

Recd

FEDERAL REGISTER

VOLUME 9 NUMBER 10

Washington, Friday, January 14, 1944

Regulations

TITLE 6—AGRICULTURAL CREDIT
Chapter I—Farm Credit Administration
PART 27—THE FEDERAL LAND BANK OF SAINT PAUL

FEES

Sections 27.1, 27.2, 27.4, and 27.5 of Title 6, Code of Federal Regulations, are hereby amended to read as follows:

§ 27.1 *Fees for appraisal and reappraisal.* An appraisal fee of ten dollars (\$10.00) shall be paid in connection with each new application submitted for a loan, and in connection with each application for an additional or increased loan whether or not additional security is offered. Where a reappraisal is required because of delay of the applicant, or is made at his request, a second appraisal fee of ten dollars (\$10.00) shall be paid. (Sec. 13 "Ninth", 39 Stat. 372, Secs. 26, 32, 48 Stat. 44, 48, as amended; 12 U.S.C. 781 "Ninth", 723 (e), 1016 (e), and Sup.; 6 CFR 19.322, 19.330, 19.331) (Res. Bd. Dir., December 22, 1943)

§ 27.2 *Fees for determination of title.* No determination of title or closed loan fee shall be charged in the case of any loans made for \$5,000 or less. Where a new application results in a loan exceeding \$5,000 in amount, or where an application for an additional loan results in new money loaned exceeding \$5,000, there will be deducted from the proceeds of the loan a fee of \$1 for each \$1,000, or fraction thereof, by which the amount loaned or new money loaned exceeds \$5,000. (Sec. 13 "Ninth", 39 Stat. 372, Secs. 26, 32, 48 Stat. 44, 48, as amended; 12 U.S.C. 781 "Ninth", 723 (e), 1016 (e), and Sup.; 6 CFR 19.326) (Res. Bd. Dir., December 22, 1943)

§ 27.4 *Non-resident investigation fee.* Where, in connection with an application for a new loan, or increased loan, or a division of an existing loan, it appears necessary for the bank to make a non-resident personal investigation outside

the Seventh Farm Credit District, the applicant shall be required to pay a fee of \$7.50, such fee to be refunded in its entirety to the applicant if the investigation is not made. (Sec. 13 "Ninth", 39 Stat. 372, Secs. 26, 32, 48 Stat. 44, 48, as amended; 12 U.S.C. 781 "Ninth", 723 (e), 1016 (e), and Sup.; 6 CFR 19.333) (Res. Bd. Dir., December 22, 1943)

§ 27.5 *Applicability of bank fees.* The fee schedule described in §§ 27.1 and 27.2 is applicable to single Federal land bank or Land Bank Commissioner first mortgage loans; in the event the application results in a joint land bank and Land Bank Commissioner loan, the fee shall be computed upon the basis of the aggregate amount loaned. (Sec. 13 "Ninth", 39 Stat. 372, Secs. 26, 32, 48 Stat. 44, 48, as amended; 12 U.S.C. 781 "Ninth", 723 (e), 1016 (e), and Sup.; 6 CFR 19.334, 19.335) (Res. Bd. Dir., December 22, 1943)

Section 27.3 of Title 6, Code of Federal Regulations, is hereby revoked. (Res. Bd. Dir., December 22, 1943)

[SEAL] THE FEDERAL LAND BANK OF
 ST. PAUL.
 D. S. GRAY,
 Vice President.

[F. R. Doc. 44-668; Filed, January 13, 1944;
 9:49 a. m.]

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[Q. 72, Rev. Reg. 2, Amdt. 1]

PART 301—DOMESTIC QUARANTINE NOTICES
MODIFICATION OF WHITE-FRINGED-BEETLE QUARANTINE REGULATIONS

Introductory note. This revision of the regulations has for its only purpose the extension of the regulated areas to include new places where white-fringed beetles have been found in Alabama, Mississippi, and North Carolina. Counties brought within the regulated areas, in

(Continued on next page)

CONTENTS

REGULATIONS AND NOTICES	
	Page
ALIEN PROPERTY CUSTODIAN:	
Thiry, Leon, and Abel Edgar Chernack, proceeding for claim allowance.....	594
Vesting orders:	
Adloff Realty Co.....	588
Bostrum, Inc.....	588
Christoff, Gregory.....	589
Dobler, Michael.....	592
Donath, Victor.....	591
Falkenstein, William.....	589
Howe, Wilbur.....	592
Jacoby, George W.....	589
Kinderman, William.....	592
Krumnack, John.....	593
Lorsch, Josephine M.....	594
Meyer, Wilhelm, et al.....	587
Olcott, Bianca.....	590
Pierzynski, Augusta.....	593
Rogowsky, Charles S.....	590
Rombeck, Catherine.....	591
Schaal, Frederecke Caroline.....	591
Stofa, Alex.....	586
Von Neindorff, Paul.....	594
Victor Chemical Works, hearing before Vested Property Claims Committee.....	594
ENTOMOLOGY AND PLANT QUARANTINE BUREAU:	
White-fringed beetle quarantine, extension to areas in Alabama, Mississippi, and North Carolina.....	559
FARM CREDIT ADMINISTRATION:	
St. Paul Federal Land Bank, fees.....	559
FEDERAL POWER COMMISSION:	
Granite City Generating Co. and Union Electric Company of Missouri, notice of applications.....	585
FEDERAL TRADE COMMISSION:	
Hearings, etc.:	
Braddock, Russell M.....	586
Calvert, Robert M., and Ralph D. Webster.....	585
Downs, Jannette B.....	586
Kampf, William H., and Earl H. Wilson.....	585
Smith, Samuel B.....	585

(Continued on next page)



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NOTICE

Book 1 of the Cumulative Supplement to the Code of Federal Regulations may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy. This book contains all Presidential documents issued during the period from June 2, 1938, through June 1, 1943, together with appropriate tables and index.

CONTENTS—Continued

	Page
FOREIGN ECONOMIC ADMINISTRATION:	
General license group, commodity list amended (2 documents).....	562, 563
General licenses:	
Gifts to prisoners of war and internees.....	562
Personal baggage.....	563
Shipments not exceeding specified value, commodity list amended.....	563
INTERSTATE COMMERCE COMMISSION:	
Freight rate tariffs, schedules and classifications; Tariff Circular MF No. 3.....	585
OFFICE OF PRICE ADMINISTRATION:	
Adjustments, etc.:	
American Earphone Co.....	596
General Ceramics Co.....	594
Otarion, Inc.....	596
Bituminous coal (MPR 120, Am. 78).....	573
Bread and bakery products (SR 14B, Am. 1).....	584
Castings, nonferrous (MPR 125, Am. 3).....	576

CONTENTS—Continued

	Page
OFFICE OF PRICE ADMINISTRATION—Continued.	
Fabrics, coated and combined (MPR 478, Am. 1).....	577
Flour from wheat, semolina, etc. (RMPR 296, Am. 1).....	576
Hawaii:	
Fruit (MPR 373, Am. 33).....	580
General items:	
(GMPR for Hawaii, Am. 2).....	579
(MPR 373, Am. 34).....	583
Laminated wood structural members (RSR 14, Am. 82).....	584
Logs and bolts (MPR 348, Am. 30).....	574
Pennsylvania anthracite (MPR 112, Am. 16).....	573
Processed foods, rationing (Rev. RO 13, Am. 3).....	574
Puerto Rico; grocery items (RMPR 183, Am. 21).....	579
Rubber drug sundries (MPR 300, Am. 14).....	575
Shoes, rationing (RO 17, Am. 50).....	573
Solid fuels:	
Delivered from producing facilities (MPR 121, Am. 28).....	573
Sold and delivered by dealers (RMPR 122, Am. 17).....	573
Sugar rationing (RO 3, Am. 110).....	574
Valve, gas appliance (Order A-1 under MPR 188, Am. 26).....	595
RAILROAD RETIREMENT BOARD:	
Erie Railroad Co. and Seaboard Terminal and Refrigeration Co., creditability of freight service.....	596
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
Driscoll, Denis J., et al.....	598
Florida Power and Light Co., et al.....	597
Ohio Public Service Co. and Cities Service Power and Light Co.....	597
SELECTIVE SERVICE SYSTEM:	
California aircraft workers, induction dates postponed.....	598
Forms prescribed or revised:	
Affidavit of occupational classification:	
General.....	562
Special.....	562
WAR FOOD ADMINISTRATION:	
Soybean oil meal, restrictions (3d Rev. FPO 9, Dir. Order 4).....	561
WAR PRODUCTION BOARD:	
Books (L-245, Supp. 1).....	566
Controlled materials plan:	
Quota and expenditure records (CMP Reg. 5A, Dir. 2).....	567
Sales of controlled materials by warehouses and distributors (CMP Reg. 4).....	567
Magazines (L-244, Supp. 1).....	566
Magnesium (M-2-b).....	564
Newspapers (L-240, Supp. 1).....	565
Rubber, synthetic rubber, etc. (R-1, Corr.).....	573

CONTENTS—Continued

	Page
WAR PRODUCTION BOARD—Con.	
Scrap segregation, alloy (M-24-c).....	571
Sprinkler heads (L-39-a).....	572
Steel warehouses and dealers, general (M-21-b-1).....	570
WAR SHIPPING ADMINISTRATION:	
"Foss Number 103", vessel ownership determination.....	598

part, for the first time are Baldwin and Crenshaw in Alabama to include infestations centering in Foley and Luverne; Hancock County in Mississippi to include Bay Saint Louis, Waveland, and an isolated tract; Simpson County, Miss., to include areas in the vicinity of Mendenhall and D'Lo; and parts of the North Carolina counties of Anson, Cumberland, and Onslow, because of infestations in the vicinity of Peachland, Hope Mills, Jacksonville, and Kellum. A rather general infestation in the vicinity of Collins, Miss., necessitated extension of regulated area in Covington County, and minor additions are made in the Mississippi counties of Forrest, Jefferson Davis, and Lamar, and in the Alabama counties of Conecuh, Covington, Monroe, and Wilcox. No change is made in the regulated areas in the three North Carolina counties heretofore under regulation nor in the areas in Florida or Louisiana.

Pursuant to the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 161), § 301.72-2 of the subpart entitled "White-Fringed Beetle" of Part 301, Chapter III, Title 7, Code of Federal Regulations (Regulation 2 of the regulations supplemental to Notice of Quarantine No. 72), which was promulgated effective December 28, 1942, is hereby amended effective January 14, 1944, to read as follows:

Areas Under Regulation

§ 301.72-2. *Regulated areas.* The following counties, parishes, cities, and towns, or parts thereof, as described, are designated by the Secretary of Agriculture as regulated areas:

Alabama—In Baldwin County: Sec. 31, T. 7 S., R. 4 E.; secs. 35 and 36, T. 7 S., R. 3 E.; secs. 1, 2, 11, and 12, T. 8 S., R. 3 E.; and secs. 6 and 7, T. 8 S., R. 4 E.; *in Conecuh County:* W2/3 T. 5 N., R. 9 E., and all these portions of Tps. 5 and 6 N., R. 8 E., and of W2/3 T. 7 N., R. 9 E., lying in Conecuh County; *in Covington County:* Secs. 30 and 31, T. 2 N., R. 18 E.; S1/3 T. 2 N., R. 17 E.; T. 1 N., Rs. 17 and 18 E.; SE1/4 T. 1 N., R. 16 E. and all area south thereof to the Alabama-Florida State line; also all the town of Opp; *in Crenshaw County:* Secs. 27, 28, 29, 30, 31, 32, 33, and 34, T. 9 N., R. 18 E.; and secs. 3, 4, 5, 6, T. 8 N., R. 18 E.; *in Dallas County:* That area included within a boundary beginning on the Southern Ry. where it crosses Bougechitto Creek; thence SW. along the Southern Ry. to Caine Creek; thence SE. along Caine Creek to its intersection with Bougechitto Creek; thence northward along Bougechitto Creek to the starting point; all of Tps. 13 and 14 N., R. 11 E.; and secs. 1, 12, 13, 24, 25, and 36, T. 14 N., R. 10 E.; *in Escambia County:* Secs. 32, 33, and 34, T. 1 N., R. 8 E., including all of the town of Flomaton; *in Geneva County:* Secs.

31, 32, and 33, T. 1 N., R. 19 E., and all area south thereof to the Alabama-Florida State line, including all of secs. 21 and 28, T. 6 N., R. 19 W.; in *Lowndes County*: W2/3 T. 14 N., R. 12 E.; in *Mobile County*: That area included within a boundary beginning at a point where the eastern boundary of the city limits of Mobile, if extended northward, would intersect the northern boundary of S1/3 T. 3 S., R. 1 W.; thence west to Chickasaw Creek; thence northwestward along Chickasaw Creek to Eight-Mile Creek; thence westerly along Eight-Mile Creek to the western boundary of R. 1 W.; thence south to Eslava Creek; thence easterly along Eslava Creek to the city limits of Mobile; thence southeasterly following the city limits east, south, east, and north to the starting point, including all of Blakeley Island and the city of Mobile; also that area included within a boundary beginning at a point where old Highway 90 crosses Fowl River; thence southwestward along old Highway 90 to its junction with the Alabama-Mississippi State line; thence south along the Alabama-Mississippi State line to the southern boundary of N1/3 T. 7 S., R. 4 W.; thence east to the SE. corner sec. 9, T. 7 S., R. 3 W.; thence north to the NE. corner sec. 4, T. 7 S., R. 3 W.; thence east to the point where the south boundary of T. 6 S. intersects Fowl River; thence northwestward along Fowl River to the starting point; in *Monroe County*: That portion of W2/3 T. 7 N., R. 9 E., lying in Monroe County; W2/3 T. 8 N., all of T. 9 N., and S1/2 T. 10 N., all in R. 9 E.; Tps. 7, 8, 9 N., and S1/2 T. 10 N., R. 8 E.; those portions of Tps. 5 and 6 N., R. 8 E. lying in Monroe County; SE1/4 T. 10 N., R. 7 E.; E1/2 Tps. 7, 8, 9 N., R. 7 E.; and NE1/4 and secs. 22, 23, and 24, T. 6 N., R. 7 E.; in *Wilcox County*: N1/2 T. 10 N., and all of T. 11 N., R. 9 E.; N1/2 T. 10 N., R. 8 E.; NE1/4 T. 10 N., R. 7 E.

Florida—In *Macambia County*: All that part lying south of the northern boundary of T. 1 N., including all of the city of Pensacola, and that part of the county north of the southern boundary of T. 5 N. and east of the western boundary of R. 31 W.; in *Okaloosa County*: T. 5 N., R. 22 W., and secs. 1, 2, and 3, T. 5 N., R. 23 W., and all lands north of both areas to the Florida-Alabama State line; secs. 7, 8, 9, 16, 17, 18, 19, 20, and 21, T. 3 N., R. 23 W., including all of the town of Crestview; and secs. 13, 14, 23, 24, T. 3 N., R. 24 W.; in *Walton County*: T. 5 N., Rs. 20 and 21 W.; and secs. 31, 32, and 33, T. 6 N., R. 19 W., and all lands north of both areas to the Florida-Alabama State line; also secs. 1 to 24, inclusive, T. 4 N., R. 19 W.

Louisiana—All of Orleans Parish, including the city of New Orleans, and all of Saint Bernard Parish; in *East Baton Rouge Parish*: All of T. 7 S., Rs. 1 and 2 E. and 1 W., including all of the city of Baton Rouge; in *Iberia Parish*: All of secs. 24, 37, 38, 39, 53, 55, and 56, T. 13 S., R. 5 E.; and secs. 46, 55, 56, 57, 58, 59, 60, T. 13 S., R. 6 E.; in *Jefferson Parish*: That part lying north of the township line between Tps. 14 and 15 S.; in *Plaquemines Parish*: That part lying north of the township line between Tps. 15 and 16 S.; in *Saint Tammany Parish*: All of secs. 38, 39, and 40, T. 7 S., R. 11 E.; and secs. 40 and 41, T. 8 S., R. 11 E.

Mississippi—In *Covington County*: S2/3 T. 8 N., Rs. 14, 15, 16, and 17 W.; N1/6 T. 7 N., Rs. 16 and 17 W.; secs. 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, and 33, T. 6 N., R. 14 W.; and secs. 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36, T. 6 N., R. 15 W.; in *Forrest County*: T. 1 S., R. 12 W.; E1/3 T. 1 S., R. 13 W.; Tps. 1 and 2 N., R. 12 W.; that part of T. 3 N., R. 12 W. lying south and west of Leaf River; T. 3 N., R. 13 W.; those portions of T. 4 N., Rs. 12 and 13 W. and of T. 5 N., R. 13 W. lying west of Leaf River; and T. 5 N., R. 14 W.; in

Hancock County: Secs. 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36, T. 5 S., R. 14 W.; and Tps. 8 and 9 S., R. 14 W., including all the town of Bay Saint Louis; in *Harrison County*: That area included within a boundary beginning at the NW. corner sec. 26, T. 4 S., R. 12 W.; thence south to the NW. corner sec. 14, T. 6 S., R. 12 W.; thence west to the NW. corner sec. 16, T. 6 S., R. 12 W.; thence south to the intersection with Wolf River; thence southwesterly along Wolf River to Saint Louis Bay; thence south along the east shore of Saint Louis Bay to the Mississippi Sound; thence eastward along the Mississippi Sound to a point of intersection with the Bay of Biloxi; thence westerly along the Bay of Biloxi to the SE. corner sec. 17, T. 7 S., R. 10 W.; thence north along the section line to the NE. corner sec. 5, T. 7 S., R. 10 W.; thence west along the section line to Biloxi River; thence northwestward along Biloxi River to the intersection of the east line of sec. 5, T. 6 S., R. 11 W.; thence north to the Stone County line; thence west to the starting point including all properties extending over or into the Mississippi Sound and the Bay of Biloxi; in *Hinds County*: E1/2 T. 6 N., R. 3 W., and W1/3 T. 6 N., R. 2 W.; in *Jackson County*: That area included within a boundary beginning at a point where the east line of sec. 19, T. 7 S., R. 5 W. intersects Escatawpa River; thence west along said river to the Pascagoula River; thence south along the Pascagoula River to the township line between Tps. 7 and 8 S.; thence east to the SE. corner sec. 31, T. 7 S., R. 5 W.; thence north to the starting point; all that portion of T. 7 S., R. 9 W. lying in Jackson County and the W2/3 Tps. 7 and 8 S., R. 8 W.; in *Jefferson Davis County*: Secs. 18, 19, 30, and 31, T. 8 N., R. 18 W.; secs. 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36, T. 8 N., R. 19 W.; NE1/4 T. 7 N., R. 19 W.; and secs. 6, 7, and 18, T. 7 N., R. 18 W., including all of the town of Prentiss; in *Jones County*: Secs. 16, 17, 18, 19, 20, 21, 22, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35, T. 9 N., R. 11 W.; secs. 2, 3, 4, 5, 6, 7, 8, 9, 16, 17, and 18, T. 8 N., R. 11 W.; secs. 13, 14, 24, 25, 35, and 36, T. 9 N., R. 12 W.; those portions of secs. 23 and 26, T. 9 N., R. 12 W., lying east of Tallahoma Creek; secs. 1, 2, 11, 12, 13, and 14, T. 8 N., R. 12 W.; secs. 25, 26, 27, 34, 35, and 36, T. 6 N., R. 14 W.; secs. 29, 30, 31, and 32, T. 6 N., R. 13 W.; and those portions of secs. 28 and 33, T. 6 N., R. 13 W., lying west of Leaf River; in *Lamar County*: All the town of Purvis and sec. 31, T. 1 N., R. 14 W.; secs. 35 and 36, T. 1 N., R. 15 W.; secs. 1 and 2, T. 1 S., R. 15 W.; and E1/3 Tps. 3 and 4 N., R. 14 W.; in *Pearl River County*: All that area included within a boundary beginning at a point at the northern city limits of Poplarville in sec. 19, T. 2 S., R. 15 W., on the New Orleans and Northeastern R.R.; thence northeasterly along said railroad to a point where it intersects the south line of sec. 15, T. 1 S., R. 15 W.; thence east to the SE. corner sec. 14, T. 1 S., R. 15 W.; thence north to the Lamar County line; thence west and north along said county line to the NW. corner sec. 4, T. 1 S., R. 15 W.; thence south to the NW. corner sec. 16, T. 1 S., R. 15 W.; thence west to the NW. corner sec. 18, T. 1 S., R. 15 W.; thence south to the NW. corner sec. 18, T. 2 S., R. 15 W.; thence west to the NW. corner sec. 13, T. 2 S., R. 16 W.; thence south along the section line to a point where it would intersect the line of the northern boundary of Poplarville if extended westward; thence east along this line to the starting point; all of T. 5 S., R. 16 W., and the E1/2 of T. 5 S., R. 17 W.; in *Simpson County*: Secs. 20, 21, 22, 23, 26, 27, 28, 29, 32, 33, 34, and 35, T. 2 N., R. 4 E.; and secs. 2, 3, 4, and 5, T. 1 N., R. 4 E.; in *Stone County*: W1/3 Tps. 2 and 3 S., R. 11 W.; secs. 5, 6, 7, 8, 17, 18, 19, 20, T. 4 S., R. 11 W.; E1/3 T. 2 S., R. 12 W.; and secs. 3, 4, 5, 8, 9, and 10, T. 2 S., R. 12 W.; E1/3 T. 3 S., R. 12 W.; and secs. 1, 2, 11, 12, 13, 14, 23, and 24, T. 4 S., R. 12 W.

North Carolina—In *Anson County*: That area bounded on the east by a due north-south line 1 mile east of the intersection in Peachland of U. S. Highway No. 74 and the Diamond Hill Road; on the west by a due north-south line intersecting U. S. Highway No. 74 at the point where it crosses Lanes Creek; on the north by a due east-west line 1.1 miles north of the intersection in Peachland of U. S. Highway No. 74 and the Diamond Hill Road; and on the south by the southern corporate limits of Peachland extended; in *Cumberland County*: That area bounded on the south by Rockfish Creek; on the east by U. S. Highway No. 301; and on the north and west by a due east-west line and a due north-south line, respectively, both intersecting at the junction of the Cumberland-Hope Mills Road and the Fayetteville-Dundarrach Road; in *New Hanover County*: The city of Wilmington; Cape Fear Township; all that part of Harnett Township lying west of the Wrightsboro-Winter Park Road, including all of the town of Winter Park; and that part of Masonboro Township north of the new road between Sunset Park and Winter Park; in *Onslow County*: An area 1/2 mile wide along each side of U. S. Highway No. 17 beginning west of Jacksonville at the intersection of U. S. Highway No. 17 and N. C. Highway No. 24 and extending northeast along U. S. Highway No. 17 to the western boundary of the Hofmann Forest, including all the town of Jacksonville; in *Pender County*: Townships of Burgaw, Caswell, and Rocky Point and that part of Columbia Township lying south of an imaginary straight line drawn east and west across the township to connect the northern boundaries of Burgaw and Caswell Townships; in *Wayne County*: Goldsboro Township.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161; 7 CFR 301.72)

This amendment shall be effective on and after January 14, 1944.

Done at the city of Washington this 12th day of January 1944.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CLAUDE R. WICKARD,
Secretary of Agriculture.

[F. R. Doc. 44-707; Filed, January 13, 1944; 11:23 a. m.]

Chapter X—War Food Administration (Production Orders)

[FPO 9, Order 4]

PART 1220—FEED

SHIPMENTS OF SOYBEAN OIL MEAL INTO DESIGNATED AREA

Pursuant to the authority vested in me by Food Production Order No. 9, Rev. 3 (8 F.R. 16960), issued on December 18, 1943, to effectuate the purposes of such order pertaining to the restrictions on delivery of oilseed meal into designated areas, and in view of the shortage of soybean crushing capacity and shortage of soybean oil meal, cake or pellets (hereinafter referred to as "soybean oil meal") in many States, and to secure an equitable distribution of soybean oil meal, it is hereby ordered, as follows:

§ 1220.6 *Restrictions on shipments of soybean oil meal into the designated area*—(a) *Shipments and delivery restricted*. Except when otherwise authorized by the Director, no soybean oil

meal shall be delivered or shipped into the area designated in paragraph (b) hereof. This restriction does not apply to deliveries or shipments of soybean oil meal from processing plants located within the designated area to other places within such area.

(b) *Designated area.* Shipment or delivery of soybean oil meal shall not be made into any of the following States:

North Carolina.	Mississippi.
South Carolina.	Tennessee.
Georgia.	Arkansas.
Florida.	Louisiana.
Alabama.	

(c) *Extension of designated area.* Effective February 1, 1944, the list of States contained in paragraph (b) above is hereby extended to include the following States:

Oklahoma.	Arizona.
Texas.	Nevada.
New Mexico.	California.

(d) *Contracts for delivery in designated area—(1) Processor's duty.* Processors located outside the area designated in paragraph (b) above who sell or have sold soybean oil meal for shipment or delivery into the designated area shall, for the purpose of making deliveries under such sales, arrange with the Commodity Credit Corporation for the shipment of soybean oil meal from processing mills located within such designated area.

(2) *Buyer's duty.* Any person who has purchased or who purchases soybean oil meal for shipment into the designated area shall accept shipment through the Commodity Credit Corporation from processing mills located within the designated area in full satisfaction of any such purchase.

(e) *Records and reports.* Every person subject to this order shall maintain the records required by Food Production Order No. 9, Rev. 3, with respect to sales and deliveries of soybean oil meal made under the provisions of this order.

(f) *Communications.* All communications concerning this order, unless instructions to the contrary are issued, shall be addressed to the Director of Food Production, War Food Administration, Washington 25, D. C., Ref: FPO No. 9-4.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; 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; FPO 9, Rev. 3, 8 F.R. 16960)

Issued this 13th day of January 1944.

J. B. HUTSON,
Director of Food Production.

[F. R. Doc. 44-708; Filed, January 13, 1944;
11:23 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 237]

AFFIDAVIT—OCCUPATIONAL CLASSIFICATION (GENERAL)

ORDER PRESCRIBING FORMS

Pursuant to the authority contained in the Selective Training and Service Act

of 1940, as amended, I hereby prescribe the following change in DSS forms:

Revision of DSS Form 42, entitled "Affidavit—Occupational Classification (General)", effective immediately upon the filing hereof with the Division of the Federal Register.¹ The supply of DSS Form 42 on hand will be used until exhausted.

The foregoing revision shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

NOVEMBER 6, 1943.

[F. R. Doc. 44-656; Filed, January 12, 1944;
3:37 p. m.]

[No. 238]

AFFIDAVIT—OCCUPATIONAL CLASSIFICATION ORDER PRESCRIBING FORMS

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 42 Special, entitled "Affidavit—Occupational Classification (Form 42 Special)", effective immediately upon the filing hereof with the Division of the Federal Register.¹

Addition of a new form designated as DSS Form 42A Special, entitled "Affidavit—Occupational Classification (Form 42A Special)", effective immediately upon the filing hereof with the Division of the Federal Register.¹

The foregoing addition shall become a part of the Selective Service Regulations effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

JANUARY 4, 1944.

[F. R. Doc. 44-657; Filed, January 12, 1944;
3:37 p. m.]

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amendment 138]

PART 802—GENERAL LICENSES

GIFTS TO PRISONERS OF WAR AND INTERNEES

Paragraph (a) of § 802.16 *General license, gifts to prisoners of war and internees* is hereby amended in the following particulars:

1. The first sentence thereof is hereby amended by inserting between the words "of the United States" and the words "and British Empire" the words "and The Netherlands."

2. Subparagraph (8) is hereby amended by adding to the list of commodities set forth therein the following commodities:

Cotton raincoats
Iodine crystals
Saccharin
Sponges (except rubber)
Banana flakes

¹ Filed as part of the original document.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: December 31, 1943.

BERNHARD KNOLLENBERG,
Director, Requirements and
Supply Branch, Bureau of Supplies.

[F. R. Doc. 44-662; Filed, January 13, 1944;
9:15 a. m.]

[Amendment 139]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodities listed below, at every place where said commodities appear in said section, are hereby amended to read as follows:

Commodity	Department of Commerce No.	General License Group
Chemicals:		
Boric acid.....	8141.00, 8308.00	None
Fertilizers, nitrogenous organic waste materials, (include fish meal, hoof meal, guano, castor-bean pomace, manures, packing house offal, intended for fertilizers.....	8510.00	None
Toys, athletic and sporting goods:		
Ice skates.....	9440.00	None
Ice skates with shoes attached.....	9440.00	None
Other ice skates.....	9440.00	K

Shipments of the above commodities, which were on dock, on lighter, laden aboard the exporting carrier, or in transit to ports of exit pursuant to actual orders for export prior to the effective date of change may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of change pursuant to Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions.

This amendment shall become effective January 18, 1944, with respect to all commodities except "Other ice skates".

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: January 6, 1944.

S. H. LEIBENBURGER,
Director, Requirements and
Supply Branch, Bureau of Supplies.

[F. R. Doc. 44-663; Filed, January 13, 1944;
9:15 a. m.]

[Amendment 140]

PART 802—GENERAL LICENSES

PERSONAL BAGGAGE

Section 802.11 *Personal baggage* is hereby amended in the following particulars:

Paragraph (b) is hereby amended to read as follows:

(b) (1) "Personal effects" shall include clothing, books, toilet articles, souvenirs, articles of personal adornment and similar articles of a total value not to exceed \$150, and for which no OPA ration currency must be surrendered.

(2) A general license is hereby granted authorizing the exportation of personal effects when shipped in the baggage of a crew member of a vessel solely for his own or his immediate family's use and not for resale or other commercial purposes.

Paragraph (c) is hereby amended to read as follows:

(c) Crew members and passengers of vessels of the registry of countries other than those designated by numbers 1 through 3, 5 through 58, 60 through 67, 71 through 81, 99 in § 802.2 (a) of this subchapter, or of the Netherlands, Norway or Poland shall not take under general license as personal baggage, radios, radio parts, foodstuffs, cameras, electrical apparatus, scientific instruments, technical books and not more than one fountain pen.

There is hereby added to this section paragraph (e) as follows:

(e) Radios may not be exported pursuant to any general license granted in this section unless they are shielded in accordance with United States Navy orders.

This amendment shall become effective January 18, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: January 8, 1944.

S. H. LEBENSBURGER,
Director, Requirements and
Supply Branch, Bureau of Supplies.

[F. R. Doc. 44-664; Filed, January 13, 1944;
9:15 a. m.]

[Amendment 141]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General License Group" the group and country designations assigned to the commodities listed below, at every place where said commodities appear in said section, are hereby amended to read as follows:

Commodity	Department of Commerce No.	General License Group
Art work:		
Paintings, etchings, engravings, statuary, & antiques (include valuable manuscripts).....	9610.00	K
Glass:		
Rolled glass (include standard and wire).....	5218.00	K
Jewelry:		
Jewelry and other articles to be worn on or carried about the person, of materials other than metal (synthetic resin, cellulose compounds, etc.):		
Jewelry, men's (include rings, collar & cuff buttons, studs, tie clips & holders, watch bracelets & stick pins).....	9627.00	K
Jewelry, women's (include rings, bracelets, bar pins, brooches, necklaces, and earrings).....	9628.00	K
Other articles (include cigarette cases, pocket cigar and cigarette lighters, compacts, powder & vanity cases).....	9629.00	K
Leather manufactures:		
Leather manufactures, n. e. s. (include used or secondhand leather belting and leather watch straps).....	0699.00	None
Miscellaneous:		
Beads and bead articles.....	9840.05	K
Office supplies, miscellaneous:		
Ink, printing and lithographic.....	9322.00	-----
Ink, newspaper, channel type carbon black.....	9322.00	K
Other printing and lithographic ink (excluding channel type carbon black newspaper ink).....	9322.00	62
Scientific and professional instruments, apparatus and supplies:		
Teeth, artificial.....	9152.00	K
Textile products:		
Wool-felt hats.....	3953.00	None
Toys, athletic and sporting goods:		
Amusement park and playground devices and parts (include bowling alleys, merry-go-rounds, slides, swings, trapeze, climbing ropes, seesaws, horizontal bars and other athletic contrivances).....	9450.00	K
Children's wheel goods and parts.....	9405.00	K
Fishing tackle and parts, n. e. s.....	9422.00	K
Golf clubs.....	9436.00	K
Reels, fishing.....	9421.00	K
Roller skates.....	9441.00	K
Other athletic and sporting goods, n. e. s.....	9449.00	K

Shipments of the above commodities, which were on dock, on lighter, laden aboard the exporting carrier, or in transit to ports of exit pursuant to actual orders for export prior to the effective date of change may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of change pursuant to ODT permits issued prior to such date may also be exported under the previous general license provisions. With respect to the commodities listed under the headings "Leather Manufactures" and "Textile Products" this amendment shall become effective January 18, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: January 12, 1944.

S. H. LEBENSBURGER,
Director, Requirements and
Supply Branch, Bureau of Supplies.

[F. R. Doc. 44-665; Filed, January 13, 1944;
9:15 a. m.]

[Amendment 142]

PART 802—GENERAL LICENSES

SHIPMENTS NOT EXCEEDING SPECIFIED VALUE

Section 802.10 *General licenses which permit shipments not exceeding a specified value* is hereby amended in the following particulars:

Paragraph (a) is hereby amended by adding to the commodities listed therein the following commodities:

Commodity	Schedule B Number
*Arnica.....	2209.33, 8124.98
*Arsenic salts and compounds.....	8309.90, 8309.98
*Barbituric acid and derivatives.....	All
*Calcium gluconate.....	8135.98
*Carbarsone.....	8127.98, 8180.98
*Carbromal.....	8127.98, 8180.98
*Cascara bark and derivatives.....	2201.00, 8124.98, 8127.98
*Chaulmoogra oil.....	2249.98
*Cinchonidine.....	All
*Cinchonine.....	All
*Cinchophen.....	8135.98
*Colchicum and derivatives.....	2209.29, 8124.98, 8127.98, 8135.98
*Emetine.....	All
*Guaiacol.....	8135.98
*Gum benzoin.....	2189.98
*Lactose (milk sugar).....	8135.98
*Lanolin.....	0858.05
*Mapharsen.....	8124.98, 8135.98
*Neosarsphenamine.....	8124.98, 8135.98
*Phenolphthalein (yellow and white).....	8135.98
*Penicillin.....	8124.98, 8135.98
*Quinidine.....	All
*Stramonium.....	2209.25, 8124.98, 8127.98, 8180.14, 8180.19
*Sulfarsphenamine.....	8124.98, 8135.98
*Totaquine.....	8157.05
*Vitamine and viosterols (all).....	8119.98
*Yeast.....	1259.98

Paragraph (c) is hereby amended to read as follows:

(c) A general license is hereby granted authorizing the exportation to Iceland of all medicinals except those set forth in paragraphs (a) and (b) of this section.

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

(d) (1) A general license is hereby granted authorizing the exportation to destinations in general license country group K, as set forth in § 802.3 (a) of this subchapter, of all medicinals, except those set forth in paragraphs (a) and (b) of this section, where the net value of a single shipment does not exceed \$100.00.

(2) Mixtures or preparations containing any medicinal which is preceded by an asterisk as set forth in paragraph (a) of this section may be exported pursuant to general licenses granted in this section: *Provided*, That the value of such medicinal does not exceed \$1.00 in a single shipment.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: January 11, 1944.

S. H. LEBENSBERGER,
Director, Requirements and
Supply Branch, Bureau of Supplies.

[F. R. Doc. 44-666; Filed, January 13, 1944;
9:16 a. m.]

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 MAGNESIUM¹

[General Preference Order M-2-b as Amended
Jan. 13, 1944]

MAGNESIUM

Section 921.16 *General Preference Order M-2-b* is amended to read as follows:

§ 921.16¹ *General Preference Order M-2-b*—(a) *Definitions.* For the purposes of this order:

(1) "Magnesium" means any metal in ingot or other raw form, the principal ingredient of which by weight is the element magnesium.

(2) "Magnesium products" means any basic forms (such as, but not limited to, castings, extrusions, sheet, strip, plate, forgings, and powder), the principal ingredient of which by weight is magnesium.

(3) "Magnesium scrap" means any scrap material (except sawings, grindings, sweepings, and similar fines), the principal ingredient of which by weight is magnesium, generated in the course of any industrial process, or any discarded magnesium products, which must be remelted to be of value for further use. The term "magnesium scrap" also includes any dross or sludge resulting from melting magnesium or magnesium scrap, when the dross or sludge contains at least 20 percent of magnesium by weight.

(4) "Producer" means any person who makes magnesium, in whole or in part, from a non-metallic raw material.

(5) "Approved smelter" means one of the smelting plants listed on Exhibit A attached hereto.

(6) "Fabricator" means any person, including pattern shops, foundries, and powder grinders, who makes magnesium products.

(b) *Delivery and use.* Except as provided in paragraph (g) with respect to dead stock, no person shall deliver, accept delivery of, or use magnesium, and no person shall deliver or accept delivery of magnesium products unless his action has been specifically authorized in writing by the War Production Board, or, in the case of certain deliveries of magnesium products for aircraft purposes, by the Aircraft Scheduling Unit of the Aircraft Resources Control Office. The receipt by a fabricator from the Aircraft Scheduling Unit, of a Magnesium Allotment Notice to Fabricators for the months of February and March of 1944, shall constitute specific authorization in writing by the Aircraft Scheduling Unit to the fabricator to deliver the magnesium products described on the notice in the amounts allotted and to the customer designated thereon; and the receipt by a manufacturer from the Aircraft Scheduling Unit of a Magnesium Allotment Notice for the months of February and March of 1944, shall constitute specific authorization in writing by the Aircraft Scheduling Unit to accept delivery of the magnesium products described on the notice, in the amounts allotted and from the supplier designated thereon.

(c) *Prohibition against alloying, contamination, and debasement.* No person shall alloy, contaminate or debase magnesium except as the War Production Board may specifically authorize in writing.

(d) *Collection, segregation, and use of scrap.* (1) Each person owning or generating any magnesium scrap shall collect all such scrap, place it in containers, label the containers so as to identify the scrap, and otherwise prepare all such scrap for reprocessing. All magnesium scrap shall be kept free of contamination by other metals and materials, and otherwise handled in such manner so that it will be of acceptable quality for reprocessing.

(2) In addition, each person generating more than 1,500 pounds of magnesium scrap in any month beginning with December, 1943, shall thereafter segregate all magnesium scrap unless specifically authorized in writing by the War Production Board to do otherwise. Such scrap shall be segregated by alloys in accordance with the alloy designation of the American Society for Testing Materials, except that alloys #4 and #17 may be mixed with each other. Commercially pure magnesium, and magnesium scrap of each alloy not described by such designations, shall be kept segregated.

(3) Each person receiving segregated magnesium scrap must keep such scrap segregated prior to its use to the same extent as when received by him, and if he redelivers such scrap, he shall do so segregated to the same extent as when it was received by him.

(4) Any fabricator may use any magnesium scrap generated in his plant (or any casting of his own manufacture rejected or spoiled by another person) but only (i) if the scrap is remelted and refabricated in such plant into products for the production of which the fabricator is currently obtaining deliveries of magnesium in conformity with this order and (ii) if, in estimating, applying for, and ordering such magnesium, the fabricator reduces his requirements by an amount which represents a reasonable anticipation of the amount of magnesium scrap which will be recoverable for re-use under this paragraph.

(e) *Disposition of all scrap.* (1) Except as the War Production Board may specifically authorize in writing, any person, other than a producer or approved smelter, owning any magnesium scrap, shall sell all of it at reasonable intervals to a producer or approved smelter, and shall not use or dispose of it in any other way. However, a person who has found a new magnesium casting to be defective or has spoiled it, may deliver the casting back to the foundry which produced it.

(2) Except as specifically authorized in writing by the War Production Board, no producer or approved smelter shall mix two or more alloys during the remelting of scrap.

(3) Unless specifically authorized by the War Production Board in writing, no person other than a producer or approved smelter shall accept delivery of any magnesium scrap except that a foundry may accept delivery of a casting of its own manufacture which has been rejected or spoiled in machining.

(f) *Tolling prohibited.* Except as the War Production Board may specifically authorize in writing pursuant to an application filed on Form WPB-165 (formerly Form PD-114), no scrap shall be delivered for processing or returned under any toll, repurchase, or similar arrangement.

(g) *Dead stock.* All magnesium and magnesium products which are not being used in, or which are in excess of reasonable needs for, the manufacture of items approved by written specific authorization, may be sold subject to the restrictions of Priorities Regulation No. 13.

(h) *Requests for authorizations and communications.* (1) A fabricator who seeks the specific authorization of the War Production Board to accept magnesium after January 31, 1944, and to use it, and who seeks specific authorization for the producer or smelter who is his supplier to deliver the magnesium, should apply monthly by letter in duplicate, stating the form, alloy, and other specifications of the magnesium required, the amount in pounds of each type of magnesium, the magnesium product to be made from each type of magnesium, and the month in which, and the address to which, the magnesium is to be shipped. Such application should be made by the 15th of the month preceding the month of requested delivery.

(2) Consumers seeking to obtain delivery of magnesium products after April 1, 1944, may apply for specific authorization to accept delivery, and for specific

¹ Formerly Part 922, § 922.3.

authorization running to the fabricator who is his supplier to make the delivery, on Form WPB-3462, whether the application is made to the War Production Board or to the Aircraft Scheduling Unit. Instructions appear on the form indicating the manner and place of filing.

(3) Any person who seeks the specific authorization of the War Production Board to do anything under this order not covered in paragraph (h) (1) or (h) (2), may request his authorization by letter in duplicate, setting forth the relevant facts.

(4) All other applications, statements, or communications to the War Production Board concerning matters related to this order should be addressed to the War Production Board, Aluminum and Magnesium Division, Washington 25, D. C., Reference: M-2-b.

(i) *Report of operations.* Any person who in any calendar month has had in inventory any magnesium, magnesium products, or magnesium scrap, shall file such reports as may be required from time to time by the War Production Board.

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

(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) *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.

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

Issued this 13th day of January 1944.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A—APPROVED SMELTERS OF MAGNESIUM

Aluminum and Magnesium, Inc., 1 Huron St., Sandusky, Ohio.

American Smelting & Refining Co., Federated Metals Division, Barber, New Jersey.

Apex Smelting Co., 2537 West Taylor St., Chicago, Illinois.

Berg Metals Corp., 2652 Long Beach Ave., Los Angeles, Calif.

Gallagher Smelting Co., 1820 Tenth St., Oakland, California.

National Smelting Co., 6700 Grant Avenue, Cleveland 5, Ohio.

[F. R. Doc. 44-693; Filed, January 13, 1944; 11:19 a. m.]

PART 3133—PRINTING AND PUBLISHING
[General Limitation Order L-240, Supp. 1 as Amended Jan. 13, 1944]

NEWSPAPERS

Section 3133.6a *General Limitation Order L-240, Supplement No. 1* is hereby amended to read as follows:

§ 3133.6a *General Limitation Order L-240, Supplement No. 1—(a) Purpose of appeal clause.* The serious shortage in the supply of print paper available for newspapers in the first quarter of 1944 makes it necessary for all publishers to reduce their consumption substantially, as provided in Order L-240. Such reductions may create serious hardships, which, however, are unavoidable in time of war. Appeals are not granted to ameliorate, in individual cases, hardships applicable to an entire industry. They are granted only to provide relief, where possible, from undue and excessive hardship which would be created if the order were applied without modification to an exceptional set of circumstances. Appeals which do not contain proof establishing this type of hardship will be denied.

(b) *Adjustments for circulation increases.* The amendment to Order L-240 effective January 1, 1944 permits all publishers to adjust their consumption quotas by a factor reflecting circulation increases in 1942 over 1941. This adjustment eliminates the need for appeals based upon circulation growth prior to the issuance of L-240 on December 31, 1942.

(c) *Adjustments for certain base period hardships.* Permanent adjustments in base period usage have been made for newspapers which:

(1) Were not in existence through-out 1941,

(2) Temporarily suspended publication during 1941 because of strikes, mechanical break-downs, or similar circumstances, or

(3) Reduced their consumption of print paper in 1941 by voluntary conservation methods.

These adjustments eliminate the need for appeals based upon such grounds.

(d) *Factors to be considered.* In passing upon appeals under Order L-240 the following factors will be taken into consideration:

(1) Extraordinary growth of population in the newspaper's trading area since January 1, 1943 requiring the grant of additional paper in order to maintain adequate newspaper service to the community.

(2) Discontinuance or merger of newspapers, requiring adjustments in the quotas of other newspapers in the trading area in order to maintain adequate newspaper service to the community.

(3) Any other unforeseen, unusual, extraordinary or emergency conditions which may constitute undue and excessive hardship.

(e) *Economical usage.* In every case where additional tonnage is recommended, the amount will be computed on the basis of economical usage of paper. Ex-quota paper will be denied to the extent that a publisher can meet his requirements through paper conservation. The feasibility of instituting

particular economies will be viewed in the light of local conditions.

Procedure

(f) *How appeals are submitted.* Appeals from Order L-240 shall be filed by addressing a letter in duplicate to the War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-240.

(g) *Form of appeals.* The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, and the reasons why denial of the appeal would result in undue and excessive hardship.

(h) *Denial by administrator.* Appeals may be denied in the first instance by the administrator of the order.

(i) *Re-appeal from denial by administrator.* When an appeal has been denied by the administrator of the order, the appellant may re-appeal, within 15 days after the letter of denial is mailed, by addressing a letter to the War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-240. This letter may contain simply a request that the case be forwarded to the Appeals Board. Any additional information which the appellant cares to submit at this time will also be forwarded to the Appeals Board.

(j) *Grant of appeals.* Although the administrator of the order may deny an appeal in the first instance, only the Appeals Board has the power to grant relief in individual cases from the provisions of the order.

(k) *Recommendation of grant by the administrator.* When the administrator of the order believes that an appeal is meritorious he shall refer the case to the Printing and Publishing Division Appeals Committee, consisting of himself, the Assistant Director of the Printing and Publishing Division for Labor, a representative of the Office of Civilian Requirements and a representative of the Conservation Division. Thereafter, the case shall be forwarded to the Appeals Board with the written recommendation of the administrator of the order and the written concurrence or non-concurrence of each member of the Division Appeals Committee.

(l) *Optional reference to Appeals Board by administrator.* The administrator of the order may, if he desires, refer a case to the Appeals Board with a recommendation of denial or with no recommendation at all.

(m) *Hearings by Appeals Board.* If the Appeals Board desires to obtain additional facts not contained in the file it may, in its discretion, hold a public hearing on any appeal. To the extent consistent with the necessity for emergency relief, a schedule of hearings shall be made up in advance. Information concerning the time and place of any scheduled hearing shall be available at the office of the Appeals Board at any time during business hours.

(n) *Conduct of hearing.* Hearings by the Appeals Board are open to the public. All interested parties may attend and, in the discretion of the Board, may be heard. The hearings are informal and the Board is not bound by legal rules of

evidence. It is not necessary for an appellant to be represented by counsel, although he may do so if he wishes.

(o) *Decision by Appeals Board.* The Appeals Board may grant or deny an appeal in whole or in part. It may also attach conditions to a grant, directing the manner in which ex-quota tonnage shall be used.

(p) *Finality of decision.* The decisions of the Appeals Board shall be final unless that Board elects to reopen the case.

(q) *Public files.* Whenever an appeal has been granted, a public file shall be set up, consisting of the following:

(1) All papers filed by the appellant in support of the appeal.

(2) A memorandum containing the recommendation of the administrator.

(3) A memorandum by the Appeals Board of the grounds of its decision in cases where it overrules the administrator's recommendation, or follows his recommendation for different reasons.

(4) A transcript of the record of the public hearing (or if the stenographic notes of the hearing have not been transcribed, a memorandum referring to the notes and stating how a transcript may be obtained.)

The public file shall be available for public inspection at any time during the business hours of the War Production Board. This paragraph shall not apply to appeals filed before October 7, 1943.

Issued this 13th day of January 1944.

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

[F. R. Doc. 44-694; Filed, January 13, 1944;
11:19 a. m.]

PART 3133—PRINTING AND PUBLISHING

[General Limitation Order L-244, Supp. 1 as
Amended Jan. 13, 1944]

MAGAZINES

Section 3133.15a *General Limitation Order L-244, Supplement No. 1* is hereby amended to read as follows:

§ 3133.15a *General Limitation Order L-244, Supplement No. 1*—(a) *Purpose of appeal clause.* The serious shortage in the supply of print paper available for magazines makes it necessary for publishers to reduce their consumption substantially, as provided in Order L-244. Such reductions may create serious hardships—which, however, are unavoidable in time of war. Appeals are not granted to ameliorate, in individual cases, hardships applicable to an entire industry. They are granted only to provide relief, where possible, from undue and excessive hardships which would be created if the order were applied without modification to an exceptional set of circumstances. Appeals which do not contain proof establishing this type of hardship will be denied.

(b) *Adjustments for certain hardships.* Adjustments have been made for magazines which:

(1) Conserved paper voluntarily during 1942;

(2) Were not in existence throughout 1942;

(3) Were started in the first quarter of 1943; or

(4) Temporarily suspended publication in 1942 because of strikes, mechanical breakdowns or similar conditions.

These adjustments eliminate the need for appeals based upon such grounds.

(c) *Factors to be considered.* In passing upon appeals under Order L-244, the following factors will be taken into consideration:

(1) Unusual seasonal variations in publishing schedules, requiring redistribution of quarterly quotas.

(2) Increased need for religious or instructional publications required by the Armed Forces.

(3) Any other unforeseen unusual, extraordinary or emergency conditions which may constitute undue and excessive hardship.

(d) *Economical usage.* In every case where additional tonnage is recommended, the amount will be computed on the basis of economical usage of paper—not only in the magazine for which the appeal was filed but in all other magazines issued by the same publisher. Ex-quota paper will be denied to the extent that a publisher can meet his requirements through paper conservation methods in any of his magazines.

Procedure

(e) *How appeals are submitted.* Appeals from Order L-244 shall be filed by addressing a letter in duplicate to the War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-244.

(f) *Form of appeals.* The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provisions appealed from, the precise relief desired, and the reasons why denial of the appeals would result in undue and excessive hardship.

(g) *Denial by administrator.* Appeals may be denied in the first instance by the administrator of the order.

(h) *Re-appeal from denial by administrator.* When an appeal has been denied by the administrator of the order, the appellant may re-appeal, within 15 days after the letter of denial is mailed, by addressing a letter to the War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-244. This letter may contain simply a request that the case be forwarded to the Appeals Board. Any additional information which the appellant cares to submit at this time will also be forwarded to the Appeals Board.

(i) *Grant of appeals.* Although the administrator of the order may deny an appeal in the first instance, only the Appeals Board has the power to grant relief in individual cases from the provisions of the order.

(j) *Recommendation of grant by the administrator.* When the administrator of the order believes that an appeal is meritorious he shall refer the case to the Printing and Publishing Division Appeals Committee, which includes himself, the Assistant Director of the Printing and Publishing Division for Labor, a representative of the Office of Civilian Requirements and a representative of the Conservation Division. Thereafter the case shall be forwarded to the Appeals Board with the written recommendation

of the administrator of the order and the written concurrence or non-concurrence of each member of the Division Appeals Committee.

(k) *Optional reference to Appeals Board by administrator.* The administrator of the order may, if he desires, refer a case to the Appeals Board with a recommendation of denial or with no recommendation at all.

(l) *Hearings by Appeals Board.* If the Appeals Board desires to obtain additional facts not contained in the file it may, in its discretion, hold a public hearing on any appeal. To the extent consistent with the necessity for emergency relief, a schedule of hearings shall be made up in advance. Information concerning the time and place of any scheduled hearing shall be available at the office of the Appeals Board at any time during business hours.

(m) *Conduct of hearing.* Hearings by the Appeals Board are open to the public. All interested parties may attend and, in the discretion of the Board, may be heard. The hearings are informal and the Board is not bound by legal rules of evidence. It is not necessary for an appellant to be represented by counsel, although he may do so if he wishes.

(n) *Decision by Appeals Board.* The Appeals Board may grant or deny an appeal in whole or in part. It may also attach conditions to a grant, directing the manner in which ex-quota tonnage shall be used.

(o) *Finality of decision.* The decisions of the Appeals Board shall be final, unless that Board elects to reopen the case.

(p) *Public files.* Whenever an appeal has been granted, a public file shall be set up, consisting of the following:

(1) All papers filed by the appellant in support of the appeal.

(2) A memorandum containing the recommendation of the administrator.

(3) A memorandum by the Appeals Board of the grounds of its decision in cases where it overrules the administrator's recommendation, or follows his recommendation for different reasons.

(4) A transcript of the record of the public hearing (or if the stenographic notes of the hearing have not been transcribed, a memorandum referring to the notes and stating how a transcript may be obtained.)

The public file shall be available for public inspection at any time during the business hours of the War Production Board. This paragraph shall not apply to appeals filed before October 7, 1943.

+ Issued this 13th day of January 1944.

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

[F. R. Doc. 44-695; Filed, January 13, 1944;
11:19 a. m.]

PART 3133—PRINTING AND PUBLISHING
[Limitation Order L-245, Supp. 1 as Amended
Jan. 13, 1944]

BOOKS

Section 3133.17a *Limitation Order L-245, Supplement No. 1* is hereby amended to read as follows:

§ 3133.17a *Limitation Order L-245, Supplement No. 1*—(a) *Purpose of appeal clause.* The serious shortage in the supply of print paper available for books in the first quarter of 1944 makes it necessary for all publishers to reduce their consumption substantially, as provided in Order L-245. Such reductions may create serious hardships which, however, are unavoidable in time of war. Appeals are not granted to ameliorate in individual cases hardships applicable to an entire industry. They are granted only to provide relief, where possible, from undue and excessive hardship which would be created if the order were applied without modification to an exceptional set of circumstances. Appeals which do not contain proof establishing this type of hardship will be denied.

(b) *Adjustments for certain base period hardships.* Permanent adjustments in base period usage have been made by means of appeal grants for book publishers who:

(1) Entered into publishing commitments prior to the issuance of Order L-245 (January 8, 1943).

(2) Were not in existence throughout 1942.

(3) Instituted voluntary paper conservation methods in 1942 for then-existing "libraries" or series of books, and reduced the publisher's base period usage.

These adjustments eliminate the need for appeals based upon such grounds.

(c) *Factors to be considered.* In passing upon appeals under Order L-245 the following factors will be taken into consideration:

(1) Establishment of quotas for "occasional" publishers who do not use paper every year and who used none in 1942.

(2) Increased need for religious or instructional publications required by the Armed Forces.

(3) Any other unforeseen, unusual, extraordinary or emergency conditions which may constitute undue and excessive hardship.

(d) *Economical usage.* In every case where additional tonnage is recommended, the amount will be computed on the basis of economical usage of paper. Ex-quota paper will be denied to the extent that a publisher can meet his requirements through paper conservation methods.

Procedure

(e) *How appeals are submitted.* Appeals from Order L-245 shall be filed by addressing a letter to the War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-245.

(f) *Form of appeals.* The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, and the reasons why denial of the appeal would result in undue and excessive hardship.

(g) *Denial by administrator.* Appeals may be denied in the first instance by the administrator of the order.

(h) *Re-appeal from denial by administrator.* When an appeal has been de-

nied by the administrator of the order, the appellant may re-appeal, within 15 days after the letter of denial is mailed, by addressing a letter to the War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-245. This letter may contain simply a request that the case be forwarded to the Appeals Board. Any additional information which the appellant cares to submit at this time will also be forwarded to the Appeals Board.

(i) *Grant of appeals.* Although the administrator of the order may deny an appeal in the first instance, only the Appeals Board has the power to grant relief in individual cases from the provisions of the order.

(j) *Recommendation of grant by the administrator.* When the administrator of the order believes that an appeal is meritorious he shall refer the case to the Printing and Publishing Division Appeals Committee, consisting of himself, the Assistant Director of the Printing and Publishing Division for Labor, a representative of the Office of Civilian Requirements, and a representative of the Conservation Division. Thereafter the case shall be forwarded to the Appeals Board with the written recommendation of the administrator of the order and the written concurrence or non-concurrence of each member of the Division Appeals Committee.

(k) *Optional reference to Appeals Board by administrator.* The administrator of the order may, if he desires, refer a case to the Appeals Board with a recommendation of denial or with no recommendation at all.

(l) *Hearings by Appeals Board.* If the Appeals Board desires to obtain additional facts not contained in the file it may, in its discretion, hold a public hearing on any appeal. To the extent consistent with the necessity for emergency relief, a schedule of hearings shall be made up in advance. Information concerning the time and place of any scheduled hearing shall be available at the office of the Appeals Board at any time during business hours.

(m) *Conduct of hearing.* Hearings by the Appeals Board are open to the public. All interested parties may attend, and in the discretion of the Board, may be heard. The hearings are informal and the Board is not bound by legal rules of evidence. It is not necessary for an appellant to be represented by counsel, although he may do so if he wishes.

(n) *Decision by Appeals Board.* The Appeals Board may grant or deny an appeal in whole or in part. It may also attach conditions to a grant, directing the manner in which ex-quota tonnage shall be used.

(o) *Finality of decision.* The decisions of the Appeals Board shall be final unless that Board elects to reopen the case.

(p) *Public files.* Whenever an appeal has been granted, a public file shall be set up, consisting of the following:

(1) All papers filed by the appellant in support of the appeal.

(2) A memorandum containing the recommendation of the administrator.

(3) A memorandum by the Appeals Board of the grounds of its decision in cases where it overrules the administrator's recommendation, or follows his recommendation for different reasons.

(4) A transcript of the record of the public hearing (or if the stenographic notes of the hearing have not been transcribed, a memorandum referring to the notes and stating how a transcript may be obtained).

The public file shall be available for public inspection at any time during the business hours of the War Production Board. This paragraph shall not apply to appeals filed before October 7, 1943.

Issued this 13th day of January 1944.

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

[F. R. Doc. 44-696; Filed, January 13, 1944;
11:19 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5A, Direction 2]

QUOTA AND EXPENDITURE RECORDS

The following direction is issued pursuant to CMP Reg. 5A:

(a) Each governmental agency and each institution which is subject to the quantity limitations of paragraph (f) of CMP Regulation No. 5A must compute its quota and must keep its computation and supporting work sheets in its file for two years after the last purchase made under the Regulation. It must also maintain a record of its expenditures for maintenance, repair and operating supplies for a period of not less than two years.

(b) In computing the quota and in charging purchases against the quota, a governmental agency or institution is required by paragraph (f) to include its purchases for maintenance, repair and operating supplies whether the rating or allotment symbol assigned by the Regulation is used or not. However, it may exclude the cost of food, fuel, electricity, and steam or hot water for heating, as long as it excludes such costs both from the computation of the quota and from charges against the quota.

Issued this 13th day of January 1944.

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

[F. R. Doc. 44-697; Filed, January 13, 1944;
11:20 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, as Amended Jan. 13, 1944]

SALES OF CONTROLLED MATERIALS BY WAREHOUSES AND DISTRIBUTORS

§ 3175.4 *CMP Regulation 4*—(a) *Purpose and scope.* This regulation describes the procedure to be followed by warehouses and distributors in delivering controlled materials from stock (including consigned stock) except that in the case of steel, deliveries from one distributor to another are governed by Orders M-21-b-1 and M-21-b-2.

Steel

(b) *Definitions with respect to steel.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes listed in Schedule I of CMP Regulation No. 1.

(2) "Distributor" means any person (including a warehouse, jobber, dealer or retailer) who is engaged in the business of receiving steel for sale or resale in the form received or after performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, or corrugating or otherwise forming sheets for roofing and siding; but a person who, in connection with any sale, bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale.

(c) *Rejection of orders.* (1) A distributor must reject all orders except those which he is required or permitted to fill under paragraph (d).

(2) [Deleted Jan. 13, 1944.]

(3) A distributor must not deliver any steel on an authorized controlled material order bearing a specific allotment number except in the period for which the allotment was made or within 15 days before or 30 days after such period. For example, a distributor receiving an order bearing the allotment number N-1-4Q43 may fill the order at any time during the period September 15, 1943, through January 31, 1944. Orders bearing symbols such as MRO which do not have to bear any quarterly identification are not subject to this provision.

(4) A distributor may reject any order for steel on which the customer does not specify immediate delivery. Even if he elects to accept an authorized controlled material order calling for future delivery, he is not allowed to set aside the steel covered by such order. He must deliver it on any order calling for immediate delivery that he is required to fill under paragraphs (d) (1), (2) or (3), and may deliver it on any order calling for immediate delivery that he is permitted to fill under paragraph (d) (4).

(5) A distributor may reject any order calling for the delivery of steel which he does not have in stock or which he does not know is in transit to his stock.

(6) A distributor may reject all or any part of an order which the War Production Board specifically authorizes him to reject. If a delivery would deplete his stock to a point where his function in the distribution of steel would be seriously impaired, he may apply to the War Production Board for authority to reject the order and may delay filling the order until his application is acted upon.

(d) *Orders which must be filled.* A distributor must fill the following kinds of orders unless he is required or permitted to reject them under paragraph (c):

(1) A distributor must fill all authorized controlled material orders.

(2) A distributor must fill orders for delivery to farmers as required by Priorities Regulation No. 19.

(3) A distributor must fill orders bearing preference ratings of AAA.

(4) A distributor may fill other orders as follows, but is not required to do so regardless of whether rated or not:

(i) Orders in amounts of \$25 or less. No endorsement is required on such orders.

(ii) Orders calling for delivery to one customer during any calendar quarter of not more than 10 tons of carbon steel, 1,000 pounds of stainless steel and 2 tons of other alloy steel, providing such deliveries of any one product group and type to one customer do not exceed the amounts shown below:

	Quantities in pounds per quarter unless otherwise stated		
	Carbon (including wrought iron)	Stainless	Alloy (Other than stainless)
Tool steel, including drill rod.....	300	-----	300
Mechanical tubing.....	1,000*	100*	300*
Wire rope and strand.....	300*	-----	-----
Music Wire.....	300	-----	-----
All other steel products.....	20,000	1,000	4,000

*Feet per quarter.

Each order placed under this paragraph (d) (4) (ii) must be accompanied by or endorsed with both the standard form of certification in CMP Regulation No. 7 and the following sentence: "This order is placed under paragraph (d) (4) (ii) of CMP Regulation No. 4."

The purpose of this paragraph (d) (4) (ii) is to permit persons using small quantities of steel to obtain their requirements without the use of allotments; it is not to allow users of large quantities to obtain steel in addition to their purchases on authorized controlled material orders. Therefore, a person who buys any steel under this paragraph (d) (4) (ii) cannot receive steel from producers or distributors in any quarter in excess of the amounts shown in the above table whether it is received on authorized controlled material orders or otherwise. Purchases of steel from persons other than producers or distributors do not affect the amount which can be bought under this paragraph. Such purchases are subject to the provisions of Priorities Regulation 13 and paragraph (u) of CMP Regulation No. 1.

Copper

(e) *Definitions with respect to copper.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP regulation unless otherwise indicated:

(1) "Copper wire mill product" means bare, insulated or armored wire or cable

for electrical conduction made from copper or copper base alloy or copper-clad steel containing more than 20% copper by weight.

(2) "Brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy. This does not include copper wire mill products.

(3) "Warehouse" means any industrial supplier, mill supplier, plumbing supply house, electrical wholesaler or other person engaged in the business of distributing brass mill products or copper wire mill products to industry or trade otherwise than as a controlled materials producer and includes warehouses owned by mills.

(4) "Item of copper wire mill product" means any wire or cable made from copper, copper base alloy or copper-clad steel containing more than 20% copper by weight for electrical conduction which is different from all other items of that form by reason of one or more differences of its specifications, such as size, alloy or insulation. Differences in temper or length do not differentiate items.

(5) "Item of brass mill product" means sheet, wire, rod or tube made from copper or copper base alloy, which is different from all other items of that form, by reason of one or more differences of its specifications, such as size, shape, gauge, thickness or alloy. Differences in temper or length do not differentiate items except in the case of copper and brass sheet, where such differences will constitute different items.

(6) "Warehouse stock" means brass mill or copper wire mill products physically located in warehouse inventories, whether owned or held on consignment by the warehouse.

(f) *Delivery of brass mill or copper wire mill products*—(1) *Delivery from warehouse stock.* (i) A warehouse shall fill authorized controlled material orders for brass mill or copper wire mill products, in accordance with this regulation, if it can fill the orders from its stock. In no case, however, may a warehouse fill an order for brass mill or copper wire mill products unless the purchaser has the right to accept delivery under the provisions of this paragraph (f) which limit the amount of brass mill and copper wire mill products which a purchaser may get from a warehouse. A warehouse is entitled to rely on a certificate furnished by any of its customers under paragraph (f) (1) (iv) of this regulation, unless it knows or has reason to believe the certificate to be false.

(ii) No person shall place orders for delivery from warehouse stock of any item of brass mill product to any one destination, during any one calendar month, which aggregate more than 2,000 pounds gross weight and no person shall accept any delivery in excess of this amount, except that this limitation does not apply to condenser tubes or to the resale of brass mill products obtained by

brass mill warehouses through an authorization issued by a Regional Office of the War Production Board or by the Copper Recovery Inventory Branch, War Production Board, 350 5th Avenue, New York City, New York.

(iii) No person shall place orders for delivery from warehouse stock of any item of copper wire mill product to any one destination, during any one calendar month, which aggregate more than 3,000 pounds copper content and no person shall accept any such delivery in excess of this amount, except that this limitation does not apply to the resale of copper wire mill products obtained by copper wire mill warehouses through an authorization issued by a Regional Office of the War Production Board or by the Copper Recovery Inventory Branch, War Production Board, 350 Fifth Avenue, New York City, New York.

(iv) No person shall place an order under this paragraph (f) (1) and no warehouse shall accept an order unless it is accompanied by, or endorsed with, a certificate in the form provided in CMP Regulation No. 7 (or a certificate prescribed by any regulation or order of the War Production Board for use in placing an authorized controlled material order), signed manually or as provided in Priorities Regulation No. 7.

(2) *Shipments direct to customer or to fill specific orders.* If a warehouse wants to order material to fill a specific authorized controlled material order of a customer instead of filling it from stock, it may order the material either for direct shipment to the customer or for shipment via the warehouse, by placing on its order the customer's name and allotment number or symbol. Such an order is to be treated as an authorized controlled material order. The warehouse may not treat the delivery to the customer as made from stock and may not request a replacement. However, in the case of brass mill products, a warehouse may order from another warehouse only if it does not have the material in inventory and needs it for immediate delivery to a customer on an authorized controlled material order. It must state these facts on its order.

(3) *Rejection of orders.* (i) A warehouse must not fill any order for brass mill or copper wire mill products except those which it is required or permitted to fill under paragraph (f) (1) or (f) (2) above.

(ii) A warehouse must not deliver any brass mill or copper wire mill product on an authorized controlled material order except in the quarter for which the allotment appearing on the order is valid. Orders bearing symbols such as "MRO" or "SO" which do not have to bear any

quarterly identification may be filled during any quarter, but such orders must indicate when delivery is required if for other than immediate delivery.

(iii) A warehouse may reject any order calling for immediate delivery of brass mill or copper wire mill products which it does not have in stock or know to be in transit to its stock.

(iv) A warehouse may reject an order calling for future delivery. If it elects to accept the order, it must not set aside or hold any material to fill it.

Aluminum

(g) *Definitions with respect to aluminum.* The following definitions shall apply for the purpose of this regulation and for the purpose of any other CMP Regulation unless otherwise indicated:

(1) "Aluminum" means aluminum in any of the forms and shapes constituting controlled material as defined in CMP Regulation No. 1.

(2) "Distributor" means any person who is specifically authorized by the War Production Board to engage in the business of receiving aluminum for sale or resale.

(h) *Deliveries of aluminum by distributors on authorized controlled material orders.* (1) Each distributor shall, to the extent of his available stocks, fill authorized controlled material orders, except that a distributor shall reject any authorized controlled material order calling for delivery at any one time, to any one person, at any one destination, of more than 2,000 pounds of any gage, alloy and size of aluminum sheet, or more than 900 pounds of any alloy, shape and size of aluminum wire, rod or bar, or more than 600 pounds of any alloy, size and shape of aluminum tubing, extrusions or structural shapes: *Provided, however,* That any distributor shall be entitled to fill an authorized controlled material order calling for delivery at any one time, to any one person, at any one destination, of 5,000 pounds or less of any gage, alloy and size of aluminum sheet, 3,000 pounds or less of any gage, alloy and size of aluminum wire, rod or bar or 2,000 pounds or less of any alloy, size and shape of aluminum tubing, extrusions or structural shapes, if such distributor shall first have requested the mill supplying him to fill such order and such mill shall have advised such distributor to fill the same from his stock. Such request and advice may be made verbally but shall be confirmed in writing.

(2) No distributor shall deliver any aluminum except to fill an authorized controlled material order or pursuant to a specific direction of the War Production Board.

General Provisions Applicable to Steel, Brass Mill Products, Copper Wire Mill Products and Aluminum

(i) *Directions to distributors and warehouses.* Each distributor and warehouse shall comply with such directions as may be issued from time to time by the War Production Board with respect to making

or withholding deliveries of steel, brass mill products, copper wire mill products or aluminum, and with respect to the earmarking of stocks of such material.

(j) *Placement of authorized controlled material orders.* A delivery order for steel, brass mill products, copper wire mill products or aluminum, shall be deemed an authorized controlled material order, if but only if,

(1) It is specifically designated as an authorized controlled material order by any regulation or order of the War Production Board; or

(2) It is endorsed with the appropriate certification and allotment number or symbol in the way prescribed by paragraph (s) (3) of CMP Regulation No. 1.

(3) A delivery order for steel, brass mill products, copper wire mill products or aluminum, placed with a distributor or warehouse shall be considered as calling for immediate delivery unless the order specifically provides otherwise.

(k) *Verbal delivery orders.* Any delivery order requiring shipment within seven days may be placed verbally or by telephone by stating to the distributor or warehouse the substance of the information required by this regulation, *Provided,* That the person placing the order furnishes to the distributor or warehouse, within fifteen days after placing the same, written confirmation of the order complying with the requirements of this regulation. In case of failure to receive written confirmation within fifteen days, the distributor or warehouse shall not accept any other order from, or deliver any additional material of any kind to, the purchaser until such written confirmation is furnished. On or before the twentieth day of each month any distributor or warehouse who has received in the prior month a delivery order by telephone, shall notify the appropriate Regional Compliance Office of the War Production Board, of any case in which a purchaser has failed to furnish to him the written confirmation when due.

(l) *Special provisions with respect to AAA orders.* Notwithstanding the foregoing provisions of this regulation, an authorized controlled material order placed with a distributor or warehouse bearing a rating of AAA shall be filled in preference to any other authorized controlled material orders regardless of time of receipt.

(m) *Communications.* All communications concerning this regulation should be addressed to the War Production Board, Washington 25, D. C., Ref: CMP Regulation No. 4 (specify whether steel, copper or aluminum).

Issued this 13th day of January 1944.

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

INTERPRETATION 1

DISTRIBUTORS OF AUTOMOTIVE REPLACEMENT PARTS

The definitions of "distributor" and "warehouse" appearing in paragraphs (b) (2) and (e) (3) of CMP Regulation No. 4 are not

deemed to include persons engaged solely in the business of distributing automotive replacement parts. Consequently, such persons may sell, for use as automotive replacement parts, such items as bulk or spooled primary and spark plug wire, battery cables and magnet wire, without reference to the terms of CMP Regulation No. 4, but subject to the provisions of General Limitation Order L-158 and other applicable regulations or orders. (Issued Feb. 27, 1943)

[F. R. Doc. 44-698; Filed, January 13, 1944; 11:19 a. m.]

PART 3294—IRON AND STEEL PRODUCTION¹

[General Preference Order M-21-b-1 as Amended Jan. 13, 1944]

GENERAL STEEL WAREHOUSES AND DEALERS

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

§ 3294.81¹ *General Preference Order M-21-b-1—(a) Purpose and scope.* This order tells how, under the Controlled Materials Plan, a distributor obtains deliveries of general steel products from producers and from other persons for stock or for delivery direct to a distributor's customers. The method by which a distributor obtains deliveries of merchant trade products is set forth in General Preference Order M-21-b-2. Deliveries of steel from stock by distributors to persons not purchasing for resale are governed by CMP Regulation No. 4. Deliveries by distributors to other distributors are governed by this order and not by CMP Regulation No. 4.

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

(1) "Steel" means carbon steel, alloy steel, and wrought iron, in the forms and shapes listed in Schedule I to CMP Regulation No. 1.

(2) "Alloy steel" means alloy steel as defined in Order M-21-a.

(3) "Carbon steel" means any steel (including wrought iron) other than alloy steel.

(4) "General steel product" means any of the steel products listed in Schedule A hereto.

(5) "Product group" means any of the 17 numbered groups of general steel products listed in Schedule A hereto.

(6) "Type" means (i) carbon steel, or (ii) stainless steel, or (iii) other alloy steel.

(7) "Base tonnage" of a warehouse for any product group and type means the tonnage of such product group and type delivered by such warehouse from stock

during the first calendar quarter of 1941, or such other tonnage as may be specifically established by the War Production Board.

(8) "Distributor" means any person (including a warehouse, jobber, dealer, or retailer) who is engaged in the business of receiving steel for sale or resale in the form received or after performing such operations as cutting to length, shearing to size, torch cutting or burning to shape, sorting and grading, pipe threading, or corrugating or otherwise forming sheets for roofing and siding; but a person who, in connection with any sale, bends, punches or performs any fabricating operation designed to prepare steel for final use or assembly shall not be deemed a distributor with respect to such sale.

(9) "Warehouse" means a distributor who receives physical delivery of general steel products from a producer for sale or resale in the form received, and who was engaged on August 9, 1941, in the business of distributing steel from stock. If a warehouse maintains a stock at more than one location, each location shall be deemed a separate warehouse.

(10) "Dealer" means a distributor (other than a warehouse) who receives physical delivery of general steel products from persons other than producers for sale or resale in the form received.

(11) "Delivery" includes deliveries received on consignment.

(c) *Restrictions on placing warehouse orders with producers, or other distributors, for shipment to warehouse stock—*

(1) *Product groups and types to be ordered.* No warehouse shall order or accept delivery to warehouse stock of general steel products (except drill rod and magnets) in any product group and type except those which have been certified to such warehouse on form GA-996 by the War Production Board. A producer shall not deliver general steel products (except drill rod and magnets, to any warehouse stock unless such warehouse shall first have filed with such producer a copy of the front page of its GA-996 certificate, or in any product group and type except those certified on such certificate. A warehouse handling no general steel products except drill rod or magnets may order such materials from a producer or other distributor even though it has not been certified on such form.

(2) *Quantity restrictions on prime quality material.* No warehouse which, during 1940, purchased from producers more than 25 percent of its tonnage of any product group for stock in a grade now invoiced as less than prime quality may order from producers for delivery to

warehouse stock during any calendar quarter, prime quality steel products (requiring scheduled rollings) of the same product group in an amount greater than 37½ per cent of the total tonnage of such prime quality material (requiring scheduled rollings) purchased in that product group from all producers during 1940.

(3) *Quantity restrictions on product groups.* No warehouse having a total base tonnage of more than 100 tons for any type of steel shall order steel from producers, or other distributors, in any one product group in such type for delivery to warehouse stock in any calendar quarter in excess of 150 percent of its base tonnage for such product group and type. No warehouse having a total base tonnage of 100 tons or less for any type of steel shall order steel from producers, or other distributors, in such type for delivery to warehouse stock in any calendar quarter in excess of 150 percent of its total base tonnage for such type.

(4) *Stock replacement.* No warehouse shall place with a producer or another distributor orders for delivery to warehouse stock except to replace general steel products delivered from warehouse stock during the previous ninety days to warehouses and dealers as permitted by this Order or to consumers as permitted by CMP Regulation No. 4, plus scrap accumulated in the course of warehouse operations and actually sold during such period and reported to the War Production Board on Form WPB-2888. Within the limitations of Paragraph (c) (3), deliveries of any general steel product may be used to support an order for the same or any other general steel product. All orders for steel placed by a warehouse pursuant to this Paragraph (c) (4) must specify delivery to the location from which the steel being replaced was shipped. Beginning February 1, 1944, every order placed for shipment to warehouse stock must bear the War Production Board Serial Number issued to the warehouse, must be coded "Warehouse Stock," and must bear the certification authorized in CMP Regulation No. 7. Such certification shall be signed manually or as provided in Priorities Regulation No. 7. The use of this certification shall replace Form WPB-2444 when purchasing general steel products for warehouse stock, but with each use of the certification the warehouse shall be deemed to certify that the order placed complies in all respects with the requirements of Paragraph (c) of this order.

(5) [Deleted Jan. 13, 1944.]

¹ Formerly Part 962, § 962.10.

(6) *Status of warehouse orders.* Each order placed by a warehouse with a producer pursuant to Paragraph (c) (4) shall be deemed an authorized controlled material order. Each order placed by a warehouse with another distributor pursuant to Paragraph (c) (4) may, but need not, be accepted by such other distributor. If accepted, it shall be deemed an authorized controlled material order.

(d) *Distributor purchases from idle or excess inventories.* A distributor may order general steel products for delivery to its stock, without limitation as to product group, type, or quantity, from idle or excess inventories in the manner authorized by Priorities Regulation No. 13. Each purchase order for such material shall be endorsed in substantially the following form, and when so endorsed shall be deemed to be an authorized controlled material order:

The undersigned certifies to the seller and to the War Production Board that this order is placed pursuant to Paragraph (d) of Order M-21-b-1, and is an authorized controlled material order.

By _____
Name of distributor Authorized official

Address _____ Date _____

(e) *Distributor purchases for direct shipment to customer.* A distributor receiving from a customer an order which the warehouse is permitted to fill under CMP Regulation No. 4 and wishing to arrange for shipment direct to such customer by the producer or other supplier shall specify delivery to a point other than its warehouse, and shall copy on its own purchase order the endorsement made to it by its customer (including the customer's name) in accordance with CMP Regulation No. 1 or other applicable regulation or order. A purchase order specifying direct shipment and so endorsed shall be deemed an authorized controlled material order.

(f) *Earmarked warehouse stocks.* To the extent agreed upon by the Steel Division and any claimant agency, an earmarked stock of general steel products may be established in any warehouse. Deliveries to such stock and withdrawals therefrom shall be made only in accordance with the specific directions which shall be issued at the time such stock is established.

(g) *Purchases by dealers from other distributors.* Purchase orders for general steel products may be placed by a dealer with persons other than producers to replace in the dealer's stock steel delivered by him during the 90 days preceding the placing of such purchase order, provided the steel to be replaced was de-

livered pursuant to CMP Regulation No. 4. No delivery can be used more than once to support such a replacement order. Each such replacement order must carry an endorsement in substantially the following form:

The undersigned hereby certifies to the seller and to the War Production Board that the material covered by this order is to replace in stock general steel products of the same weight delivered by the undersigned within the 90 days preceding the date of this order and in accordance with CMP Regulation No. 4. This constitutes an authorized controlled material order.

By _____
Name of dealer Authorized official

Address _____ Date _____

Any order so endorsed shall be deemed an authorized controlled material order.

(h) *Reports.* Each warehouse shall file with the Bureau of the Census, Washington, D. C., a report in duplicate on Form WPB-2388 or on such other form as may be prescribed, on or before the 15th day of January, April, July and October, for the preceding calendar quarter. This reporting provision has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by letter referring to the particular provision appealed from and stating fully the grounds for the appeal. In emergency cases, appeal may be made by telegraph.

(j) *Communications to War Production Board.* All appeals or other communications concerning this order shall be addressed to Warehouse Branch, Steel Division, War Production Board, Washington 25, D. C., Reference M-21-b-1.

(k) *Violations.* Any warehouse, dealer, or other 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.

(l) *Special instructions.* The War Production Board may from time to time issue special instructions to warehouses or dealers with respect to making, withholding, accepting or refusing deliveries.

Issued this 13th day of January 1944.

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

SCHEDULE A—GENERAL STEEL PRODUCTS

NOTE: Items 5 and 7 amended, footnote deleted Jan. 13, 1944.

	Types of steel included		
	Carbon	Stainless	Other alloy
1. Ingots, blooms, billets, slabs, tube rounds, die blocks, sheet and tin bars.....	x	x	x
2. Structural shapes and piling.....	x	x	x
3. Plates (universal and sheared) including skelp.....	x	x	x
4. Rails and track accessories.....	x	x	x
5. Hot rolled bars—except concrete reinforcing bars but including forged, galvanized, and wrought iron bars.....	x	x	x
6. Cold finished bars.....	x	x	x
7. Tool steel, including drill rod.....	x	x	x
8. Mechanical tubing.....	x	x	x
9. Pressure tubing.....	x	x	x
10. Wire rods (for wire drawing only).....	x	x	x
11. Sheets and strip, hot rolled.....	x	x	x
12. Sheets and strip, cold reduced.....	x	x	x
13. Tin mill black plate.....	x	x	x
14. Sheets and strip, all other (except tin plate, short ternes, and galvanized).....	x	x	x
15. Wheels and axles (including steel tires and rims).....	x	x	x
16. Castings (rough castings only).....	x	x	x
17. Concrete reinforcing bars (unfabricated).....	x	x	x

[F. R. Doc. 44-699; Filed, January 13, 1944; 11:19 a. m.]

PART 3294—IRON AND STEEL PRODUCTION¹
[Supplementary Order M-24-c, as Amended Jan. 13, 1944]

ALLOY SCRAP SEGREGATION

§ 3294.126¹ *Supplementary Order M-24-c—(a) Definition.* For the purpose of this order, "alloy scrap" means scrap consisting of any of the alloy irons or alloy steels listed in Schedule A hereto.

(b) *Segregation of alloy scrap.* Each person who produces in any calendar month a total of ten tons or more of alloy scrap of the types described in Groups 1-9 inclusive and Groups 21-25 inclusive of Schedule A, or a total of 1 ton or more of alloy scrap of the types described in Groups 10-20 inclusive and Group 26 of Schedule A, shall segregate such scrap into the groups shown in Schedule A.

(c) *Mingling of segregated scrap prohibited.* No person shall (except in melting iron or steel) mingle alloy scrap segregated in accordance with paragraph (b) with scrap which is unclassified or in a different group, nor ship or deliver such alloy scrap without clearly identifying the group to which it belongs.

(d) *Limitations on use of alloy scrap.* Alloy scrap shall be melted only in the production of alloy iron or alloy steel, except that the following grades of alloy scrap may be melted in the production of carbon steel or iron:

¹ Formerly Part 965, § 965.4.

(1) Chromium or chrome-vanadium steel scrap with chromium 1.65% maximum (e. g. 5000, 5100, 52100, 6100 series).

(2) Chromium-molybdenum steel scrap with molybdenum 0.27% maximum (e. g. 4100 series).

(3) Nickel - chromium - molybdenum steel scrap with nickel 0.70% maximum,

chromium 0.60% maximum, molybdenum 0.30% maximum (e. g. 8600, 8700, 9400 series).

Issued this 13th day of January 1944.

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

SCHEDULE A

Wrought and Cast Constructional Alloy Steels

NOTE: Item 18 amended Jan. 13, 1944.

Column 1 scrap groups	Column 2 description	Column 3 examples of steels in scrap group (see note)
1	Nickel Type (Nickel 1-5.25% inclusive).	2100, 2300, 2500.
2	Nickel-Chromium Type (Nickel 1-5.25% inclusive).	3100, 3200, 3300, 3400.
3	Nickel-Molybdenum Type (Nickel 1-5.25% inclusive).	4600, 4800.
4	Chromium and Chromium-Vanadium Types (Chromium 0.70-1.75% inclusive).	5100, 52100, 6100.
5	Nickel-Chromium-Molybdenum Type (Nickel 1-5.25% inclusive).	4300.
6	Nickel-Chromium-Molybdenum Type (Nickel under 1%, Molybdenum 0.08-0.65% inclusive).	8600, 8700, 8800, 8900, 9400, 9500.
7	Carbon-Molybdenum and Manganese-Molybdenum Types (Molybdenum 0.15%-0.65% inclusive).	4000, 8000, 8100, 8200, 8300, 8400, 8500.
8	Carbon-Molybdenum and Manganese Molybdenum Types (Molybdenum 0.65% and over).	
9	Chromium-Molybdenum Type (Molybdenum 0.15% and over).	4100.
<i>Alloy Tool and Special Steels</i>		
10	Tungsten content of 12% or more with a maximum molybdenum content of 1.1%.	Class B High Speed Steel, High Tungsten Hot Work Steels.
11	Tungsten content of 8% or more up to but not including 12% with a maximum molybdenum content of 1%.	Regular Tungsten Hot Work Steels.
12	Tungsten content of less than 8% but not less than 1% with a maximum molybdenum content of 1.4%.	74100, Fast Finishing Steel, Low Tungsten Steels, Tungsten Molybdenum Hot Work Steels.
13	Molybdenum content of 17% or more with a maximum tungsten content of 2%.	Class A High Speed Steel Grades II and III.
14	Molybdenum content of not less than 3.4% or more than 6% with tungsten content of not less than 4.4% or more than 6.4%.	Class A High Speed Steel Grade I.
<i>Corrosion and Heat Resisting Alloy Steels</i>		
15	Chromium 10-14% inclusive, Nickel 0.75% maximum (Free machining grades).	
16	Chromium 10-14% inclusive, Nickel 0.75% maximum (all other grades).	
17	Chromium over 14%, Nickel 0.75% maximum.	
18	Chromium 16% and over, Nickel over 6%, except as included in classification 18A or 18B.	
18A	Chromium 16% and over, Nickel over 6%, Phosphorus up to and including 0.04%, Sulphur 0.18%-0.35% inclusive.	
18B	Chromium 16% and over, Nickel over 6%, Sulphur up to and including 0.04%, Phosphorus 0.12%-0.17% inclusive, Selenium 0.15%-0.35% inclusive.	
19	Chromium 16% and over, Nickel over 6% (All other grades).	
20	All other grades of ferrous corrosion and heat resisting alloys containing chromium, nickel, molybdenum, tungsten, cobalt, or copper.	
<i>Alloy Cast Iron</i>		
21	Nickel Type (Nickel 1-5.25% inclusive).	
22	Nickel-Chromium Type (Nickel 1-5.25% inclusive).	
23	Nickel-Molybdenum Type (Nickel 1-2.5% inclusive).	
24	Chromium Type (Chromium 0.5%-1.5% inclusive).	
25	Molybdenum Type (Molybdenum 0.15-0.65% inclusive).	
26	Nickel Type (Nickel 13-22% inclusive).	

NOTE: The steel series and other designations listed in Column 3 are for illustration only. Scrap of other analyses should be segregated in the appropriate group according to the descriptions in Column 2.

[F. R. Doc. 44-700; Filed, January 13, 1944; 11:20 a. m.]

PART 3296—SAFETY AND TECHNICAL
EQUIPMENT

[General Limitation Order L-39-a]

SPRINKLER HEADS

§ 3296.2 *General Limitation Order L-39-a—(a) Purpose of this order.* The purpose of this order is to establish a

maximum 12 months' quota of shipments for each manufacturer of sprinkler heads. The quota is based on shipments made during a normal pre-war base period, 1941. This order, of course, has no effect on the restrictions relating to installation of sprinkler heads, and such installations are still subject to the re-

strictions contained in Order L-41 (Construction).

(b) *Definitions.* The meaning of various terms used in this order is set forth below:

(1) "Sprinkler head" means a device designed to distribute water in such a manner as to extinguish or control fires in a particular area. Water is fed to sprinkler heads through a system of pipes ordinarily attached to the ceilings or roofs of buildings, the sprinkler heads being placed at intervals along the pipes. Either the sprinkler head or a heat actuated device in the sprinkler system is designed to function automatically when subjected to heat or a rapid rise in temperature. The term "sprinkler head" covers all types of heads, including closed heads, dry-pendant heads, open heads, and fog or spray type heads.

(2) "Manufacturer" means any person engaged in the manufacture of sprinkler heads and includes any sales or distribution agencies or branches owned or controlled by any such person.

(c) *Restrictions on shipments of sprinkler heads.* During the 12 months' period beginning November 1, 1943, and during every 12 months' period beginning November 1st thereafter, no manufacturer shall ship more than 78 per cent of the number of sprinkler heads that he shipped during the year 1941. Shipments during any 6 consecutive months must not exceed 70 per cent of the quota permitted for the entire 12 months' period. All shipments of sprinkler heads made by a manufacturer after November 1, 1943, must be charged against his quota regardless of who the purchaser may be. (Transfers of sprinkler heads from the place where they are manufactured to sales or distribution agencies or branches owned or controlled by the manufacturer are not regarded as "shipments" under this order.) As an illustration of the foregoing restriction, assume that a manufacturer shipped 1,000,000 sprinkler heads during 1941. His quota for the entire 12 months' period beginning November 1, 1943, (or any 12 months' period beginning November 1st thereafter) would then be 780,000 heads (78 per cent of his 1941 shipments); and he would not be permitted to ship more than 546,000 heads (70 per cent of 780,000) during any 6 consecutive months of the 12 months' period.

(d) *Restrictions on manufacturing for inventory.* In addition to the restrictions on shipments set forth in paragraph (c), no manufacturer shall manufacture more sprinkler heads than are required to enable him to maintain a practicable minimum working inventory thereof. In no event shall the practicable minimum working inventory exceed one-sixth of his quota of shipments permitted by paragraph (c) for the 12 months' period.

(e) *Reports.* On or before January 24, 1944, and on or before the 10th day of every month thereafter, each manufacturer shall file with the War Production Board, Washington 25, D. C., three copies of a letter containing a report of total shipments of sprinkler heads (in numbers) made during the preceding

calendar month. (However, the first report should show the shipments made during November and December, 1943, and total shipments for each month should be reported separately.) This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

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

(g) *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.

(h) *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.

(i) *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.

(j) *Correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref.: L-39-a.

Issued this 13th day of January 1944.

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

[F. R. Doc. 44-701; Filed, January 13, 1944;
11:19 a. m.]

Subchapter D—Office of the Rubber Director

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

[Rubber Order R-1 as Amended Jan. 12, 1944]

Correction

In Schedule A of F.R. Doc. 44-633, appearing at page 501 of the issue for Thursday, January 13, 1944, "No", "0", and "0" should appear opposite "Plumbing products, including only" in the columns headed "Appendix II", "Percent crude rubber", and "Percent natural latex", respectively. The error occurs near the end of the right-hand portion of page 508.

Chapter XI—Office of Price
Administration

PART 1340—FUEL

[MPR 112,¹ Amdt. 16]

PENNSYLVANIA ANTHRACITE

A statement of considerations involved in the issuance of this amendment, is²

¹ 8 F.R. 3367, 8065, 15706, 16037.

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

Section 1340.200 (c) (3) (iv) is amended by changing the final period to a comma and adding thereto the following: "unless the purchaser is the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof."

This amendment shall become effective January 18, 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 12th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-658; Filed, January 12, 1944;
3:22 p. m.]

PART 1340—FUEL

[MPR 120,¹ Amdt. 78]

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 respects:

1. In the first sentence in § 1340.210 (a) (3), immediately after the parenthesis after the word, "inclusive," and immediately before the word, "are," the following words are inserted: "and in any order or authority issued under this regulation since May 18, 1942."

2. In § 1340.210 (a) (4), the final period is changed to a comma and the following is added: "the District of Columbia, any state government or any political subdivision thereof."

3. In § 1340.230 (a) (1), the table of prices is amended by inserting the price, 285, in the column for Size Group No. 3 coals and on the line for Subdistrict No. 7.

This amendment shall become effective January 18, 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 12th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-650; Filed, January 12, 1944;
3:22 p. m.]

PART 1340—FUEL

[MPR 121,¹ Amdt. 28]

MISCELLANEOUS SOLID FUELS DELIVERED FROM
PRODUCING FACILITIES

A statement of considerations involved in the issuance of this amendment, is-

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

¹ 8 F.R. 14560, 15256, 15455, 15456, 16280, 16419, 16738, 16998.

² 7 F.R. 8237, 8989, 4483, 5941, 6002, 6386, 8587, 8521; 8 F.R. 1895, 2756, 4179, 5757, 6261, 6951, 6957, 7599, 8065, 9992, 10358, 10432, 10936, 12791, 15706.

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

Section 1340.249 (e) (2) is amended by deleting the final period and adding thereto the following: "except the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof."

This amendment shall become effective January 18, 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 12th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-659; Filed, January 12, 1944;
3:22 p. m.]

PART 1340—FUEL

[RMPR 122,¹ Amdt. 17]

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 the Federal Register.*

Revised Maximum Price Regulation No. 122 is amended in the following respect:

In § 1340.265 (b), the last sentence is amended to read as follows: "However, the dealer need not state separately from his selling price the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof."

This Amendment No. 17 shall become effective January 18, 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 12th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-651; Filed, January 12, 1944;
3:22 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO 17,² Amdt. 50]

SHOES

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

Ration Order 17 is amended in the following respects:

1. A new section 1.7 (a) (5) is added to read as follows:

(5) An institution receiving ration currency under this paragraph may, with the approval of the Office that supplies the ration currency, open a shoe ration bank account. An institution that has opened an account under the authority of this section may use ration

¹ 8 F.R. 440, 1200, 3524, 4510, 5632, 6543.

² 8 F.R. 15838, 16605, 16996.

checks to acquire shoes and may also continue to receive and use special shoe stamps to acquire shoes if it so desires.

2. Section 1.14 (b) is amended by adding at the end of the second sentence the following: "or from an authorized issuing officer designated by the armed service of which he is a member and approved by a branch of the armed services of the United States. Supplies of certificates for this purpose may be furnished to an armed service of another nation by the branch of the armed service of the United States approving the appointment of the issuing officer."

3. Section 2.7 (b) is amended by adding the following: "No establishment may transfer shoes to a person or establishment which it knows or has reason to believe owes ration currency for shoes acquired during the credit period from February 7 to May 5, 1943, inclusive."

4. Section 2.13 (a) is amended by inserting after the third sentence the following: "However, infants' shoes of size 4 and below may be listed on the same invoice with rationed shoes if the establishment designates on the invoice that the infants' shoes of size 4 and below are non-rationed."

5. Section 2.15 (a) is amended by adding after the phrase "or (4) released from rationing under section 2.11 (a) (7)" the words "after the establishment paid ration currency for them."

This amendment shall become effective January 17, 1944.

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

Issued this 12th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-653; Filed, January 12, 1944;
3:23 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3,¹ Amdt. 110]

SUGAR RATIONING REGULATIONS

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

Rationing Order No. 3 is amended in the following respect:

Section 1407.86c is added to read as follows:

§ 1407.86c. *Increased allotments for certain industrial users for the period beginning January 1, 1944.* (a) An industrial user may apply to the Board for an increase in his allotment for the period beginning January 1, 1944, for the production of the products listed in Class 14 of § 1407.92 (a).

(b) Application must be made prior to March 1, 1944, on OPA Form R-315. The Board shall grant the increase requested

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

¹ 8 F.R. 14812, 15366, 15489, 15524, 15594, 15662, 16695, 16846, 16605, 16997, 16848.

in the application. However, the increase in allotment granted to the industrial user must not exceed 25 per cent of the amount of his sugar base for the first quarterly period for the products listed in Class 14 of § 1407.92 (a).

This amendment shall become effective January 15, 1944.

(Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 662, 2963; Food Dir. No. 3, 8 F.R. 2005)

Issued this 12th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-654; Filed, January 12, 1944;
3:23 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,¹ Amdt. 3]

PROCESSED FOODS

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

Section 27.1 (a) (10) (i) is amended by deleting the words "All ready-to-serve (not concentrated) canned or bottled soups" under the heading "Soups."

This amendment shall become effective at 12:01 a. m., January 2, 1944.

(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 12th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-652; Filed, January 12, 1944;
3:22 p. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348,² Amdt. 30]

LOGS AND BOLTS

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

Maximum Price Regulation No. 348 is amended by the inclusion of Appendix C Table 5 to read as follows:

TABLE 5

Area. Part of the States of Alabama, Arkansas, Louisiana, and Mississippi as follows:

Alabama: The counties of Franklin, Lawrence, Marion, Winston, Lamar, Fayette, Pickens, Greene and Sumter.

Arkansas: The counties of Calhoun, Union, Bradley, Drew, Ashley and Chicot.

Louisiana: The parishes of Acadia, Ascension, Avoyelles, Caldwell, Catahoula, Concordia, East Baton Rouge, East Carroll, Evangeline, Franklin, Grant, Iberia, Iberville,

¹ 9 F.R. 3.

² 8 F.R. 3670, 5163, 5565, 5365, 8751, 9515, 10023, 11214.

Jefferson, Lafayette, La Fourche, La Salle, Morehouse, Madison, Orleans, Plaquemines, Pointe Coupee, Ouachita, Rapides, Richland, St. Helena, St. Charles, St. Bernard, St. Landry, St. Martin, St. Mary, St. Tammany, Tangipahoa, Tensas, Terrebonne, Vermilion, Washington, West Feliciana, West Baton Rouge, West Carroll and Winn.

Mississippi: The entire state exclusive of the counties of Bolivar, Coahoma, Tallahatchie, Quitman, Tunica, Tate, Marshall, Benton, Tippah, Prentiss, Tishomingo, Clarke, Wayne, Greene, George, De Soto and Alcorn.

Species.—The following commercial species:

Sycamore (*Platanus occidentalis*).
Sweet Gum (*Liquidambar styraciflua*).
Tupelo Gum (*Nyssa aquatica*).
Black Gum (*Nyssa sylvatica*).
Poplar (*Liriodendron tulipifera*).
Cypress (*Taxodium distichum*).
Beech (*Fagus grandifolia*).
Hackberry (*Celtis occidentalis*).
Longleaf Pine (*Pinus palustris*).
Shortleaf Pine (*Pinus echinata*).
Loblolly Pine (*Pinus taeda*).
Slash Pine (*Pinus caribaea*).

Also all commercial species of the following genera:

Cottonwood (*Populus*).
Willow (*Salix*).
Magnolia (*Magnolia*).
Ash (*Fraxinus*).
Oak (*Quercus*).
Lynn or Basswood (*Tilia*).
Pecan and Hickory (*Hicoria*).
Cherry (*Prunus*).
Walnut (*Juglans*).
Elm (*Ulmus*).
Birch (*Betula*).
Maple (*Acer*).
Other Pines (*Pinus*).

and any other commercial hardwood species.

Scaling. All logs are to be scaled according to the Doyle Log Rule. The diameter will be measured at the small end of the log at the smallest diameter with all fractions of an inch counted back. The diameter shall be measured inside of the bark for hardwoods, and from the inside of one bark to the outside of the other bark for pine.

All unsound and unusable wood must be deducted by allowance in measurement. The defects for which full allowance must be made in measurement include hollows or large holes, rot, dote, windshake, large or excessive worm holes, splinter pulls and crook.

Logs shall be cut in standard even lengths of 10, 12, 14 and 16 feet or longer unless otherwise specified by the buyer. An allowance of at least 4 inches for trim shall be made in all logs. Logs that do not meet the specified allowance for trim shall be reduced in length to the next lower standard length.

Logs less than 10 feet in length will be accepted at a special price as specified below.

If logs larger than 24 feet in length are purchased, each log shall be considered as being composed of separate logs 16 feet in length starting at the top end (small end) of the log. The diameter for each succeeding log shall be computed as being 1 inch larger than the diameter at the small end of the preceding log. If the fraction remaining after successive 16 foot measurements is less than 8 feet, it shall be considered as a part of the adjoining 16 foot log and that entire log measured as based on the diameter at the small end of the log; each fraction 8 feet and over shall be measured as a separate log. Tree length logs, 32 feet or longer, scaled in the water may be measured by taking the diameter outside the bark in the small way with all fractions of an inch counted back.

Grade specifications. Woodsrun grade shall consist of the entire product of the forest of the specified species or groups of species with all culls excluded. It is under-

a maximum price established by one of those sections in accordance with the provisions of § 1315.30a of Maximum Price Regulation 149² (Mechanical Rubber Goods), which is incorporated herein as a part of this regulation. In applying the provisions of § 1315.30a of Maximum Price Regulation 149 the term "rubber drug sundry" shall be substituted for the term "mechanical rubber good."

This amendment shall become effective January 19, 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 13th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-721; Filed, January 13, 1944;
11:46 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[RMFR 296,³ Amdt. 1]

FLOUR FROM WHEAT, SEMOLINA AND FARINA SOLD BY MILLERS, BLENDERS, PRIMARY DISTRIBUTORS AND FLOUR JOBBERS

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

Section 17 is added to read as follows:

SEC. 17. *Adjustment of maximum price containing a fraction of a cent.* If the figure resulting from the calculation of a maximum price according to the provisions of Appendix A contains a fraction of one-half cent or more, it shall be adjusted to the next higher cent, or if it contains a fraction of less than one-half cent it shall be adjusted to the next lower cent.

This amendment shall become effective January 19, 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 13th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-709; Filed, January 13, 1944;
11:47 a. m.]

PART 1395—NONFERROUS FOUNDRY PRODUCTS

[RMFR 125,⁴ Amdt. 3]
NONFERROUS CASTINGS

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.*

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

² 8 F.R. 10813, 15172, 15255.

³ 8 F.R. 16282.

⁴ 8 F.R. 1271, 2597, 2721.

Section 1395.3 (b) is amended to read as follows:

(b) Second, reduce the base price in accordance with the following provisions of this paragraph (b). The base price to be reduced is the base price established before February 1, 1943; the reductions provided below are to be in place of (not in addition to) the reduction formerly required by this paragraph before the February 1, 1944 amendment of the paragraph.

Example. In the case of an 85-5-5 casting a reduction of only 1¢ per pound is now required. If the base price before February 1, 1943 was 21¢ per pound, the price, before the February 1, 1944 amendment, was reduced by this paragraph to 19½¢. The reduction now required is not subtracted from the 19½¢ but from the original 21¢, making a present price of 20¢.

(1) *Amount of reduction.* The amount of the reduction, except as provided by the further subdivisions of this paragraph (b), shall be as follows:

(i) If the specification calls for copper base alloy for the casting, the reduction shall be in the amount stated opposite the same specification indicated by OPA number of group below, or if the same specification is not indicated, then in the amount stated opposite the most nearly similar specification so indicated. (The OPA numbers refer to numbers used in Maximum Price Regulation No. 202,⁵ § 1309.165.)

Reduction
per pound,
(cents)

- | | |
|---|-------|
| (a) 85-5-5 or 88-10-2 groups (OPA Nos. 100-256, inclusive)----- | 1 |
| (b) 80-10-10 group (OPA Nos. 295-326, inclusive)----- | 1½ |
| (c) Yellow brass group (OPA Nos. 400-409, inclusive)----- | 1¼ |
| (d) Silicon bronze group (OPA No. 500)----- | 1 |
| (e) All other copper base alloys (except copper content of 97% or greater)----- | 1½ |
| (ii) If the copper content specified for the casting is 97% or greater. No reduction | |
| | Cents |
| (iii) If aluminum or aluminum base alloy is specified for the casting, the reduction shall be----- | 3 |
| (iv) If magnesium or magnesium base alloy is specified for the casting, the reduction shall be----- | 3 |

(2) *Specification is the test.* In figuring the reduction under subparagraph (1), the test will be the metal specification for the casting to be priced. The test will not be the individual metal or metals (alloy, virgin or scrap) used in making up the specification.

Example.—If the specification calls for 85-5-5 the reduction of 1¢ per pound is required even though the foundry is able to use virgin copper in part, in making the casting to the 85-5-5 specification.

The test, also, will be the specification of metal at the time of the pricing involved and not at the time the casting was made for the first time or at any other time in the past.

(3) *Previous reduction and showing.* If the base price already reflects reductions made because of reductions in the maximum prices of metals or alloys be-

⁵ 7 F.R. 6421, 7247, 8948, 9427; 8 F.R. 1449, 4510.

twén September 30, 1941 and February 1, 1943, and full showing of the earlier reductions is first made (before collecting of the price) or has been made to the Office of Price Administration at Washington, D. C., the reductions under this paragraph (b) need only be made to the extent that the previous reductions shown are less than the amounts required. A showing may be made by letter or the Office of Price Administration may provide a form for the purpose. Unless and until a showing is disapproved, the reductions need only be made to the extent that the previous reductions shown are less than the amounts required. However, if the showing is disapproved, refund must be made to the extent that the showing is disapproved, within ten days after the disapproval.

(4) *"Toll" transactions.* In the case of a "toll," "conversion" or "service" agreement, in which the metal or part of the metal for the castings is required to be sold or otherwise furnished to the seller of the castings by the buyer or by any person on the buyer's behalf, the reductions under this paragraph (b) need only be made to the extent of metal furnished by the seller.

(5) *Choice in case of previous special price adjustment.* A seller whose maximum prices have been adjusted by special order of the Office of Price Administration before February 1, 1944, is permitted to price castings made from copper or copper base alloys upon the basis of the reduction provided in this paragraph (b), instead of under the maximum prices as adjusted by the special order. However, if it is the seller's choice to price under this paragraph (b), he must make that choice for all his maximum prices and not just for some. If the seller does not make this choice, the seller must:

- Continue under the maximum prices provided in the adjustment order and
- Must, in the case of copper and copper base alloy castings that are not covered by the adjustment order, figure his maximum prices on the basis of a reduction of 1½¢ per pound instead of the basis provided in this paragraph (b).

Any seller choosing to change from a basis of pricing under an adjustment order to the basis provided in this paragraph (b) must first send to the Office of Price Administration at Washington, D. C., a letter stating that he chooses to establish his maximum prices on the basis of reductions provided in this paragraph (b). The choice must be made and the letter stating the choice must reach the above office before March 1, 1944. The maximum prices as established under the choice will become effective when the seller receives acknowledgment of the letter from the above office.

This amendment shall become effective February 1, 1944.

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.

(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 13th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-717; Filed, January 13, 1944;
11:45 a. m.]

PART 1400—TEXTILE FABRICS: COTTON,
WOOL, SILK, SYNTHETIC AND ADMIXTURES
[MPR 478, Amdt. 1]

COATED AND COMBINED FABRICS

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 478 is amended in the following respects:

1. In Section 1 (a) (1) the last sentence thereof is amended to read as follows: "For the purpose of this regulation, the term 'coated fabric' also includes artificial leather made from non-woven fibrous products, and oilcloth, bookcloth, window shade cloth, and tire cords."

2. Section 2 (a) (5) is amended to read as follows:

(5) Sized, back filled, water repellent treated, bleached, napped, dyed, printed or mercerized fabrics (unless they are also coated), except those listed in paragraph (a) (1) of section 1.

3. Section 2 (a) (6) is added to read as follows:

(6) Finished products made of coated or combined fabrics.

4. Section 2 (a) (7) is added to read as follows:

(7) Cable wrapping tape materials.

5. Section 2 (a) (8) is added to read as follows:

(8) Barrage balloon cloth.

6. Section 7 (a) is amended to read as follows:

(a) *Applicability of this section*—(1) *Coverage.* This section is applicable to the following:

(i) Any fabric or service which is the same as a fabric or service delivered or supplied or offered for delivery or supply by the manufacturer during the base period;

(ii) Any fabric or service which is the same as a fabric or service delivered or supplied or offered for delivery or supply by the manufacturer during the base period, except for a variation in width, coating compound, weight of coating, color or a similar variant, and for which the manufacturer had an established differential during the base period;

(iii) Any fabric or service listed in paragraph (a) of section 6 which is the same as a fabric or service delivered or

supplied or offered for delivery or supply by the manufacturer during the period, May 1, 1942, to March 31, 1943, inclusive; and

(iv) Any fabric or service listed in paragraph (a) of section 6 which is the same as a fabric or service delivered or supplied or offered for delivery or supply by the manufacturer during the period, May 1, 1942, to March 31, 1943, inclusive, except for a variation in width, coating compound, weight of coating, color or a similar variant, and for which the manufacturer had an established differential during such period.

(2) *Definition of "same as".* The fabric or service being priced shall be deemed to be the same as the fabric or service delivered or supplied or offered for delivery or supply by the manufacturer during the base period, and, in the case of those fabrics or services whose base period is April, 1943, the fabric or service delivered or supplied or offered for delivery or supply by the manufacturer during the period May 1, 1942, to March 31, 1943, inclusive:

(a) If it is identical to a fabric or service delivered or supplied or offered for delivery or supply by the manufacturer during such period;

(b) If it differs from a fabric or service delivered or supplied or offered for delivery or supply by the manufacturer during such period, only by reason of the changes made necessary by the substitution of buna-S (GR-S) or butyl (GR-I) for natural rubber; or

(c) If it has the same use as a fabric or service delivered or supplied or offered for delivery or supply by the manufacturer during such period, and if its factory costs do not differ from the factory costs of that fabric or service by more than 3 percent. The manufacturer shall determine the factory costs of both commodities or services in accordance with the provisions of paragraph (d) of the next section (section 8).

7. In section 7 (b) a sentence is added to the end thereof to read as follows: "The manufacturer shall then determine the maximum price by deducting from the resultant price all discounts and allowances, including trade, quantity and cash discounts, if any, which he had in effect to a purchaser of the same class during the base period."

8. Section 7 (c) is amended to read as follows:

(c) *Base price*—(1) *When the manufacturer does not use a list price.* The base price where a manufacturer did not use a list price during the base period for the fabric or service in question is the first applicable of the following prices:

(i) The highest price at which the manufacturer during the base period delivered, or if no delivery was made, at which he offered to deliver during that month a fabric or service which is the same as the fabric or service being priced, to a purchaser of the same class.

(ii) The highest price at which the manufacturer during the base period delivered, or if no delivery was made, at which he offered to deliver during that month a fabric or service, which is the

same as the fabric or service being priced, to a purchaser of a different class, adjusted to reflect the manufacturer's base period differential between the two classes of purchasers.

(iii) The highest price at which the manufacturer during the base period delivered, or if no delivery was made, at which he offered to deliver during that month a fabric or service, which is the same as the fabric or service being priced, except for a variation in width, coating compound, weight of coating, color, or other similar variant, adjusted to reflect the manufacturer's base period differential between the variations in the fabric or service. This price must also be adjusted to reflect the manufacturer's base period differentials between classes of purchasers.

(iv) In the case of a fabric or service whose base period is April, 1943, which cannot be priced by (i) to (iii), inclusive, the first applicable of the prices set forth in (i) to (iii), inclusive, except that the period May 1, 1942, to March 31, 1943, inclusive, shall be substituted for the base period and the applicable price shall be the last price at which the fabric or service was delivered or offered for delivery during such period.

(2) *When the manufacturer uses a list price.* Where the manufacturer used a list price during the base period for the fabric or service in question, the base price shall be determined as provided in subparagraph (1) of this paragraph, except that the phrase "list price" shall be substituted for the word "price".

9. Section 7 (d) (2) is amended to read as follows:

(2) *Differential where the manufacturer compounds the synthetic or substitute rubber.* The differential for synthetic or substitute rubber which must be subtracted from the base price in the case where the manufacturer compounds the synthetic or substitute rubber contained in the fabric or involved in the supply of the service shall be determined as follows: The manufacturer shall first determine the amount of each type of synthetic or substitute rubber required to produce the fabric or supply the service. The manufacturer shall then multiply this amount by the difference between the price of the synthetic or substitute rubber in effect to him on August 1, 1943, and the price for that material in effect to him (i) on March 31, 1942, in the case of those fabrics or services whose base period is March, 1942, or (ii) on January 1, 1943, in the case of those fabrics or services whose base period is April, 1943. The resulting figure is the differential.

10. Section 7 (d) (4) is added to read as follows:

(4) *Special cases.* (i) If the manufacturer customarily sold several widths, styles, or compounds of the fabric at the same price to the same class of purchasers, he shall use the same differential for all widths, styles or compounds that he sold at the same price to the same class of purchasers. This differential shall be calculated in the manner just set forth, except that in applying

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

¹8 F.R. 14080.

that method the manufacturer shall use the method he customarily used during the base period to arrive at a uniform price. If the manufacturer had no such customary method, he shall use as a basis for calculating the differential the width, style, or compound of the fabric of which he sold the largest quantity during the period January 1, to July 1, 1943, inclusive.

(ii) If the manufacturer during the base period had established price differentials between various widths, coating compounds, weights of coating, colors or other similar variants, he shall continue that practice. This shall be done by deducting the differential from the base price (determined under paragraph (c) of this section 7) of that width, coating compound, etc., which he used during the base period as a basis for calculating the prices of other widths, coating compounds, etc. The manufacturer shall then apply his base period differential for the variant in question to the resultant price. If the manufacturer had no customary width, coating compound, etc., which he used as a basis for determining the prices of other widths, coating compounds, etc., he shall use as a basis for determining the maximum price that width, coating compound, etc. of which he sold the largest quantity during the period January 1, to July 1, 1943, inclusive.

(iii) In the case of a fabric or service whose base period is April, 1943, if the manufacturer during the period January 1 to April 30, 1943, inclusive, reduced the price of the fabric or service being priced in order to reflect the decreased cost of synthetic or substitute rubber occurring after January 1, 1943, he may subtract the amount by which he reduced his selling price to reflect that decreased cost from the differential determined under the applicable provisions of subparagraph (2) or (3). If the amount by which the manufacturer reduced his selling price during the period January 1, to April 30, 1943, inclusive, to reflect the decreased cost of synthetic or substitute rubber exceeds the differential required to be deducted by the applicable provisions of subparagraph (2) or (3), the manufacturer's maximum price shall be the base price determined in accordance with paragraph (c).

11. Section 8 (b) (3) is amended to read as follows:

(3) The manufacturer shall then subtract the factory costs of that fabric or service from its maximum list price, or if the fabric or service has no maximum list price, from its maximum price to the class of purchasers to which the present sale is being made. The maximum price shall be determined in accordance with section 7 and factory costs shall be determined in accordance with paragraph (d) of this section.

12. Section 8 (b) (4) is amended to read as follows:

(4) The manufacturer shall then add the amount obtained in the preceding subparagraph (3) to the factory costs of the fabric or service being priced.

13. Section 8 (b) (5) is added to read as follows:

(5) If the price determined under (4) above was obtained by using a list price, the manufacturer shall then determine the maximum price by deducting from the price determined under (4) all discounts, allowances and any other deductions from the list price that he had in effect to a purchaser of the same class during the base period. If the price determined under (4) was obtained by using a price in effect to a purchaser of the same class, the price determined under (4) is the maximum price.

14. In section 8 (c) two sentences are added to the end thereof to read as follows: "If the manufacturer's production experience during the first 2 months of production is inadequate to accurately determine his costs, he may request and receive approval from the Office of Price Administration, Washington, D. C., for a further period for recomputation. This request must be made at the time of first recomputation."

15. In section 8 (d) (3) the last sentence thereof is amended to read as follows: "In no case shall factory overhead costs include allowances for selling or general administrative expenses."

16. In section 8 (e) the text preceding subparagraph (1) is amended to read as follows: "In determining the maximum price, the manufacturer shall use the first applicable of the following fabrics or services covered by this regulation which he delivered or offered for delivery during the base period."

17. Section 8 (f) is amended to read as follows:

(f) *Reports of maximum prices*—(1) *Report of price computed under paragraph (b)*. If after October 31, 1943, a manufacturer receives total orders exceeding \$1,000, in the case of a fabric, or exceeding \$500 in the case of a service, for a fabric or service that must be priced under this section, he shall file a report. This report shall be filed with the Office of Price Administration, Washington, D. C., within ten days after the manufacturer has received a sufficient dollar volume of orders to necessitate the filing of the report. This report shall contain the information required by the form set forth in Appendix A and shall be made on a copy of that form. The manufacturer may not accept payment for any further orders of the fabric or service until the price so reported has been approved in writing by the Office of Price Administration or until fifteen days have elapsed after the mailing of the report without the Office of Price Administration objecting to the proposed maximum price. Within this fifteen day period the price so reported shall be subject to adjustment by the Office of Price Administration. Subsequent to this fifteen day period, this price will be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration. However, the report required by this paragraph does not have to be filed if (i) the

fabric or service being priced has the same use as a fabric or service which the manufacturer delivered or supplied or offered for delivery or supply during the base period, (ii) if it differs from the base period fabric or service by reason of the substitution of materials which would result in a higher maximum price, and (iii) if the manufacturer does not sell the fabric or service at a price higher than the price he charged during the base period for the base period fabric or service that he must use in computing the maximum price of the fabric or service being priced.

(2) *Report where recomputation results in a higher price*. If the recomputation required by paragraph (c) results in a higher maximum price and if on any subsequent order the manufacturer elects to charge a higher price than the maximum price resulting from the first computation, he must file a report with the Office of Price Administration, Washington 25, D. C., within ten days after entering into a contract at such increased price. This report shall contain the information required by the form set forth in Appendix A and shall be made on a copy of that form. The manufacturer may not receive payment for the fabric or service at this increased price until that price has been approved in writing by the Office of Price Administration or until fifteen days have elapsed after the mailing of the report without the Office of Price Administration objecting to the increased price. Within this fifteen day period the price so reported shall be subject to adjustment by the Office of Price Administration. Subsequent to this fifteen day period, such price shall be subject to adjustment (not to apply retroactively) at any time upon the written order of the Office of Price Administration.

18. Section 8a is added to read as follows:

Sec. 8a. *Maximum manufacturers' prices for rejects and seconds*—(a) *Fabrics whose base period is April, 1943*. The maximum manufacturers' price for the sale of any fabric which is a government second and whose base period is April, 1943, shall be 75% of the contract price for the sale of the government fabric. The maximum price of any fabric which is rejected only because it fails to meet government specifications shall be 90% of the contract price for the perfect fabric. If the manufacturer does not have a contract price for a reject or second covered by this paragraph (a), he shall substitute the total of his charge for the coating and the price he must pay for the piece goods (not in excess of the applicable maximum price) for the contract price in determining his maximum price.

(b) *Fabrics whose base period is March 1942*. The maximum manufacturers' price for the sale of other than first quality fabrics (including seconds, jobs and shorts) whose base period is March 1942, shall be determined as follows: The manufacturer shall deduct from the maximum price for the first quality fab-

ric all discounts and allowances which he had in effect during March 1942, for other than first quality fabrics.

19. Section 13 (b) is amended to read as follows:

(b) *Transportation charges.* No seller shall require any purchaser, and no purchaser is permitted, to pay a larger proportion of the transportation costs incurred in the delivery of fabrics or the supplying of services than the seller required purchasers of the same class to pay on deliveries of the same or similar fabrics or services during the base period. Where the seller during the base period quoted prices on an f. o. b. basis, he may determine his delivered maximum price by adding transportation costs to his f. o. b. maximum price. Where the seller during the base period quoted prices on a delivered basis, he may determine his f. o. b. maximum price by deducting transportation costs from his delivered maximum price. Transportation costs shall be determined by the method used by the manufacturer during the base period.

20. Section 18 (b) (2) is amended to read as follows:

(2) Records of base period differentials between different widths, coating compounds, weight of coating, color, or similar variants in effect for fabrics or services during the base period, which were in use during that month in determining the price of one width, etc., in respect to the price of another width, etc.

21. Section 22 (a) (6) is added to read as follows:

(6) "List price" means a price to which discounts or allowances (other than cash discounts) are applied in order to arrive at prices to different classes of purchasers. The term "list price" includes prices quoted through the medium of a schedule or price list.

22. In Appendix A the note under 5 is amended to read as follows:

(If you used a list price and discount system during the base period, only state the maximum list price. In such case, also indicate all applicable discounts and allowances and the classes of purchasers to which those discounts and allowances are applicable. These discounts and allowances need not be shown if you have already reported them to this office. If you did not use a list price and discount system during the base period, you must compute the maximum price to each class of purchaser. The margin (d) is found by subtracting the factory costs of the fabric or service used as a basis for pricing (c) from its maximum price (b). This dollar margin is then added to the factory cost (e) of the fabric or service being priced.)

23. In Appendix A the note under 6 is amended to read as follows:

(State the method employed, including the rates used and the bases to which the rates were applied. These need not be shown if you have already reported them to this Office.)

This amendment shall become effective January 19, 1944.

NOTE: All reporting and record-keeping provisions 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 13th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-716; Filed, January 13, 1944; 11:44 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[GMFR for Hawaii, Amdt. 2]

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.*

Paragraph (c) of section 1 is hereby redesignated paragraph (d), and the following new paragraph (c) is added:

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

This amendment shall become effective January 19, 1944.

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

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CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-720; Filed, January 13, 1944; 11:46 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[RMFR 183, Amdt. 21]

PUERTO RICO

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

Revised Maximum Regulation 183 is amended in the following respects:

1. Section 20a is added to read as follows:

SEC. 20a. *Maximum prices for certain canned fruits packed in the Territory of Puerto Rico.*

TABLE 2A—MAXIMUM PRICES FOR CANNED PINEAPPLE

	To wholesalers (per dozen)			At wholesale (per dozen)			At retail (per can)		
	No. 2	No. 2½	No. 10	No. 2	No. 2½	No. 10	No. 2	No. 2½	No. 10
Crushed, all brands:									
Natural (in juice).....	\$1.80	\$2.55	\$8.50	\$2.05	\$2.95	\$9.80	\$0.22	\$0.32	\$1.06
Sweetened, cut out of:									
20 to 24 Brix.....	2.00	2.80	9.50	2.30	3.20	10.95	.25	.35	1.19
Over 24 Brix.....	2.35	3.25	10.50	2.70	3.75	12.10	.29	.40	1.31
Fountain Topping.....	2.65	3.70	12.00	3.05	4.25	13.80	.33	.46	1.50
Cut, all brands:									
Slices, chunks, tidbits.....	2.00	2.80	9.50	2.30	3.20	10.95	.25	.35	1.19

2. Section 21a Table 4b is added to read as follows:

TABLE 4B—MAXIMUM PRICES FOR PINEAPPLE JUICE

	To wholesalers (per dozen)			At wholesale (per dozen)			At retail (per can)		
	No. 2	No. 2½	No. 10	No. 2	No. 2½	No. 10	No. 2	No. 2½	No. 10
Natural, unsweetened.....	\$1.55	.....	\$7.00	\$1.80	.....	\$8.05	\$0.20	.....	\$0.87
Sweetened.....	1.65	.....	7.40	1.90	.....	8.50	.21	.....	.92

3. Section 56 Table 46 is amended by adding new brands to the categories "Scotch whiskies", "American whiskies", "Brandies", "Table wines—Foreign", "Dessert wines—Foreign", "Vermouth—Foreign", "Champagne—Foreign" and by adding the categories "Scotch type whiskey", "Canadian rye whiskey", "Cordials (domestic)", "Cider—Foreign", all to read as follows:

Items and brands	Unit	Importer-wholesaler	Retail (per unit)
Scotch whiskies:			
Queen Anne.....	Case of 12/4/5 quart.....	\$40.50	\$4.75
House of Lords.....	Case of 12/4/5 quart.....	40.50	4.75
King's Ransom.....	Case of 12/4/5 quart.....	47.00	5.50
The Antiquary.....	Case of 12/Imperial Liter.....	64.00	7.50
Johnnie Walker Red Label.....	Case of 24/4/5 pint.....	46.50	2.70
Johnnie Walker Red Label.....	Case of 12/4/5 quart.....	45.25	5.25
Johnnie Walker Black Label.....	Case of 24/4/5 pint.....	54.25	3.15
Johnnie Walker Black Label.....	Case of 12/4/5 quart.....	53.00	6.00
Weston's Special Reserve.....	Case of 12/Imperial Liter.....	56.00	6.50
McNairs.....	Case of 12/4/5 quart.....	42.00	4.75
Scotch type whiskey:			
Stuart Lipys.....	Case of 12/4/5 quart.....	27.25	3.15
Canadian rye whiskey:			
G & W.....	Case of 12/4/5 quart.....	39.00	4.50

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

¹ 8 F.R. 5307, 6362.

² 8 F.R. 9532, 10763, 10906, 11437, 11847, 12549, 10937, 12632, 13165, 13847, 14090, 14765, 15195.

Items and brands	Unit	Importer-wholesaler	Retail (per unit)
American whiskies:			
Bourbon:			
Old Crow	Case of 12/4/5 quart	\$27.50	\$3.20
Old Taylor	Case of 12/5ths	31.50	3.50
Old Taylor	Case of 24/pints	32.00	1.75
Old Log Cabin	Case of 12/5ths	23.00	2.80
Rye:			
Old Overholt	Case of 12/5ths	26.25	3.00
Old Crow	Case of 12/4/5 quart	27.50	3.20
Blended whiskey:			
Calvert Reserve	Case of 24/16 oz.	37.00	2.10
Calvert Reserve	Case of 48/8 oz.	38.25	1.10
Brandies:			
Caballero	Case of 12/1	36.50	4.25
Caballero	Case of 24/2	37.25	2.25
Fernando A. de Terry:			
Terry Tipo Competidor	Case of 24/2	38.50	2.25
Terry Tipo Competidor	Case of 12/1	37.00	4.25
Terry Tipo 3 Estrellas	Case of 12/1	38.50	4.50
Terry Tipo 3 Estrellas	Case of 24/2	40.00	2.40
Terry Tipo Imperio	Case of 12/1	43.00	5.10
Table wines—Foreign:			
Benegas Hnos. & Co. Ltd.:			
Derby	Case of 12/1	14.25	1.60
Tinto Reserva	Case of 12/1	13.00	1.50
Cia. Argentina de Intercambio:			
Vino Blanco	Case of 12/1	13.50	1.50
Vino Tinto 1937	Case of 12/1	13.00	1.45
Angel M. Espino e Hijos:			
Blanco Clubman	Case of 12/1	15.25	1.75
Tinto Cabernet Trovador	Case of 12/1	15.25	1.75
Sauternes Argentino	Case of 12/1	13.75	1.50
Sauternes Argentino	Case of 24/2	15.25	.90
Chianti Argentino	Case of 12/1	17.00	2.00
Chianti Argentino	Case of 24/2	17.50	1.00
Pierna de Perdiz (Sparkling)	Case of 12/1	28.00	3.25
Bodegas Bibbainas:			
Clarete Fino	Case of 12/1	18.00	2.10
Peters Hnos.:			
Sauternes Feudal	Case of 12/1	14.75	1.70
Claret Feudal	Case of 12/1	12.50	1.40
Martini & Rossi:			
Chianti Martini & Rossi	Case of 12/1	17.75	2.00
Chianti Martini & Rossi	Case of 24/2	20.00	1.15
Dessert wines—Foreign:			
Angel M. Espino e Hijos:			
Malaga Espino	Case of 12/1	15.00	1.75
Oporto Espino	Case of 12/1	16.00	1.85
Marsala Espino	Case of 12/1	15.00	1.75
Sherry Espino	Case of 12/1	16.75	1.95
Moscato Espino (Alambrado)	Case of 12/1	19.25	2.25
Moscato Espino (garrapas)	Case of 12/1	26.50	3.00
Peters Hnos.:			
Oporto Argentino Templario	Case of 12/1	18.50	2.10
Vermouth—Foreign:			
Cia. Industrial Financiera Argentina:			
Saturno	Case of 12/32 oz.	15.80	1.85
Saturno	Case of 24/16 oz.	17.30	1.00
Angel M. Espino e Hijos:			
Baudino (sweet)	Case of 12/1	17.50	2.00
Destileria Bodegas y Vinedos El Globo (Globo sweet)	Case of 12/1	15.50	1.95
Martini & Rossi (Regular dulce)	Case of 12/1 pt. 14 oz.	17.00	2.00
Martini & Rossi (Blanco dulce)	Case of 12/1 pt. 14 oz.	17.00	2.00
Champagne—Foreign:			
Angel M. Espino e Hijos:			
Angel M. Espino—Demi-sec	Case of 12/1	40.50	5.00
Angel M. Espino—Demi-sec	Case of 24/2	44.25	2.75
Angel M. Espino sec.	Case of 12/1	42.50	5.25
Cider—Foreign:			
Tumnyan	Case of 12/1 pt. 10 oz.	13.50	1.60
Cordials (domestic):			
Anis El Pavo	Case of 24/12 oz.	8.25	.50
Anis El Canario	Case of 24/12 oz.	9.25	.55

filed with the Division of the Federal Register.*

Maximum Price Regulation 373 is amended in the following respects:

1. Section 6 (a) is amended by changing the last sentence to read as follows: "This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, combination sales, trade understandings and the like, or by making discounts or other terms of sale more onerous to the purchaser than those in effect at the time any commodity became or may become subject to this regulation."

2. The table following section 21 (c) (1) is amended by changing the prices of "celery" and by adding the item "squash" to read as follows:

	Wholesale maximum prices	Retail maximum prices
Celery	\$6.60 per crate	Per lb. \$0.18
squash, banana and Hubbard	\$0.075 per lb.	.10

3. The table following section 21 (d) (1) is amended by changing the prices of "Apples: North West Newton Pippin" and "Apples: Winesaps" and by adding the item "Cranberries" to read as follows:

	Wholesale maximum prices	Special institutional maximum prices	Retail maximum prices
Apples: North West Newton Pippin	\$5.45 per box	Per doz. None	Per lb. \$0.17
Winesaps	\$5.45 per box	None	.17
	(\$22.90 per 44 lb. box)		
Cranberries	\$15.50 per 25 lb. box	None	.75

4. Section 61 is added to read as follows:

SEC. 61. Maximum prices for children's and infants' wear at wholesale and retail—(a) To what transactions, products and persons this section applies—(1) What commodities are covered. This regulation applies to all children's wear in girls' sizes 2-6, and boys' sizes 2-6, and all infants' wear in sizes 0-2, which are classified and defined as follows:

(i) *Girls' dresses and suits.* This classification includes all girls' outerwear garments of one or two pieces sold at a unit price commonly known as dresses and suits, whether made of knitted or woven fabric, and includes jumpers, pinafores, brunch coats, aprons and similar articles.

(ii) *Boys' suits.* This classification includes all boys' outerwear garments commonly known as boys' suits, consisting of coat or shirt with short or long pants, and sold at a unit price.

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

3. Section 56 Table 48 is amended by adding new brands to read as follows:

Items and brands	Unit	Price to wholesalers	Price at wholesale	Price at retail
Buenos Aires	Case of 72/12 oz. bot.	\$22.50	\$24.75	Per unit \$0.45
Buenos Aires	Case of 48/22 oz. bot.	22.50	24.75	.65
C. Machen & Hudson Royal Jubilee	Case of 24/11 1/4 oz. bot.	8.10	8.90	.45

This amendment shall become effective January 19, 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 13th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-710; Filed, January 13, 1944; 11:47 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[MPR 373, Amdt. 33]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been

* 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139.

(iii) *Children's coats.* This classification includes children's outerwear garments commonly known as coats or jackets, whether loose or fitted styles, trimmed or untrimmed, sport or dress, and includes capes, but does not include rainwear garments, sweaters, beach coats, or play coats.

(iv) *Rainwear.* This classification includes children's outerwear garments which are commonly regarded as having as their chief use protection against rain, such as coats, jackets, capes and similar items.

(v) *Slacks, slack suits and shorts.* This classification includes children's outerwear garments commonly known as slacks, slack suits and shorts, and includes separate slacks, overalls, jeans, coveralls, shorts and slack suits of two pieces, consisting of slacks and shirt or jacket, sold at a unit price.

(vi) *Girls' skirts.* This classification includes all girls' outerwear garments commonly known as separate skirts.

(vii) *Boys' trousers.* This classification includes all boys' outerwear garments commonly known as separate trousers.

(viii) *Blouses and shirts.* This classification includes all children's outerwear garments, commonly known as blouses or shirts, made of woven or jersey knit fabric, but does not include any other knit or knitted garments, such as sweaters, polo shirts and the like.

(ix) *Sweaters.* This classification includes all children's outerwear garments commonly known as sweaters, sweater coats, pullovers, polo shirts which are knit or knitted.

(x) *Play clothes.* This classification includes all children's outerwear garments commonly known as play clothes, and which are designed primarily for play, swim or beach wear, and includes sun suits, swim suits, rompers, beach coats and capes, and similar articles.

(xi) *Headwear.* This classification includes all children's headwear and includes hats, caps, bonnets, berets and similar articles.

(xii) *School uniforms.* This classification includes all outerwear garments that are especially designed for school wear as a uniform.

(xiii) *Housecoats and robes.* This classification includes children's garments commonly known as lounge wear and includes robes and housecoats and similar articles.

(xiv) *Underwear and nightwear.* This classification includes those children's garments commonly known as underwear and nightwear and includes both knit and woven union suits, nightgowns, pajamas, undershirts, panties, shorts, slips, vests and similar articles.

(xv) *Infants' dresses, rompers, creepers and coats.* This classification includes all infants' outerwear garments commonly known as infants' dresses, rompers, creepers, coats and similar articles, whether knitted or made of woven fabric and includes sets of two or more pieces of these items and other items of infants' wear when sold at a unit price.

(xvi) *Infants' sweaters, sacques and wrappers.* This classification includes all infants' outerwear garments commonly known as infants' sweaters, sacques, wrappers, shawls and similar articles, whether knitted or made of woven fabric.

(xvii) *Bonnets.* This classification includes all infants' headwear items and includes bonnets, caps and similar articles.

(xviii) *Booties and socks.* This classification includes infants' booties, socks and similar items.

(xix) *Harnesses.* This classification includes all harnesses and similar articles made of fabric which are designed and used primarily for infants.

(xx) *Infants' underwear and nightwear.* This classification includes all infants' underwear and nightwear, whether knitted or woven, and includes undershirts, nightgowns, sleepers, vests, binders, panties, training panties, soaker panties, waterproof panties and similar items.

(xxi) *Miscellaneous articles.* This classification includes articles of children's and infants' wear which are made principally of fabric and which are not included in any of the above classifications.

(2) *What transactions are covered.* This section applies to sales at wholesale and sales at retail, sales by manufacturing-wholesalers and sales by manufacturing-retailers, of children's and infants' wear as set forth in paragraph (a).

(3) *Effect upon General Maximum Price Regulation for Hawaii and other maximum price regulations.* The provisions of this section supersede the provisions of the General Maximum Price Regulation for the Territory of Hawaii,² General Order No. 49 and all other maximum price regulations issued by the Office of Price Administration, except as may hereinafter be provided, with respect to sales at wholesale and at retail and sales by manufacturing-wholesalers and manufacturing-retailers in the Territory of Hawaii of children's and infants' wear as set forth in paragraph (a).

(b) *Maximum prices for sales at wholesale—*(1) *Wholesalers and jobbers.* Except in the case of inter-island shipments mentioned in paragraph (3) below, the maximum price for sales at wholesale of any article listed and described in paragraph (a) which was manufactured outside the Territory of Hawaii shall be the amount determined either by multiplying the manufacturer's selling price, less all allowable trade, cash, or other discounts or allowances, except cash discounts up to 2%, by 1.25, or multiplying the "landed cost" by 1.20; *Provided, That:*

(i) The wholesaler or jobber regularly carries such classification of articles in stock and has heretofore carried such classification of articles in stock, and

(ii) The particular article is to be sold out of such stock, and

(iii) The particular article was invoiced and shipped to the establishment

of the wholesaler or jobber; and the wholesaler or jobber shall elect to use one of the two alternate methods of determining the maximum price and shall use it for all articles sold by him which are covered by this section. The method elected may not thereafter be changed without written permission of the Office of Price Administration. The wholesaler or jobber must send this office a statement of the method elected on or before December 20, 1943.

(2) *"Landed cost."* For articles imported from outside the Territory of Hawaii "landed cost" shall be the total of the following amounts:

(i) An amount equal to the manufacturer's selling price, less all allowable trade, cash or other discounts and allowances, except cash discounts up to 2%.

(ii) An amount equal to the transportation charges, if any, actually incurred by the wholesaler for transportation from the mainland point at which the wholesaler received delivery, to the mainland port of shipment (including Federal transportation tax and terminal charges) not in excess of public (common or contract) carrier rates.

(iii) An amount equal to mainland storage charges, and insurance in connection therewith, actually incurred by the wholesaler, but charges for storage and insurance in connection therewith in excess of three months shall not be included.

(iv) An amount equal to cartage charges actually incurred by the wholesaler for cartage from warehouse to dock in port of shipment, not in excess of public (common or contract) carrier rates.

(v) An amount equal to charges for ocean freight, war risk and marine insurance actually incurred by the wholesaler, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included, but the type of coverage is at the discretion of the buyer and seller.

(vi) An amount equal to cartage charges in the port of entry in the Territory of Hawaii from dock to warehouse, computed at a rate not in excess of 1.20 per ton, weight or measurement, *Provided,* That the commodity is moved from the dock at the wholesaler's expense.

(3) *Inter-island shipments.* In the case of a commodity originally imported from without the Territory of Hawaii to one island of the Territory and subsequently shipped to another island in the Territory, the maximum price in the island of final destination for sale by a wholesaler or jobber who has satisfied the conditions as to inventory set forth in subparagraph (1) above, and who has elected the second pricing method shall be the sum of the amounts specified in subparagraphs (i) through (iv) below.

(i) An amount equal to the maximum wholesale price in the island from which the article was shipped, calculated under subparagraph (1) above.

² 8 F.R. 5307, 6362.

(ii) An amount equal to cartage charges for cartage from the warehouse to the dock in the island from which the article was shipped, calculated at the rate set forth in subdivision (2) (vi) above, whether or not such cartage charges are actually incurred.

(iii) An amount equal to charges for ocean freight, war risk and marine insurance actually incurred by the wholesaler for shipment between the islands, and there may be included in this amount Territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included.

(iv) An amount equal to cartage charges on the island of destination, from dock to warehouse, computed at a rate not in excess of the amount set forth in subdivision (2) (vi) above, *Provided*, That the articles are moved from the dock at the wholesaler's expense.

(4) *Maximum prices for locally made articles.* The maximum prices for sales at wholesale of any article manufactured in the Territory of Hawaii listed and described in paragraph (a) of this section by a wholesaler or jobber who satisfies the conditions as to inventory set forth in subdivision (1), (ii) and (iii) of paragraph (b) (1) above, shall be those established by sections 2 and 3 of the General Maximum Price Regulation for Hawaii.

(5) *Drop shipments.* The maximum prices for sales at wholesale of any article listed and described in paragraph (a) of this section by a person who has not heretofore regularly carried such article in stock, and such article is not being sold out of the stock, and such article was not invoiced and shipped to the establishment of such person, shall be those established by sections 2 and 3 of the General Maximum Price Regulation for Hawaii.

(6) *Manufacturing-wholesalers and manufacturing-retailers.* The maximum price for sales at wholesale of any article listed and described in paragraph (a) of this section, which the wholesaler or retailer makes or has made for him from materials owned by him, shall be computed by multiplying the sum of the costs of manufacturing by 1.15. The costs of manufacturing shall include only:

(i) The wholesale price of the material, which for the wholesaler shall be no higher than his maximum wholesale price for such material, and for the retailer shall be the actual cost of the material to him, which may in no case be higher than the wholesale price;

(ii) The sewing charges as listed with this office under Maximum Price Regulation 20 of the Military Governor of the Territory of Hawaii or Maximum Price Regulation 165 of the Office of Price Administration; and

(iii) The maximum price permitted under this regulation for any block prints which may be printed on the article by or for the manufacturing-wholesaler or manufacturing-retailer.

(7) *Allowance for block printing.* Where a wholesaler block prints, or has

block printed for him, any article covered in this section, he may, for the purpose of determining the maximum price under this section, add to the manufacturer's selling price the maximum price permitted by this regulation for such prints.

(8) *Inability to determine price at wholesale.* Any person who is unable to determine prices under paragraphs (b) (1), (4), (5) or (6) shall apply to the Office of Price Administration for a maximum price. Such application must set forth the manufacturer's selling price, less all trade, cash or other discounts and allowances and/or the "landed cost" for such articles as specified in paragraph (b) (2) of this section.

(9) *Restrictions of markup at wholesale.* (i) The maximum price for sales of commodities at wholesale by persons who have purchased from a local wholesaler, jobber, manufacturing-wholesaler or manufacturing-retailer shall be the maximum price which the first wholesaler, jobber, manufacturing-wholesaler or manufacturing-retailer would have been entitled to charge under this section. The purpose of this paragraph is to prevent the addition of more than one full wholesale markup to a commodity, regardless of the number of wholesalers or jobbers purchasing and reselling the commodity.

(ii) No part of the wholesale markup may be taken by a wholesaler-retailer on any article listed and described in paragraph (a) of this section that is sold by any retail outlet owned, controlled by, under the control of, controlling, or in any other way affiliated with respect to ownership or control with the wholesaler.

(c) *Maximum prices for sales at retail—(1) Purchases from mainland manufacturers.* The maximum price for sales at retail for any article listed and described in paragraph (a) of this section, which the retailer purchases from a mainland manufacturer, shall be the amount determined by multiplying the manufacturer's selling price, less all allowable discounts and allowances, except cash discounts up to 8%, by the figure given below in the first column of the table below for the classification of goods to be priced.

(2) *Purchases from distributors.* The maximum price for sales at retail for any article listed and described in paragraph (a) of this section, which the retailer purchased from a person selling at wholesale whose maximum prices for the sale are determined by paragraph (b) (5), shall be the amount determined by multiplying the manufacturer's selling price by the figure given below in the first column of the table below for the classification of goods to be priced.

(3) *Purchases from mainland wholesalers or jobbers.* The maximum price for sales at retail for any article listed and described in paragraph (a) of this section, which the retailer purchases from a mainland wholesaler or jobber, shall be the amount determined by multiplying the wholesaler's or jobber's selling price, less all allowable discounts and allowances except cash discounts up to 8%, by the figure given below in the sec-

ond column of the table below for the classification of goods to be priced.

(4) *Purchases from local wholesalers or jobbers.* The maximum price for sales at retail for any article listed and described in paragraph (a) of this section, imported from the mainland and which the retailer purchases from a local wholesaler or jobber, shall be the amount determined by multiplying the wholesaler's or jobber's selling price, less all allowable discounts and allowances except cash discounts up to 8%, by the figure given below in the third column of the table below for the classification of goods to be priced.

(5) *Locally manufactured articles.* The maximum price for sales at retail of any article listed and described in paragraph (a) of this section, made by a manufacturer located in the Territory of Hawaii, shall be: If the retailer purchases direct from the manufacturer, the amount determined by multiplying the manufacturer's selling price, less all allowable discounts except cash discounts up to 8%, by the figure given in the fourth column of the table below; if the purchase of a locally manufactured article is made from a wholesaler, the amount determined by multiplying the manufacturer's selling price by the figure in the fourth column of the table below, for the classification of goods to be priced.

(6) *Manufacturing-wholesalers and manufacturing-retailers.* The maximum price for any article listed and described in paragraph (a) of this section, which the retailer purchases from a local manufacturing-wholesaler or manufacturing-retailer, or which he makes or has made for him, shall be the amount determined by multiplying the wholesale price as determined under paragraph (b) (6) by the figure given in the third column of the table below for the classification of goods to be priced.

TABLE OF RETAIL MULTIPLICATION FIGURES

	Col- umn 1	Col- umn 2	Col- umn 3	Col- umn 4
Girls' dresses and suits, boys' suits, children's coats, rainwear, robes and housecoats, underwear and nightwear, slacks, slack suits and shorts, girls' skirts, boys' trousers, blouses and shirts, sweaters, play clothes, headwear, school uniforms; and infants' dresses, rompers, creepers and coats, infants' sweaters, sacques and wrappers, bonnets, booties and socks, harnesses, infants' underwear and nightwear, miscellaneous articles:				
Budget: to \$8.75 inclusive.....	1.75	1.55	1.50	1.70
Better: over \$8.75.....	1.80	1.60	1.55	1.75

NOTE: The cost designation in the table above with respect to "Budget" and "Better" items refers to the appropriate cost price upon which the retailer will use the multiple in the table to determine his maximum retail price.

(7) *Allowance for block printing.* Where a retailer block prints or has block printed for him, any article covered in this section, he may, for the purpose of determining the maximum price under this section, add to the manufacturer's selling price, or wholesaler's selling price,

depending on the source of purchase, the maximum price permitted by this regulation for such prints.

(8) *Inability to determine prices at retail.* Any person who is unable to determine prices at retail under subparagraphs (1) through (7) of this paragraph (c) shall apply to the Office of Price Administration for the establishment of a maximum price.

(9) *Odd cent maximum prices at retail.* Whenever the calculation of a maximum retail price results in an odd cent maximum price, the maximum price may be adjusted to the nearest nickel.

(d) *Maximum prices for nationally advertised articles.* Application may be made for approval of a price for an article listed in paragraph (a) which is nationally advertised by the manufacturer thereof, and who requires that such article be sold at the prices established by such manufacturer. The applicant must set forth:

(1) Description of the article or line to be priced.

(2) Proof that the manufacturer has established a resale price and that such price is so marked on the article that any purchaser can know that it is a nationally advertised price.

(3) A statement that the seller will not sell such article at a price higher than such nationally advertised price.

Such application, of course, need not be made where such nationally advertised price is not in excess of the maximum price as calculated under this regulation.

(e) *Maximum prices for assorted job lot merchandise.* In cases where a wholesaler or retailer purchases an assorted job lot of merchandise invoiced to him for a single or blanket price, he may make application to the Office of Price Administration for approval of his own allocation of the cost of such merchandise to the different articles involved. Such application shall show the allocation made by the wholesaler or retailer and shall show the resulting maximum wholesale or retail prices determined on the basis of such allocated costs.

(f) *Maximum prices for certain merchandise purchased at lower than manufacturer's maximum price.* In cases where a wholesaler or retailer purchases from a manufacturer or wholesaler any article listed and described in paragraph (a) of this section, at a price lower than the manufacturer's or wholesaler's maximum price and lower than a price which the purchaser previously paid to such manufacturer or wholesaler for the same or similar merchandise, and where such lesser price was paid by reason of the size of the purchase or the seasonal nature of the goods, application may be made to the Office of Price Administration for a maximum price for resale of the merchandise, which maximum price is based upon the higher price previously paid to such manufacturer or wholesaler, and the appropriate multiple provided by this section. Any such application must be accompanied by the invoice for the goods in question and the invoice establishing the former higher price, or other evidence of a similar nature.

(g) *Maximum prices for retail sales of exclusive and individual articles.* In cases where a retailer at the special order of an ultimate consumer designs and fabricates for such consumer an exclusive and individual article, application may be made at the Office of Price Administration for a maximum price at retail not to exceed two times the cost of such article as otherwise determined under this section. Articles which are produced on a mass or semimass production basis or which are made for stock are not exclusive and individual articles.

(h) *Records and reports.* Notwithstanding the provisions of section 10 of this Maximum Price Regulation 373, the provisions of section 52 (h) shall be applicable to this section 61.

(i) *Posting and marking of prices.* Notwithstanding the provisions of section 10 of this Maximum Price Regulation 373, the provisions of section 52 (i) shall be applicable to this section 61, except that in section 52 (i) (1) the words "women's and girls'" shall be changed to "children's and infants'" for the purposes of this section 61.

(j) *Definitions.* When used in this section 61, the term:

(1) "Manufacturer's selling price" means the price at which the manufacturer of the article sold and invoiced it before the deduction of any discounts or allowances, and shall not include any transportation costs, marine or war risk insurance, storage charges, or any other charge.

(2) "Sale at wholesale" means a sale by a person who receives delivery of a commodity and resells it, without changing its form, to any person other than an ultimate consumer, and includes sales to retailers by manufacturing-wholesalers or manufacturing-retailers, but does not include any sale by a producer, manufacturer, or fabricator of any wearing apparel or accessory produced, manufactured, or fabricated by him, or on his behalf by an agent or a contractor.

(3) "Wholesaler-retailer" means a firm or person who customarily sells at least 50% of the articles listed and described in paragraph (a) of this section in his own or in an affiliated store.

(4) "Wholesaler's selling price" means the price appearing on the wholesaler's invoice to the retailer before the deduction of cash discounts or other discounts for prompt payment.

(5) "Manufacturing-wholesaler" means a wholesaler who has made for him from materials owned by him, articles for sale to a retailer.

(6) "Manufacturing-retailer" means a retailer who has made for him from materials owned by him, articles for sale to an ultimate consumer.

This amendment shall become effective as of December 16, 1943, except that all the provisions of section 61 shall become effective as of December 6, 1943, save as follows with respect to sales at retail of articles in inventory as of December 6, 1943. Such articles need not be priced under this section until February 1, 1944: *Provided*, That any such

article which is the same or similar to an article received in inventory after December 6, 1943, shall not be sold at a price higher than the maximum price established by this section for such new article. For the purposes of this provision, one article shall be deemed "similar" to another article if the first has the same use as the second, affords the purchaser fairly equivalent serviceability and belongs to a type which would ordinarily be sold in the same price line. In determining the similarity of such article, differences merely in style or design which do not substantially affect use, or serviceability, or the price line in which such articles would ordinarily have been sold, shall not be taken into account.

(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 13th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-718; Filed, January 13, 1944; 11:45 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[MPR 373, Amdt. 34]

MAXIMUM PRICES IN THE TERRITORY OF
HAWAII

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

Maximum Price Regulation 373 is amended in the following respects:

1. The table following section 21 (c) (1) is amended by changing the wholesale price of Onions, dry, all colors from "\$3.30 per 50 lb. bag" to "\$3.40 per 50 lb. bag."

2. The table following section 21 (d) (1) is amended by adding a new type to the category "Apples", by amending the prices of "Grapes: Emporer" and by deleting the types "Grapes: Ribier" and "Grapes: Almeria", by amending the prices of "Pears, D'Anjous" and by adding the type "Pears: Winter Nelis", all to read as follows:

	Wholesale maximum prices	Special institutional maximum prices	Retail maximum prices
Apples:			<i>Per lb.</i>
Arkansas Black...	\$5.45 per box...	None	\$0.17
Grapes:			
Emporer.....	\$5.25 per lug...	None	.28
Pears:			
D'Anjous.....	\$11.85 per box.	None	.37
Winter Nelis.....	\$10.75.....	None	.34

This amendment shall become effective as of December 30, 1943.

*Copies may be obtained from the Office of Price Administration.
18 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139.

(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 13th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-719; Filed, January 13, 1944;
11:45 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14¹ to GMPR, Amdt. 82]

LAMINATED WOOD STRUCTURAL MEMBERS

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 6.37 is added to read as follows:

SEC. 6.37 *Laminated wood structural members*—(a) *Products covered*. This section covers sales of all frame structural members such as rafters, joists, arches, and roof trusses, which are fabricated by laminating two or more pieces of lumber by gluing, scarf-jointing, or otherwise.

(b) *Maximum f. o. b. factory prices; sales by manufacturers*. The maximum f. o. b. factory price for laminated wood structural members shall be computed on the basis of the individual manufacturer's price-determining method during the month of March 1942, using rates and costs as provided in the following formula:

(1) *Materials*. Lumber material costs for the particular item shall not be higher than the current maximum price as established by the appropriate "mill ceiling" regulation plus the average inbound freight cost for the particular item during the six months period from June 1, 1943 through November 30, 1943. In the case of a manufacturer using lumber produced by him, the material costs that may be used for such lumber shall be at least \$2.00 per MBM below the maximum mill price for that lumber.

(2) *Labor*. Labor costs shall include only labor that was treated as direct labor in the March 1942 price-determining method. To determine direct labor cost for a particular item, use the March 1942 direct labor cost plus the percentage increase in average hourly earnings between March 1942 and September 30, 1943. In computing average hourly earnings only the earnings of workers whose wages are computed on an hourly or piece-work basis shall be used.

Example. Average hourly earnings
March 1942..... \$0.50
September 30, 1943..... \$0.60
Increase..... 20%
Direct labor cost for item
per MBM
March 1942..... \$15.00
Increase 20%..... 3.00

Cost to be used... \$18.00

(3) *All other expenses and profit*. To the out-of-pocket cost of the particular

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

¹ 8 F.R. 9787.

item determined as specified in (1) and (2) above, there may be added for all other expenses and for profit the same dollars-and-cents margin that was applied for such expenses and profit under the March 1942 price-determining method. The addition for "all other expenses and profit", it should be noted, is a fixed dollars-and-cents addition rather than a percentage addition and is the difference between the March 1942 price of the particular item and the March 1942 out-of-pocket cost (as determined by (1) and (2) using March 1942 costs.)

(c) *Maximum delivered prices; sales by dealers*. The maximum delivered price shall be a price computed by increasing the March 1942 delivered price by the amount of increase in current delivered cost (f. o. b. factory price of manufacturer plus the actual transportation charges paid or incurred by the seller in making shipments directly from the factory to the point of delivery required by the purchaser) over the March 1942 delivered cost. If the dealer did not sell the item in March 1942 he must request the factory to inform him of the March 1942 mark-up of his nearest competitive seller and use this dollars-and-cents mark-up for his current sales.

(d) Sellers must maintain trade discounts and credit terms no less onerous to buyers than the March 1942 discounts and terms given the same buyer or class of buyer.

(e) The provisions of this section shall be applicable to the 48 States of the United States and to the District of Columbia.

This amendment shall become effective January 19, 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 13th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-715; Filed, January 13, 1944;
11:44 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14B¹ to GMPR, Amdt. 1]

BREAD AND BAKERY PRODUCTS

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

Supplementary Regulation 14B is amended in the following respects:

1. Section 2 is amended to read as follows:

SEC. 2. *Weight increases*. Whenever the weight of any loaf or product is increased over the weight of the loaf or

product as produced in March 1942, the new loaf or product shall be deemed a new product; and the maximum price of every seller of such new loaf or product must be determined under section 2 (b) or section 3 of the General Maximum Price Regulation: *Provided*, That if a baker increases the weight of his loaf of bread or sales unit of packaged rolls not more than 25 percent over the weight of his loaf of bread or sales unit of packaged rolls as produced in March 1942, he may increase his maximum price therefor proportionately per ratio of weight, and all other sellers of such increased loaf of bread or sales unit of packaged rolls may increase their maximum prices by an amount in cents equal to the increase herein provided for the baker. However, no increase may be made pursuant to this provision unless it is so calculated as to result in an increase in price of one cent or a multiple thereof.

2. Section 3 is amended to read as follows:

SEC. 3. *Single maximum prices for sales at wholesale*. (a) In any trading area all sales of bread and rolls at wholesale, as defined in this section, by any seller shall be deemed sales to one class of purchasers, and discounts previously given by any seller in the case of any of his sales at wholesale of said products may be discontinued; and to this end:—

(b) The maximum price for all sales of bread and rolls at wholesale by any seller shall hereafter be such seller's wholesale list price in the trading area, as existing in March 1942, for the same or most nearly similar commodity or, if none, such list price of his most closely competitive seller or, if none, a maximum price as determined under section 3 of the General Maximum Price Regulation.

(c) For the purposes of this section "sales at wholesale" means all sales of the seller to retailers, restaurants and hotels.

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

(b) Is of a similar type (for example, department store, chain store, specialty store, cut rate store, house to house seller).

4. Section 9 (a) (4) is amended to read as follows:

(4) If the figure resulting contains a fraction of one-half cent or more, it shall be adjusted to the next higher cent, or if it contains a fraction of less than one-half cent it shall be adjusted to the next lower cent.

This amendment shall become effective January 19, 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 13th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-714; Filed, January 13, 1944;
11:44 a. m.]

¹ 8 F.R. 16794.

² 8 F.R. 9787, 9880, 10432, 10566, 10433, 10668, 10731, 10759, 10763, 10939, 10674, 10984, 10759, 11174, 11182, 11247, 11215, 11479, 11572, 11754, 11873, 12325, 12406, 12139, 12550, 12633, 12557, 12710, 12669, 12950, 13059, 13171, 13180, 13257, 13846.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

PART 187—FREIGHT RATE TARIFFS, SCHEDULES AND CLASSIFICATIONS

POSTPONEMENT OF EFFECTIVE DATE

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 4th day of January, A. D. 1944.

Rule 18 of Tariff Circular MF No. 3 being under consideration, and good cause appearing therefor;

It is ordered, That the effective date of Rule 18 of Tariff Circular MF No. 3 (§ 187.42) be, and it is hereby, postponed from April 1, 1944, until April 1, 1945.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-691; Filed, January 13, 1944; 11:07 a. m.]

Notices

FEDERAL POWER COMMISSION.

[Docket No. IT-5868]

GRANITE CITY GENERATING COMPANY AND UNION ELECTRIC COMPANY OF MISSOURI

NOTICE OF APPLICATIONS

JANUARY 12, 1944.

Notice is hereby given that on December 27, 1943, Granite City Generating Company, a corporation organized under the laws of the State of Illinois and doing business in the States of Missouri and Illinois, with its principal business office at Granite City, Illinois, filed an amendment to its application theretofore, on November 8, 1943, filed in the above-entitled matter (notice of which application on November 11, 1943, was published in the FEDERAL REGISTER, volume 8, page 15466), by which said application as amended an order is sought authorizing the modification of that certain Indenture of Lease between Granite City Generating Company, as lessor, and Laclede Power & Light Company, as lessee, dated March 1, 1938, by eliminating therefrom paragraph 6.10 of Article VI; and authorizing Granite City Generating Company to consent to the assignment of said Indenture of Lease by Laclede Power & Light Company to Union Electric Company of Missouri, and the substitution of Union Electric Company of Missouri as lessee thereunder.

Notice is also hereby given that on January 10, 1944, an application was filed with the Federal Power Commission in the above-entitled matter, pursuant to section 203 of the Federal Power Act, by the aforesaid Union Electric Company of Missouri, a corporation organized under the laws of the State of Missouri and doing business in said State, with its principal office at St. Louis, Missouri, seeking an order authorizing the assignment of

the aforementioned Indenture of Lease by Laclede Power & Light Company to Union Electric Company of Missouri, and the substitution of Union Electric Company of Missouri as lessee thereunder.

The applications state that electric properties of Granite City Generating Company, including its transmission facilities, are now leased to and operated by Laclede Power & Light Company under said Indenture of Lease, which lease Laclede Power & Light Company proposes to assign to Union Electric Company of Missouri in connection with the proposed sale by Laclede to Union of all the electric properties and business owned or operated by Laclede Power & Light Company in the City of St. Louis (see notice of application filed October 4, 1943, by Union Electric Company of Missouri, Docket No. IT-5857, for authorization to acquire facilities of Laclede Power & Light Company, published on October 8, 1943, in the FEDERAL REGISTER, Volume 8, Page 3828); all as more fully appears in the applications on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said applications should, on or before the 28th day of January, 1944, file with the Commission a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-667; Filed, January 13, 1944; 9:49 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4988]

WILLIAM H. KAMPF AND EARL H. WILSON
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 12th day of January, A. D. 1944.

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 Arthur F. Thomas, 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 hereby ordered, That the taking of testimony in this proceeding begin on Monday, February 7, 1944, 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.

By the Commission.

[SEAL] A. N. ROSS,
Acting Secretary.

[F. R. Doc. 44-702; Filed, January 13, 1944; 11:22 a. m.]

[Docket No. 5019]

ROBERT M. CALVERT AND RALPH D. WESTER
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 12th day of January, A. D. 1944.

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 Arthur F. Thomas, 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 Tuesday, February 8, 1944, 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.

By the Commission.

[SEAL] A. N. ROSS,
Acting Secretary.

[F. R. Doc. 44-703; Filed, January 13, 1944; 11:22 a. m.]

[Docket No. 5030]

SAMUEL B. SMITH

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 12th day of January, A. D. 1944.

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 Arthur F. Thomas, 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 Thursday, February 10, 1944, at ten o'clock in the forenoon of that day (Central Standard Time), in Basement Room 20, Federal Building, Springfield, 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.

By the Commission.

[SEAL] A. N. ROSS,
Acting Secretary.

[F. R. Doc. 44-704; Filed, January 13, 1944; 11:22 a. m.]

[Docket No. 5056]

RUSSELL M. BRADDOCK

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 12th day of January, A. D. 1944.

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 Arthur F. Thomas, 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 Saturday, February 5, 1944, at ten o'clock in the forenoon of that day (Eastern Standard Time), in Room 859, Federal Building, Detroit, Michigan.

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.

By the Commission,

[SEAL]

A. N. ROSS,
Acting Secretary.

[F. R. Doc. 44-705; Filed, January 13, 1944;
11:22 a. m.]

[Docket No. 5081]

JANNETTE B. DOWNS

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 12th day of January, A. D. 1944.

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 Arthur F. Thomas, 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 Saturday, February 12, 1944, at ten o'clock in the forenoon of that day (Central Standard Time) in County Court Room, County Court House, Omaha, Nebraska.

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.

By the Commission,

[SEAL]

A. N. ROSS,
Acting Secretary.

[F. R. Doc. 44-706; Filed, January 13, 1944;
11:22 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2841]

PAUL VON NEINDORFF

In re: Real property, claims, and bank account owned by Paul von Neindorff.

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 Paul von Neindorff is the same person known as Paul von Niendorff, Paul von Niendorf and Paul von Neindorf;

2. That the last known address of Paul von Neindorf is Richard Wagner Street, Weisbaden, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

3. That Paul von Neindorff is the owner of the property described in subparagraph 4 hereof;

4. That the property described as follows:

a. Real property situated in Tulare County, California, particularly described in Exhibits A and B, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title, interest and claim of Paul von Neindorff in and to the sum of \$1,000, constituting a portion of a certain bank account in the Bank of America, Porterville Branch, Porterville, California, which is due and owing to and held for Paul von Neindorff in the name of A. E. Sarthou in Trust for Paul von Neindorff,

c. All right, title, interest and claim of any name or nature whatsoever of Paul von Neindorff, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to the said Paul von Neindorff by the Grand View Heights Citrus Association, Terra Bella, California, 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 such obligations,

d. All right, title, interest and claim of any name or nature whatsoever of Paul von Neindorff, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to the said Paul von Neindorff by the Terra Bella Citrus Association, Terra Bella, California, 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 such obligations, and

e. All right, title, interest and claim of any name or nature whatsoever of Paul von Neindorff, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to the said Paul von Neindorff by A. E. Sarthou, and particularly that obligation evidenced by a promissory note, executed by A. E. Sarthou on March 20, 1943, and particularly that obligation evidenced by a promissory note, executed by A. E. Sarthou on April 14, 1943, 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 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 4-b above is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 4-a above) 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 above, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 21, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that certain lot or parcel of land situate in the County of Tulare, State of California, and bounded and particularly described as follows, to-wit:

That portion of the Northwest quarter of Section eighteen (18) Township twenty-two (22) South, Range twenty-eight (28) East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, included within the following boundaries:

Beginning at a point 80 rods south and 90 rods east of the Northwest corner of said Northwest quarter of said Section 18, said point being the Southwest corner of the land conveyed by G. H. Russell and Permella J. Russell, his wife, to J. A. Ulmer by deed dated May 3, 1906, recorded in book 136, page 189 of Deeds, thence south along the east line of the land conveyed by Permella J. Russell and Geo. R. Russell, her husband, to Henry Anthony, by deed dated November 18, 1906, recorded in book 129, page 44 of deeds, 80 rods more or less, to the south line of said Northwest quarter, thence east along said South line, 50 rods to the southwest corner of the land conveyed by G. H. Russell and Permella J. Russell, his wife, to George E. Russell, by deed dated June 30, 1906,

recorded in book 130, page 460 of Deeds, thence North along the west line of said land so conveyed to said George E. Russell, 80 rods to the Southeast corner of the tract of land conveyed to J. A. Ulmer as aforesaid; thence West, along the South line of said land conveyed to Ulmer, 50 rods to the place of beginning.

Excepting therefrom the East ten (10) feet of the West 30 feet of said property as granted to the Visalia Electric Railroad Company, a corporation, by deed dated December 23, 1916, recorded in Book 247 of Deeds at Page 481.

EXHIBIT B

All that certain lot or parcel of land situate in the County of Tulare, State of California, and particularly described as follows, to-wit:

The Northwest quarter of the Southwest quarter and the East half of the Southwest quarter of the Southwest quarter of Section thirty-two (32), Township Twenty-two (22) South, Range twenty-eight (28) East, Mount Diablo Base and Meridian, County of Tulare, State of California.

Except the West 25 feet thereof.

[F. R. Doc. 44-669; Filed, January 13, 1944; 11:02 a. m.]

[Vesting Order 2844]

BIANCA OLCOTT

In re: Undivided interest in a bond and mortgage, fire insurance policy, and claim owned by Bianca Olcott, also known as Bianca Olcott Fontana.

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 Bianca Olcott, also known as Bianca Olcott Fontana, is 327 Via Tuscolana, Roma 52, Italy, and that she is a resident of Italy and a national of a designated enemy country (Italy);

2. That the said Bianca Olcott, also known as Bianca Olcott Fontana, is the owner of property described in paragraph 3 hereof;

3. That the property described as follows:
a. An undivided one-fifth interest in a mortgage executed on August 8, 1921, by Hermann Schroeder and Johanna M. Schroeder, his wife, and recorded on August 12, 1921, in the Register's Office of Queens County, New York, in Liber 2017 of Mortgages, page 419, which one-fifth interest was assigned to Bianca Olcott, also known as Bianca Olcott Fontana, by an assignment executed on July 31, 1934 by the City Bank Farmers Trust Company, and recorded in the above Register's Office in Liber 4138 of Mortgages, page 138, 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 mortgage) 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. All right, title, and interest of Bianca Olcott, also known as Bianca Olcott Fontana, in and to fire insurance policy No. 767648, issued by the Royal Insurance Company, insuring the premises located at 9523 80th Street, Queens County, New York, and

c. All right, title, interest and claim of any name or nature whatsoever of Bianca Olcott, also known as Bianca Olcott Fontana, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Bianca Olcott, also known as Bianca Olcott Fontana, by the City Bank Farmers

Trust Company, and represented on the books of City Bank Farmers Trust Company as credit balances due Bianca Olcott, also known as Bianca Olcott Fontana, 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 including particularly any and all claims against the City Bank Farmers Trust Company arising out of the management of the property described in subparagraph 3-a hereof,

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-b and 3-c hereof is necessary for the maintenance or safeguarding or 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 December 27, 1943.

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

[F. R. Doc. 44-670; Filed, January 13, 1944; 11:02 a. m.]

[Vesting Order 2859]

WILHELM MEYER, ET AL.

In re: Real property, property insurance policies, and claim owned by Wil-

helm Meyer, Friedrich Heinrich Meyer, Johann Meyer and Lina Hake.

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);

Nationals and Last Known Address

Wilhelm Meyer, Gr. Henstedt, Bie Bassum, Hanover, Germany.

Friedrich Heinrich Meyer, Wilhelmshafen, Germany.

Johann Meyer, Sudwalde 62, Germany.

Lina Hake, Dimhausen, Germany.

2. That Wilhelm Meyer, Friedrich Heinrich Meyer, Johann Meyer, and Lina Hake are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the Village of Hooper, County of Dodge, State of Nebraska, identified as that real property acquired by Wilhelm Meyer, Friedrich Heinrich Meyer, Johann Meyer, and Lina Hake by virtue of their being the heirs of Fritz Meyer, deceased, whose estate was administered in the County Court of Dodge County, Nebraska, and particularly described as Lots 10; 11, 12 in Block 2, Village of Hooper, Dodge County, Nebraska, 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. All right, title and interest of Wilhelm Meyer, Friedrich Heinrich Meyer, Johann Meyer and Lina Hake, and each of them, in and to:

(1) Fire Insurance Policy No. 17571 issued by the Capital Fire Insurance Company of Lincoln, Nebraska, insuring the premises described in subparagraph 3-a hereof;

(2) Liability Insurance Policy No. GL-967533 issued by the Globe Indemnity Company of New York, New York, insuring against liability for personal injury on or about the premises described in subparagraph 3-a hereof, and

c. All right, title, interest and claim of Wilhelm Meyer, Friedrich Heinrich Meyer, Johann Meyer, and Lina Hake, and each of them, in and to the sum of \$400.62 constituting a certain bank account with the First National Bank, Hooper, Nebraska, in the name of Fritz Meyer Estate, which is due, and owing to, and held for, Wilhelm Meyer, Friedrich Heinrich Meyer, Johann Meyer, and Lina Hake, the heirs of Fritz Meyer, including but not limited to all security rights in and to any and all collateral for all or part of such account and the right to enforce and collect same,

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-b and 3-c 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 subparagraphs 3-b and 3-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 and 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 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 December 29, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-671; Filed, January 13, 1944;
11:02 a. m.]

[Vesting Order 2860]

ADLOFF REALTY CO.

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 of the outstanding capital stock of Adloff Realty Co., a corporation organized and doing business under the laws of the State of California and a business enterprise within the United States, consisting of 1,000 shares of common stock having a par value of \$100 a share, 256 $\frac{1}{2}$ shares (25.6%) are registered in the names of the persons listed below in the number appearing opposite each name and are beneficially owned by the persons whose names are set out thereafter and are evidence of control of said business enterprise:

Name, Number of Shares and Beneficial Owner

Ludwig Adloff, 51 $\frac{1}{2}$, Ludwig Adloff.
Adam Adloff, 51 $\frac{1}{2}$, Estate of Adam Adloff, deceased, his heirs, legatees, executors and administrators.

Heinrich Adloff, 51 $\frac{1}{2}$, Estate of Heinrich Adloff, deceased, his heirs, legatees, executors and administrators.

Marie Kohleman, 51 $\frac{1}{2}$, Estate of Marie Kohleman, also known as Marie Kohlmann, deceased, her heirs, legatees, executors and administrators.

Wilhelm Roemer, 82 $\frac{3}{4}$, Wilhelm Roemer.
Frieda Roemer, 82 $\frac{3}{4}$, Frieda Roemer.
Anna Roemer, 82 $\frac{3}{4}$, Anna Roemer.
Marie Jost, 82 $\frac{3}{4}$, Marie Jost.
Dora Hockstein, 82 $\frac{3}{4}$, Dora Hockstein.
Pauline Bleser, 82 $\frac{3}{4}$, Pauline Bleser.
Total 256 $\frac{1}{2}$ shares;

2. That the following named persons, whose last known addresses are Germany, are nationals of a designated enemy country (Germany):

Ludwig Adloff.
Estate of Adam Adloff, deceased, his heirs, legatees, executors and administrators.
Estate of Heinrich Adloff, deceased, his heirs, legatees, executors and administrators.
Estate of Marie Kohleman, also known as Marie Kohlmann, deceased, her heirs, legatees, executors and administrators.

Wilhelm Roemer.
Frieda Roemer.
Anna Roemer.
Marie Jost.
Dora Hockstein.
Pauline Bleser.

and determining:

3. That Adloff Realty Co. is controlled by: Ludwig Adloff.

Estate of Adam Adloff, deceased, his heirs, legatees, executors and administrators.

Estate of Heinrich Adloff, deceased, his heirs, legatees, executors and administrators.

Estate of Marie Kohleman, also known as Marie Kohlmann, deceased, her heirs, legatees, executors and administrators.

Wilhelm Roemer.
Frieda Roemer.
Anna Roemer.
Marie Jost.
Dora Hockstein.
Pauline Bleser.

and is a national of a designated enemy country (Germany):

4. 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 required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 256 $\frac{1}{2}$ shares of the capital stock of Adloff Realty Co., 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 December 31, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-672; Filed, January 13, 1944;
11:03 a. m.]

[Vesting Order 2862]

BOSTRUM, INC.

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 of the issued and outstanding capital stock of Bostrum, Inc., a corporation organized under the laws of the State of Delaware and a business enterprise within the United States, consisting of 20 shares of \$100 par value stock, 10 shares (50%) are registered in the name of and owned by Ernst Johann Hermann Bohack and are evidence of control of said business enterprise;

2. That Ernst Johann Hermann Bohack, whose last known address is Suderwisch, 55 Cuxhaven, Germany, is a national of a designated enemy country (Germany);

and determining:

3. That Bostrum, Inc., is controlled by Ernst Johann Hermann Bohack and is a national of a designated enemy country (Germany);

4. 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 required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 10 shares of the capital stock of Bostrum, Inc., registered in the name of and owned by Ernst Johann Hermann Bohack, 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 ap-

propriate 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 December 31, 1943.

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

[F. R. Doc. 44-673; Filed, January 13, 1944;
11:03 a. m.]

[Vesting Order 2876]

GREGORY CHRISTOFF

In re: Estate of Gregory Christoff, alias Gregory Christoff Duroff, deceased; File D-11-12; E. T. sec. 365.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Lake County, Waukegan, Illinois, and the Clerk of the Probate Court of Lake County, Waukegan, Illinois, Depositories, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Lake;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Bulgaria, namely,

Nationals and Last Known Address

Vasilka Duroff, Bulgaria.
Maria Duroff, Bulgaria.
Christo Duroff, Bulgaria.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Bulgaria; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of \$1,200.70 which is in the possession and custody of Gustaf H. Fredbeck, Treasurer of Lake County, Illinois, Depository, pursuant to an order of Court entered November 20, 1942 by the Probate Court of Lake County, Illinois in the matter of the estate of Gregory Christoff, alias Gregory Christoff Duroff, Deceased, Case No. 15950; also, all right, title, interest and claim of any kind or character whatsoever of Vasilka Duroff, Maria Duroff and Christo Duroff, and each of them, in and to the estate of Gregory Christoff, alias Gregory Christoff Duroff, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: January 4, 1944.

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

[F. R. Doc. 44-675; Filed, January 13, 1944;
11:00 a. m.]

[Vesting Order 2877]

WILLIAM FALKENSTEIN

In re: Estate of William Falkenstein, deceased; File D-28-7434; E. T. sec. 7669.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Stanley M. Falken, Administrator with the Will Annexed, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Orange;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Oskar Epstein, Holland.
Herbert Epstein, China.

And determining that—

(3) Oskar Epstein and Herbert Epstein, citizens or subjects of a designated enemy country, Germany, and within enemy-occupied areas, Holland and China, respectively, are nationals of a designated enemy country, Germany;

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Oskar Epstein and Herbert Epstein, and each of them, in and to the Estate of William Falkenstein, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: January 4, 1944.

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

[F. R. Doc. 44-676; Filed, January 13, 1944;
11:00 a. m.]

[Vesting Order 2878]

GEORGE W. JACOBY

In re: Estate of George W. Jacoby, deceased; File No. D-28-7618; E. T. sec. 8023.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Deborah Jacoby, J. Ralph Jacoby and Herbert Abraham, as executors, acting under the judicial supervision of

the Surrogate's Court of New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

John Huber, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of John Huber in and to the Estate of George W. Jacoby, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: January 4, 1944.

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

[F. R. Doc. 44-677; Filed, January 13, 1944;
11:00 a. m.]

[Vesting Order 2879]

AUGUSTA PIERZYNSKI

In re: Estate of Augusta Pierzynski, deceased; File D-28-3855; E. T. sec. 6586.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Cook County, Chicago, Illinois, Depository,

acting under the judicial supervision of the Probate Court of Cook County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Addresses

Regina Byczkowski, also known as Regina Bitzkowski, also known as Regine Byczkowski, Germany.

Wilhelm Pollack, also known as Wilhelm Pollak, Germany.

Mary Kischel, also known as Marie Kischel, Germany.

Paul Berger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of \$2,212.24, which is in the possession and custody of the Treasurer of Cook County, Illinois, Depository, pursuant to an order of the Probate Court of Cook County, Illinois, entered October 21, 1943, in the matter of the estate of Augusta Pierzynski, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: January 4, 1944.

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

[F. R. Doc. 44-678; Filed, January 13, 1944;
11:00 a. m.]

[Vesting Order 2880]

CATHERINE ROMBECK

In re: Estate of Catherine Rombeck, sometimes written Katherine Rombeck, deceased; File D-28-7674; E. T. sec. 8168.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation, finding that:

(1) The property and interests hereinafter described are property which is in the process of administration by the Seattle-First National Bank, Executor, acting under the judicial supervision of the Superior Court of the State of Washington, in and for the County of Spokane;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Frau F. F. Dieters, Germany;
Children, names unknown, of Frau F. F. Dieters, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Frau F. F. Dieters and the children, names unknown, of Frau F. F. Dieters, and each of them, in and to the Estate of Catherine Rombeck, sometimes written Katherine Rombeck, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: January 4, 1944.

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

[F. R. Doc. 44-679; Filed, January 13, 1944;
11:00 a. m.]

[Vesting Order 2881]

FREDERECKE CAROLINE SCHAAL

In re: Estate of Frederecke Caroline Schaal, deceased; file D-28-7455; E. T. sec. 7696.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation, finding that:

(1) The property and interests hereinafter described are property which is in the process of administration by the Continental Illinois National Bank and Trust Company of Chicago, 231 South La Salle Street, Chicago, Illinois, Executor, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Cook;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie Quaas, Germany.
Richard Quaas, Germany.
The issue of Marie Quaas, Germany.
The issue of Richard Quaas, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Marie Quass, Richard Quass, the issue of Marie Quass, and the issue of Richard Quass, and each of them, in and to the estate of Frederecke Caroline Schaal, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive order.

Dated: January 4, 1944.

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

[F. R. Doc. 44-680; Filed, January 13, 1944; 11:01 a. m.]

[Vesting Order 2882]

ALEX STOFA

In re: Estate of Alex Stofa, deceased; File D-34-146; E. T. sec. 5661.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation, finding that:

(1) The property and interests hereinafter described are property which is in the process of administration by Charles F. Pennington, 200 Marshall Building, Cleveland, Ohio, Administrator, acting under the judicial supervision of the Probate Court of the State of Ohio, in and for the County of Cuyahoga;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Hungary, namely,

National and Last Known Address

Mary Stofa, Hungary.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Hungary; and

having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of \$153.58, deposited in 896-027 Collection Fund; also, all right, title, interest and claim of any kind or character whatsoever of Mary Stofa, in and to the estate of Alex Stofa, deceased,

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 special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as

may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: January 4, 1944.

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

[F. R. Doc. 44-681; Filed, January 13, 1944; 11:01 a. m.]

[Vesting Order 2884]

VICTOR DONATH

In re: Invention and disclosure thereof of Victor Donath.

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 Victor Donath is a citizen of Czechoslovakia and a resident of Belgium and is a national of foreign countries (Czechoslovakia and Belgium);

2. That the invention and disclosure thereof described in subparagraph 3 hereof are property of Victor Donath;

3. That the property described as follows: The disclosure identified as follows:

TC-Number, Inventor, and Invention

TC-157, Victor Donath, method and device for producing stereoscopic cinematography,

together with the entire right, title and interest throughout the United States and its territories in and to, together with the right to file applications in the United States Patent Office for Letters Patent for, the invention or inventions shown or described in such disclosure,

is property of a national of foreign countries (Czechoslovakia and Belgium);

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 con-

tained 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 January 4, 1944.

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

[F. R. Doc. 44-674; Filed, January 13, 1944;
11:03 a. m.]

[Vesting Order 2889]

MICHAEL DOBLER

In re: Estate of Michael Dobler, deceased, File D-28-7736; E. T. sec. 8461.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation, finding that:

(1) The property and interests hereinafter described are property which is in the process of administration by Charles R. Warren, Administrator, acting under the judicial supervision of the District Court of the Fifth Judicial District of the State of Montana, in and for the County of Jefferson;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Agatha Braendle, Germany.
Joseph Dobler, Germany.
Josef Huber, Germany.
Georg Huber, Germany.
Karl Huber, Germany.
Anna Vonbruel, nee Huber, Germany.
Johann Dobler, Paris, France.
Albert Dobler, Germany.
Maria Dobler, Germany.
Agatha Hoch, nee Dobler, Germany.
Anton Dobler, Germany.
Oskar Dobler, Germany.
Reinold Dobler, Germany.
Karoline Jaeger, nee Dobler, Germany.
Johann Voelke, Germany.
Maria Muendle, Germany.
Sofie Schmidt, Germany.
Theodor Voelke, Germany.

And determining that—

(3) Johann Dobler, a citizen or subject of a designated enemy country, Germany, and with an enemy occupied area, Paris, France, is a national of a designated enemy country, Germany;

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Agatha Braendle, Joseph Dobler, Josef Huber, Georg Huber, Karl Huber, Anna Vonbruel, nee Huber, Johann Dobler, Albert Dobler, Maria Dobler, Agatha Hoch, nee Dobler, Anton

Dobler, Oskar Dobler, Reinold Dobler, Karoline Jaeger, nee Dobler, Johann Voelke, Maria Muendle, Sofie Schmidt and Theodor Voelke, and each of them, in and to the estate of Michael Dobler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: January 7, 1944.

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

[F. R. Doc. 44-682; Filed, January 13, 1944;
11:01 a. m.]

[Vesting Order 2890]

WILBUR HOWE

In re: Estate of Wilbur Howe, a minor; File F-28-14228; E. T. sec. 2448.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation, finding that:

(1) The property and interests hereinafter described are property which is in the process of administration by The First National Bank of Chicago, 38 South Dearborn Street, Chicago, Illinois, Guardian, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Cook;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Wilbur Howe, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of \$2,068.43 and United States of America Savings Series "C" Bond Number M38266c, due January 1, 1947, par value \$1,000.00, now registered in the name of Wilbur Howe, which were delivered to the Alien Property Custodian on August 4, 1943, pursuant to an order of the Probate Court of Cook County, Illinois, entered June 30, 1943, in the matter of the estate of Wilbur Howe, a minor,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: January 7, 1944.

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

[F. R. Doc. 44-683; Filed, January 13, 1944;
11:01 a. m.]

[Vesting Order 2891]

WILLIAM KINDERMAN

In re: Estate of William Kinderman, deceased; File: D-28-3676; E. T. sec. 6078.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation, finding that:

(1) The property and interests hereinafter described are property which is in the process of administration by Karl Bruesselbach, Executor and Testamentary Trustee, acting under the judicial supervision of the County Court of the City and County of Denver, State of Colorado;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and last known address

Wilhelmina Schultz, Germany.
Regina Elizabeth Honsel, Germany.
William Sadler, Germany.

Marie Obenhaus, Germany.
Fritz Kinderman, Germany.
Anneliese Obenhaus, Germany.
Kinderman Stift, Germany.
Bielefelder Schuetzengesellschaft, Germany.

Willie Bruesselbach, or his heirs, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Wilhelmina Schultz, Regina Elizabeth Honsel, William Sadler, Marie Obenhaus, Fritz Kinderman, Anneliese Obenhaus, Kinderman Stift, Bielefelder Schuetzengesellschaft and Willie Bruesselbach or his heirs, and each of them, in and to the Estate of William Kinderman, deceased, and in and to the trust created under the will of William Kinderman, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: January 7, 1944.

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

[F. R. Doc. 44-684; Filed, January 13, 1944;
11:01 a. m.]

[Vesting Order 2892]

JOHN KRUMNACK

In re: Estate of John Krumnack, deceased; File D-28-8001; E. T. sec. 8956.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation, finding that:

(1) The property and interests hereinafter described are property which is in the process of administration by Lena Zehnder, Executrix, acting under the judicial supervision of the Superior Court of the State of Washington for the County of Pierce;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Heinrich Krumnack, Germany.

And determining that:

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Heinrich Krumnack in and to the Estate of John Krumnack, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: January 7, 1944.

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

[F. R. Doc. 44-685; Filed, January 13, 1944;
11:02 a. m.]

[Vesting Order 2893]

CHARLES S. ROGOWSKY

In re: Estate of Charles S. Rogowsky, deceased; File D-28-7717; E. T. sec. 8230.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation, finding that:

(1) The property and interests hereinafter described are property which is in the process of administration by Fred J. Eden, Administrator, d. b. n., acting under the judicial supervision of the U. S. District Court for the District of Columbia;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Laurence Rogowsky, Germany.
Victoria Rogowsky, Germany.
Josephine Rogowsky, Germany.
Sophia Rogowsky, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Laurence Rogowsky, Victoria Rogowsky, Josephine Rogowsky and Sophia Rogowsky, and each of them, in and to the estate of Charles S. Rogowsky, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: January 7, 1944.

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

[F. R. Doc. 44-686; Filed, January 13, 1944;
11:02 a. m.]

[Supplemental Vesting Order 2903]

JOSEPHINE M. LORSCH

In re: Bank account owned by Josephine M. Lorsch.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order Number 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found by Vesting Order Number 154, dated September 17, 1942, as amended, and by Vesting Order Number 372, dated November 18, 1942 that Josephine M. Lorsch is a national of a designated enemy country (Germany);

2. Having vested by said Vesting Order Number 372 a certain mortgage which is particularly described therein and which was, on November 18, 1942, owned by Josephine M. Lorsch;

3. Finding that Josephine M. Lorsch is the owner of the property described in subparagraph 4 hereof;

4. Finding that the property described as follows:

The sum of \$3,000, constituting a portion of a certain bank account with The National City Bank of New York, City Bank Farmers Branch, 22 William Street, New York, New York, which account is due and owing to and held for and in the name of "Josephine M. Lorsch (Mrs. Albert Lorsch)", and any and all security rights in and to any and all collateral for all or part 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 (Germany);

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 (Germany);

And further 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 January 7, 1944.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-687; Filed, January 13, 1944;
11:03 a. m.]

LEON THIRY AND ABEL EDGAR CHERNACK
NOTICE OF SUMMARY PROCEEDINGS FOR ALLOWANCE OF CLAIMS

In the matter of the claims of:

Claimant, Designation of Notice of Claim, Vesting Order Number, and Property Involved

Leon Thiry; APC-1-No. 531; APC-17 re Patent No. 2,179,959; 675; Patent No. 2,179,959. Abel Edgar Chernack; APC-16 re Patent No. 2,245,758; 666; Patent No. 2,245,758.

The Alien Property Custodian having by the vesting orders above identified vested the above described property as property of nationals of a foreign country; and each claimant above identified having filed a notice of claim alleging that he is the owner of the entire right, title and interest in and to the property described in each notice of claim respectively and that he is not a national of a designated enemy country; and recommendation for allowance of each of said claims having been submitted:

Notice is hereby given, pursuant to § 501.1 (h) of the regulations of the Office of Alien Property Custodian (8 F.R. 16709), that copies of the said vesting orders, claims and recommendations are available for public inspection in Room 633, Office of Alien Property Custodian, National Press Building, 14th and F Streets NW., Washington, D. C., and that any person asserting any objection to allowance of the claims shall on or before January 29, 1944, file with the undersigned at the above address an application for a hearing accompanied by a statement of the reasons therefor.

The foregoing characterizations of the claims are for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claims.

[SEAL]

VESTED PROPERTY CLAIMS
COMMITTEE,
JOHN C. FITZGERALD,
Chairman.
MICHAEL F. KRESKY.

[F. R. Doc. 44-688; Filed, January 13, 1944;
11:03 a. m.]

VICTOR CHEMICAL WORKS

ORDER FOR AND NOTICE OF HEARING

Order for and notice of hearing before Vested Property Claims Committee in the matter of the claim of Victor Chemical Works.

Whereas on July 30, 1942, the Alien Property Custodian issued Vesting Order No. 68 (7 F.R. 6181) which vested, among

other things, United States Patent Application Serial Number 276,020, inventors Borneman and Huber, filed May 26, 1939, for washing, detergent and softening agents, in which vesting order there was recited, among other things, a finding that said patent application was the property of a national of a foreign country (Germany); and

Whereas, Victor Chemical Works, an Illinois corporation, has filed Notice of Claim Number 34, which appears to assert that the claimant is the true owner of said patent application.

Now, therefore, it is ordered, Pursuant to the regulations heretofore issued by the Alien Property Custodian, as amended (8 F.R. 16709) that a hearing on the said claim be held before the Vested Property Claims Committee on Tuesday, January 25, 1944, at 10:00 a. m. Eastern War Time, in Room 633, National Press Building, 14th and F Streets NW., Washington D. C. to continue thereafter at such time and place as the Committee may determine. It is further ordered, That this notice of hearing be served by registered mail upon the said claimant and upon the persons designated in paragraph 2 of the said notice of claim, and filed with the FEDERAL REGISTER.

Any person desiring to be heard either in support of or in opposition to the said claim may appear at the hearing, and is requested to notify the Vested Property Claims Committee, Office of Alien Property Custodian, National Press Building, 14th and F Streets NW., Washington (25), D. C., on or before January 21, 1944.

The foregoing characterization of the claim is for informational purposes only, and shall not be construed to constitute an admission or an adjudication by the Office of Alien Property Custodian as to the nature or validity of the claim. Copies of the claim and of the said vesting order are available for public inspection at the above address.

[SEAL]

VESTED PROPERTY CLAIMS,
COMMITTEE,
JOHN C. FITZGERALD,
Chairman.

MICHAEL F. KRESKY.

[F. R. Doc. 44-689; Filed, January 13, 1944;
11:03 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 1138 Under MPR 188]

GENERAL CERAMICS COMPANY

AUTHORIZATION OF MAXIMUM PRICES

Order No. 1138 under Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Revised Supplementary Order No. 9 and Procedural Regulation No. 6, as amended, It is hereby ordered, That:

(a) The General Ceramics Company, Keasbey, New Jersey, is hereby authorized to sell, offer to sell, deliver, invoice and receive payment under government contract or subcontract thereunder, and any person who has entered into or proposes to enter into any government contract or subcontract thereunder as defined herein, may buy or offer to buy, receive delivery and make payments for the chemical stoneware commodities specified below at maximum prices not in excess of maximum prices determined by applying the following discounts off the published list prices in effect during March 1942 by the General Ceramics Company:

(1) On a sale made pursuant to a contract entered into on and after April 14, 1943, and delivery of the commodity has been made prior to the effective date of this order, the following discounts shall apply:

Maximum prices to consumers:
 Standard articles except pumps and fans..... List less 25%.
 Pumps and fans..... List less 36%.
 Specially designed equipment..... Net plus 16%.
 Maximum prices to jobbers: A discount of 10% off the above specified maximum prices.

Such other discounts, allowances, and differentials as were extended during March 1942 to each class of customer by the General Ceramics Company and by resellers shall be maintained.

(2) On deliveries made on and after the effective date of this order:

Maximum prices to consumers:
 Standard articles except pumps and fans..... List less 22%.
 Pumps and fans..... List less 35%.
 Specially designed equipment..... Net plus 19%.
 Maximum prices to jobbers: A discount of 10% off the above specified maximum prices.

Such other discounts, allowances, and differentials as were extended during March 1942 to each class of customer by the General Ceramics Company and by resellers shall be maintained.

(b) Any person purchasing for resale under a government contract or subcontract thereunder chemical stoneware from the General Ceramics Company may not sell such commodities at prices above the maximum prices specified in paragraph (a) for sales to consumers.

(c) "Government contract" means any contract with the United States or any agency thereof or with the Government or any agency thereof in any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941 entitled "An Act to Promote the Defense of the United States."

(d) "Subcontract" means any purchase order or agreement to perform all or any part of the work required under, or to make or furnish any commodity needed for the performance of, another government contract or subcontract thereunder.

(e) If the General Ceramics Company or any jobber of the General Ceramics Company has charged and collected from

and purchaser holding a government contract or subcontract thereunder an amount in excess of the maximum price specified in paragraph (a) for the appropriate type of sale, the General Ceramics Company and its jobbers must refund the excess to such purchasers. If any contracts have been negotiated at a price higher than that specified in this order such price must be adjusted downward to the maximum prices established herein for the appropriate type of sale.

(f) (i) The General Ceramics Company shall submit monthly, Profit and Loss Statements reflecting separately the results of producing and selling chemical stoneware for each month's operations beginning with the month of December 1943. These statements shall include a complete detailed break-down of cost of sales, and of general, selling and administrative expenses and other income and expense.

(ii) The General Ceramics Company shall submit such other reports as the Office of Price Administration shall at any time request.

(g) All prayers of the petition not granted herein are denied.

(h) This Order No. 1138 shall become effective January 13, 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 12th day of January 1944.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 44-660; Filed, January 12, 1944;
 3:28 p. m.]

[Order A-1 Under MPR 188, Amdt. 26]

GAS APPLIANCE VALVES

MODIFICATION OF MAXIMUM PRICES

Amendment No. 26 to Order A-1 under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (a) (23) is added to read as follows:

(23) *Modification of maximum prices of gas appliance valves*—(i) *Scope of this amendment.* This subparagraph (23) establishes maximum prices for sales and deliveries of gas appliance valves by manufacturers of gas appliance valves to manufacturers of commercial and industrial ranges, water heaters, space heaters, central heaters, and refrigerators.

"Gas appliance valve" means any manually-operated valve or device specially designed to control the flow of natural or manufactured gas, oil, or kerosene, or any derivative of the foregoing fuels, at any rate from none to full, attached to an appliance designed for heating or cooking purposes either at the point where such fuel is to be used

or inserted in the fuel supply line of such an appliance.

The term "gas appliance valve" does not include the regular type of angle, gate, globe, or check valve, or any variation of these basic types, nor does it include devices commonly known as corporation cocks or service cocks.

(ii) *Maximum prices for manufacturers.* On and after January 13, 1944, regardless of any contract, agreement, lease, or other obligation, no manufacturer of gas appliance valves shall sell and deliver and no manufacturer of the types of the appliances set forth in (i) shall buy or receive in the course of trade or business gas appliance valves at prices higher than the total of the following factors:

(a) The unit cost as of January 13, 1944, of direct materials used in the manufacture of the gas appliance valve at net invoice prices (all discounts deducted) laid down on the manufacturer's receiving floor or at any other comparable point, but in no event at prices exceeding the maximum prices permitted under any applicable maximum price regulation, schedule, or order issued by the Office of Price Administration.

(b) The unit direct labor cost of producing a valve based upon labor rates in effect on January 13, 1944, but in no event exceeding legally permissible rates. The unit direct labor cost shall be determined as follows:

(1) Multiply the labor rate for each operation by the actual time expended on each operation; and

(2) Divide the sum of the totals for all operations performed on each valve as computed in (1) by the total number of units produced.

(c) The dollar and cents gross mark-up. The dollar and cents gross mark-up shall be determined as follows:

(1) Subtract from the gross sales of gas appliance valves for the calendar year 1941, the direct actual material and labor cost expended in the production of gas appliance valves during such calendar year;

(2) Divide the resulting difference by the direct actual material and labor costs expended in the production of gas appliance valves during the calendar year of 1941; and

(3) Multiply the sum of the costs determined under (a) and (b) by the percentage thus obtained.

(iii) *Cash discounts, allowances and services.* The maximum prices established by this subparagraph shall be subject to the same extension of cash discounts and allowances and to the same rendition of services which the manufacturer extended or rendered or would have extended or rendered to purchasers of the same class on similar sales during the period October 1-15, 1941.

(iv) *Records.* Every person selling gas appliance valves subject to this subparagraph shall have available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a record of each sale made under this subparagraph, showing the date

of the sale, the name and address of the purchaser, the plate number, the material and labor costs, the amount of gross mark-up, the maximum price permitted under this subparagraph, the transaction price or the discount allowed from the maximum price, and the point of delivery of the shipment.

(v) *Reports.* The following manufacturers, namely, W. J. Schoenberger Co., Cleveland, Ohio; Roberts Brass Mfg. Co., Detroit, Michigan; Detroit Brass and Malleable Works, Detroit, Michigan; Harper-Wyman Mfg. Co., Chicago, Illinois; Lincoln Brass Works, Inc., Detroit, Michigan; selling gas appliance valves subject to this subparagraph shall file with the Regional Office of the Office of Price Administration, Cleveland, Ohio, within 30 days after first offering for sale a gas appliance valve priced under this subparagraph the following data:

(1) Profit and Loss Statement reflecting entire company operations for the year ended December 31, 1941.

(2) Balance Sheet with an analysis of Surplus as of December 31, 1941.

(3) Profit and Loss Statement covering Gas Appliance Valve operations only, for the year ended December 31, 1941. This statement must include a breakdown of Cost of Goods Manufactured and Sold, segregated as to Materials Consumed, Direct Labor and Manufacturing Overhead, together with pertinent inventory adjustments, and of Selling, General and Administrative Expenses applicable to this phase of operations.

(4) The percentage mark-up of prime cost, experienced by the manufacturer on his line of Gas Appliance Valves during the year 1941, to be used in determining maximum selling prices.

(vi) *Notification of purchasers.* Every manufacturer selling gas appliance valves subject to this subparagraph shall send a notice to every purchaser of gas appliance valves covered by this subparagraph at the time of the first invoicing stating substantially as follows:

The maximum price of this gas appliance valve has to our best knowledge and belief been established in accordance with Amendment No. 26 to Order No. A-1 under § 1499.159b of Maximum Price Regulation No. 188.

This Amendment No. 26 shall become effective January 13, 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 12th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-661; Filed, January 12, 1944;
8:33 p. m.]

[Order 1153 Under MPR 188]

AMERICAN EARPHONE CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1153 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of a vacuum tube hearing aid manufactured by American Earphone Co.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328; *It is ordered:*

(a) American Earphone Co., 10 East Forty-third Street, New York, New York, may sell to consumers and deliver the "Electro Ear" vacuum tube hearing aid of its manufacture at a price no higher than \$96.85 per unit delivered. This maximum price shall be subject to the American Earphone Company's customary discounts, allowances and other price differentials that existed during March 1942 for sales by it of its former model hearing aid.

(b) Any person may sell at retail and deliver the "Electro Ear" vacuum tube hearing aid manufactured by American Earphone Co., at a price no higher than \$96.85 per unit delivered. This maximum price shall be subject to the seller's customary discounts, allowances and other price differentials.

(c) At the time of or prior to the first invoice to each purchaser for resale, American Earphone Company shall notify the purchaser for resale of the maximum price and the conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) This Order No. 1153 may be revoked or amended by the Price Administrator at any time.

This Order No. 1153 shall become effective on the 14th day of January, 1944.

Issued this 13th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-713; Filed, January 13, 1944;
11:48 a. m.]

[Order 1154 Under MPR 188]

OTARION, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 1154 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of certain hearing aid accessories manufactured by Otarion, Inc.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) Otarion, Inc., 448 North Wells Street, Chicago, Illinois, may sell and deliver the hearing aid accessories of its manufacture at prices no higher than the following:

(1) Adapter Cord for Plug-in "A" Batteries—\$.36 per unit for sales to dealers and \$.72 per unit for sales at retail.

(2) "A" Battery Cradle—\$.22 per unit for sales to dealers and \$.44 per unit for sales at retail.

(b) Any person may sell at retail and deliver the Adapter Cords for Plug-in "A" Batteries manufactured by Otarion, Inc. at a price no higher than \$.72 per unit and may sell at retail and deliver the "A" Battery Cradles at a price no higher than \$.44 per unit. These maximum prices shall be subject to the seller's customary discounts, allowances and other price differentials.

(c) At the time of or prior to the first invoice to each purchaser for resale, Otarion, Inc. shall notify the purchaser of the maximum prices and the conditions set by this Order for resale by the purchaser. This notice may be given in any convenient form.

(d) This Order No. 1154 may be revoked or amended at any time.

This Order No. 1154 shall become effective on the 14th day of January 1944.

Issued this 13th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc 44-712; Filed, January 13, 1944;
11:48 a. m.]

RAILROAD RETIREMENT BOARD.

[Jurisdictional Docket No. 24]

ERIE RAILROAD CO. AND THE SEABOARD
TERMINAL AND REFRIGERATION CO.

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the creditability of service rendered under freight handling contracts between the Erie Railroad Company and the Seaboard Terminal and Refrigeration Company.

Notice is hereby given that upon the request of one of the parties and by virtue of the authority vested in me by General Counsel Order dated November 27, 1943 (8 F.R. 16768) issued pursuant to Regulations under the Railroad Unemployment Insurance Act (45 U.S.C. 351-367), Part 319 §§ 319.42 et seq. (7 F.R. 4777), the hearing in the above-entitled matter, which has been set for January 24, 1944, at 10:00 A. M., in Room 920, Morgan Annex Building, 341 Ninth Avenue, New York, New York (8 F.R. 16768), is postponed to March 1, 1944, at 10:00 A. M., and will be held in Room 1038 of that building.

The Erie Railroad Company, the Seaboard Terminal and Refrigeration Company, the individuals who have been awarded benefits on the basis of pay earned in service under the above-mentioned agreements, and all other parties properly interested may participate in the hearing and will be afforded an opportunity to present evidence and to make arguments before the Examiner. The Board has been advised that a representative of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Stations Employees will appear at the hearing and participate therein on behalf of its members employed under the agreements in question.

The hearing will be held on the following questions:

(1) Have the individuals engaged in the performance of service under the agreements entered into July 31, 1926, May 22, 1929 and July 16, 1929 between the Erie Railroad Company and the Seaboard Terminal and Refrigeration Company covering the handling of Erie's freight at its Jersey City and Duane Street stations, been, and are they, with respect to such service employees of the Erie Railroad Company, within the meaning of the Railroad Unemployment Insurance Act?

(2) Has the Seaboard Terminal and Refrigeration Company ever been a carrier by railroad subject to Part I of the Interstate Commerce Act, within the meaning of Section 1 (a) of the Railroad Unemployment Insurance Act?

(3) Has the Seaboard Terminal and Refrigeration Company ever been directly or indirectly owned or controlled by, or under common control with, one or more express companies, sleeping-car companies, or carriers by railroad, subject to Part I of the Interstate Commerce Act, within the meaning of Section 1 (a) of the Railroad Unemployment Insurance Act?

(4) Has the Seaboard Terminal and Refrigeration Company ever operated any equipment or facilities (other than casual equipment) or performed any service (other than trucking service or casual service) in connection with the transportation of passengers or property by railroad, or the receipt, delivery, elevation, transfer-in-transit, refrigeration or icing, storage or handling of property transported by railroad, within the meaning of Section 1 (a) of the Railroad Unemployment Insurance Act?

In preparation for, and in the conduct of, said hearing, the Examiner is authorized to require and compel the attendance of witnesses, administer oaths, take testimony and make all necessary investigations. A record will be kept of all evidence and argument presented, orally or in writing, at said hearing. The evidence presented orally will be under oath. The Examiner may require that copies of all exhibits admitted in evidence at the hearing be furnished by the party offering the same to all other parties participating or entering an appearance in the proceeding.

Dated: January 7, 1944.

LOUIS TURNER,
Examiner.

[F. R. Doc. 44-645; Filed, January 12, 1944;
3:11 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-26, 70-403]

FLORIDA POWER & LIGHT CO., ET AL.
SUPPLEMENTAL ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 11th day of January, A. D. 1944.

In the matter of Florida Power & Light Company, American Power & Light Company and Electric Bond and Share Company, File No. 59-26; in the matter of Florida Power & Light Company and American Power & Light Company, File No. 70-403.

The Commission having heretofore on December 28, 1943 issued its Order herein permitting to become effective a declaration of Florida Power & Light Company pursuant to section 7 of the Public Utility Holding Company Act of 1935 regarding the issue and sale of \$45,000,000 principal amount of First Mortgage Bonds, 1974 Series, \$10,000,000 principal amount of Sinking Fund Debentures, and \$5,000,000 principal amount of Serial Notes, subject to approval of the terms of the bond and debenture financing as established by competitive bidding pursuant to Rule U-50, and subject to approval of the terms of the Serial Note issue as supplied by amendment, and subject to the further condition that prior to or concurrently with the final closing with respect to the sale of the proposed bonds and debentures American Power & Light Company shall have made certain proposed capital contributions and Florida Power & Light Company shall have made upon its books of account certain proposed accounting adjustments; and

Florida Power & Light Company having filed an amendment to its declaration herein which amendment specifies that said declarant has accepted the proposal of The First Boston Corporation, as representative and on behalf of an underwriting group, to purchase said First Mortgage Bonds at a coupon rate of 3½% for 104.019% of the principal amount thereof, said bonds to be offered initially to the public at 105.5%, and to purchase said Sinking Fund Debentures at a coupon rate of 4½% for 99.022% of the principal amount thereof, said debentures to be offered initially to the public at 100.462%, and that said declarant has accepted the proposal of The Chase National Bank of the City of New York to purchase ten 2¾% Serial Notes in the aggregate principal amount of \$2,500,000 to mature semi-annually over the period 1944-1949 and the proposal of the John Hancock Mutual Life Insurance Company to purchase ten 2¾% Serial Notes in the aggregate principal amount of \$2,500,000 to mature semi-annually over the period 1949-1954; and

The Commission having examined said amendment and having considered the record herein, and having found that the price and spread for the bonds, the price and spread for the debentures, and the redemption prices for the said bonds and debentures, are not unreasonable, and that the prices for the serial notes are likewise not unreasonable;

It is ordered, That the jurisdiction heretofore reserved with respect to: the prices to be paid to the company for said bonds, debentures and serial notes; the prices at which said bonds and debentures will be sold to the public; the

allocation of the spreads between such prices; and the redemption prices for said bonds and debentures be, and the same hereby is, released and, subject to the terms and conditions contained in Rule U-24 and to the further condition that prior to or concurrently with the final closing with respect to the sale of the proposed bonds and debentures American Power & Light Company shall have made the proposed capital contributions to Florida Power & Light Company and Florida Power & Light Company shall have made upon its books of account the accounting adjustments proposed by it and hereinbefore ordered by us to be made in paragraph (1), subparagraphs (a), (b), (c) and (d) of our order of December 28, 1943, the declaration be, and the same hereby is, permitted to become effective; jurisdiction being retained, however, over all fees, commissions, or other remunerations to be paid in connection with all transactions covered by the declaration.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-646; Filed, January 12, 1944;
3:11 p. m.]

[File No. 70-825]

THE OHIO PUBLIC SERVICE COMPANY AND CITIES SERVICE POWER & LIGHT COMPANY

ORDER 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, Pennsylvania, on the 7th day of January 1944.

Cities Service Power & Light Company, a registered holding company, and The Ohio Public Service Company, a public utility subsidiary of Cities Service Power & Light Company, having filed an application and declaration and amendments thereto pursuant to the Public Utility Holding Company Act of 1935, proposing the following transactions:

1. Pursuant to a contract dated September 10, 1943, between The Ohio Public Service Company and Manufacturers Trust Company, The Ohio Public Service Company proposes to purchase from Manufacturers Trust Company all the issued and outstanding common stock of The Marion-Reserve Power Company, a public utility company incorporated in Ohio consisting of 330,000 shares of a par value of \$5 per share. The purchase price is payable in cash and is \$2,550,000 if paid on or before December 31, 1943, and if paid thereafter and prior to May 1, 1944, increases each day thereafter at the rate of \$10,000 per month.

2. Subject to consummation of the above transaction, The Ohio Public Service Company proposes to issue and sell to Cities Service Power & Light Company, and Cities Service Power & Light Com-

pany proposes to acquire from The Ohio Public Service Company, 15,000 shares of the common stock of The Ohio Public Service Company, par value \$100 per share, for a price of \$1,500,000 payable in cash.

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;

It is ordered, Pursuant to the applicable provisions of the Act that said application be and it is hereby granted and said declaration be and it is hereby permitted to become effective forthwith, subject to the following terms and conditions:

1. That Cities Service Power & Light Company shall dispose of its interest in the water business of The Marion-Reserve Power Company within one year from the date hereof, unless such time is extended by order of this Commission upon a showing of the inability of Cities Service Power & Light Company in the exercise of due diligence to effect such disposition within the year;

2. The terms and conditions prescribed by Rule U-24;

3. The reservations of jurisdiction set forth below.

It is further ordered, That jurisdiction be and the same is hereby reserved with respect to such future action as may be required regarding the corporate structure of the holding-company system of Cities Service Power & Light Company and the accounts of The Marion-Reserve Power Company under sections 11 (b) (2), 12 (c), 12 (f), and 15 (f) of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-647; Filed, January 12, 1944;
3:11 p. m.]

[File No. 59-32]

ASSOCIATED GAS AND ELECTRIC CORP.
ORDER GRANTING EXTENSION OF TIME

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of January 1944.

In the matter of Denis J. Driscoll and Willard L. Thorp, as trustees of Associated Gas and Electric Corporation, respondents, File No. 59-32.

The Commission having by an order dated August 13, 1942, entered in the above styled and numbered matter, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, directing Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, to divest themselves of their direct and indirect ownership, control, and holding of securities issued, and properties owned, controlled or op-

erated by and in various named companies, and having by the terms of said order reserved jurisdiction over various matters, and said order of August 13, 1942, having been modified in minor particulars by an order of the Commission dated December 30, 1942; and

Respondents, Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, having filed an application pursuant to section 11 (c) of said Act for an extension of time for a period of one year within which to comply with said order of August 13, 1942, as modified; and

The Commission having found that said Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, have been unable in the exercise of due diligence to comply in its entirety with said order within the initial statutory period of one year from the date thereof and that the requested extension of time is necessary and appropriate and in the public interest and for the protection of investors;

It is ordered, That Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, be and they are hereby granted an additional period of one year from August 13, 1943, within which to comply with said order of August 13, 1942, as modified by the order of December 30, 1942.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-649; Filed, January 12, 1944;
3:11 p. m.]

SELECTIVE SERVICE SYSTEM.

[Operations Order 8-C]

POSTPONEMENT OF INDUCTION OF AIRCRAFT EMPLOYEES

ORDER GRANTING EXTENSION OF AUTHORITY

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby order:

1. The authority granted to the State Director of California in Operations Order No. 8-B to postpone for a period not to exceed 60 days the induction of any registrant regularly employed in an aircraft plant or in a plant of an aircraft subcontractor or supplier situated in the State of California regardless of the State in which any such registrant may be registered, is extended to midnight on January 15, 1944, at which time such authority shall terminate.

2. All State Directors will cooperate in carrying out the provisions of this order.

LEWIS B. HERSHEY,
Director.

DECEMBER 30, 1943.

[F. R. Doc. 44-655; Filed, January 12, 1944;
3:37 p. m.]

WAR SHIPPING ADMINISTRATION.

"FOSS NUMBER 103".

DETERMINATION AS TO OWNERSHIP

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 25, 1942 title to the vessel Foss Number 103 (166088) (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 (Pub. Law 17, 78th Cong.), 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: January 12, 1944.

[SEAL] E. S. LAND,
Administrator.

[F. R. Doc. 44-690; Filed, January 13, 1944;
11:12 a. m.]