana Order No. 36, Amendment No. 1, filed 3:57 p. m.
Montana Order No. 37, Amendment No. 1, filed 3:57 p. m.
Montana Order No. 38, Amendment No. 1, filed 3:57 p. m.

REGION VIII

San Diego Order No. 1-F, Amendment No. 9, filed 4:10 p. m.
San Diego Order No. 1-F, Amendment No. 10, filed 4:08 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 43-19449; Filed, December 4, 1943; 4:57 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-821]

FEDERAL LIGHT AND TRACTION CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of December, 1943.

Notice is hereby given that a declaration has been filed with this Commission pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U-44 promulgated thereunder by Federal Light & Traction Company, a registered holding company.

All interested persons are referred to said document which is on file in the offices of the Commission for a statement of the transactions therein proposed which are summarized as follows: Federal Light & Traction Company proposes to sell all of the outstanding capital stock, namely, 2,500 shares of $100 par value each of Rawlins Electric Company, an electric utility subsidiary operating

in Rawlins, Wyoming, to Edmund Steinauer of Lincoln, Nebraska for a basic cash consideration of $350,000 pursuant to an agreement dated November 19, 1943.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matter and that said declaration shall not become effective except pursuant to further order of this Commission:

It is ordered, That a hearing on such matter under the applicable provisions of said Act and Rules of the Commission thereunder be held on December 23, 1943 at 10 o'clock a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such declaration shall become effective. Notice is hereby given of said hearing to the above named declarant and to all interested parties, said notices to be given to said declarant by registered mail and to all other persons by publication in the FEDERAL REGISTER.

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of issues presented by said declaration otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and considerations:

1. Whether the consideration to be received for such sale, maintenance of competitive conditions, fees and commissions, accounts, disclosure of interest and similar matters are such that the declaration may be permitted to become effective.

2. Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms or conditions with respect to such sale.

3. Generally, whether, in any respect, the proposed transaction is detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the act or rules, regulations or orders promulgated thereunder.

4. Whether the proposed sale is necessary to effectuate the provisions of the Commission's Order of August 17, 1943 (Holding Company Act Release No. 4489) requiring, in part, divestment by Federal Light & Traction Company of its interest in Rawlins Electric Company and is fair and equitable to the persons affected.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided in Rule XVII of the Commission's Rules of Practice on or before December 18, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-19362; Filed, December 3, 1943; 4:26 p. m.]

[File Nos. 54-45, 59-48]

SOUTHERN UNION GAS CO., ET AL

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of December, A. D. 1943.

Notice is hereby given that declarations or applications (or both) have been filed by Southern Union Gas Company with this Commission, pursuant to the Public Utility Holding Company Act of 1935, in the form of an amendment designated as Amendment No. 13 to its application, heretofore filed pursuant to section 11 (e) of the said act, for approval of a plan to effectuate the provisions of section 11 (b). This Commission, by order entered on September 19, 1942, and certain subsequent supplemental orders, has approved said Plan as heretofore modified.

All interested persons are referred to said Amendment No. 13, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized as follows:

As a step in further compliance with the order of the Commission entered September 19, 1942, Southern Union Gas Company proposes to divest itself of all interest in, and all ownership and control of, its physical property located in central Texas.

The amendment states that Southern Union Gas Company proposes to sell to Lone Star Gas Company, a non-affiliated company, the physical property and assets, except cash, comprising its central Texas gas distribution system and plant, located in and adjacent to Hico and Duffau, Texas, for the sum of $36,500 in cash, subject to certain adjustments as provided in the purchase agreement dated November 12, 1943. The properties proposed to be sold include a gas well and its appurtenant lease in Hamilton County, Texas, which Southern Union Gas Company proposes, initially, to acquire from its subsidiary, Southern Union Production Company, for $3,000 in cash.

The amendment further states that cash equal to the sale price of the central Texas properties shall be paid to the Harris Trust & Savings Bank, Trustee under the Indenture securing Southern Union Gas Company's First Mortgage Bonds, 3¾% Series, due 1962, to be applied toward the retirement of said Bonds.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held in respect to such matters; and that said declarations shall not become effective nor said applications be granted except pursuant to further order of this Commission:

It is ordered, That the proceedings in this matter be reconvened and a hearing, under the applicable provisions of said Act and the rules of the Commission thereunder, be held on December 13, 1943 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by the rules of practice, Rule XVII, on or before December 10, 1943;

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings at such time. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to the Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues, particular attention will be directed at such hearing to the following matters:

(1) Whether the proposed transaction is in furtherance of, and not inconsistent with, the order of this Commission entered herein on September 19, 1942 and is necessary to enable Southern Union Gas Company to comply with the provisions of section 11 (b) of the act.

(2) Whether the consideration for the properties proposed to be sold is adequate.

(3) Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose any terms or conditions in order to ensure compliance with the requirements of the act and of any rules or regulations promulgated thereunder.

It is further ordered, That the Secretary of this Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to the Southern Union Gas Company and to the Texas Railroad Commission by registered mail; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-19363; Filed, December 3, 1943; 4:26 p. m.]

[File No. 70-824]

THE COMMONWEALTH AND SOUTHERN CORP. AND OHIO EDISON CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 2d day of December 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Commonwealth & Southern Corporation ("Commonwealth"), a registered holding company, and Ohio Edison Company ("Ohio Edison"), a subsidiary thereof. All interested persons are referred to said document which is on file in the office of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Ohio Edison proposes, subject to the approval of the Commission, to retire, by use of moneys in its treasury, all of its outstanding shares of $6.60, $7.00 and $7.20 series of preferred stocks in the following manner:

	Cash required
(a) By redeeming upon not less than 30 nor more than 60 days' notice by mail or publication, shares of Ohio Edison's preferred stock outstanding with the public as follows: 22,133 shares of $6.60 Series; 58,341 shares of $7.00 Series and 3,990 shares of $7.20 Series, a total of 84,464 shares with an aggregated stated value of $8,446,400, at the redemption price of $115 per share, aggregating	[1]$9,713,360.00
(b) By retiring shares of Ohio Edison's preferred stock now owned by Commonwealth as follows: 1,365 shares of $6.60 Series, 10,663 shares of $7.00 Series and 106 shares of $7.20 Series, a total of 12,134 shares with an aggregated stated value of $1,213,400, by paying to Commonwealth, upon the surrender by it to Ohio Edison of the certificates representing said shares, the cash cost of said shares to it or predecessor, namely	[1]1,149,707.25
Total	[1]$10,863,067.25

[1] Exclusive of accrued dividends.

Authorization of the proposed transactions is sought under sections 12 (c), 12 (d), and 12 (f) of the Act and Rules U-42, U-43 and U-44 thereunder.

The filing states that Ohio Edison has cash on hand in the amounts necessary to consummate the proposed transactions and after disbursing such amounts will have left substantial net working capital.

Applicants request that authorization be granted at as early a date as is practicable.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters, and that the declaration shall not become effective nor the application be granted except pursuant to further order of this Commission;

It is ordered, That a hearing on the application or declaration (or both) be held in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, at 11:00 A.M.E.W.T., on the 16th day of December 1943, in such room as may be designated at such time by the Hearing Room Clerk in Room 318.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided by the Commission's Rules of Practice, Rule XVII, on or before December 14, 1943.

It is further ordered, That Robert P. Reeder, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That the Secretary of this Commission shall serve notice of this order by mailing a copy thereof by registered mail to The Commonwealth & Southern Corporation, the Ohio Edison Company and to the Public Utilities Commission of the State of Ohio, and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

It is further ordered, That without limiting the scope of the issues presented by said application or declaration (or both), particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed expenditure for the purpose of redeeming and retiring Ohio Edison's preferred stock in the manner proposed is appropriate and consistent with all the applicable requirements of the act and the rules thereunder.

(2) Whether the transactions as proposed between Ohio Edison and Commonwealth are appropriate and meet the applicable requirements of the act and the rules thereunder.

(3) Whether any terms and conditions are necessary in the public interest and for the protection of investors and consumers to prevent the circumvention of the provisions of the act or of the rules, regulations or orders thereunder.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-19366; Filed, December 3, 1943; 4:26 p. m.]

[File Nos. 70-16, 70-34]

SECURITIES CORPORATION GENERAL

ORDER ELIMINATING CONDITION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pennsylvania, on the 2nd day of December, A. D., 1943.

A declaration and application having been filed with this Commission pursuant to sections 7 and 12 (c) of the Public Utility Holding Company Act of 1935 by Securities Corporation General, a subsidiary of International Utilities Corporation, a registered holding company, regarding certain transactions affecting the capital and earned surplus accounts of Securities Corporation General; and

The Commission having, by order dated September 19, 1940, permitted the said declaration to become effective and approved the said application, subject to the condition, among others, that no dividend shall be declared or paid by Securities Corporation General on its common stock without prior approval of this Commission; and

The Commission having, subsequently, by order dated January 30, 1943, permitted a declaration filed by International Utilities Corporation to become effective regarding the sale of its entire holdings in Securities Corporation General (File No. 70-652); the said sale having been consummated, and Securities Corporation General being no longer a subsidiary of a registered holding company under the Public Utility Holding Company Act of 1935; and

It appearing that the said condition to the Commission's order dated September 19, 1940 relating to the payment of dividends by Securities Corporation General should no longer be in effect;

It is ordered, That the said order of the Commission dated September 19, 1940 be modified, as of this date, by the elimination therefrom of the condition relating to the payment of dividends by Securities Corporation General on its common stock without prior approval of this Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-19364; Filed, December 3, 1943; 4:27 p. m.]

[File No. 70-814]

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 2d day of December 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), a 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 divi-

dend of $1.25 on its $5 Prior Preferred Stock. The presently proposed dividend is applicable to the quarterly period ended December 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 November 26, 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. No one 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 September 30, 1943, the assets of Gengas, per books, available for security holders totalled $30,039,954. 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 $2,893,785.

The books of Gengas, as of September 30, 1943, reflect an earned surplus deficit of $2,637,771.08; the capital surplus is shown as $13,446,082.74.

Net income of Gengas for the twelve months ended September 30, 1943, amounted to $486,229.92. As at September 30, 1943, Gengas had cash on hand in the amount of $1,046,477.70.

A cash forecast for the twelve months ending September 30, 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 $1,516,472.20.

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 eighth 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, as amended, 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. 43-19365; Filed, December 3, 1943; 4:27 p. m.]

[File Nos. 59-38, 54-84]

UNITED PUBLIC UTILITIES CORP., ET AL.

ORDER APPROVING PLAN, GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 2nd day of December 1943.

In the matter of United Public Utilities Corporation and its subsidiary companies, respondents, file No. 59-38; United Public Utilities Corporation, Alabama United Ice Company, file No. 54-84.

The Commission having, by order dated March 4, 1942, directed, among other things, that United Public Utilities Corporation ("UPU"), a registered holding company, divest itself of all its interest in Alabama United Ice Company ("Alabama Ice"), and said order having provided that the respondents should make application to the Commission for the entry of such further orders as might be necessary or appropriate for the purpose of carrying out the provisions of the above-mentioned order; the Commission having, by orders dated April 23, 1943 and October 14 1943, extended the time in which to comply with its order of March 4, 1942 until March 4, 1944;

The above-named companies having filed a joint application and declaration, and an amendment thereto, pursuant to section 11 (e) and other sections of the Public Utility Holding Company Act of 1935, and the rules and regulations of the Commission promulgated thereunder, proposing a Plan for the sale of UPU's interest in Alabama Ice and the application of the proceeds to the purchase or redemption of its outstanding bonds; and requesting

(1) An order of the Commission approving said plan,

(2) That the Commission apply to a court to enforce the terms and provisions of said plan with respect to the redemption of bonds, and

(3) That said order of the Commission conform to the pertinent requirements of the Internal Revenue Code, as amended, including sections 371 (b), 371 (d), 371 (f) and 1808 (f) thereof, and contain the recitals and specifications therein set forth.

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein; and

The Commission having found that said plan, except with respect to the provisions regarding the use of the proceeds, jurisdiction over which is reserved herein, is necessary and appropriate to effectuate the provisions of section 11 (b) of said Act, and is fair and equitable to the persons effected thereby;

It is ordered, That said plan, as amended, except as noted above, be and the same hereby is approved, and that said application and declaration, as amended, except the declaration of UPU with respect to the use of the proceeds to be received from the sale of the Alabama Ice securities, be and the same hereby are granted and permitted to become effective subject to the terms and conditions prescribed in Rule U-24;

It is further ordered, That the sale by UPU of the securities of Alabama Ice consisting of 100 shares of common stock and a 6% income note in the principal amount of $64,791.60, and the partial liquidation of Alabama Ice to be effected in connection therewith are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935. This paragraph is included in our order at the request of UPU in view of sections 371 and 1808 (f) of the Internal Revenue Code, as amended;

It is further ordered, That jurisdiction be and hereby is reserved to consider all matters relating to these proceedings not disposed of by this order, to entertain such further proceedings, to make such further and supplemental findings and to take such additional and further action as may be found by the Commission to be appropriate in the premises in connection with the consummation of said plan and related incidental transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-19373; Filed, December 4, 1943; 10:50 a. m.]

[File No. 70-282]

COMMUNITY POWER AND LIGHT CO., ET AL.

ORDER MODIFYING DIVIDEND RESTRICTIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2nd day of December, A. D. 1943.

In the matter of Community Power and Light Company, General Public Utilities, Inc., Southwestern Public Service Company, et al.

Southwestern Public Service Company, a registered holding company, having filed a written request herein for the modification of certain provisions limiting the declaration and payment of dividends upon the common stock of said corporation imposed by this Commission in that supplemental and amendatory order entered in this proceeding on September 14, 1942, by which order the issuance and sale of the presently outstanding First Mortgage and Collateral Trust Bonds, Serial Notes, and 6½% Cumulative Preferred Stock of said company were authorized, and the Commission having considered said request and

the financial exhibits filed therewith, and it appearing to the Commission, and the Commission finding, that modification of the above-mentioned dividend restrictions to the extent hereinafter indicated is appropriate in the public interest and the interest of investors and consumers.

It is hereby ordered, That the paragraph of the order of this Commission entered herein under date of September 14, 1942 beginning with the words: *"And provided further,* That Southwestern Public Service Company shall not (i) declare or pay any dividend upon its common stock * * *" be, and it is hereby, amended, as of the date of this present order, to read as follows:

And provided further, That Southwestern Public Service Company shall not (i) declare or pay any dividends upon its common stock in excess of 50¢ per share in any 12 months' period commencing September 1, nor (ii) make any payment or distribution on such common stock (by purchase or otherwise in money or other property) other than as permitted by (i) above: *Provided however,* That (a) during the twelve months' period commenced September 1, 1943 Southwestern Public Service Company may declare and pay dividends on its common stock not in excess of $1 per share, notwithstanding the restrictions designated (i) and (ii) in this paragraph, and (b) when the common stock equity of Southwestern Public Service Company, as the term "common stock equity" is hereinafter defined, shall, from time to time, equal or exceed 25% of the total outstanding capitalization of said corporation, as the term "total outstanding capitalization" is hereinafter defined, the restrictions set forth in this paragraph and designated (i) and (ii) shall cease to be operative as to the declaration and payment of such dividends as do not reduce said common stock equity to less than 25% of said total outstanding capitalization; as used herein, the term "common stock equity" shall mean the sum of (1) the aggregate par value of common stock outstanding, (2) the aggregate par value of common stock reserved for issuance (but still unissued) pursuant to the merger agreement and reorganization plan approved by this Commission under date of July 8, 1942, (3) the aggregate premium received by Southwestern Public Service Company on the sale of common stock, (4) capital surplus, and (5) earned surplus accumulated subsequent to September 1, 1942; the term "total outstanding capitalization", as used herein, shall mean the sum of (1) the aggregate principal amount of outstanding funded debt, (2) the aggregate par value of outstanding preferred stock, and (3) common stock equity, as hereinabove defined;

It is further ordered, That nothing in this order contained shall be deemed to amend, modify, or in any manner alter any provision of said order of September 14, 1942, or of any other order heretofore entered herein, except as herein expressly set forth, and, particularly, but without limiting the generality of the foregoing, this order shall not be deemed to affect in any manner the obligations imposed upon said Southwestern Public Service Company by said order of September 14, 1942 in respect of the sinking fund for retirement of preferred stock required by said order to be created and maintained, and, similarly, nothing in this order contained shall be deemed to affect in any manner any restrictions upon the declaration and payment of dividends upon the common stock of said corporation contained in any indenture to which said corporation is a party or in the merger agreement constituting the charter or articles of incorporation of said corporation.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-19369; Filed, December 4, 1943; 10:50 a. m.]

[File No. 70-825]

OHIO PUBLIC SERVICE CO. AND CITIES SERVICE POWER AND LIGHT CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 3rd day of December, 1943.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Ohio Public Service Company ("OPS") and Cities Service Power & Light Company ("Power & Light"). Power & Light is a registered holding company and a subsidiary company of Cities Service Company, also a registered holding company. OPS is a public-utility subsidiary company of Power & Light and of Cities Service Company.

All interested persons are referred to said declaration or application (or both), which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized below:

1. Subject to the conditions specified in a contract dated September 10, 1943, between OPS and Manufacturers Trust Company, OPS proposes to purchase from Manufacturers Trust Company all the issued and outstanding common stock of The Marion-Reserve Power Company ("Marion"), a public-utility company incorporated in Ohio, consisting of 330,000 shares of a par value of $5 per share. The purchase price for said stock is payable in cash and is $2,550,000 if purchased on or before December 31, 1943, and if purchased thereafter and prior to May 1, 1944, the purchase price increases each day thereafter at the rate of $10,000 per month.

2. Subject to consummation of the above transaction, OPS proposes to issue and sell to Power & Light and Power & Light proposes to acquire from OPS, 15,000 shares of the common stock of OPS, par value $100 per share, and to pay for said stock the sum of $1,500,000 in cash. OPS proposes to use the entire proceeds received from the sale of said stock, together with cash in its treasury, to pay the purchase price of the common stock of Marion to be acquired from Manufacturers Trust Company as set forth above.

No fees or commissions are to be paid, and the estimated expenses of OPS and Power & Light are to be filed by amendment. OPS and Power & Light state that the Public Utilities Commission of Ohio has jurisdiction over the proposed purchase by OPS of the common stock of Marion and over the proposed sale by OPS of common stock to Power & Light, and that the laws of Ohio and the requirements of the Ohio Commission, applicable to such transactions, will have been complied with.

It appearing to this Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held with respect to said matters, and that said application or declaration shall not be granted or permitted to become effective except pursuant to further order of this Commission,

It is ordered, That a hearing on said matters under the applicable provisions of said Act and the rules of this Commission thereunder be held on December 17, 1943, at 10 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa. On such date the hearing room clerk in Room 318 will advise as to the room in which said hearing will be held. At such hearing, cause shall be shown why such declaration should be permitted to become effective and such application granted.

Further ordered, That the Secretary of this Commission shall serve notice of said hearing by mailing copies of this order to The Ohio Public Service Company, Cities Service Power & Light Company and the Public Utilities Commission of Ohio, and that notice of said hearing be given to all persons by publication of a copy of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission on or before December 16, 1943, his request or application therefor as provided by Rule XVII of the Rules of Practice of this Commission.

Further ordered, That Charles S. Lobingier or any other officer or officers of this Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a trial examiner under the Commission's Rules of Practice.

Further ordered, That, without limiting the scope of the issues presented by said application or declaration (or both), particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed acquisition by OPS will tend toward interlocking relations or the concentration of control of public utility companies of a kind or to an extent detrimental to the public interest or the interest of investors or consumers.

2. Whether the proposed consideration, including all fees and other remuneration, to be given, directly or indirectly, in connection with the proposed acquisitions by OPS and Power & Light, is reasonable and bears a fair relation to the sums invested in and the earning capacity of the utility assets underlying the securities proposed to be acquired.

3. Whether the proposed acquisitions will unduly complicate the capital structure of the holding-company system of Power & Light or will be detrimental to the public interest or the interest of investors or consumers or the proper functioning of the holding-company system of Power & Light.

4. Whether the proposed acquisitions will serve the public interest by tending towards the economical and efficient development of an integrated public-utility system.

5. Whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to prescribe any terms or conditions in respect of the proposed transactions.

6. Whether the proposed accounting entries are in accordance with accepted accounting principles and meet the applicable standards of the Act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-19370; Filed, December 4, 1943; 10:50 a. m.]

[File No. 70-828]

OGDEN CORP.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3rd day of December, A. D. 1943.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Ogden Corporation, a registered holding company.

Notice is further given that any interested person may, not later than December 17, 1943, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration, as filed or as amended, may become effective as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20(a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration, which is on file in the office of the Commission, for a statement of the transactions therein proposed, which are summarized below:

Ogden Corporation proposes to pay out of surplus of November 30, 1943 a dividend on its Common Stock at the rate of 25¢ per share, payable on December 29, 1943 to holders of record at the close of business on December 22, 1943. The aggregate amount of this dividend will be $850,925.55. At November 30, 1943, the Earned Surplus of Ogden Corporation was $289,755.16, and its Capital Surplus was $5,257,818.07. The proposed dividend is to be charged to Earned Surplus to the extent thereof and, thereafter, to Capital Surplus. Ogden Corporation has requested that the Commission enter an order permitting the declaration to become effective on or before December 21, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc 43-19371; Filed, December 4, 1943; 10:50 a. m.]

[File Nos. 70-326, 59-22, 54-73]

NORTH AMERICAN GAS AND ELECTRIC CO. AND LOEB & EAMES, INC.

ORDER APPROVING PLAN OF LIQUIDATION AND DISSOLUTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 2d day of December 1943.

North American Gas and Electric Company, a registered holding company, and Loeb & Eames, Inc., a wholly-owned subsidiary, having filed with this Commission a joint application and declaration and amendments thereto, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, requesting approval of a Plan as amended of Liquidation and Dissolution of North American Gas and Electric Company designed to effect compliance with the provisions of section 11 (b) (2) of the Act and the order of the Commission thereunder dated February 3, 1943, and requesting certain directive orders and the recitals required by sections 371 and 1808 (f) of the Internal Revenue Code that such transfers of securities are necessary and appropriate to effectuate the provisions of section 11 (b) of the Act; and

North American Gas and Electric Company having requested authorization to proceed forthwith to carry out the following transactions proposed in said plan:

(1) The sale by North American Gas and Electric Company of $19,000 principal amount of Southern Utah Power Company 6% debentures to Southern Utah Power Company for the consideration of $18,000;

(2) The sale by Loeb & Eames, Inc. in the market of the following securities:

(a) 1411 shares of common stock of Southwestern Public Service Company;

(b) 14 shares of $3.50 prior preferred stock of International Utilities Corporation;

(c) 8 shares of $1.75 preferred stock of International Utilities Corporation;

(d) 100 shares of Class B stock of International Utilities Corporation.

(3) The redemption by North American Gas and Electric Company of $13,000 face amount of United States Savings Bonds;

(4) The redemption by Loeb & Eames, Inc. of $16,800 face amount of United States Savings Bonds.

A public hearing on said application having been held pursuant to appropriate notice at which the applicants and all their security holders and other interested persons were given an opportunity to be heard, and the Commission, on the basis of the record, having made and filed its findings and opinion herein, finding that the plan is fair and equitable to the persons affected thereby, and is necessary to effectuate the provisions of section 11 (b) of the Act; and that it is appropriate to make the recitals required by sections 371 and 1808 (f) of the Internal Revenue Code;

It is hereby ordered, That the plan as amended be, and the same is hereby, approved, and that pursuant to said plan North American Gas and Electric Company be, and is hereby, authorized and directed to transfer for cancellation the 100,000 shares of common stock of Washington Gas and Electric Company to the Trustees of that company without consideration, complete its liquidation and thereafter distribute its cash and Colonial Ice Company common stock, in accordance with the provisions of the Plan, as amended; and that such transfers are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 within the meaning of sections 371 and 1808 (f) of the Internal Revenue Code; the authorization herein granted is subject, however, to Rule U-24 and to the following further terms and conditions:

(1) That North American Gas shall mail to each of its security holders of record a copy of the Commission's findings and opinion entered herein; said mailing to be made at the same time as the mailing of the first notice of a hearing on the plan which the Court may require in connection with the proceeding for the enforcement of said plan, and to security holders as of such record date as may be fixed in such order of the Court.

(2) That jurisdiction is hereby reserved to approve, disapprove, or modify all fees and expenses incurred or to be incurred in connection with this proceeding or with the consummation of the proposed plan, and to take such other action and to make such other findings and to enter such further orders as may be appropriate in the premises in connection with the proposed plan or as may be appropriate if such plan is not carried out with reasonable promptness.

(3) That, except as specifically authorized below, this order shall not be operative to authorize the consummation of transactions proposed in the Plan as amended until an appropriate federal district Court shall, upon application thereto, enter an order enforcing such plan as approved.

It is further ordered, That North American Gas and Electric Company and Loeb & Eames, Inc. be, and are hereby, authorized and directed to proceed forthwith to carry out the transactions with respect to the sale and redemption of securities described in subparagraphs numbered 1 to 4 inclusive above; said transactions are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 within the meaning of sections 371 and 1808 (f) of the Internal Revenue Code.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 43-19372; Filed, December 4, 1943; 10:50 a. m.]

[File No. 812-306]

WESTERN NEW YORK FUND, INC.

ORDER DENYING APPLICATION FOR PERMISSION TO PURCHASE OUTSTANDING STOCK

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of December, A. D. 1943.

Western New York Fund, Incorporated, having filed an application pursuant to Rule N-23C-1 as amended, promulgated under section 23 (c) of the Investment Company Act of 1940, for an order permitting it to purchase its common stock at prices to be fixed by its board of directors;

A hearing having been held after appropriate notice and the Commission being fully advised, and having this day entered its findings and opinion herein; on the basis of said findings and opinion.

It is ordered, That the application be and the same hereby is denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-19374; Filed, December 4, 1943; 10:51 a. m.]

WAR PRODUCTION BOARD

[Serial No. 29621]

LOUISIANA DEPARTMENT OF HIGHWAYS

AMENDMENT TO REVOCATION TO PREFERENCE RATING

Builder: Louisiana Department of Highways, Baton Rouge, Louisiana. Project: Identified as SN-FAP 68 E (1), located at Shreveport, La.

The order issued on or about July 2, 1943 and amended on or about August 6, 1943, revoking Preference Rating Order P-19-e, Serial No. 29621, is hereby amended by striking paragraph (3) thereof and substituting the following:

(3) *Prohibition of construction.* The builder shall neither perform nor permit the performance of any further construction or installation on the project except further permitted construction being construction necessary to complete the following work:

(i) The installation of storm sewer tile in such open trenches as have been made and the back-filling thereof along with such additional storm water work as is the absolute minimum necessary to prevent undue damage to the work already incorporated.

(ii) The restoration of entrance facilities to adjacent property to the same practicable condition as existed prior to the start of construction.

(iii) Such other minor items of work as are necessary to prevent undue damage to materials already incorporated in the project.

(iv) The construction of the portion of the above project extending from the bridge across Cross Bayou northwesterly to connect with the portion of the project already completed.

This amendment is issued solely to make possible the use of the part of the project which has already been completed, because without the construction hereby authorized the materials which have already been incorporated and the work which has been done would be wasted. This amendment is not to be construed as granting authority for or approving any work done without authorization prior to the issuance of this amendment, nor as condoning any violation of any order or regulation of the War Production Board which may have been committed in connection with the above project.

Issued this 4th day of December 1943.

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

[F. R. Doc. 43-19407; Filed, December 4, 1943; 11:26 a. m.]

J. B. LIEBMAN AND COMPANY, INC.

CONSENT ORDER

J. B. Liebman and Company, Inc., is a corporation engaged in the retail distribution of consumers' goods, with a main store in Philadelphia, Pennsylvania, and branch stores in Allentown, Pennsylvania, Easton, Pennsylvania, Lebanon, Pennsylvania, and Reading, Pennsylvania. The company is charged by the War Production Board with violating Limitation Order L-219, in that during the period from April 1, 1943, to June 30, 1943, it had receipts of consumers' goods amounting to approximately $214,701.00, whereas the allowable receipts of the company during this period, under the terms of the said order, amounted to approximately $69,654.00. The company admits the excessive receipts as charged and consents to the issuance of the following order.

Wherefore, upon the agreement and consent of J. B. Liebman and Company, Inc., the Regional Compliance Chief and the Regional Attorney, and upon the approval of a Compliance Commissioner, *It is hereby ordered*, That:

(a) During the period from December 15, 1943, to December 31, 1943, inclusive, J. B. Liebman and Company, Inc., shall not receive physical delivery of any consumers' goods either at their stores or warehouse or at any other place of storage, except as specifically authorized in writing by the War Production Board.

(b) Nothing contained in the foregoing paragraph (a) shall be construed to prohibit J. B. Liebman and Company, Inc., from receiving consumers' goods which have been sent out for repairs, or which are repair parts for consumers' goods in inventory, or to prohibit the receipt of lenses, frames or other parts of eye glasses which are generally sold in their optical department; or to prohibit the receipt of articles of clothing which have been sold by the company and sent out for repairs or alterations; or to prohibit the receipt of footwear.

(c) During the period from December 15, 1943, to December 31, 1943, inclusive, J. B. Liebman and Company, Inc., its successors and assigns, shall in all ways conduct its operations as if it were a controlled merchant, as defined in Limitation Order L-219, whose mercantile inventory is greater than its inventory limit at the beginning of the quarterly period.

(d) Nothing contained in this order shall be deemed to relieve J. B. Liebman and Company, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect upon issuance and shall expire on January 1, 1944.

Issued this 4th day of December 1943.

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

[F. R. Doc. 43-19434; Filed, December 4, 1943; 8:52 p. m.]

WAR SHIPPING ADMINISTRATION.

"STANLEY B. BUTLER"

NOTICE OF DETERMINATION

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Public Law 17, 78th Congress).

Whereas on May 13, 1942, title to the vessel *Stanley B. Butler* (238067) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943, (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress)), is not required by the United States, and after such determination has been made and notice therof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided however*, That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *; and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: December 2, 1943.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 43-19338; Filed, December 3, 1943; 12:04 p. m.]

"PINE RIDGE"

NOTICE OF DETERMINATION

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Public Law 17, 78th Congress).

Whereas on January 9, 1943, title to the vessel *Pine Ridge* (211352) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943, (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *, and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: December 2, 1943.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 43-19339; Filed, December 3, 1943; 12: 04 p. m.]

REVISED PROGRAM OF SHIP REQUISITION, CHARTER AND OPERATION

NOTICE TO ALL OWNERS OF VESSELS CHARTERED TO THE WAR SHIPPING ADMINISTRATION

The date "December 31, 1943" appearing in paragraph "Second" of Form No. 3 attached to the Revised Program of Ship Requisition, Charter and Operation, published November 27, 1943, 8 F.R. 16089 at page 16092, is corrected to read: "December 1, 1943."

December 1, 1943, as of October 15, 1943.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 43-19340; Filed, December 3, 1943; 12:06 p. m.]

"EXCEL"

NOTICE OF DETERMINATION

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Public Law 17, 78th Congress).

Whereas on November 26, 1942 title to the vessel "Excel" (223786) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943, (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *; and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: December 3, 1943.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 43-19403; Filed, December 4, 1943; 11:37 a. m.]