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Washington, Tuesday, April 11, 1944

**The President**

**EXECUTIVE ORDER 9434**

**NAVAL RADIO STATION, SUMMIT, CANAL ZONE**

By virtue of the authority vested in me by section 5 of title 2 of the Canal Zone Code, approved June 19, 1934, and as President of the United States, it is ordered as follows:

**Sec. 1. Setting apart of reservation; boundaries.** The following described area of land in the Canal Zone is hereby reserved and set apart as, and assigned to the uses and purposes of, a naval reservation, which shall be known as Naval Radio Station, Summit, Canal Zone, and which shall be under the control and jurisdiction of the Secretary of the Navy, subject to the provisions of section 2 of this order:

Beginning at monument No. 1, which is a corner post of a woven wire fence located southeasterly from the main entrance to the Naval Radio Station, Summit, Canal Zone, the geographic position of which is 9°03' plus 4602.5 feet North and 79°39' plus 926.7 feet West from Greenwich.

Thence through monuments No. 2 to No. 42, inclusive, which are corner posts of the said woven wire fence, along the following successive courses and distances to monument No. 43, which is a corner post at the most northwesterly corner of the said woven wire fence;

Monument to monument	Bearing	Distance (feet)
1 2	S. 42°47'40" W.	359.9
2 3	S. 8°41'50" E.	348.3
3 4	S. 12°33'10" E.	154.6
4 5	S. 5°32'20" W.	155.9
5 6	S. 1°47'00" W.	126.6
6 7	S. 18°30'00" E.	124.3
7 8	S. 24°27'40" E.	153.7
8 9	S. 57°29'00" E.	510.3
9 10	N. 26°09'10" E.	183.7
10 11	S. 88°29'00" E.	100.1
11 12	S. 38°14'10" E.	36.5
12 13	S. 78°00'30" E.	478.9
13 14	S. 55°12'40" E.	255.2
14 15	S. 44°05'00" E.	687.1
15 16	S. 52°38'40" E.	199.7
16 17	N. 40°34'10" E.	34.2
17 18	S. 49°26'20" E.	248.2
18 19	S. 45°21'30" E.	145.9
19 20	S. 76°39'10" E.	399.4
20 21	S. 67°39'30" E.	641.8
21 22	S. 3°03'00" E.	334.4
22 23	S. 35°20'50" W.	954.1
23 24	S. 73°37'60" W.	334.0
24 25	N. 54°30'20" W.	1,321.9

Monument to monument	Bearing	Distance (feet)
25 26	N. 37°11'10" W.	49.7
26 27	N. 74°38'50" W.	43.8
27 28	N. 54°39'20" W.	1,109.9
28 29	N. 31°10'30" W.	417.9
29 30	S. 81°12'30" W.	12.4
30 31	N. 8°03'40" W.	138.4
31 32	N. 7°04'40" E.	50.2
32 33	N. 7°09'20" W.	69.8
33 34	N. 64°34'20" W.	198.4
34 35	N. 43°28'00" W.	1,108.8
35 36	N. 86°08'50" W.	340.2
36 37	N. 58°57'20" W.	526.6
37 38	N. 24°34'50" W.	214.6
38 39	N. 20°55'40" W.	218.2
39 40	N. 49°17'00" W.	261.4
40 41	N. 68°35'00" W.	229.3
41 42	N. 61°30'00" W.	273.8
42 43	N. 66°18'20" W.	430.3

N. 49°35'50" W., 304.3 feet to monument No. 44, which is a 2½ inch galvanized iron pipe;

N. 49°37'40" W., 1746.1 feet to monument No. 45, which is a concrete post, 8 inches square, monument No. 44-1, which is a 2½ inch galvanized iron pipe, being in line 740.3 feet from the beginning of the course;

N. 45°58'30" W., 199.7 feet to monument No. 46, which is a 2½ inch galvanized iron pipe;

N. 45°59'20" W., 297.1 feet to monument No. 47, which is a concrete post, 8 inches square, monument 46-1, which is a 2½ inch galvanized iron pipe, being in line 148.5 feet from the beginning of the course;

N. 76°17'10" W., 574.0 feet to monument No. 48, which is a concrete post, 8 inches square;

N. 33°14'20" W., 607.1 feet, to monument No. 49, which is a concrete post, 8 inches square, monument No. 48-1, which is a 2½ inch galvanized iron pipe, being in line 155.3 feet from the beginning of the course;

N. 21°04'20" E., 606.7 feet to monument No. 50, which is a concrete post, 8 inches square;

N. 62°29'20" E., 579.2 feet to monument No. 51, which is a concrete post, 8 inches square;

S. 73°35'30" E., 683.6 feet to monument No. 52, which is a concrete post, 8 inches square, 2½ inch galvanized iron pipe monuments Nos. 51-1, 51-2, and 51-3 being in line the following successive distances from the beginning of the course: 184.1 feet, 147.7 feet, and 266.3 feet;

S. 8°44'15" E., 274.5 feet to monument No. 53, which is a concrete post, 8 inches square, monument No. 52-1, which is a 2½ inch galvanized iron pipe, being in line 202.3 feet from beginning of the course;

S. 47°42'45" E., 611.7 feet to monument No. 54, which is a concrete post, 8 inches square,

(Continued on next page)

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**THE PRESIDENT**

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- Book 1: Titles 1-3 (Presidential documents) with tables and index.  
 Book 2: Titles 4-9, with index.  
 Book 3: Titles 10-17, with index.

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located 37½ feet southwesterly from the centerline of La Pita Road, the geographic position of which is 9°04' plus 806.2 feet North and 79°39' plus 4828.5 feet West from Greenwich, monument No. 53-1, which is a 2½ inch galvanized iron pipe, being in line 180.5 feet from the beginning of the course;

Southeasterly along a line parallel to and 37½ feet southwesterly from the centerline of La Pita Road to monument No. 55, which is a concrete post, 8 inches square, the direct bearing and distance from No. 54 to No. 55 being S. 60°50'50" E., 1261.7 feet;

S. 58°54'20" E., 902.7 feet to monument No. 56, which is a concrete post, 8 inches square;

S. 58°55'20" E., 515.0 feet to monument No. 57, which is a corner post of a woven wire fence that encloses the southern portion of the Naval Radio Station, Summit, Canal Zone;

S. 58°54'00" E., 1657.0 feet to monument No. 58, which is a corner post in a woven wire fence;

S. 69°09'30" E., 69.8 feet to monument No. 59, which is a corner post in a woven wire fence;

N. 81°59'30" E., 61.7 feet, to monument No. 60, which is a corner post in a woven wire fence;

S. 51°40'40" E., 52.1 feet to monument No. 1, which is the point of beginning.

The tract as described contains an area of 320.9 acres, more or less.

The directions of the lines refer to the true meridian. All geographic positions are referred to the Panama-Colon datum of the Canal Zone triangulation system.

The boundary of the above tract was surveyed by the Section of Surveys, The Panama Canal, in November 1943, and is as shown on Panama Canal drawing No. 6112-7, revision No. 1 dated February 1, 1944, entitled "Boundary Map of Naval Radio Station, Summit, Canal Zone", on file in the office of the Governor, The Panama Canal, and the Commandant, Fifteenth Naval District.

**Sec. 2. Conditions and limitations.** The reservation made by section 1 of this order shall be subject to the following conditions and limitations:

(a) The area comprising this reservation shall continue to be subject to the civil jurisdiction of the Canal Zone Government in conformity with the provisions of the Canal Zone Code as amended and supplemented.

(b) The naval authorities shall bear all the costs of the transfer of such area, including the cost of surveys and of cancellation of any agricultural licenses or other permits which may be in force in the area, and including the cost of any such relocations of Panama Canal installations or facilities in the said area as may be made at the request of the naval authorities.

(c) Personnel and equipment of the Panama Canal shall be permitted access to such area to carry out necessary Panama Canal operations in the area or vicinity in connection with drainage, sanitation, surveys, etc., and the protection, maintenance, and repair of Panama Canal power and communication lines.

**Sec. 3. Executive Orders superseded.** This order supersedes Executive Orders No. 7399 of June 23, 1936 and No. 9171 of May 21, 1942, establishing and enlarging, respectively, the United States Naval Radio Station, Summit, Canal Zone.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,  
April 8, 1944.

[F. R. Doc. 44-5065; Filed, April 10, 1944; 11:09 a. m.]

**Regulations**

**TITLE 7—AGRICULTURE**

**Chapter X—War Food Administration  
(Production Orders)**

[3d Rev. FPO 9, Order 8]

**PART 1220—FEED**

**SET ASIDE REQUIREMENTS FOR PROCESSORS OF  
OILSEED FOR MAY, 1944**

Pursuant to the authority vested in me by Food Production Order No. 9, Re-

<sup>1</sup> 7 F.R. 3842.

vision No. 3 (8 F.R. 16960), issued on December 18, 1943, and to effectuate the purposes of such order pertaining to set aside requirements for oilseed meal produced by processors, and to secure an equitable distribution of such oilseed meal, it is hereby ordered, that:

§ 1220.10 *Set aside requirements for processors of oilseed for May 1944*—(a) *Amount to be set aside.* Each processor shall set aside at each processing plant operated by him 20 percent of his production of cottonseed, soybean, linseed and peanut oil meal, cake or pellets (hereinafter called "oilseed meal"), during May 1944. The amount of production upon which the quantity of oilseed meal set aside is based shall not include any oilseed meal produced for the Commodity Credit Corporation under the provisions of contracts designated "CCC Soybean Form 106, 1943 Crop," and this order shall not apply to oilseed meal produced under such contracts.

(b) *Sale and delivery of oilseed meal set aside.* (1) Oilseed meal set aside pursuant to this Order shall not be sold or delivered by any processor except to a buyer named in a Certificate of Designated Buyer issued by the Agricultural Conservation Committee for the State or county in which the buyer's farm or establishment is located or by the Chief of the Feed and Livestock Branch, Office of Production, War Food Administration. The certificate shall be in substantially the following form:

CERTIFICATE OF DESIGNATED BUYER

----- is authorized to purchase and accept delivery of ----- (tons-pounds) of oilseed meal from amounts set aside by ----- of ----- (Name of Processor) ----- pursuant to the order (Address of Processor) of the Director of Food Production. (If, for any reason, delivery of oilseed meal cannot be made, this certificate shall be returned by the processor to the issuing Agricultural Conservation Committee with the reasons why delivery was not made.)

FOOD PRODUCTION ADMINISTRATION.

----- Agricultural Conservation Committee of ----- (Address)

J. B. HUTSON, Director.

By ----- (Chairman)

Expiration Date -----

(2) Agricultural Conservation Committees may commence issuing Certificates of Designated Buyers pursuant to this order during April 1944, and processors may commence delivery of oilseed meal pursuant to such certificates during April 1944. A processor shall be entitled to credit such deliveries made in April 1944 against the quantity of oilseed meal which he is required to set aside in May 1944, if he makes the report provided for in paragraph (d) (1) hereof.

(3) Shipment of any oilseed meal, set aside pursuant to this order must be made by a processor within twelve days of the receipt of any such certificate.

(4) The original and the processor's copy of appropriately executed certificates shall be sent by the person respon-

sible for their issuance directly to the processor and a copy shall be sent to the designated buyer. The designated buyer and the processor shall arrange the details of transfer of materials designated on the certificate, using such intermediary parties as the processor may designate. The processor who delivers such oilseed meal pursuant to a certificate shall file such certificate as required under the provisions of paragraph (d) (2).

(5) No processor shall be required to honor a Certificate of Designated Buyer unless the designated buyer furnishes the processor or his agent, before midnight of May 20, 1944, with (1) shipping instructions, and, in the case of designated buyers other than feeders, (2) the statement required by paragraph (h) of Food Production Order No. 9, Revision No. 3. If a processor elects not to honor a Certificate of Designated Buyer under the provisions of this paragraph, he shall return such certificate to the issuing office and he may dispose of the oilseed meal covered by the certificate free from the restrictions of this order.

(c) *Existing contracts.* If this order makes it impossible for a processor to fill all of his contracts for the delivery of oilseed meal, which are in existence on the date of the issuance of this order, he shall not, by reason of this order, refuse to make delivery of more than 20 percent of the oilseed meal covered by any such contract.

(d) *Processor's reports*—(1) *Report of tonnage for April delivery for credit against May set aside.* If a processor wishes to make deliveries of oilseed meal pursuant to this order in April 1944 for credit against his set aside in May 1944, he must report to the Director in writing (or by telegraph) not later than April 25, 1944, the estimated tonnage of each kind of oilseed meal which will be available at each of his processing plants for delivery in April 1944 for such credit. Each processor may also submit such additional information as he deems pertinent to the allocation or distribution of oilseed meal to be set aside under this order.

(2) *Report of tonnage set aside and deliveries made.* Each processor subject to this order shall file a report with the Director on FPA Form 2 not later than June 10, 1944, for each plant operated by him. Certificates of Designated Buyers, pursuant to which oilseed meal has been delivered, shall be attached to and made a part of FPA Form 2.

(e) *Certificates issued by County Agricultural Conservation Committees.* No County Agricultural Conservation Committee shall issue Certificates of Designated Buyers unless authorized to do so by its State Agricultural Conservation Committee.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order, unless instructions to the contrary are issued, shall be addressed to the Director of Production, War Food Administration, Washington 25, D. C., Ref: FPO 9-8.

**NOTE:** The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in ac-

cordance with the Federal Reports Act of 1942.

(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 7th day of April 1944.

J. B. HUTSON,  
Director of Production.

[F. R. Doc. 44-4997; Filed, April 7, 1944;  
3:18 p. m.]

## Chapter XI—War Food Administration (Distribution Orders)

[FDO 42, Amdt. 5]

### PART 1460—FATS AND OILS

#### RESTRICTIONS ON USE

Food Distribution Order No. 42, as amended (9 F.R. 2971), § 1460.1, is amended as follows:

By inserting immediately after paragraph (a) (17) thereof the following:

(18) "Margarine" means any substance the manufacture of which is taxable as oleomargarine under the provisions of Chapter 16, of the Internal Revenue Code (53 Stat. 247, *et seq.*), and in addition thereto, any solid product which is comprised of fats and oils, is packaged in cartons containing not more than two pounds, net weight, is sold by the manufacturer thereof in combination with a coloring and butter flavoring agent, and is principally used in the home for the preparation of a table spread.

This amendment shall become effective at 12:01 a. m., e. w. t., April 11, 1944. However, with respect to violations of Food Distribution Order No. 42, as amended, or rights accrued, or liabilities incurred thereunder, prior to said date, said Food Distribution Order No. 42, as amended, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

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

Issued this 6th day of April 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 44-4996; Filed, April 7, 1944;  
3:18 p. m.]

## TITLE 15—COMMERCE

### Subtitle A—Office of the Secretary of Commerce

#### PART 3—AWARD OF FELLOWSHIPS IN METEOROLOGY

##### APPLICANTS FROM OTHER AMERICAN REPUBLICS

Pursuant to the authority contained in R. S. 161, 5 U.S.C. 22, and in section 8 of the President's Reorganization Plan IV, 5 U.S.C. 133t, and subject to appropriations available, fellowships in meteorology will be awarded to qualified applicants from other American Re-

publics, and in accordance with the following authority:

(a) Public No. 355, 76th Congress, approved August 9, 1939 (53 Stat. 1290) authorizing the President to utilize the services of the Departments, agencies and independent establishments of the Government of the United States for the purpose of rendering closer and more effective the relationship between the American Republics (See Resolution No. 81, adopted at the Eighth International Conference of American States held at Lima, Peru, December 9-27, 1938, recommending scientific and technical research by institutes, laboratories, and men of science officially recommended by the American Governments) and

(b) The Department of State Appropriation Act, 1944, approved July 1, 1943, appropriating funds for compensation, tuition, monthly allowances while not in travel status, and traveling expenses in the United States and abroad, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, of educational, professional, and artistic leaders, and professors, students, and internes, who are citizens of the United States or the other American republics.

Fellowships will be awarded as follows:

Sec.

- 3.1 Type of fellowship.
- 3.2 Qualifications.
- 3.3 Award of fellowships.
- 3.4 Allowances and expenses.
- 3.5 Duration.
- 3.6 Official notification.

AUTHORITY: §§ 3.1 to 3.6 inclusive, issued under R.S. 161, 5 U.S.C. 22; sec. 8 of the President's Reorganization Plan IV, 5 U.S.C. 133t; 53 Stat. 1290, 22 U.S.C. 501, 502 and the Department of State Appropriation Act, 1944, approved July 1, 1943, Pub. Law 105, 78th Cong.

§ 3.1 *Type of fellowship.* Fellowships shall be of the interne-training type, comprising instruction for a period of 35 weeks or more at certain American universities including the University of California at Los Angeles, the California Institute of Technology, the University of Chicago, New York University, and the Massachusetts Institute of Technology, in synoptic, dynamic and physical meteorology, and in addition assignment to a Weather Bureau Station for a period of about 17 weeks for studying the organization and service work of the Weather Bureau.

§ 3.2 *Qualifications.* Applicants selected for these fellowships shall be:

(a) Bona fide citizens of any of the American republics other than the United States;

(b) In possession of a certificate of medical examination issued by a licensed physician within sixty days of the date of application, describing the applicant's physical condition, and stating that he is free from any communicable disease or disability that would interfere with the proper pursuit of studies or research or the performance of any activity incident to the fellowship;

(c) Able to speak, read, write and understand reasonably well the English language;

(d) Of good moral character and shall possess intellectual ability and suitable personal qualities; and shall have successfully completed their academic professional training in a recognized school in any one of the branches related to the science of meteorology, including among others, meteorology, climatology, physics, mathematics, engineering, physical geography, et cetera; and/or shall be a graduate of the Inter-American Meteorological Training School conducted by the Weather Bureau at Medellin, Colombia; and/or shall be a qualified employee of the official meteorological service of the American republic from which selected.

§ 3.3 *Award of fellowships.* Fellowships will be awarded by the Chief of the Weather Bureau, and with the approval of the Secretary of Commerce and of the Secretary of State or his duly authorized representative. No applicant therefor shall be approved unless his application shall have been transmitted by the Government of the country of which he is a citizen through the diplomatic mission of the United States of America located in the Republic concerned.

§ 3.4 *Allowances and expenses.* Applicants awarded fellowships may be entitled to any or all of the following upon approval of the Chief of the Weather Bureau:

(a) *Transportation expenses.* Transportation expenses from Medellin, Colombia, or from the home of the applicant to the place or places in the United States or its territories or possessions where the studies or research are to be pursued and return to the home of the applicant, including travel from the place of study or research to Washington, D. C., and such other places as may be approved by the Chief of the Weather Bureau, and return to his home, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, in which connection claim for reimbursement may be made only for the following items:

(1) *Rail fare.* First class fare. If travel is performed on an extra-fare train expenses in excess of the first class fare must be borne by the traveler. No receipts are necessary.

(2) *Pullman fare.* Lower berth or parlor car seat. No receipts are necessary if Government transportation requests are used. If purchased with cash, the Pullman stub must be attached to the reimbursement voucher.

(3) *Steamer fare.* Not exceeding the lowest minimum first class fare of the ship on which the travel is performed. American vessels must be used if available (Section 901 of the Merchant Marine Act of 1936, 49 Stat. (2015)). No receipts are necessary.

(4) *Airplane fare.* Transportation by air will be allowed regardless of the cost when authorized by the Chief of the Weather Bureau. When air travel has not specifically been authorized the traveler may proceed by air with the understanding that he may claim reim-

bursement therefor only in an amount not exceeding what it would have cost had the travel been performed by public conveyance over land or water. No receipts are necessary.

(5) *Taxicab fare.* At the beginning and termination of the journey and at all points where a change of conveyance is necessary while in a direct travel status. No receipts are necessary.

(6) *Excess baggage charges.* For personal effects (not household furniture) which are not carried free by the transportation company. Receipts are necessary and they should indicate that the traveler has availed himself of the free allowance, if such allowance is granted.

(7) *Drayage or transfer of baggage.* For the hauling of the personal effects from the home to the station or dock, et cetera. Receipts are not necessary but should be submitted if possible. Charges by porters for handling the bags or baggage will not be allowed.

(8) *Rental of steamer rug and steamer chair.* Receipts are necessary. Charges for steamer cushions will not be allowed.

(9) *Tips and gratuitous fees.* Will not be reimbursed.

In all cases round trip tickets must be purchased if possible. In the event the return portion of the ticket cannot be used, it should be returned to the United States Weather Bureau, Department of Commerce for collection of the refund.

(b) *Per diem while in a travel status.* Per diem in lieu of subsistence at not to exceed the following rates: \$6.00 overland or by air within the continental limits of the United States; and \$7.00 while outside such limits; \$3.00 on vessels outside the United States when the price of passage includes meals.

(c) *Monthly allowance.* A monthly allowance of \$135.00 during the period of studies at the university in the United States or its territories or possessions when the fellow is not in a travel status, and \$180.00 when assigned to a Weather Bureau Station in cities of over 100,000 population and \$150.00 in cities of less than 100,000 population.

§ 3.5 *Duration of fellowships.* Fellowships will be awarded for periods of not to exceed twelve months each.

§ 3.6 *Official notification.* Applicants recommended for fellowships by the Chief of the Weather Bureau and approved by the Secretary of Commerce and the Secretary of State, or the duly authorized representative of the Secretary of State, shall be notified of their award through diplomatic channels.

[SEAL] W. F. McDONALD,  
*Acting Chief, Weather Bureau.*

Approved: August 27, 1943.

WAYNE C. TAYLOR,  
*Acting Secretary of Commerce.*

Approved: August 28, 1943.

CORDELL HULL,  
*Secretary of State.*

[F. R. Doc. 44-5041; Filed, April 8, 1944;  
4:03 p. m.]

## TITLE 19—CUSTOMS DUTIES

### Chapter I—Bureau of Customs

[T. D. 51035]

#### PART 18—TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT

##### MISCELLANEOUS AMENDMENTS

Section 18.3, Customs Regulations of 1943 (19 CFR 18.3), is hereby amended as follows:

The title is amended to read "Transshipment; transfer by bonded cartman." Paragraph (a) is amended to read:

(a) When bonded merchandise is to be transshipped under customs supervision at a place other than the port of origin, an additional copy of the manifest on customs Form 7512 shall be prepared by the carrier or shipper. Such additional copy shall be certified and given by the lading inspector to the conductor, master, or person in charge of the conveyance in a sealed envelope to be delivered to the collector at the place of transshipment.

A new paragraph, (d), is added:

(d) All transfers to or from the conveyance or warehouse of merchandise undergoing transportation in bond shall be made under the provisions of Part 21 of these regulations and at the expense of the parties in interest, unless the carrier's bond is liable for the safekeeping and delivery of the merchandise while it is being transferred. (Secs. 551, 565, 624, 46 Stat. 742, 747, 759; 19 U.S.C. 1551, 1565, 1624)

Section 18.7, Customs Regulations of 1943 (19 CFR 18.7), is hereby deleted. (Sec. 624, 46 Stat. 759; 19 U.S.C. 1624)

Section 18.19, Customs Regulations of 1943 (19 CFR 18.19), is hereby amended as follows:

Paragraph (b) (1) is amended by deleting the word "nine" and substituting therefor the word "eight."

Paragraph (b) (3) is amended by deleting the first sentence and by changing the comma after the word "exportation" where it appears the second time in the second sentence to a period and deleting the rest of that sentence. (Sec. 557, 46 Stat. 744, secs. 2, 22 (a), 23 (a), 52 Stat. 1077, 1087, 1088, sec. 624, 46 Stat. 759; 19 U.S.C. 1557, 1624)

Section 18.20, Customs Regulations of 1943 (19 CFR 18.20), is hereby amended as follows:

Paragraph (a) is amended to read:

(a) When an importation is entered for transportation through the United States and exportation to a foreign country, except as provided for in § 5.11 (relating to merchandise in transit through the United States between two points in contiguous foreign territory), eight copies of Customs Form 7512 shall be required.

Paragraph (c) is deleted, and paragraph (d) is relettered as paragraph (c). (Sec. 553, 46 Stat. 742, sec. 21, 52

Stat. 1087, sec. 624, 46 Stat. 759; 19 U.S.C. 1553, 1624)

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

Approved: April 5, 1944.

HERBERT E. GASTON,  
*Acting Secretary of the Treasury.*

[F. R. Doc. 44-5001; Filed, April 7, 1944;  
4:28 p. m.]

## TITLE 22—FOREIGN RELATIONS

### Chapter III—Proclaimed List of Certain Blocked Nationals

[Cumulative Supp. 1, Apr. 7, 1944 to Rev. VII of Mar. 23, 1944]

#### ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of Foreign Economic Administration, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 1 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision VII of March 23, 1944 (9 F.R. 3285), is hereby promulgated.<sup>1</sup>

By direction of the President:

CORDELL HULL,  
*Secretary of State.*

HERBERT E. GASTON,  
*Acting Secretary of the Treasury.*  
FRANCIS BIDDLE,  
*Attorney General.*

JESSE H. JONES,  
*Secretary of Commerce.*  
LEO T. CROWLEY,  
*Administrator.*

*Foreign Economic Administration.*  
JOHN C. MCCLINTOCK,  
*Acting Coordinator of Inter-American Affairs.*

APRIL 7, 1944.

[F. R. Doc. 44-5027; Filed, April 8, 1944;  
12:15 p. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—War Production Board

#### Subchapter B—Executive Vice-Chairman

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

#### PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, as Amended April 8, 1944, Table 14]

#### PLUMBING AND HEATING DIVISION

§ 3208.15 *Table for Plumbing and Heating Division.* (a) The following amended table is issued pursuant to the provisions of General Scheduling Order M-293:

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

Type of M-293 Product	Designation	Applicable forms columns			
		1 Operations report	2 Shipping schedule	3 Application and authorization	4 Calendar months frozen <sup>1</sup>
1. Metal pipe fabricated beyond rolling mill shapes for resale to installers for incorporation into a piping system including but not limited to pipe which has been subjected to the following processes: bending, flanging, van stoning, welding, coiling, and beveling but not including pipe which has been threaded only or cut to a specific length only or which has been beveled by the manufacturer or welding fittings sold as such.			3401 or 3003		2
2. Boilers and boiler units, exclusive of those for marine shipment or locomotive use, as follows:					
(a) Steel low pressure heating boilers not designed to withstand a steam pressure of more than 15 pounds per square inch, all types	X		1790		2
(b) Steel boilers designed for steam pressures over 15 pounds per square inch, having less than 500 square feet of boiler heating surface, of the following types: <sup>2</sup>					
(i) Water tube					
(ii) Scotch marine					
(iii) Horizontal return tubular	X		1790		2
(iv) Refractory lined firebox					
(v) Oil country					
(c) Steel Boilers designed for steam pressure over 15 pounds per square inch all sizes, of the following types:					
(i) Steel Fire box					
(ii) Vertical	X		1790		2
(iii) Miniature					

<sup>1</sup> For explanation of time during which shipping schedule is frozen see paragraph (c) (3) of M-293.

<sup>2</sup> For all boilers of types listed above under (2b) having 500 square feet of boiler heating surface and more, and boilers of Dowtherm, Mercury, Waste Heat and Electric types—see table #8 of this order.

Issued this 8th day of April 1944.

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

[F. R. Doc. 44-5010; Filed, April 8, 1944;  
11:19 a. m.]

#### PART 3281—PULP AND PAPER

[General Conservation Order M-241-a, as Amended Apr. 8, 1944]

#### CONSERVATION OF PAPER AND PAPERBOARD

§ 3281.64 *General Conservation Order M-241-a*—(a) *Definitions*. For the purpose of this order:

(1) A "converted product" means any article or type of converted paper resulting from the processing of pulp, paper, or paperboard which alters the original form or characteristics of the pulp, paper, or paperboard. The terms includes all articles on any of the lists to this order, but shall not include:

(i) Paper or paperboard manufactured in the first instance by a paper or paperboard mill.

(ii) A "newspaper" as defined in General Limitation Order L-240.

(iii) "Wall paper" as defined in General Limitation Order L-177.

(iv) A "box" as defined in General Limitation Order L-239.

(v) A "magazine" as defined in General Limitation Order L-244.

(vi) A "book" as defined in General Limitation Order L-245.

(vii) A "greeting card" as defined in General Limitation Order L-289.

(viii) A "book match" as defined in General Limitation Order L-263.

(ix) A "paper shipping sack" as defined in General Limitation Order L-279.

(x) Fibre shipping containers, cans, drums, tubs, barrels, dividers, partitions and separators.

(xi) Cups, pails and nested food containers.

(xii) A "display" as defined in General Limitation Order L-294.

(xiii) A "grocery", "variety" and "notion bag" as defined in General Limitation Order L-261.

(xiv) Looseleaf binders.

(xv) Specialty bags.

(xvi) A "flashlight" as defined in General Limitation Order L-71.

(2) A "converter" is any person who, regardless of the identity or nature of his business, manufactures or assembles any converted product.

(b) *Computation of quotas for a portion of a calendar quarter*. Each converter whose quota provisions for a current calendar quarter are affected by this or any subsequent amendment to this order shall compute his permitted quota on a pro rata basis from the effective date of the order for the balance of the current calendar quarter.

(c) *Unrestricted consumption of pulp, paper and paperboard in the manufacture of certain converted products*. Any converter may consume any quantity of pulp, paper and paperboard in the manufacture and assembly of any converted product shown on List A of this order.

(d) *Restriction on consumption of pulp, paper and paperboard in the manufacture of certain named converted products*. (1) No converter shall consume in the manufacture or assembly of any converted product on List B, List C or List D of this order any quantity, in tons, of pulp, paper and paperboard greater than the quantity ascertained:

For the final quarter of 1943, and for each calendar quarter thereafter, by ap-

plying the entire percentage figure for each such converted product, as shown in paragraph (d) (2) of this order, to the quantity, in tons, of pulp, paper and paperboard consumed by such person in the manufacture or assembly of such product during the corresponding calendar quarter of 1942.

(2) The following percentage figures shall be used for the calculations described in the preceding paragraph (d) (1):

	Percent
(i) List B products.....	110
(ii) List C products.....	100
(iii) List D products.....	80

(3) [Deleted Oct. 5, 1943]

(e) *Restrictions on consumption of pulp, paper and paperboard in the manufacture of converted products not specifically listed*. (1) No converter shall during the final calendar quarter of 1943 or during any calendar quarter thereafter consume in the manufacture or assembly of any converted product not named on List A, List B, List C or List D of this order, any quantity, in tons, of pulp, paper and paperboard greater than 65 percent of the tonnage consumed in the manufacture or assembly of such converted product during the corresponding calendar quarter of 1942.

(2) In the instance of any converted products not named on any of the lists of this order, the following processes and operations shall not be considered as processing:

(i) Cutting, trimming or rewinding to a different size when such is performed as part of any established finishing room procedure and provided the paper or paperboard so processed is not intended for a use which serves to defeat the purpose of the order. (*Example*: the cutting of plain paper to a given size for use as a tray cover, the manufacture of which is curtailed by this order).

(ii) Punching or corner cutting.

(iii) Super-calendering.

(iv) Laminating.

(v) Coating, friction calendering, flint glazing, plating and embossing.

(vi) Collating and binding.

(vii) Printing, when such contributes to the functional value of the product to such a degree that the product would be incapable of performing the use intended if not printed, (*Examples*: advertising streamers, posters, menus, programs, timetables, sheet music, patterns, decalcomania transfers, checks), or when such printing is an intermediate process in the manufacture of an article or type of converted paper.

(viii) Printed wrappers (excluding gift wrappings) when printing is the only conversion operation other than cutting or trimming.

(ix) Embossing, corrugating, creping and crinkling for industrial and non-decorative uses.

(f) *Alternate method of calculating quotas*. As an alternate method of calculating quarterly quotas for any converted product, any person may, after the filing of a notice in writing with the War Production Board, elect to apply the percentages established by para-

graphs (d) and (e) (1) of this order to one fourth of his total yearly consumption of pulp, paper and paperboard in such product during 1942. When such election has been made and the required notice in writing has been given to the War Production Board, the method of determining quotas may not thereafter be changed.

(g) *Converter's responsibility in determining coverage of this order.* It shall be the duty of each converter to determine in the first instance which of his products are included among the converted products referred to in this order. In case of doubt he may apply to the War Production Board in writing describing the product in question, for a specific ruling determining whether or not the same is so included. The War Production Board may of its own motion in any case, by telegram or letter, issue a specific ruling determining whether or not a particular product of a particular converter is so included.

(h) *Inventory restrictions.*

(1) [Deleted Apr. 8, 1944]

(2) No person shall knowingly deliver to any converter and no converter shall accept delivery of, any quantity of any grade of pulp, paper or paperboard if the inventory of such grade in the hands of the converter accepting delivery is, or will by virtue of such acceptance become, either

(i) In excess of two carloads, or

(ii) If in excess of two carloads, greater than 30 days' supply, on the basis of either his average rate of consuming such grade of pulp, paper or paperboard for the preceding quarter or his average rate of consuming such grade of pulp, paper or paperboard as projected for the then current quarter.

(i) *Allocations.* The War Production Board may from time to time direct the production and delivery of specific quantities of any converted product included in this order. Such directions will be made to insure the satisfaction of war requirements both direct and indirect and essential civilian requirements and shall take precedence over any preference rating to the extent indicated by the War Production Board.

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

(k) *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.

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

ority control and may be deprived of priorities assistance.

(m) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Paper Division, Washington 25, D. C. Ref: M-241-a.

Issued this 8th day of April 1944.

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

LIST A—UNRESTRICTED PRODUCTION

Abrasive papers  
Adding machine and business machine rolls  
Air force emergency packs  
Army ration containers  
Automotive oil cartridges  
Balloons (direct military only)  
Blankets  
Blueprints and direct line papers  
Bomb fins  
Bomb rings  
Bombs  
Building boards  
Cable insulation  
Calender rolls (for paper and other finishing machinery)  
Camouflage paper  
Caps for glass bottles and jars  
Caps, pads, cushions and guards for fruit and vegetable packing  
Carbon paper  
Charts, rolls and tape for communication and recording instruments and machines  
Cigarette paper books  
Clock backs and cases  
Clothing  
Condensers—component parts thereof  
Control knobs and dials  
Cores and core plugs  
Crepe cellulose wadding  
Dental mouth wadding  
Diaper linings  
Diaphragms—pump and carburetor  
Dust and dirt covers and seals for motors, journals, etc.  
Dust masks  
Egg case fillers and flats  
Embalming, surgical and obstetrical sheets  
Faces for gauges, clocks and weighing equipment.  
Fibre conduit and fittings  
Filters  
Flare spacers  
Friction pulleys and wheels  
Fruit and vegetable wrappers for apples, lemons, peaches, pears, and tomatoes, in the instance of original shipment.  
Fuses and component parts thereof  
Garbage and utility cans  
Gas detection armbands and similar products  
Gas mask canisters and mask parts  
Gas protection capes, tarpaulins & similar products  
Gaskets  
Gears  
Grenades and grenade containers  
Gummed sealing and corrugated tape  
Gummed stay tape  
Gun & rifle protection sleeves  
Helmets and helmet accessories  
Hospital wadding  
Industrial receptacles such as tote boxes, cans, barrels and trucks  
Instrument panels  
Insulation boards  
Impervious papers and specialty containers made therefrom, including waxed, for direct war use but limited to those grades covered by specifications issued by the U. S. Army, U. S. Navy, U. S. Marine Corps, or the Federal Standard Stock Catalog  
Jettison tanks  
Lens tissue  
Lithomat and photomat paper

Milk bottles, milk bottle hoods and milk bottle caps  
Mimeograph stencils  
Nuts and screws  
Paper base plastics  
Parachutes and parachute spreaders  
Photographic and photo copying papers  
Plant protectors  
Plates and mats—printing, lithographic, duplicating and reproduction  
Poultry incubators, brooders and feeders  
Prepared tracing  
Pressure sensitive adhesive tape.  
Ration bags  
Roofing, shingles and building papers (treated)  
Sanitary napkins  
Seed packets for use by original growers or packers of seed  
Shell containers  
Shoes and component parts thereof  
Shotshell and ignition cartridges  
Surgical bandages  
Surgical masks and caps  
Tabulating cards  
Tags, commercial and industrial only (unprinted)  
Tank and transformer liners  
Targets  
Tea ball bags, but limited to bags for small broken leaf, fannings, siftings and dust  
Telephones, component parts of  
Textile cores, tubes and spools  
Toilet seat covers  
Twisted paper including but not limited to yarn, twine, cord, rope and strapping  
Valves  
Vegetable parchment  
Veneer tape  
V-mail blanks  
Vulcanized fibre  
Wall boards  
Waterproof and moistureproof packaging papers (asphalt and resin impregnated and laminated)

LIST B—PRODUCTS PERMITTED AT 110% OF 1942

Envelopes, in all styles except expansion type  
Fillers, looseleaf (except accounting)  
Household waxed paper, all styles  
Index cards, plain and ruled  
Paper stationery and papeteries  
Straws (soda and drinking)  
Tablets, pads and notebooks  
Toilet tissue, other than facial type of two ply or more  
Towels for industrial use  
Waxed and oiled paper, all types and grades other than household packages, excluding waxed paper wrappings for direct war use as provided in List A.

LIST C—PRODUCTS PERMITTED AT 100% OF 1942

NOTE: "Fruit and vegetable wrappers \* \* \*" deleted Apr. 8, 1944.

Artificial leather  
Buttons  
Cake boards  
Concrete forms  
Dental pinafores  
Dishes and plates  
Facial tissue  
File cabinets  
Forks and spoons  
Gummed flat paper  
Hat and cap visors  
Headrest rolls  
Jacquard cards  
Light shades and reflectors  
Lunch boxes  
Napkins, for industrial and institutional use (bulk and dispenser type)  
Napkins for home use (retail packages)  
Permanent wave pads  
Photo mailers  
Photo mounts  
Sales tax tokens  
Shirt bands  
Stereotype maté  
Tympan paper

## LIST D—PRODUCTS PERMITTED AT 80% OF 1942

Barber's neck bands  
 Carpets and rugs  
 Expanding envelopes or pockets  
 File dividers and indexes  
 Fly paper  
 Fly ribbons  
 Folders (file)  
 Games and toys of all types (except playing cards)  
 Music and player piano rolls  
 Slippers  
 Snap, button, hook and eye and zipper cards  
 Soap wraps, including all component parts thereof except wax paper  
 Textile boards, excluding shirt boards  
 Toilet tissue, facial type of two or more ply  
 Towels for home use (Retail package)  
 Venetian blinds  
 Vertical file pockets  
 Window shades

## LIST E [Deleted Oct. 5, 1943]

## INTERPRETATION 1

## WAXED PAPER CONVERSION

"Waxed and oiled paper, all types and grades other than household packages, excluding waxed paper wrappings for direct war use as provided in List A," as that caption appears in List B of General Conservation Order M-241-a, applies to all the kinds of paper so described regardless of whether produced as a result of a separate converting operation, as is commonly the case, or produced as a result of having been oiled or waxed on the paper machine. For the purpose of this order control has been placed on the end product. The method employed in consuming paper in the manufacture of the end product is not a factor of consideration in determining the applicability of the order. (Issued Feb. 15, 1944.)

## INTERPRETATION 2

## RETAIL UNITS

This interpretation of General Conservation Order M-241-a applies to the consumption of paper in the manufacture of retail units of wrapping and other papers as dispensed through the variety chain stores, the department stores, the stationery stores and all other retail outlets. These retail units are regarded as within the definition of a "converted product" in Order M-241-a and therefore subject to the restrictions contained in paragraphs (d) or (e) of the order.

All grades and kinds of paper, plain or printed, when converted into retail units for wrapping purposes are subject to the order, although the percentage restriction on consumption need not be separately applied to each of the grades and kinds of paper consumed during the base period. It is permitted to calculate an aggregate quota and to consume any grade or kind of paper, plain or printed, within the quota without regard to the maintenance of the same relationship of grade and kind that prevailed during the base period.

Any person who did not consume paper during the base period of the order in the conversion of such retail units of wrapping and other papers has no basis from which to calculate a quota and, therefore, cannot become a converter.

There is a distinction in the instance of printed wrapping paper as follows:

1. When printed wrapping paper is delivered by the printer in bulk form (not packaged) for further sale or further distribution the printer is the "converter" as defined in the order, and, therefore, subject to the restrictions of paragraph (e); but,

2. If the printer delivers the printed wrapping paper to a person for subsequent conversion into retail units, the final converter is the one subject to the restrictions of paragraph (e) and not the printer.

Since retail units are regarded as a separate and distinct type of "converted product," it is obvious that tonnage from other products cannot be included when calculating a quota for retail units.

Plain wrapping tissue purchased in quires, or flat, when subsequently folded and labeled or otherwise packaged, is deemed to be a retail unit and therefore restricted by paragraph (e).

Quota tonnage which has not been consumed at the end of a calendar quarter may not be carried over to the succeeding calendar quarter. (Issued Feb. 15, 1944.)

[F. R. Doc. 44-5011; Filed, April 8, 1944; 11:19 a. m.]

## PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-317, as Amended Apr. 8, 1944]

## COTTON TEXTILE DISTRIBUTION

§ 3290.115 *General Conservation Order M-317*—(a) *Definitions*. In this order:

(1) "Cotton textiles" means the following products, containing more than 50% by weight of cotton or cotton waste, or a combination of the two:

(i) Woven fabrics, whether gray, original mill or regular finish, bleached, dyed or printed, and the following cotton products: bedsheets, pillow cases, blankets, towels, diapers, face cloths and table "linens"; and

(ii) Yarns, whether gray, bleached, colored, mercerized, glazed, polished, single, plied, cabled or braided, including thread, twines and cordage (e. g. tying, sail, seine, etc. twine, rope, sash, cord, etc.) and including any of the foregoing which may be spun on roving, ring, mule or converted twister spindles.

"Cotton textiles" does not include cotton duck as defined in Conservation Order M-91; or blankets containing 25 percent or more by weight of wool; or fabrics (other than blankets) or yarns, containing wool and produced on the woolen or worsted system.

(2) (i) "Producer" means any manufacturer who makes cotton textiles in the United States.

(ii) "Intermediate processor" means any person engaged in the United States in the business of bleaching, dyeing or otherwise finishing cotton textiles and delivering or using them in the United States for his own account in the bleached or otherwise finished state.

(iii) "Processor" means any person engaged in the United States in the business of manufacturing or having manufactured in the United States for his account, any product in which cotton textiles are incorporated.

(iv) "Merchant" means any person engaged in the United States in the business of purchasing cotton textiles for resale in the United States in the form in which purchased.

(v) "User" means any person other than a producer, intermediate processor or processor, who purchases cotton tex-

tiles for his own use in the United States in any business, industry, profession or occupation.

(vi) Any person who performs the functions of more than one of the foregoing—regardless of his customary manner of conducting his business—shall, for the purpose of the following be deemed a separate person with respect to each of those capacities, and he is required to:

(a) Accept rated orders for cotton textiles in preference to any other contracts, orders or uses even though he has not in the past accepted or filled orders for that particular cotton textile, and also to fill them in accordance with the rules of Priorities Regulation No. 1;

(b) Use the ratings assigned by this order; and

(c) Apply the inventory restrictions of this order.

(vii) The definitions in subdivisions (i) to (v) above do not include the United States Army, Navy, Maritime Commission or War Shipping Administration.

(3) Trade terms used in this order shall have their usual trade significance unless otherwise specified.

(b) *Assignment of ratings.*<sup>2</sup> The preference ratings specified in the Preference Rating Schedules of this order are assigned to the persons in Column I for the cotton textiles in Column II to be used only as specified in Column III. The revocation of any rating and its effect is stated in the appropriate group of the Preference Rating Schedules.

(c) *Compulsory use of ratings assigned in schedules or by Form WPB-2842.* No intermediate processor, processor or merchant (except a retailer) shall purchase or accept delivery of a cotton textile for a purpose for which a rating for that cotton textile is assigned to him in a Preference Rating Schedule, unless he has applied or extended that rating or a rating assigned on Form WPB-2842. He may not purchase that cotton textile for the specified purpose with any other rating which he may have (whether higher or lower), nor may he purchase it without a rating for that purpose. The provisions of this paragraph do not apply to purchases for delivery or ultimate delivery to, or for incorporation into any product for delivery or ultimate delivery to, the United States Army, Navy, Maritime Commission or War Shipping Administration, nor do they prohibit the use of an AAA rating.

This rule does not change the rating on the finished product. For example, even though a manufacturer (processor), who is given a rating, according to the AA-2X Preference Rating Schedule, to obtain twills to make coated abrasive products, holds an AA-1 order for coated abrasive products, he must use the AA-2X rating given by the schedule to obtain the twills, and may not use the AA-1 rating for this purpose. The AA-1 rating, however, remains applicable to the finished coated abrasive product for all other purposes (such as to determine the sequence of deliveries).

<sup>2</sup> Conservation Order M-328 permits other preference ratings, as well as those assigned by this order, and imposes conditions on the use of all ratings for cotton textiles.

<sup>1</sup> Limitation Order L-99 relates to cotton textile production.

(d) *How ratings for cotton textiles are to be applied or extended.* Preference ratings shall be applied and extended as provided in Priorities Regulation 3. In addition, the provisions of subparagraph (1) below shall be followed in the case of products which are to be exported in the form of cotton textiles, and the provisions of subparagraph (2) below are to be followed when cotton textiles are not to be exported.

(1) *Cotton textiles for export.* Except where the cotton textile is for direct or ultimate delivery to, or for incorporation into any product for delivery or ultimate delivery to, the United States Army, Navy, Maritime Commission or War Shipping Administration, the purchaser shall place upon the purchase order an appropriate notation (with the blanks properly filled in), substantially as follows:

These cotton textiles will be exported, or will replace in inventory cotton textiles exported after December 24, 1943.

And also one of the following statements is to be made:

The preference rating was applied by the United States Treasury Procurement Division in connection with contract number ..... [In the case of United States Treasury Procurement for Foreign Economic Administration];

The preference rating was applied in connection with Export License number ..... or Release Certificate number ..... [In the case of export in connection with licenses or release certificates issued by Foreign Economic Administration]

or

The preference rating was applied in connection with the Canadian Cotton Administrator's serial number ..... [In the case of exports to Canada.]

(This notation is to be used when the rating is for the export of a cotton textile, in the form of cotton textile as defined in this order. When this is done the requirements of M-328 are met and it is unnecessary to use any other notation.)

(2) *Cotton textiles for domestic use.* A person (other than the United States Army, Navy, Maritime Commission or War Shipping Administration on their direct purchase orders), applying or extending a rating for a cotton textile, which was assigned by a Preference Rating Schedule or under a War Production Board form, shall place upon the purchase order an appropriate notation, substantially as follows:

This rating has been assigned by M-317, Group(s) No. .... [Insert applicable group number or numbers of Preference Rating Schedule.]

or

This rating has been assigned under Form WPB ..... Serial No. .... [Insert the War Production Board form number and its serial number.]

(This notation is to be used when the rating for a cotton textile, as defined in this order, is assigned by a Preference Rating Schedule or a War Production Board form. When this is done the re-

quirements of M-328 are met and it is unnecessary to use any other notation.)

The standard certification described in Priorities Regulation 7 may be used in applying or extending the rating, but the specific notation of subparagraph (1) or (2) above must be added.

(e) *Restrictions on extension of rating to obtain fiber or yarn.* (1) No person shall use any preference rating which was assigned, applied or extended for cotton textiles in order to obtain any synthetic fiber or synthetic yarn, except cotton textiles for direct or ultimate delivery to, or for incorporation into any product for direct or ultimate delivery to, the United States Army, Navy, Maritime Commission or War Shipping Administration.

(2) No person shall use any preference rating which was assigned, applied or extended for knitted or woven fabrics, in order to obtain cotton yarns defined in paragraph (a) (1) (ii). If he does not own or control spinning machinery, he may use the rating to obtain cotton yarns for incorporation into products for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration. If he does own or control spinning machinery, upon his showing on Form WPB-2842 the extent to which it is insufficient or unsuitable to produce cotton yarns required for incorporation into products for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration, the War Production Board may authorize him to use that rating to obtain a specific quantity of cotton yarns for that purpose.

(3) No person owning or controlling spinning machinery shall use any preference rating which was assigned, applied or extended for yarn, in order to obtain cotton yarns defined in paragraph (a) (1) (ii), except to the extent authorized by the War Production Board, upon his showing, on Form WPB-2842, that his own spinning is insufficient or unsuitable to fill that yarn order.

(f) *Obligations in respect of rated orders.* (1) Each producer—even if he is also an intermediate processor, processor, merchant or user—shall, in each calendar quarter, deliver or set aside for later delivery on rated orders those percentages of his total production (in pounds or yards according to his usual method of operation) of each cotton textile as specified in the Distribution Schedules of this order.

(2) No producer shall be required to fill rated orders in excess of the percentage of his production of each cotton textile as specified in the Distribution Schedules, computed by calendar quarters.

(3) The War Production Board may establish other percentages with respect to any of the cotton textiles listed in the Distribution Schedules.

(4) No person shall be required to accept any rated order for cotton textiles

calling for delivery more than 90 days after the receipt of the order, except from the United States Army, Navy, Maritime Commission or War Shipping Administration.

(g) *Special conditions.* No producer, intermediate processor, processor, merchant or user shall sell, deliver, buy, accept or use a cotton textile or any product containing a cotton textile or assign, apply or extend a preference rating contrary to the provisions in Column III of a Preference Rating Schedule or in Column VI of a Distribution Schedule of this order.

(h) *Exports.* No person shall purchase for export without a preference rating any of the cotton fabrics defined in paragraph (a) (1) (i), except woven or braided fabrics 12 inches or less wide; and rags (pieces shorter than two yards commonly sold by the pound).

(i) *Inventory restrictions.* No person shall accept delivery of any cotton textiles if his aggregate inventory exceeds or would then exceed the lesser of (1) a practicable minimum working inventory, or (2) his requirements for 90 days (except in the case of merchants and users of cotton textiles used in crop cultivation).

In computing inventory include products in process of manufacture but exclude cotton textiles in transit or in process of conversion.

(j) *Allocation.* The War Production Board may assign preference ratings for or allocate and direct deliveries of cotton textiles pursuant to application on Form WPB-2842.

(k) *Applicability of regulations.* Except as otherwise provided herein, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board.

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

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

(n) *Communications.* All reports to be filed, appeals and other communications concerning this order should be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Ref.: M-317.

Issued this 8th day of April 1944.

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

## AA-1 PREFERENCE RATING SCHEDULE

Preference rating AA-1 is assigned for each group to the intermediate processor, processor and merchant in Column I, to obtain deliveries of the cotton textiles in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
1	Intermediate processor. Processor.	Carded yarn. Combed yarn. Hawser cord (ring twisted only). Seine twine (ring twisted only).	Wire and cable insulation. Wire rope centers.
2	Processor. Merchant.	Fishing twine.	Commercial fishing gear, as defined in Limitation Order L-282. Twines for mending, repairing, and hanging commercial fish nets. Commercial hand fishing lines.
3	Processor.	Cotton tire cord.	Tires. Fuel cells. Fuel hose.

## AA-2X PREFERENCE RATING SCHEDULE

(Schedule amended Apr. 8, 1944.)

Preference rating AA-2X is assigned for each group to the intermediate processor, processor, merchant and user in Column I, to obtain deliveries of the cotton textiles in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
4	Processor. Merchant.	Bagging fabrics, leno. Bagging fabrics, other special. Drill. Jean. Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C. Cord, filler. Twine, sewing.	New textile bags as defined in Conservation Order M-221, and for a use there permitted. Paper lined bags. Multi-wall paper bags. Spiral tube shipping containers. Barrel covers. See note.
5	Merchant. User.	Cord, filler. Thread. Twine (other than seine).	Bag closures.
6	Processor.	Flannel, canton. Print cloth of less than 80 sley. Sheetings: Class A. Class C. Soft-filled, for napping.	Buffing wheels or buffs.
7	Intermediate processor. Processor.	Drill. Jean. Print cloth of less than 80 sley. Sheeting: Class C. Twill.	Coated abrasive products.
8	Processor.	Yarn, carded. Yarn combed.	Transmission belts, tapes and ropes. Polishing, grinding and rouging belts. Harvester webbing. Shuttle strap belt. See note.
9	Processor.	Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C. Special, not listed in column IV of Limitation Order L-99. Tobacco cloth.	Magnesia, asbestos, fibre glass and other pipe covering. See note.
10	Intermediate processor. Processor.	Covert. Denim. Drill. Moleskin. Print cloth. Sateen. Sheetings: Class A. Class B. Suede. Twill. Tobacco cloth. Thread, sewing.	Safety equipment specifically designed and used to furnish protection against specific occupational hazards (other than weather), as defined and limited in Limitation Order L-114.
11	Intermediate processor. Processor.	Drill. Flannel, canton. Flannel outing. Meads cloth. Print cloth. Sheetings: Class C. Soft-filled for napping. Tobacco cloth. Twill.	Surgical dressings, meaning those products used in the cure, mitigation, treatment or prevention of traumatic or pathological conditions resulting from surgery, injury or disease, and which are commonly known and sold as surgical or medical products.

NOTE: The rating for duck is canceled, and all applications or extensions of the rating as to deliveries not made by April 8, 1944 are cancelled.

AA-2X—PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
12	Intermediate processor. Processor.	Drill. Flannel. Netting, knitted. Print cloth. Sateen. Sheeting: Class C. Twill.	Rubber gloves as defined and limited in Rubber Order R-1, as amended December 4, 1943. Schedule A. Code 18.
13	Intermediate processor. Processor.	Drill. Jean. Osnaburg. Print cloth of less than 80 sley. Sateen. Sheeting: Class A. Class C. Twill. Yarn, carded.	Rubber hose and tubing for safety and industrial purposes (including mine and shiphold ventilating tubing and fire hose). Rubber packing and gaskets, and other mechanical rubber products, as defined and limited in Rubber Order R-1, as amended December 4, 1943. Schedule A. Code Nos. 11 and 12. See note.
14	Processor. User.	Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C.	Chafar fabrics, flippers, bead wraps, liner and wrapper fabrics used in the manufacture of tires and other rubber products. See note.
15	Intermediate processor. Processor.	Lawn. Osnaburg. Print cloth. Sheetings: Class C. Tubing, industrial. Window shade cloth.	Cloth and non-selvage tape for industrial uses: Carton tape. Corrugated or fibreboard boxstay tape. Gummed cloth tape. Varnished cambric tape. Varnished cambric cloth for use in Rubber Industry. Holland cloth for use in Rubber Industry. Separator cloth. Insulating tape. Cable wrapping tape. Friction tape. Pressure sensitive tape. Sealing tape. Supporting tape. Identifying tape.
16	Intermediate processor. Processor.	Sheeting: Class B.	Varnished cambric to be used only for camelbacks (see Group 12 for list of other fabrics which may be purchased with this rating for varnished cambric irrespective of use).
17	Processor.	Yarn, carded.	Insulating materials: Selvage tape. Insulating webbing and sleeving.
18	Intermediate processor. Processor	Drill. Lawn. Print cloth. Sheetings: Class A. Class B. Class C. Twill.	Fabric reinforced laminated plastics. See note.
19	Merchant. User.	Drill. Flannel, canton Jean. Lawn. Print cloth of less than 80 sley. Sheetings: Class B. Class C. Soft-filled for napping. Tobacco cloth. Twill.	Filter and wrapping cloths used in the manufacture of chemicals and chemical products.
20	User	Cord, solid braided.	Signal or control cords for use by common carriers.
21	Processor.	Yarn, carded. Yarn, combed.	Paper makers' blankets. Woven felts for industrial purposes.
22	Processor.	Yarn, carded. Yarn, combed.	Card clothing fabric.
23	Processor.	Print cloth of less than 80 sley. Yarn, carded.	Blasting caps and fuses.
24	Intermediate processor. Processor. Merchant. User.	Bagging, leno. Drill. Flannel. Osnaburg. Print cloth of less than 80 sley. Sheetings: Bed. Class A. Class B. Class C. Ticking, woven stripe. Tobacco cloth. Twill. Twine (other than seine). Yarn, carded.	Agricultural and food processing uses: Farm equipment: Horse collars and pads. Back bands. Fly nets. Horse and cow blankets. Dairy products equipment. Crop cultivation and harvesting uses. Meat packers supplies. Glass cloth and incubator erinoline for poultry raising and other farm uses. Filter cloths required in the production of sugar, honey, and vegetable oils. See note.

NOTE: The rating for duck is canceled, and all applications or extensions of the rating as to deliveries not made by April 8, 1944 are cancelled.

## AA-2X—PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
25	Processor.	Osnaburg.	Membrane waterproofing (asphalt saturated fabric).
26	Intermediate processor. Processor.	Print cloth of less than 80 sley. Sheeting: Class C. Tobacco cloth.	Waterproof wrapping materials (non-oxidizing cloths, impregnated and laminated fabrics).
27	Intermediate processor. Processor.	Lawn. Print cloth. Sheetings: Bed. Class B. Class C. Window shade cloth.	Tracing cloth. Maps for military or military training use.
28	Processor. Merchant.	Drill. Sheeting: Class C. Sateen. Twill.	Dust arrestors used in manufacturing plants
29	Intermediate processor. Processor.	Lawn. Typewriter ribbon cloth.	Typewriter or duplicating ribbons.

## AA-4 PREFERENCE RATING SCHEDULE

(Schedule amended Apr. 8, 1944.)

Preference rating AA-4 is assigned for each group to the intermediate processor, processor and user in Column I, to obtain deliveries of the cotton textiles in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
30	Intermediate processor. Processor. User (non-profit public institutions only).	Blanket lining. Chambray. Corduroy. Cottonade. Covert. Denim. Denim stripes. Drill. Flannel, woven shirting. Gabardine. Hickory stripe. Jean. Moleskin. Pin check. Poplin. Sheetings: Bed. Class A. Class B. Class C. Sateen, warp. Suede. Tobacco cloth. Twill, four leaf. Whipcord. Thread, sewing.	Men's and boys' work clothing, meaning any garments designed for male workers' wear while engaged in their occupations and of the type customarily sold as one of the following: Waistband overalls or dungarees. Bib overalls. Overall jumpers or coats. Blanket-lined overall jumpers or coats. One-piece work suits. Work pants. Work breeches. Cossack jackets. Work shirts. Work aprons. Lined work coats. Doctors' dentists', internes' or orderlies' gowns, suits or coats. Druggists' coats. Slaughter house workers' coats. Butchers', fish handlers' or dairy workers coats or apron sets. Cooks' coats. Shop and work caps.  See note.
31	Intermediate processor. Processor.	Print cloth. Sheetings: Bed. Class B. Class C. Thread, sewing.	Oilskin jackets, coats, hats or apron overalls. Occupational protective clothing (i. e. black rubber clothing).
32	Intermediate processor. Processor.	Flannel, mitten. Flannel, colored stripe mitten. Osnaburg. Print cloth of less than 80 sley. Sheeting: Class C. Tubing. Twill. Thread, sewing.	Work gloves, meaning any type of hand covering designed for workers' wear while engaged in their occupations and of the type customarily sold as such.
33	Intermediate processor. Processor.	Drill. Flannel, shoe. Gabardine. Jean. Netting, knitted. Osnaburg. Print cloth of less than 80 sley. Sheeting: Class A. Class B. Class C. Sateen. Twill.	Rubber footwear, as defined and limited in Rubber Order R-1. All other footwear as defined and limited in Conservation Order M-217. See note.
34	Processor.	Knitting yarns.	Knitted cotton linings to be used only in the manufacture of rubber footwear, as defined and limited in Rubber Order R-1.

**Note:** The rating for duck is cancelled, and all applications or extensions of the rating as to deliveries not made by April 8, 1944 are cancelled.

AA-4 PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
35	Intermediate processor. Processor.	Diaper cloths: Birdseye. Gauze. Flannelette. Print cloth of less than 80 sley. Tobacco cloth.	Diapers or finished diaper cloth packaged for consumer distribution.
36	Intermediate processor. Processor.	Tobacco cloth.	Sanitary napkins.
37	Processor.	Yarn, carded.	Wicking for oil lamps and stoves.

AA-5 PREFERENCE RATING SCHEDULE

(Schedule amended Apr. 8, 1944.)

Preference rating AA-5 is assigned for each group to the intermediate processor, processor and user in Column I, to obtain deliveries of the cotton textiles in Column II, to be used only as specified in Column III.

Group	Column I	Column II	Column III
38	User.	Bedspreads, crinkle. Blankets (including crib). Diapers. Flannelette. Pillow cases. Sheeting: Bed and pillow case. Class A. Class B. Class C. Sheets: Bed. Crib. Toweling: Huck. Terry. Towels: Huck. Terry. Washcloths, terry.	Hospital use.
39	Intermediate processor. Processor.	Print cloth of less than 80 sley. Tobacco cloth. Window shade cloth.	Book binding cloths. See note.
40	Intermediate processor. Processor.	Drill. Lawn. Print cloth of less than 80 sley. Sateen. Sheeting: bed. Sheeting: Class C. Tobacco cloth. Twill.	Artificial leather for replacement and maintenance uses. For manufacture into coated fabrics for export or for sale to manufacturers of: Book covers. Baby carriages. Bicycle and motorcycle seats. Instrument cases. Shoes. Infants' waterproof panties. Sanitary garments. Crib sheets and mattresses. Allergic mattress covers and pillow cases. Bathinettes. Water repellent sheeting or sheets. Play pen pads. High chair pads. N. b. This rating is assigned only to intermediate processors and processors of coated fabrics and is not assigned to the manufacturers of the end products to obtain coated fabrics. See note.
41	User.	Cover cloth. Drill. Feed ribbons. Felt, table, double napped. Sateen. Sheeting, laundry.	Laundry and dry cleaning operating supplies. See note.
42	Intermediate processor. Processor.	Print cloth of less than 80 sley. Seconds, shorts and remnants of print cloth 80 sley and higher.	Laundry and dry cleaning tags.

NOTE: The rating for duck is canceled, and all applications or extensions of the rating as to deliveries not made by April 8, 1944 are cancelled.

DISTRIBUTION SCHEDULE—COTTON YARNS, CORDAGE AND TWINE

(Schedule amended Apr. 8, 1944.)

Column I indicates the corresponding item numbers of the various cotton textiles in this Schedule as each appears on Form WPB-658E (12-15-43).

Column II shows the cotton textiles covered by this schedule. The calendar quarter in

1943 in which a producer sold the largest percentage of his yarn production is his base period. Each producer must make available for distribution in accordance with the Distribution Schedule in each calendar quarter the same percentage of his yarn production as he sold in his base period. This yarn is called "sale yarn."

DISTRIBUTION SCHEDULE—FINE COTTON GOODS—Continued

Column IV shows the minimum percentage which must be delivered by the producer against all rated orders. However, where the percentage in Column IV amounts to 100, seconds which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

Column V shows the percentage beyond which rated orders need not be accepted by the producer. Priorities Regulation 1 applies up to that percentage. If receipt of an order which is rated higher than the previously accepted rated order would result in having more rated orders than the Column V percentage, then the lowest rated order shall be displaced and it may be filled only from the percentage in Column V relating to the order.

Column VI shows the minimum percentage which must be delivered by the producer against all rated orders (including those specified by Column III). However, where the percentage in Column IV amounts to 100, seconds, shorts or remnants, which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

Reference Nos.	Column I	Column II	Column III	Column IV	Column V	Column VI
1	16 thru 18.	Carded cotton sale yarn				
2	1 thru 3, 22, 27, 28.	Single machine knitting.		45	70	
3	4, 5, 26.	Single (other than machine knitting):				
4	6 thru 15, 19, 21, 23 thru 29.	20's and coarser.		65	85	
5	30.	Finer than 20's.		75	90	
6	51 thru 56.	Ply yarns.			100	
7	57 thru 60.	Mop yarns.				
8	30 thru 32, 62.	Combed cotton sale yarn				
9	33 thru 35, 62.	Single and ply machine knitting:		35	50	
10	36 thru 39, 62.	70's and coarser.			100	
11	40 thru 42, 50, 62.	Finer than 70's.				
12	43 thru 45, 50, 62.	Single (other than machine knitting):				
13	46 thru 50, 62.	40's and coarser.		90	100	
14	51, 52.	Finer than 40's and coarser than 71's.		45	60	
15	74, 75.	71's and finer.		65	85	
16	76 thru 78.	Ply yarn (other than machine knitting and thread yarn):				
		90's and coarser.		90	100	
		Finer than 40's and coarser than 71's.		70	85	
		71's and finer.		20	100	
		Thread yarn.				
		Seize twine and cable cords (including fish twine, iron lines, staging twines, etc.).		80	100	
		Twines, other than seize twine and cable cords.		60	80	

DISTRIBUTION SCHEDULE—FINE COTTON GOODS (Schedule amended Apr. 8, 1944.)

Column I indicates the corresponding item numbers of the various cotton textiles in this Schedule as each appears on Form WPB-658 C (12-15-43).

Column II shows the cotton textiles covered by this schedule.

Column III shows the minimum percentage which must be delivered by the producer against rated export orders for cotton textiles. This provision does not apply to exports made by the United States Army, Navy, Maritime Commission or War Shipping Administration.

Column IV shows the minimum percentage which must be delivered by the producer against all rated orders (including those specified by Column III). However, where the percentage in Column IV amounts to 100, seconds, shorts or remnants, which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

Column V shows the percentage beyond which rated orders need not be accepted by the producer. Priorities Regulation 1 applies up to that percentage. If receipt of an order which is rated higher than a previously accepted rated order would result in having more rated orders than the Column V percentage, then the lowest rated order shall be displaced and it may be filled only from the percentage in Column V relating to the order.

The provisions and explanations stated in Column VI unless otherwise specified apply to the producer, intermediate processor, processor, merchant and user and govern the particular cotton textiles, no matter when produced, converted or ordered, and also products containing those textiles. However, the restrictions in Column VI relating to exports do not apply where the export license was issued before January 1, 1944.

Reference Nos.	Column I	Column II	Column III	Column IV	Column V	Column VI
17	10, 11.	Combed broadcloths 37"-128 x 68 and 37"-136 x 60.	10	75	100	
18	12.	All other combed broadcloths.	10	20	100	
19	13.	Dimities.	10	10	100	
20	16, 17.	Fancy handkerchief fabrics.	10	45	70	
21	18 thru 27.	Lawns (Combed, part-combed and carded).	7 1/2	10	100	
22	28 thru 31.	M. roussettes.	10	7 1/2	100	
23	32.	Oxfords.	10	10	100	
24	33.	Piques.	10	10	100	
25	34.	Pongees.	10	10	100	
26	35.	Combos.	10	65	80	
27	37, 38.	Combed poplins.	10	55	70	
28	40, 42.	Combed and part-combed sateens.	10	25	100	
29	43.	Carded sateens (average yarns finer than 35s).	10	10	100	
30	44.	Combed sheeting, including bed sheeting and pillow cases.	10	10	100	
31	53, 55.	Shirtings (jacquard gray-dobby and colored yarn).	10	10	100	
32	54.	Combed and part-combed twills.	10	80	100	
33	56.	Combed zabadines.	10	40	60	
34	57.	Carded twills (yarns finer than 35s).	10	40	80	
35	58.	Tracing cloth.	10	25	100	
36	59.	Typewriter ribbon cloth.	10	10	100	
37	60, 61.	Volles.	10	10	100	
38	62.	Combination cotton and rayon fabrics—chiefly cotton.	19	25	100	
39	1 thru 9, 14, 15, 32, 36, 39, 45, 46 thru 49, 50, thru 52.	All other combed, part-combed and fine carded fabric (yarn finer than 35s).	2 1/2	75	100	Seconds, shorts and remnants only may be delivered for export.

DISTRIBUTION SCHEDULE—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES (Schedule amended Apr. 8, 1944.)

Column I indicates the corresponding item numbers of the various cotton textiles in this Schedule as each appears on Form WPB-658B (12-15-43).

Column II shows the cotton textiles covered by this schedule.

Column III shows the minimum percentage which must be delivered by the producer against rated export orders for cotton textiles. This provision does not apply to exports made by the United States Army, Navy, Maritime Commission or War Shipping Administration.

Column IV shows the minimum percentage which must be delivered by the producer against all rated orders (including those specified by Column III). However, where the percentage in Column IV amounts to 100, seconds, shorts or remnants, which are produced in the normal course of manufacture may be disposed of without regard to this provision to the extent that rated orders are not offered.

Column V shows the percentage beyond which rated orders need not be accepted by the producer. Priorities Regulation 1 applies up to that percentage. If receipt of an order which is rated higher than a previously accepted rated order would result in having more rated orders than the Column V percentage, then the lowest rated order shall be displaced and it may be filled only from the percentage in Column V relating to the order.

The provisions and explanations stated in Column VI unless otherwise specified apply to the producer, intermediate processor, processor, merchant and user and govern the particular cotton textiles, no matter when produced, converted or ordered, and also products containing those textiles. However, the restrictions in Column VI relating to exports do not apply where the export license was issued before January 1, 1944.

DISTRIBUTION SCHEDULE—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES—Continued

Reference No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		<i>Sheeting and allied coarse and medium yarn fabrics (approx. 6's to 27's)</i>				
40	1 thru 8.....	Osnaburgs.....	5	100	100	
41	9.....	Leno bag fabrics.....		100	100	
42	10.....	Special bag fabrics.....		100	100	
43	11.....	Bale coverings (for cotton, cloth, etc.) Class A sheetings:			100	
44	14.....	36" 48 x 44 2.85 yd.....	15	100	100	At least 80% of each must, and not more than 90% may, be sold by the producer on ratings assigned under Groups 4 and 24 of the AA-2X Preference Rating Schedule or for export to Canada. [See footnote 2.]
45	15.....	40" 48 x 44 2.85 yd.....	15	100	100	
46	16.....	40" 48 x 44 2.50 yd.....	15	100	100	
47	21.....	Class B sheetings: 40" 48 x 40 3.25 yd.....	15	100	100	
48	22.....	40" 48 x 40 3.75 yd.....		100	100	
49	23.....	37" 48 x 44 4.00 yd.....		100	100	
50	24.....	40" 44 x 40 4.25 yd.....	140	100	100	At least 80% of each must, and not more than 40% may, be sold by the producer on ratings assigned under Groups 4 and 24 of the AA-2X Preference Rating Schedule or for export to Canada. [See footnote 2.]
51	25.....	31" 48 x 44 5.00 yd.....		100	100	These cotton textiles, as piece goods, may be sold only on the ratings assigned under Group 4 of the AA-2X Preference Rating Schedule or for export to Canada. [See footnote 2.]
52	17 thru 20.....	All other class A constructions.....	125	100	100	At least 65% of each group must, and not more than 70% may, be sold by the producer on ratings assigned under Groups 4 and 24 of the AA-2X Preference Rating Schedule or for export to Canada. [See footnote 2.]
53	26 thru 29.....	All other class B constructions.....	125	100	100	
54	30 thru 39, 41, 43.....	Class C sheetings, under 42".....	10	70	100	At least 65% of each group must, and not more than 70% may, be sold by the producer on ratings assigned under Groups 4 and 24 of the AA-2X Preference Rating Schedule or for export to Canada. [See footnote 2.]
55	40, 42, 45.....	Class C sheetings.....	10	50	70	
56	44.....	Bandoleer and Navy mattress cover fabrics. Bed sheetings, 42" and wider (including made up sheets and pillow cases):		80	100	
57	46, 47.....	Sley of more than 64.....	10	30	50	
58	48, 49.....	Sley of 64 and less.....	10	20	50	
59	50.....	Pillow tubings.....			100	
60	50.....	Industrial tubings.....		100	100	
61	51.....	Carded poplins (sheeting yarns).....	10	35	50	
62	52.....	Army 8.5 oz. herringbone twill (Army Spec. No. 6-261).....		75	100	
63	53 thru 60.....	Other three leaf herringbone twills, all drills and jeans.....	10	75	100	
64	61.....	Three leaf pocketing twills 39" 2.58 or 3.00 yd. (sheeting yarns).....	10	25	40	
65	62.....	Three leaf silesia twills (sheeting yarns).....		75	100	
66	63 thru 69.....	Four leaf twill fabrics..... Warp and filling sateens (sheeting yarns):	10	75	100	
67	70.....	Narrow (under 42").....	10	20	50	
68	71.....	Wide (42" and wider).....		75	100	
69	72.....	Gabardines (carded).....	10	20	50	
70	73.....	Birdseye diaper cloth.....		100	100	

<sup>1</sup> Shipments to Canada may not be counted as exports of these class A and class B sheetings.

<sup>2</sup> Effective as of April 1, 1944.

## DISTRIBUTION SCHEDULE—CARDED GRAY GOODS, COLORED YARN AND NAPPED FABRICS AND SPECIALTIES—Continued

[Limitation Order L-260, Revocation]

## PART 3291—CONSUMERS DURABLE GOODS

## FURNITURE

Limitation Order L-260 (§ 3291.65) is revoked. This revocation does not affect any liabilities incurred under the order. The order is superseded by Order L-260-a, as amended, simultaneously with this revocation.

Issued this 8th day of April 1944.

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

[F. R. Doc. 44-5012; Filed, April 8, 1944;  
11:19 a. m.]

## PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-260-a, as Amended Apr.  
8, 1944]

## FURNITURE AND FURNITURE PARTS

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

§ 3291.66 *General Limitation Order L-260-a—(a) What this order does.* This order governs the manufacture and distribution of furniture. It restricts the use of certain materials in the production of furniture both for civilian use, and for all other uses, including Army, Navy or other Governmental orders.

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

(1) The term "manufacturer" means any person who makes, assembles, finishes or upholsters any new furniture.

(2) "Furniture" as used in this order means all articles commonly known as furniture including, but not limited to, products shown on List I, but not including products shown on List II.

(3) "Wood" means furniture parts and all sawed lumber including round edge, of any size or grade, whether rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines. The term does not include veneer and all veneer constructed plywood, whether produced or purchased by a manufacturer. Neither does it include slabs, edgings, trims and off-falls less than 3 inches wide or less than 4 feet long when purchased in such form.

(4) "Veneer" means, for the purpose of this order and only for the purpose of this order, a layer of wood  $\frac{3}{8}$  inches or less in thickness whether sawn, sliced or rotary cut.

(5) "Furniture parts" as used in this order means parts, unassembled or assembled, intended for use in the production of furniture, including but not limited to, dimension parts whether or not cut to size, machined or partially machined, carvings, turnings, venetian blind slats, moldings, lumber cores used or purchased as such or in the form of plywood.

(6) "Pattern" means any piece of furniture, whether or not containing wood

Reference No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		<i>Print cloth yarn fabrics (approx. 28's to 42's)</i>				
71	74	Print cloth yarn fabrics of window shade quality—all counts.		30	60	
72	75, 81, 82	Plain print cloths, 80 sley and higher.		100	100	These cotton textiles, as piece goods, may not be delivered for export.
73	76 thru 81, 83, 86.	Other plain print cloths (including fancies, other than dobby weave), except bandage cloths.	10	35	70	
74	84	Pajama checks		70	100	
75	85	Gauze diaper cloth		100	100	May not be used for industrial purposes.
76	87, 88	Bandage cloths (99 to 72 threads per square inch).	10	50	100	
77	89	Tobacco and cheesecloths:		90	100	
78	90	All widths, 20 x 12 construction		100	100	May be used only for sanitary napkins and milk filters.
		All widths, 17 to 18 sley, 12 to 14 pick.				
79	91	All other constructions	5	80	100	
80	92 thru 95	Carded broadcloth, plain and fancy	10	25	50	
81	96	Carded poplins (print cloth warp yarns) plain and fancy	10	25	50	
82	97	Three Leaf Twills (print cloth yarns)	10	25	55	
		<i>Colored yarn fabrics</i>				
83	98 thru 106	Denims, pin stripes, pin checks, hickory stripes, etc.: 3.00 yd. and heavier (basis 28")		100	100	
84	103, 104	Lighter than 3.00 yd. (basis 28")	10	50	75	
85	107 thru 110	Cottonades and suiting covers	10	90	100	
86	111	Whipcords and bedford cords	10	90	100	
87	112	Ginghams	10	10	100	
88	113, 114	Seersuckers	10	45	100	
89	115, 116	All other all cotton suitings	10	10	100	
90	117, 118	Cotton and rayon suitings (51% or more cotton)	10	10	100	
91	119 thru 121	Shirting covers	10	75	100	
92	122	Chambrays (36" 3.00 yd.)		100	100	Except for shorts, remnants and prison-made goods, these cotton textiles, as piece goods, may not be delivered for export.
93	123	All other chambrays	10	10	100	
94	124	Bedtickings	10	10	100	
		<i>Towels, toweling and dishcloths, washcloths and bath mats</i>				
95	125	Turkish and terry woven	7½	30	50	
96	126	Huck	5	30	55	
97	126	Damask and Jacquard woven (other than terry)	5	5	50	
98	127	Dish towels and other twill and plain woven towels (including all cotton, part linen and part rayon)	5	25	50	
99	128	Dishcloths			100	
		<i>Napped fabrics</i>				
100	129	Outing flannels	10	25	50	
101	130, 131	Work shirt flannels	5	70	90	
102	132	Canton flannels		90	100	At least 85% must be sold for the manufacture of work gloves.
103	134	Interlining flannels		10	100	
104	135	Moleskins and suedes	10	100	100	
105	133, 136	All other napped fabrics, except blankets	10	75	90	Neither gun patch flannel nor gun patches may be delivered for export.
		<i>Soft filled sheetings for napping:</i>				
106	12	Under 42"	10	10	100	
107	13	42" and wider	10	10	100	
108	137	Blankets and blanketing, crib			50	
109	138 thru 140	Blankets and blanketing, other than crib	5	10	50	
		<i>Other woven cotton fabrics and specialties</i>				
110	153	Corduroys, Men's Wear Weights 30"—12 to 13 oz. Thicksets	2½	100	100	
111	152, 154	All other corduroys	2½	15	100	
112	143, 144	Bedspread fabrics—woven style			100	
113	147	Flag bunting		80	100	
114	148 thru 151	Drapery, upholstery, tapestry, luggage and automobile seat cover fabrics	10	10	100	
115	155, 156	Velvets, velveteens, plushes and other pile fabrics	5	35	65	
116	157	Table damask	5	5	40	
117	145, 146, 158	All other carded fabrics, except ducks and tire fabrics	10	10	100	

NOTE: Interpretation 1 of M-317 is a question and answer interpretation.

[F. R. Doc. 44-5013; Filed, April 8, 1944; 11:20 a. m.]

as defined in paragraph (b) (3), having its own identification mark and selling price, except that for the purpose of this order, two or more pieces of furniture identical in every respect other than color, finishing material, fabric, leather or other outer covering or cover, species of wood or veneer, spring construction, content of metal parts or method of joining shall be considered one pattern, whether or not they have the same selling price. A suite of furniture of two or more different pieces shall constitute two or more patterns.

(7) "Upholstery springs" means any type of spring, intended for use in upholstered furniture, whether flat, coiled or otherwise formed, made of metal, including but not limited to, upholsterer's seat springs, spring cushion units, pillow springs, flat or formed under-constructions, spring constructions, spring supporting bars, edgewire and edgewire clips.

(8) "Upholstered furniture" means padded furniture whether or not containing upholstery springs.

(c) *Restrictions on use of wood.* During any calendar quarter, no manufacturer shall use in the manufacture and crating of furniture more than 21% of the amount of wood which he used for these combined purposes in the calendar year 1943. Use of wood shall be measured in board feet, and wood shall be considered used in the quarter in which it is first changed from the form in which it was received or is first assembled, finished or upholstered. In computing the amount of wood used in items such as furniture parts or as assembled furniture, bought otherwise than by gross board-foot measurement, a manufacturer may convert it to board feet by any reasonable and consistent method.

(d) *Restrictions on receipt of wood.* No manufacturer shall accept any delivery of wood, which, added to all inventory on hand, including wood in dry kilns, will give him a supply greater than:

(1) 42% of the amount of wood (which requires kiln or air drying prior to use) consumed by him in the production of furniture in 1943.

(2) 21% of the amount of other wood, consumed by him in the production of furniture in 1943.

(e) *Restrictions on patterns.* (1) Until June 1st, no manufacturer shall at any one time be engaged in processing, fabricating, assembling or offering for sale in combined total more than 35% of the total number of patterns of furniture offered for sale by him during the month of September, 1941, or 24 patterns, whichever is greater.

(2) On and after June 1, 1944, no manufacturer shall at any one time be engaged in processing, fabricating, assembling or offering for sale in combined total more than 25% of the total number of patterns of furniture offered for sale by him during the month of September, 1941, or 24 patterns, whichever is greater.

(3) No manufacturer shall produce or offer for sale any pattern of furniture which had not been offered for sale by him prior to March 15, 1943, or any pattern which has not been specifically authorized in writing by the War Production Board.

(4) Request for specific authorization to make a change in patterns should be made by letter addressed to the War Production Board, Washington, 25, D. C., Ref: L-260-a.

(5) The provisions of this paragraph (e) do not apply to the manufacture of the following: (i) venetian blinds; (ii) furniture to fill any order, contract or subcontract placed by or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, or the Federal Public Housing Authority.

(f) *Restrictions on the use of metal.* (1) No manufacturer shall use in the production of upholstered furniture in any calendar quarter more metal upholstery springs than 12½% by weight of the total weight of metal upholstery springs used by him in the year 1941.

(2) No manufacturer shall use in the production of furniture any steel sheet or strip which is 12 inches or more in width.

(g) *Small manufacturers excluded.* This order does not apply to any manufacturer in any quarter in which his sales of furniture are less than \$5,000.00 provided that his sales did not exceed \$20,000.00 in any of the years 1941, 1942, or 1943.

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

(i) *Finished item deliveries.* No person shall deliver, offer for sale, or accept delivery of any furniture or furniture part which he knows or has reason to believe was made, assembled or delivered in violation of this order.

(j) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports as the War Production Board may specify from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(k) *Appeals.* Any appeal from this order should be made on Form WPB-1477 (formerly PD-500) and should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(l) *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.

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

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

(n) *Communications.* All reports required to be filed hereunder and all communications, other than appeals, concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-260-a, as amended.

Issued this 8th day of April 1944.

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

#### LIST I

This list includes certain items subject to this order. It is not intended to be all inclusive.

Item No.	Description
1	Household furniture.
2	Porch and lawn furniture including swings and gliders.
3	Camp furniture.
4	Juvenile furniture including baby cribs, high chairs, toilet chairs, nursery toilet seats, and juvenile bathinets, play pens, and porch and stair gates, table and chair sets, desk sets.
5	Office furniture.
6	Restaurant furniture, portable.
7	Public building furniture (including furniture for schools, theaters, assembly halls, churches, libraries, hospitals.)
8	Office, store fixtures and show cases except refrigerated.
9	Venetian blinds.
10	Barber shop and beauty shop furniture except barber chairs.
11	Store display stands and cabinets.
12	Furniture frames.
13	Wooden filing cabinets.
14	Telephone booths.
15	Folding furniture such as tables, chairs, luggage racks.
16	Storage chests and utility cabinets other than permanent fixtures.
17	Step stools.
18	Reed and rattan furniture.

#### LIST II

This list includes certain items not covered by this order.

Item No.	Description
1	Metal office furniture and equipment subject to Limitation Order L-13-a.
2	Metal household furniture subject to Limitation Order L-62.
3	Bedding products subject to Limitation Order L-49.
4	Hospital, medical and surgical furniture and related equipment subject to Limitation Order L-214.
5	Laboratory equipment subject to Limitation Order L-144.
6	Refrigerators.
7	Wooden lockers, industrial and institutional.
8	Wooden shelving.
9	Wooden factory and industrial equipment.
10	Fixtures specifically designed to be built in or permanently attached.
11	Cafeteria and lunch counters.
12	Woodenware.
13	Drafting tables.
14	Luggage such as footlockers.

[F. R. Doc. 44-5014; Filed, April 8, 1944; 11:19 a. m.]

## PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 5, Interpretation 12]

## INCREASED QUOTAS FOR SEASONAL BUSINESSES

The following interpretation is issued with respect to CMP Regulation 5:

(a) Paragraph (f) (4) of CMP Regulation No. 5 as amended on February 26, 1944, permits the use of a specific quota authorization as an increased quota for all following quarters. Thus if a particular company's quota has been increased by specific authorization during the fourth quarter of 1943 from \$100,000 to \$125,000 the company has a quota for each succeeding quarter of \$125,000.

(b) In the case of a person operating under a seasonal quota under paragraph (f) (2), his quarterly quota varies from quarter to quarter based on the similar quarter of 1942. Consequently, when a seasonal quota has been increased by specific authorization for any one quarter, that increase does not increase all succeeding quarters, but may only be used as an increased quota during the same quarter of the following year. Thus if a company operating on a seasonal basis had a quota during the third quarter of 1943 of \$10,000, and during the fourth quarter of 1943 of \$50,000 and received an increase of the fourth quarter's quota from \$50,000 to \$60,000, its quota for the third quarter of 1944 would remain at \$10,000, although its fourth quarter quota of 1944 would become \$60,000.

(c) Where a company has received succeeding special authorizations increasing a quota, and where it is not on a seasonal basis, the last special authorization determines the company's quota during each following quarter.

Issued this 10th day of April 1944.

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

[F. R. Doc. 44-5099; Filed, April 10, 1944;  
11:35 a. m.]

## PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, as Amended Apr. 6, 1944<sup>1</sup>]

## LUMBER CONSUMERS' REQUIREMENTS

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

§ 3285.121 *Order L-335*—(a) *What this order does.* This order requires large consumers of lumber to file application with the War Production Board stating their requirements for the second and third quarters of 1944 and prohibits them from receiving lumber after April 25, 1944, unless they file their applications. These applications will be used by the War Production Board as a basis for authorizing the applicants to receive lumber, during part of the second and all of the third quarters, under pro-

<sup>1</sup> This document is a restatement of Amendment 1 to L-335, which appeared in the FEDERAL REGISTER of April 7, 1944, page 3731, and reflects the order in its completed form as of April 6, 1944.

cedures which will replace existing procedures under other orders. These procedures will be described in a later revision of this order.

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

(1) "Lumber" means any sawed or hewed railway cross ties and switch ties, and any sawed lumber of any species, size or grade including round edge, rough, dressed on one or more sides or edges, dressed and matched, shiplapped, worked to pattern, or grooved for splines, except:

(i) Dogwood, rattan, and aircraft grade of sitka spruce;

(ii) Shingles, lath, and slabs;

(iii) Edging, trim, and off-fall less than three inches wide or less than four feet long, unless produced for the purpose of evading this order;

(iv) Hardwood flooring;

(v) Items produced from lumber but not classified in the trade as "lumber" such as box shoo, last blocks, and mill work;

(vi) Used lumber.

(2) "Class I Consumer" means any person or any part of a person's operation (such as a plant, branch, or department)

as to which a separate lumber inventory is regularly maintained, which either received more than 50,000 board feet of lumber during the last quarter of 1943 or expects that he will need to receive more than 50,000 board feet of lumber during either the second or third quarters of 1944, for all purposes, except: (i) operations for which producers have been assigned serial numbers under Order P-56 (regarding mines and smelters); (ii) operations directly incident to the discovery, development, or depletion of a petroleum pool as authorized by Petroleum Administrative Order 11; (iii) resale by a sawmill or distributor; (iv) use outside the 48 states and the District of Columbia; and (v) construction jobs which have been expressly authorized by the War Production Board or by any other Federal agency whose authorization makes it unnecessary to get permission from the War Production Board for construction. This exception does not include those construction jobs which do not require the permission of the War Production Board or any Federal agency under Order L-41. If a person has two or more branches, plants, departments, or other divisions which regularly maintain separate lumber inventories and none of which comes within the above definition, then neither the person nor any of its divisions is a "Class I Consumer". Thus, if a company has two plants maintaining separate lumber inventories each of which consumed less than 50,000 board feet of lumber in the last quarter of 1943 and expects to consume less than 50,000 in each the second or third quarter of 1944 then neither of the plants nor the company is a "Class I Consumer". If either plant consumed over 50,000 board

feet of lumber during the last quarter of 1943 or expects to consume more than 50,000 board feet of lumber during either the second or third quarter of 1944, such plant would be treated as a separate "Class I Consumer" for all purposes under this order. Inventories may not be split for the purpose of evading this order.

(3) "Sawmill" means:

(i) Any mill or plant, stationary or portable, which produces any lumber; and,

(ii) Any concentration yard or plant other than a mill if the yard or plant is located in a producing area and processes by drying, sawing, edging, planing, or some other comparable method, 25 percent or more of the total volume of logs and lumber which it receives.

(iii) The term "sawmill" does not include any establishment known in the trade as a distribution yard engaged in either retail or wholesale business, even though such a yard may process more than 25 percent of the volume of lumber it receives for the servicing of special orders from customers.

(4) "Sawmill stock" means any lumber in the possession of a "sawmill."

(5) "Distributor" means any person who buys lumber from a "sawmill" or from another distributor for resale either at wholesale or retail.

(6) "Distributor stock" means any lumber which a distributor has in his possession for resale, or for his own use.

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

(c) *Acceptance of lumber in second quarter without filing application forbidden.* No "Class I consumer" may receive any lumber from any source after April 25, 1944 unless on or before April 25, he has filed with the War Production Board form WPB-3640. This means that if a "Class I consumer" does not file application he is forbidden to receive any lumber even though he has a preference rating for it or has been authorized to receive lumber under another order, regulation, or certificate of the War Production Board. The only exceptions are:

(1) A "Class I consumer" may receive the amount of lumber necessary for a construction job which has been authorized in writing by the War Production Board or by any other Federal agency whose authorization makes it unnecessary to get permission for construction from the War Production Board. He may not, under this exception, receive lumber for those construction jobs which do not require the permission of the War Production Board, or any other Federal agency under Order L-41.

(2) A "Class I consumer" who is also in the mining or smelting business may receive lumber for an operation which has been assigned a serial number under Order P-56.

(3) A "Class I consumer" who is also in the petroleum industry may receive lumber for operations directly incident

to the discovery, development, or depletion of a petroleum pool as authorized by Petroleum Administrative Order 11.

(4) A "Class I consumer" who also has a sawmill or a distribution yard may receive lumber for resale.

(5) A "Class I consumer" may receive lumber if authorized in writing by the War Production Board and if the written authorization expressly refers to this order and grants an exception from it.

(d) *Receipt of lumber by Class I consumers who have filed applications.* Until otherwise notified by the War Production Board either through an amendment of this order or by action on his application, a "Class I consumer" who has filed his application may receive lumber to the extent he is authorized by other applicable orders and regulations of the War Production Board, and he may procure lumber under the procedures provided in such orders for delivery at any time in the future until otherwise provided.

(e) *Receipts from own sawmill stock or distribution stock included.* Under the definitions provided for in this order a person may find that his operations make him both a "sawmill" and a "Class I consumer" or both a "distributor" and a "Class I consumer", or he may be all three. Any person who finds that he is a "Class I consumer" as well as a "distributor" or a "sawmill" must file an application for permission to receive lumber for that part of his operation which makes him a "Class I consumer." For example, if a person has his own sawmill or distribution yard and also maintains his own cut-up plant, box factory or other plant where fabricated products are made from lumber or he uses lumber for purposes other than resale, he must apply for permission to use his "sawmill stock" or "distribution stock" in another piece of machinery, department, or plant which turns out products other than lumber, such as fabricated products or parts for fabricated products either for his own use or resale. The term "fabricated products" includes hardwood flooring but does not include softwood flooring which is included in the definition of lumber.

(f) *Existing lumber orders and procedures.* This order for the present in no way affects the manner in which lumber is controlled under other lumber orders and particularly orders L-218, L-290, M-361, and M-364. In other words, except for "Class I consumers" all transactions in lumber will continue to be handled as if this order did not exist. Even "Class I consumers" can make purchases and arrange for delivery of lumber in compliance with other applicable orders provided their applications on Form WPB-3640 are filed with the War Production Board by April 25, 1944. Before the end of the second quarter this order will be amended and new procedures will be established under which all consumers will be authorized to receive lumber.

(g) *Restrictions on delivery.* No person shall sell, ship, or deliver, or cause to be sold, shipped or delivered, any lumber which he knows or has reason to believe will be used in violation of the

provisions of this order, or any other order or regulation of the War Production Board.

(h) *Reports.* Any person shall execute and file with the War Production Board such other reports and questionnaires as the War Production Board may, from time to time, require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by mailing a letter to the War Production Board referring to the particular provision appealed from and stating fully the grounds of the appeal.

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

(k) *Application and communications.* Form WPB-3640 for use in filing applications under this order may be obtained at any War Production Board District Office. All communications, unless otherwise directed, must be addressed as follows: Lumber and Lumber Products Division, War Production Board, Washington 25, D. C., Ref.: L-335.

Issued this 6th day of April 1944.

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

[F. R. Doc. 44-5098; Filed, April 10, 1944;  
11:35 a. m.]

TABLE VII—JAMS, JELLIES, PRESERVES, MARMALADES, AND FRUIT BUTTERS (INCLUDING IMITATIONS)

Product	Type of fruit	Quantity of sugar allowed, in pounds, per pound of finished product
Jams, jelly, preserves, or marmalade, including imitations (pounds).	Fresh or canned fruit, fruit juices, tomatoes, or fruit frozen without sugar.	0.67
	Fruit frozen at ratio of fruit to sugar of:	
	3 to 1.....	.50
	4 to 1.....	.54
	5 to 1.....	.57
	6 to 1.....	.59
Fruit butter, including imitations (pounds).....	Not made with fruit, fruit juice, or tomatoes.....	(f) .32
	Fresh or dried fruit, or fruit frozen without sugar.....	None
All others.....		None

<sup>1</sup> For each pound of finished product the smaller of the two following amounts: (1) 100 per cent of average amount of sugar used per pound of same product during 1941; (2) 0.67 pounds of sugar.

This amendment shall become effective April 12, 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. 562, 2965; Food Dir. No. 3, 8 F.R. 2005; Food Dir. 8, 8 F.R. 7093)

Issued this 7th day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4987; Filed, April 7, 1944; 12:11 p. m.]

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

<sup>2</sup> 8 F.R. 11176, 17036, 17414.

<sup>3</sup> Copies of the form may be obtained from the Office of Price Administration.

<sup>4</sup> 9 F.R. 1433, 1534, 2233.

Chapter XI—Office of Price Administration

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RMPR 341, Amdt. 2]

MAXIMUM PRICES FOR USED COMMERCIAL MOTOR VEHICLES

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.\*

Appendix B of Revised Maximum Price Regulation 341 is amended to read as follows:

*Appendix B: Form of Certificate of Transfer to be completed for a sale of a used vehicle.*<sup>2</sup>

This amendment shall become effective April 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 7th day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4989; Filed, April 7, 1944;  
12:11 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3, Amdt. 8]

SUGAR

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

Revised Ration Order 3 is amended in the following respect:

Section 1407.241, Schedule A, Table VII, is amended to read as follows:

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16, Amdt. 126]

MEAT, FATS, FISH AND CHEESES

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

Ration Order 16 is amended in the following respects:

1. Section 26.1 (a) is amended to read as follows:

(a) *Rendering establishment.* Any place at which a "person" processes "household salvage fats" by dry rendering such fats in a closed fat melter or wet rendering such fats in a steam pressure tank to produce tallow, grease, tankage, fatty acids, or detergents is a "rendering establishment".

2. Section 26.4 (a) is amended by substituting the number "15" for the number "20" in the next to the last sentence.

This amendment shall become effective April 12, 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; and Supp. Dir. 1-M, 7 F.R. 8234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 7th day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4988; Filed, April 7, 1944; 12:11 p. m.]

PART 1449—CHARCOAL

[MPR 431, Amdt. 8]

CHARCOAL

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. 431 is amended in the following respects:

1. The definition of "Dealer" in section 9 (a) is amended to read as follows:

"Dealer" means a person who purchases charcoal and resells it in substantially the same form, and includes a person who purchases charcoal and grinds it before reselling it, but does not include a person selling at retail.

2. A new definition is added to section 9 (a) between the definition of "Dealer" and "Person" as follows:

"Selling at retail" means selling to an ultimate consumer other than an industrial or commercial user.

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

<sup>1</sup> 8 F.R. 13128, 13394, 13980, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1532, 1581, 1728, 1818, 1909, 2235, 2240, 2406.

<sup>2</sup> 8 F.R. 9628, 11444, 12444, 13059, 13745.

This amendment shall become effective April 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 7th day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4986; Filed, April 7, 1944; 12:11 p. m.]

PART 1381—SOFTWARE LUMBER

[RMFR 161, Amdt. 12]

WEST COAST LOGS

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

Revised Maximum Price Regulation 161 is amended in the following respects:

1. Section 1381.153 (a) is amended so that the definition of "towable waters" contained in the second paragraph shall read as follows:

"Towable waters" means any year-round towable waters along the Coast of Oregon, the Skagit River, Puget Sound, Willapa Bay, Grays Harbor, Columbia River, and Willamette River. The Willamette River shall be considered towable from its mouth to a point one mile south of Albany, Oregon, and the Skagit River shall be considered towable from its mouth to Lyman's Ferry.

2. Tables A, C, D, E, F, and H of § 1381.154 are amended to read as follows:

§ 1381.154 *Tables of maximum prices.* The maximum delivered prices per 1,000 feet, log scale, for West Coast logs shall be as follows:

	Puget Sound district	Willapa Bay-Grays Harbor district	Columbia River district	Tillamook
(A) DOUGLAS FIR				
Ponton logs.....	\$45.00	\$45.00	\$45.00	\$43.00
No. 1 peeler.....	40.00	40.00	40.00	38.00
No. 2 peeler.....	35.00	35.00	35.00	33.00
No. 3 peeler.....	27.00	27.00	27.00	25.00
No. 1 sawmill log.....	31.00	29.00	29.00	27.00
No. 2 sawmill log, old growth yellow fir.....	23.00	23.00	23.00	21.00
No. 2 sawmill log, all other types including second growth.....	22.00	22.00	22.00	20.00
No. 3 sawmill log—old growth—yellow fir.....	20.00	20.00	20.00	18.00
Camp-run (ungraded) and No. 3 sawmill, all other types.....	18.00	18.00	18.00	16.00
(C) WESTERN HEMLOCK				
Suitable for peeling and better.....	\$27.00	\$27.00	\$27.00	\$25.00
No. 1.....	23.00	23.00	23.00	21.00
No. 2.....	21.50	21.50	21.50	19.50
No. 3.....	20.00	20.00	20.00	18.00
Camp-run (ungraded).....	20.00	20.00	20.00	18.00
(D) WESTERN WHITE FIR				
Suitable for peeling.....	\$27.00	\$26.00	\$26.00	\$24.00
No. 1.....	23.00	22.00	22.00	20.00
No. 2.....	21.50	21.50	21.50	19.50
No. 3.....	20.00	20.00	20.00	18.00
Camp-run (ungraded).....	20.00	20.00	20.00	18.00
(E) SITKA SPRUCE				
No. 1.....	\$45.00	\$45.00	\$45.00	\$43.00
No. 2 (of a texture which will produce aircraft lumber).....	30.00	30.00	30.00	28.00
No. 2 (of a texture which will not produce aircraft lumber).....	24.00	24.00	24.00	22.00
No. 3.....	20.00	20.00	20.00	18.00
Camp-run (ungraded).....	20.00	20.00	20.00	18.00
(F) NOBLE FIR				
Aircraft grade.....	\$45.00	\$45.00	\$45.00	\$43.00
Suitable for peeling.....	35.00	35.00	35.00	33.00
No. 1.....	23.00	23.00	23.00	21.00
No. 2.....	21.50	21.50	21.50	19.50
No. 3.....	20.00	20.00	20.00	18.00
Camp-run (ungraded).....	20.00	20.00	20.00	18.00
(H) WOOD LOGS				
No. 1 Douglas fir wood logs.....	\$16.00	\$16.00	\$16.00	\$14.00
Wood logs—No. 2 fir and all other species except cedar.....	11.00	11.00	11.00	9.00

3. Section 1381.156 is amended so that the initial paragraph and paragraph (g) read as follows:

§ 1381.156 *The "overtime addition".* The following additions may be made by any seller to the maximum price of

<sup>1</sup> 8 F.R. 1117, 2992, 5678, 6619, 9381, 10660, 11509, 16602, 16603, 17327; 9 F.R. 694.

any West Coast logs produced by any company whose entire logging operation is operated the following number of hours per week in actual production:

Hours of operation:	Addition per M feet, l. s.
48 to 53 hours.....	\$1.00
54 to 59 hours.....	1.50
60 hours or more.....	2.00

This addition is subject to all of the following conditions and provisions, except that operators claiming the 48 hour addition are not subject to the requirements of paragraphs (a) and (b) relating to applications for certifications and monthly reports:

(g) *Contract logging.* When figuring the ceiling price on contract logging services under Maximum Price Regulation No. 503, the overtime addition may not be included in estimating the value of the logs produced. However, where the contractor operates the required number of hours, the additions permitted by this Section may be separately paid to the contractor.

4. Appendix A is amended by the deletion of the grades of No. 1 and No. 2 Douglas Fir Wood logs under the heading "Douglas Fir and Spruce Sawmill Logs."

5. Appendix A is amended by the deletion of the paragraph headed "Wood Logs—All Species", and the substitution of the following:

WOOD LOGS—ALL SPECIES

No. 1 Douglas Fir Wood Logs shall be logs 80 inches and over in diameter, containing sound stain and/or worm holes, that otherwise would meet the requirements of a No. 2 Fir log.

No. 2 Douglas Fir Wood Logs shall be such logs that do not meet the requirements of the above grades but have a net scale lumber content after deductions as specified in the wood log scaling rules of at least 33 1/3 % of the gross scale.

Wood logs—all other species (except cedar) shall be logs which meet the minimum requirements of the No. 2 Douglas Fir Wood Log Grade.

Culls: Any logs failing to meet the minimum requirements for a No. 2 Fir Wood Log must be culled out.

6. Appendix A is amended by the insertion of the following immediately after the section headed "General Rules—Peeler Logs".

GENERAL RULES—WOOD LOGS

A log that in the judgment of the Scaler is a Wood Log as defined for the particular species shall be scaled for its net lumber content exclusive of bark, under the following deduction requirements:

*Diameters:* Take full diameter inside the bark or decayed sap at the top end of the log.

*Lengths:* Where logs have bucked ends, the standard gross lengths shall be used.

Where logs have badly broken or shattered ends, the lengths on such logs shall be taken inside the breakage to a point that will yield that longest, usable, standard length log or block.

*Deductible defects:* Any portion of a wood log that will not produce No. 4 or better lumber shall have the unsuitable portion of the log eliminated by sufficient deduction. Such defects are:

- Hollow ends
- Badly decomposed wood originating from Butt-rot, Top-rot or conk
- Slab breaks
- Shatter breaks
- Saddle-burns
- Rotted spots that penetrate beyond the normal sap
- Excessive roughness or pitch-rings that will not permit the production of lumber.

Permissible defects:

- Pitch-rings
- Firm stain
- Firm conk
- Knots
- Worm-holes
- Straight splits
- Heart checks
- Cross checks

This amendment shall become effective April 7, 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 7th day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4998; Filed, April 7, 1944; 4:21 p. m.]

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

[RO 1B, Amdt. 6]

MILEAGE RATIONING: TIRE REGULATIONS FOR PUERTO RICO

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

Ration Order 1B is amended in the following respects:

1. Section 2.2 (d) (1) (ii) is amended by inserting a comma after the word "midwife", and inserting immediately thereafter the words "minor surgeon".

2. Section 2.2 (d) (1) (iv) is added to read as follows:

(iv) Used by a regular practicing minister or practitioner of any religious faith who actually serves a congregation for giving religious comfort, assistance, advice or instruction, or by a bona fide farmer for transporting farm products and necessary farm supplies between farm and market, shipping or point of delivery, or between one farm establishment and another or for travel to, from, within or between farm establishments for purposes necessary to the operation or functioning of such establishments. For purposes of this provision, applicant need not establish that he must answer emergency calls which require him to operate a passenger automobile at high rates of speed.

3. The table in section 2.23 (b) is amended by deleting the dates "July 25-August 5" and "October 16-October 28" for subsequent inspections of S-1 and S-2 coupon books, and by substituting respectively the dates "July 31-August 12" and "October 23-November 4".

4. Section 2.33 (d) is amended to read as follows:

(d) *Transfers on vehicles.* Unless prohibited by an order or regulation issued by the Office of Price Administration.

\*Copies may be obtained from the Office of Price Administration. 8 F.R. 9551, 12695.

tion or the War Production Board a person may, without a certificate, transfer a tire or tube as part of the equipment of a vehicle in conjunction with the transfer of such vehicle: *Provided, however,* That a tire or tube acquired in exchange for a certificate may be so transferred only after six (6) months of the acquisition of such tire or tube by the transferor and after said tire or tube has been used four thousand (4,000) miles or more, or after having obtained a written authorization from the Director of the Office of Price Administration for Puerto Rico. The Director may authorize a transfer in cases where in his judgment it shall not operate as an evasion of this Order. No person shall accept the transfer of such tire or tube unless in accordance with this paragraph.

This amendment shall become effective April 10, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., Pub. Laws 421 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719. WPB Directive No. 1, Supp. Dir. No. 1-J, as amended, 7 F.R. 562, 5043, 8731; Supp. Dir. No. 1-Q, as amended, 8 F.R. 2013, Rev. General Order No. 20, 8 F.R. 2416)

Issued this 8th day of April 1944.

JORGE L. CORDOVA,  
Territorial Director,  
Puerto Rico.

Approved:

JAMES P. DAVIS,  
Regional Administrator,  
Region IX.

[F. R. Doc. 44-5048; Filed, April 8, 1944; 4:41 p. m.]

PART 1340—FUEL

[MPR 88, Amdt. 4]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

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. 88 is amended in the following respects:

1. Section 1.1 is amended by adding to the list of products mentioned in such section the following:

Crude petroleum sold direct to consumers for use as fuel oil providing such crude petroleum meets commercial standard specifications for a particular grade of fuel oil.

2. In section 1.15 (a) the heading is amended to read as follows:

(a) *Prices of fuel oil and fuels (not including crude oil and waste or re-refined lubricating oil when any of these are sold for use as fuel oil).*

3. Section 1.15 (b) is amended to read as follows:

(b) *Prices of crude oil and waste or re-refined lubricating oil when any of*

these are sold for use as fuel oil. Read Article I for the various general provisions of the regulation then turn to Article VIII which provides that maximum prices for crude oil and waste or re-refined lubricating oil must be established by application to the Office of Price Administration. There is no other method of establishing or determining maximum prices for such products. Note that in the case of crude oil application must be made to a specified regional office while in the case of waste or re-refined lubricating oil application should be made to the Petroleum Branch at Washington, D. C.

4. Section 2.11 (f) is added to read as follows:

(f) *Chicago and adjacent circuits; Tank wagon prices.* Maximum tank wagon prices for residual fuel oils and blends thereof with distillate fuel oils at Chicago, and the circuit points served from bulk plants at Chicago shall be as follows:

Viscosity (Saybolt Universal at 100° F.)	For deliveries in quantities of 750 gallons and over	
	Cents per gallon	Cents per gallon
50-800 seconds <sup>1</sup> .....	5.75	6.50
900-2,000 seconds.....	5.25	6.00
2,100 seconds and over.....	4.80	5.55

<sup>1</sup> Except for the minimum viscosity of this bracket, a tolerance of 50 seconds is permitted in all brackets.

5. Section 2.12 (e) is added to read as follows:

(e) *East Chicago.* The maximum price for fuel oil in bulk lots with a maximum viscosity of 300 Saybolt Universal at 100° F. on sales to commercial and industrial users by blenders, except refiners, f. o. b. terminals in East Chicago, shall be 5.1 cents per gallon.

6. Section 2.12 (f) is added to read as follows:

(f) *East Chicago and adjacent circuits; tank wagon prices.* Maximum tank wagon prices for residual fuel oils and blends thereof with distillate fuel oils at East Chicago, and the circuit points served from bulk plants at East Chicago shall be as follows:

Viscosity (Saybolt Universal at 100° F.)	For deliveries in quantities of 750 gallons and over	
	Cents per gallon	Cents per gallon
50-800 seconds <sup>1</sup> .....	5.75	6.50
900-2,000 seconds.....	5.25	6.00
2,100 seconds and over.....	4.80	5.55

<sup>1</sup> Except for the minimum viscosity of this bracket, a tolerance of 50 seconds is permitted in all brackets.

7. Section 2.20 (b) (2) is renumbered section 2.20 (b) (3).

8. Section 2.20 (b) (2) is added to read as follows:

(2) *On shipments to destinations other than Petroleum Administration for War District One.* In Wayne County in the State of Michigan the maximum

prices of the products listed below in bulk lots f. o. b. refineries for shipment to ultimate destinations other than Petroleum Administration for War District One shall be as follows:

Kerosene and distillate fuel oils:	Cents per gallon
46-49 API Gravity W. W. Kerosene.....	6.25
41-45 API Gravity W. W. Kerosene.....	6.05
No. 1 Prime White Distillate Fuel Oil.....	5.75
No. 2 Fuel Oil.....	5.50
No. 3 Fuel Oil.....	5.25
Range or Stove Oil.....	(*)

\*Range or stove oil shall take the maximum price of the product listed above of the same specifications.

9. Section 4.5 (a) is added to read as follows:

(a) *San Luis Valley; tank wagon prices.* Maximum tank wagon prices of gasoline to dealers and consumers shall be as follows:

Tank wagon area	Grade		
	Premium	Regular	Third grade
	Cents per gallon	Cents per gallon	Cents per gallon
Alamosa.....	12.5	11.0	9.5
Antonita.....	12.5	11.0	9.5
Blanca.....	12.5	11.0	9.5
Center.....	12.5	11.0	9.5
Creede.....	13.0	11.5	10.0
Del Norte.....	13.0	11.5	10.0
Jarosa.....	12.5	11.0	9.5
Monte Vista.....	12.5	11.0	9.5

10. Section 4.12 (b) is amended to read as follows:

(b) *Counties of Posey, Vanderburgh, Warrick, Spencer, Perry, Crawford, Harrison, Floyd, and Clark—(1) For shipment to ultimate destinations in Petroleum Administration for War District One.* Maximum prices of gasoline, according to the specifications listed below, in bulk lots f. o. b. shipping points in the above counties for shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

Specifications:	Cents per gallon
Gasoline:	
80-82 Oct. ASTM and Ethyl grade.....	8.375
72-74 Oct. ASTM.....	7.375

(2) *For shipments to ultimate destinations other than Petroleum Administration for War District One.* Maximum prices of gasoline, according to the specifications listed below, loaded into barges f. o. b. refineries in the above counties for shipment to destinations other than Petroleum Administration for War District One shall be as follows:

Specifications:	Cents per gallon
Gasoline:	
80-82 Oct. ASTM and Ethyl grade.....	8.25
72-74 Oct. ASTM.....	7.25

11. Section 4.15 (a) is amended to read as follows:

(a) *Counties of Union, Henderson, Daviess, Hancock, Breckinridge, Meade, Hardin, Bullitt, Jefferson and Oldham.* (1) *For shipments to ultimate destinations in Petroleum Administration for War District One.* Maximum prices of gasoline, according to the specifications listed below, in bulk lots f. o. b. shipping points in the above counties for

shipment to ultimate destinations in Petroleum Administration for War District One shall be as follows:

Specifications:	Cents per gallon
Gasoline:	
80-82 Oct. ASTM and Ethyl grade.....	8.375
72-74 Oct. ASTM.....	7.375

(2) *For shipments to ultimate destinations other than Petroleum Administration for War District One.* Maximum prices of gasoline, according to the specifications listed below, loaded into barges f. o. b. refineries in the above counties for shipment to destinations other than Petroleum Administration for War District One shall be as follows:

Specifications:	Cents per gallon
Gasoline:	
80-82 Oct. ASTM and Ethyl grade.....	8.25
72-74 Oct. ASTM.....	7.25

12. Section 4.29 (b) is added to read as follows:

(b) *San Luis Valley; tank wagon prices.* Maximum tank wagon prices of gasoline to dealers and consumers in that part of northern New Mexico which is within the tank wagon areas of either Antonita, Colorado, or Jarosa, Colorado, shall be as follows:

Gasoline:	Cents per gallon
Premium grade.....	12.5
Regular grade.....	11.0
Third grade.....	9.5

13. In section 5.2 (c), footnote 1 thereto is amended to read as follows:

<sup>1</sup> Not including crude oil and waste or re-refined lubricating oil when any of these are sold for use as fuel oil.

14. Section 8.2 is amended to read as follows:

SEC. 8.2. *For a petroleum product, which is not fuel oil, or for crude oil, when either is sold for use as fuel oil—* (a) *For waste or re-refined lubricating oil sold for use as fuel oil.* When waste lubricating oil or re-refined lubricating oil is sold for use as fuel oil, a seller may not charge and a buyer may not pay a price therefor until a maximum price has been approved in writing by the Office of Price Administration. Applications for such approval must be made in writing to the Petroleum Branch of the Office of Price Administration, Washington, D. C., and shall contain the same information as is required for an application under section 8.3 below.

(b) *For crude oil sold for use as fuel oil.* When crude oil (see section 1.1) is sold direct to the consumer for use as fuel oil a seller may not charge and a buyer may not pay a price therefor until the maximum price has been approved in writing by the Office of Price Administration's regional office having jurisdiction over the point at which the buyer's storage is located. Applications for such approval shall contain the same information as is required for an application under section 8.3 below. In general, a maximum price higher than the prevailing price for fuel oil at the same point will not be approved.

This amendment shall become effective April 14, 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 8th day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-5047; Filed, April 8, 1944;  
4:42 p. m.]

PART 1340—FUEL  
[MPR 436, Amdt. 11]

CRUDE PETROLEUM AND PETROLEUM AND  
NATURAL GAS

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. 436 is amended in the following respects:

1. Section 2 is amended to read as follows:

(Dollars per 42-gallon barrel)

API gravity	Fields—see key below																				
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
8-8.9			0.71																		
9-9.9			.73																		
10-10.9			.75																		
11-11.9		0.92	.77	0.92																	
12-12.9		.94	.79	.94				0.94													
13-13.9		.96	.81	.96				.96													
14-14.9	0.98	.98	.83	.98	0.98	0.95	.98	0.94	0.98	0.96	0.97	0.97	0.95	0.95	0.95	0.95	0.93	0.93	0.96	1.01	0.95
15-15.9	.98	.98	.85	.98	.98	.95	.98	.94	.98	1.00	1.01	.89	.97	.97	.96	.97	.93	.96	1.01	.95	
16-16.9	.98	.98	.85	.98	.98	.95	.98	.94	.98	1.00	1.01	.89	.97	.97	.96	.97	.93	.96	1.01	.95	
17-17.9	.98	.98	.85	.98	.98	.95	.98	.94	.98	1.00	1.01	.89	.97	.97	.96	.97	.93	.96	1.01	.95	
18-18.9	.98	.98	.85	.98	.98	.95	.98	.94	.98	1.00	1.01	.89	.97	.97	.96	.97	.93	.96	1.01	.95	
19-19.9	.98	.98	.85	.98	.98	.95	.98	.94	.98	1.00	1.01	.89	.97	.97	.96	.97	.93	.96	1.01	.95	
20-20.9	.98	.98	.85	.98	.98	.95	.98	.94	.98	1.00	1.01	.89	.97	.97	.96	.97	.93	.96	1.01	.95	
21-21.9	.98	.98	.85	.98	.98	.95	.98	.94	.98	1.00	1.01	.89	.97	.97	.96	.97	.93	.96	1.01	.95	
22-22.9	.98	.98	.85	.98	.98	.95	.98	.94	.98	1.00	1.01	.89	.97	.97	.96	.97	.93	.96	1.01	.95	
23-23.9	.98	.98	.85	.98	.98	.95	.98	.94	.98	1.00	1.01	.89	.97	.97	.96	.97	.93	.96	1.01	.95	
24-24.9	.98	1.03		.98	.99	.95	.98	.95	.98	1.05	1.04	.99	.97	1.01	1.01	1.02	1.03	1.03	1.06	1.07	.95
25-25.9	.98	1.07		.98	1.01	.95	.98	1.03	1.01	1.11	1.10	1.05	1.01	1.08	1.09	1.10	1.11	1.11	1.12	1.12	.95
26-26.9	.98	1.11		.98	1.04	.95	.98	1.03	1.01	1.11	1.10	1.05	1.01	1.08	1.09	1.10	1.11	1.11	1.12	1.12	.95
27-27.9	1.01	1.15		1.10	.99	.98	1.00	1.07	1.07	1.17	1.17	1.20	1.08	1.14	1.17			1.18	1.18	1.17	.97
28-28.9	1.04	1.19		1.13	1.02	1.02	1.02	1.10	1.10	1.20	1.20	1.22	1.12					1.20	1.21		.99
29-29.9	1.07	1.24		1.16	1.05	1.04	1.04	1.23	1.22			1.15						1.23	1.24		1.02
30-30.9	1.10	1.28		1.17	1.07	1.06	1.06			1.24		1.19									1.04
31-31.9	1.14			1.18	1.10	1.09	1.09					1.23									1.07
32-32.9	1.17			1.19	1.12	1.11	1.11					1.27									1.09
33-33.9				1.20	1.15	1.13	1.13					1.31									1.12
34-34.9				1.21	1.17							1.35									1.14
35-35.9				1.22	1.20							1.39									1.17
36-36.9				1.23	1.24							1.43									1.20
37-37.9				1.24								1.47									
38-38.9				1.25								1.51									
39-39.9				1.25								1.53									
40 and above				1.26																	

The price specified for the highest gravity crude oil in each column is the maximum price for crude oil of higher gravities.

Key to fields:

- Edison.
- Midway, Lake View Area, Elk Hills, Buena Vista Hills, Mountain View.
- Los Flores, Casmalia, Oxnard, Cat Canyon, Santa Maria Valley, Gato Ridge.
- Round Mountain, McKittrick, Newhall, Coffee Canyon, Mt. Poso, Poso, Kern River, Kern Front, Fruitvale.
- Belridge, Lost Hills.
- South Mountain, Santa Paula, Wheeler Ridge.
- Coalinga.
- Venice, Playa Del Ray.
- Orcutt.

Key to fields:

- Huntington Beach.
- Inglewood.
- Alliso Canyon.
- Montebello.
- Olinda, Brea Canon.
- Torrance.
- Richfield.
- La Habra, Whittier, East Coyote.
- Signal Hill.
- Wilmington.
- El Segundo.
- Oak Canyon.

3. Sections 8 (b) (3) and 8 (b) (4) are renumbered 8 (b) (4) and 8 (b) (5) and the following is inserted in lieu of section 8 (b) (3):

(3) *Capitan Field.* The maximum price at the receiving tank for crude petroleum produced in the Capitan Field, California, shall be as follows:

API gravity:	Price per barrel
14-14.9	\$0.95
15-15.9	.95
16-16.9	.95
17-17.9	.95
18-18.9	.95
19-19.9	.95
20-20.9	.95
21-21.9	.95
22-22.9	.95
23-23.9	.95
24-24.9	.95
25-25.9	.95
26-26.9	.99
27-27.9	1.03
34-34.9	1.21
35-35.9	1.25
36-36.9	1.28
37-37.9	1.32
38-38.9	1.35
39-39.9	1.38

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

(4) *Price based on posted price of one of fields designated in (2) or (3) above.* If crude petroleum produced at a pool which had no posted price was on the last delivery prior to March 26, 1943 sold to a particular purchaser on the basis of the posted price for another pool and at such price, the seller's maximum price for the crude petroleum produced at the former pool shall be the same as the posted price of the latter pool as shown in (2) or (3) above for the same gravity crude oil.

Any purchaser who pays for crude petroleum on the basis of this provision shall within 30 days from the effective date of this regulation, report the following information to the Office of Price Administration, Petroleum Branch, Washington, D. C.

(i) Copy of posted price bulletin of field on which purchase price is based, and the date effective.

(ii) The total production of the pool for the month of March, 1943.

(iii) The total amount purchased from the pool during March, 1943.

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

(5) *Other fields than listed in (2), (3) and (4) above.* The maximum price at the receiving tank for crude petroleum produced in fields in California other than those named in Article II, sections 8 (b) (2) and (3) and other than those fields determining maximum prices under Article II, section 8 (b) (4) shall be the sum of the maximum price as determined by other provisions of this regulation and the amount designated below:

API gravity:	Increase per barrel
Below 15	\$0.25
15-15.9	.25
16-16.9	.22
17-17.9	.19
18-18.9	.16
19-19.9	.13
20-20.9	.10
21-21.9	.07
22-22.9	.04
23-23.9	.01

Provided, however, That the maximum price for a particular gravity crude shall not be less than that for a lower gravity crude from the same seller's receiving tank in the same pool.

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

<sup>1</sup>8 F.R. 11369, 12177, 12314, 13706, 1737, 9 F.R. 347, 945, 1532, 1882, 2946.

This amendment shall become effective April 14, 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 8th day of April, 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-5046; Filed, April 8, 1944;  
4:40 p. m.]

PART 1499—COMMODITIES AND SERVICES

[GMPR, Order 639 Under § 1499.3 (b)]

GULF OIL CORPORATION

For the reasons set forth in an opinion issued simultaneously herewith, it is ordered that:

§ 1499.2162 *Authorization of maximum prices for sales of Gulf Electric-Motor Oil and Gulf Penetrating Oil in 4-ounce bottles with spouts.* The Gulf Oil Corporation of Pittsburgh, Pennsylvania, is hereby authorized to sell its Gulf Electric-Motor Oil and Gulf Penetrating Oil in 4-ounce bottles with spouts at prices not to exceed the following prices:

(a) To consumers at a retail price of 15¢ each; to dealers at a list price of \$1.20 per dozen, subject to quantity delivery discounts to dealers as follows:

	Percent
½ gross, 1 delivery	5
1 gross, 1 delivery	10
2 gross, 1 delivery	15
3 gross, 1 delivery	20

to jobbers at a list price of \$1.20 per dozen less 20% on single deliveries of one gross or more. These maximum prices are delivered prices in accordance with the company's established practice of quoting delivered prices or allowing limited freight absorption on prices of specialty products for delivery within the United States.

(b) Jobbers are authorized to sell these products to retailers at a maximum price of \$1.20 per dozen f. o. b. sellers' shipping point.

(c) Retailers are authorized to sell these items to consumers at a price not in excess of 15¢ per bottle.

(d) The Gulf Oil Corporation shall mail or otherwise supply to jobbers and dealers of these items at time of or prior to the first delivery to such purchasers a written notice as follows:

The Office of Price Administration has authorized us to sell our Gulf Electric-Motor Oil and Gulf Penetrating Oil in 4-ounce bottles to jobbers at a price of \$1.20 per dozen less 20% on single deliveries of one gross or more; likewise we are authorized to sell these products to dealers at \$1.20 per dozen less the following quantity delivery discounts;

	Percent
½ gross, 1 delivery	5
1 gross, 1 delivery	10
2 gross, 1 delivery	15
3 gross, 1 delivery	20

Jobbers are authorized to sell these products to retailers at a maximum price of \$1.20 per dozen f. o. b. sellers' shipping point. These

maximum prices are delivered prices in accordance with the company's established practice of quoting delivered prices or allowing limited freight absorption on prices of specialty products for delivery within the United States. All sellers are required to maintain their customary discounts, allowances and price differentials, applying to the sales of comparable items. In the application of any existing differentials, the maximum prices mentioned herein shall not be exceeded.

(e) The Gulf Oil Corporation for a period of ninety days shall place in each case of Gulf Electric-Motor Oil and Gulf Penetrating Oil a notice to retailers as follows:

The Office of Price Administration has established maximum prices for retail sales of Gulf Penetrating Oil and Gulf Electric-Motor Oil in 4-ounce bottles with spouts at 15¢ per bottle. All sellers are required to maintain their customary discounts, allowances and price differentials applying to like sales of comparable items.

(f) This order may be revoked or amended at any time by the Office of Price Administration.

(g) This Order No. 639 shall become effective April 10, 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 8th day of April, 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-5049; Filed, April 8, 1944;  
4:42 p. m.]

PART 1305—ADMINISTRATION

[Licensing Order 3, Amdt. 1]

REQUIRING REGISTRATION OF DEALERS LICENSED TO SELL SECOND-HAND MACHINE TOOLS OR EXTRAS, SECOND-HAND MACHINES OR PARTS, ETC.

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

Section 1305.105 (a) is amended to read as follows:

(a) "Dealer" means any person engaged in the business of selling, negotiating the sale of, or purchasing for resale second-hand machine tools or extras, second-hand machines or parts, used industrial sewing machines, or any other commodity to which this order is made applicable. Thus, the term "dealer" includes agents, auctioneers and brokers and manufacturers who sell any commodities to which this order is applicable. "Purchasing for resale" includes the purchase of any of the commodities to which this order is applicable for resale, whether or not they are repaired or rebuilt before resale.

This amendment shall become effective April 15, 1944.

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

<sup>1</sup> 8 F.R. 13241.

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

Issued this 10th day of April 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-5092; Filed, April 10, 1944;  
11:39 a. m.]

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

[RPS 56, Amdt. 4]

RECLAIMED RUBBER

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 1315.55 is amended to read as follows:

§ 1315.55 *Records.* Every person making sales or purchases of reclaimed rubber subject to this schedule shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchase or sale, showing the date, the name and address of the buyer and seller, the quantity of each grade of reclaimed rubber purchased or sold, and the price.

This amendment shall become effective April 15, 1944.

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

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

Issued this 10th day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-5093; Filed, April 10, 1944;  
11:37 a. m.]

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

[RPS 87, Amdt. 10]

SCRAP RUBBER

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 1315.1258 is amended to read as follows:

§ 1315.1258 *Records.* Every person making sales or purchases of scrap rubber subject to this schedule shall keep for inspection by the Office of Price Admin-

<sup>1</sup> 7 F.R. 1313, 2000, 2132, 7669, 8948; 8 F.R. 120, 8843.

<sup>2</sup> 7 F.R. 4781, 5177, 6002, 8700, 8948; 8 F.R. 4628, 5986, 8844.

istration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchase or sale, showing the date, the name and address of the buyer and seller, the quantity of each grade of scrap rubber purchased or sold, and the price.

This amendment shall become effective April 15, 1944.

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

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

Issued this 10th day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-5094; Filed, April 10, 1944;  
11:37 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS  
[MPR 526]

MALT DRIED GRAIN, DRIED BREWERS' GRAIN,  
MALT CLEANINGS, MALT HULLS AND MALT  
SPROUTS

In the judgment of the Price Administrator it is necessary and proper to establish uniform maximum prices for sales of certain dried brewers' products produced from the manufacture of wort or beer at levels of production and distribution.

Such specifications and statements as are used in this regulation were prior to such use in general use in the trade or industry affected. In the judgment of the Price Administrator, the maximum prices established by this regulation are generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act as amended, and of E.O. 9250 and E.O. 9328. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be covered by this regulation.

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

§ 1351.373 *Maximum prices for malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 as amended, and Executive Orders 9250 and 9328, Maximum Price Regulation 526 (Malt Dried Grain, Dried Brewers' Grain, Malt Cleanings, Malt Hulls and Malt Sprouts), which is annexed hereto and made a part hereof is hereby issued.

AUTHORITY: § 1351.373 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

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

No. 72—4

MAXIMUM PRICE REGULATION 526—MALT DRIED  
GRAIN, DRIED BREWERS' GRAIN, MALT CLEAN-  
INGS, MALT HULLS AND MALT SPROUTS

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SECTION 1. *Applicability.* This regulation shall apply to all sales, whether for immediate or future delivery, within the 48 States and the District of Columbia of the United States of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts.

SEC. 2. *Prohibition against sales of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts at prices above the maximum price.* (a) Regardless of any contract or obligation, no person shall in the course of trade or business sell, deliver, buy or receive malt dried grain, dried brewers' grain, malt cleanings, malt hulls or malt sprouts at prices above the maximum prices established by this regulation; nor shall any person agree, offer, solicit, or attempt to do any of the foregoing.

(b) Prices lower than the maximum prices established by this regulation may be charged and paid.

SEC. 3. *Definitions.* When used in this regulation the following terms shall have the following meanings:

"Dried brewers' grain" are the dried residue of by-products produced in the manufacture of wort for beer or for syrup.

"Malt dried grain", "malt cleanings", "malt hulls" and "malt sprouts" are the by-products from the manufacture of malt.

"Carload lots" means a shipment of 60,000 pounds or more or any smaller quantity which moves as a rail carload under Office of Defense Transportation or tariff requirements.

"Less than carload quantity" means a quantity of less than a carload. It includes truck quantities.

"Pool car lot" means a railroad car lot in which two or more buyers have com-

bined for the purpose of obtaining a carload rail freight rate.

"Person" means an individual, corporation, partnership, or association or other organized groups of persons or legal successors or representatives of any of the foregoing, and includes the United States and any agencies thereof, any other government or any of its political subdivisions and any agency of any of the foregoing.

"Processor" means a person who produces malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts.

"Jobber" is a person other than a processor, who, with respect to the lot in question, sells malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts to any person without unloading into a warehouse.

"Wholesaler" is a person who, with respect to the lot in question, buys malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts, unloads it into a warehouse and resells the same to any person other than a feeder. It includes a processor where he transports and unloads the aforesaid products into a warehouse operating as a place of business separate from the production plant and thereafter sells the same to the persons above mentioned.

"Retailer" is a person who, with respect to the lot in question, buys malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts, unloads it into a warehouse, and resells the same to a feeder. It includes a processor where he transports and unloads the aforesaid products into a store operated as a place of business separately from the production plant and thereafter sells the same to a feeder.

"Feeder" is a person who feeds any malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts to animals or poultry.

"Transportation cost" means the cost of transportation actually incurred by a person except that for movement other than by for hire carrier, the transportation cost shall be the reasonable value of the service, not exceeding any maximum price established therefor.

"Area A" includes the area east of the Illinois-Indiana state line, thence on or north of the Ohio River to Kenova, West Virginia, thence on and north of Norfolk and Western Railroad to Roanoke, Virginia, thence on or north of the Virginian Railroad from Roanoke, Virginia to Norfolk, Virginia.

"Area B" includes the area south of Area A east of the Mississippi River and the states of Arkansas, Louisiana, Oklahoma and Texas.

"Area C" includes the states of California, Washington and Oregon.

"Area D" includes the states of Minnesota and Wisconsin.

"Area E" includes the rest of the continental United States.

SEC. 4. *Maximum prices for sales of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by processors.* (a) The maxi-

imum price for the sale and delivery in carloads or pool car lots, bulk, by a processor (except as a wholesaler or retailer) at the basing points listed below shall be:

	Malt dried grain, malt cleanings, malt hulls, malt sprouts (24% protein or higher)	Dried brewer's grain, (24% protein or higher)
Chicago, Ill.....	\$32.00	\$34.00
Milwaukee, Wis.....	32.00	34.00
Davenport, Iowa.....	32.00	34.00
Peoria, Ill.....	32.00	34.00
St. Louis, Mo.....	32.00	34.00
Kansas City, Mo.....	32.00	34.00
Minneapolis, Minn.....	30.40	32.40
Duluth, Minn.....	30.40	32.40
La Crosse, Wis.....	30.40	32.40

(b) In Area A: The maximum f. o. b. plant price at any point in Area A not listed in paragraph (a) above shall be the basing point price at Chicago, Illinois, plus the lowest proportional grain products railroad rate from Chicago, Illinois, to the point where the plant is located, and the maximum carload delivered price at all points shall be the basing point price at Chicago, Illinois, plus the lowest proportional grain products rate from Chicago, Illinois, to destination except that when shipment is made from St. Louis, Missouri, the price may be increased by 80¢ per ton.

(c) In Area B: The maximum f. o. b. plant price and the maximum delivered carload price at any point in Area B not listed in paragraph (a) above shall be the basing point price at St. Louis, Missouri, plus \$1.20 per ton and plus the lowest proportional grain products railroad rate from St. Louis, Missouri, to the point where the plant is located or at which delivery is made, as the case may be.

(d) In Area C: The maximum f. o. b. plant price at any point in Area C shall be:

	Per ton
Dried brewers' grain, 24% protein or higher.....	\$36.00
Malt cleanings, 24% protein or higher.....	34.00
Malt hulls, 24% protein or higher.....	34.00
Malt dried grain, 24% protein or higher.....	34.00
Malt sprouts, 24% protein or higher.....	34.00

and the maximum carload delivered price at all points shall be the f. o. b. plant price of the processor plus the transportation cost from his plant to destination.

(e) In Area D: The maximum f. o. b. plant price at any point in Area D not listed in paragraph (a) above shall be the maximum basing point price at Milwaukee, Wisconsin, or Minneapolis, Minnesota, whichever is closer by the shortest railroad route; and the maximum delivered carload price at all points shall be the f. o. b. plant price of the processor plus the transportation cost from his plant to destination.

(f) In Area E: The maximum f. o. b. plant price at any point in Area E not listed in paragraph (a) above shall be the basing point price at St. Louis, Missouri, or Minneapolis, Minnesota, plus the lowest applicable carload freight rate from the basing point to the point where the plant is located, whichever results

in the lower f. o. b. plant price; and the maximum delivered carload price at all points shall be the f. o. b. plant price of the processor plus the transportation cost from his plant to destination.

(g) The maximum delivered less than carload price at all points shall be the f. o. b. plant price of the processor plus the transportation cost from the plant to destination plus \$1.00 per ton.

(h) The foregoing maximum prices shall be decreased for the sale of bulk malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts containing less than 24% protein at the rate of 50¢ per ton for each 1% of protein or fraction thereof.

In explanation of the above:

The term "f. o. b. plant price", as used above in paragraph (b) for Area A and paragraph (c) for Area B shall apply only to deliveries made within the switching limits of the railroad point at which the plant is located; for deliveries of carload lots or pool car lots to all other destinations in Area A and Area B the maximum delivered price shall be used.

In paragraphs (d) for Area C, (e) for Area D, and (f) for Area E, the "f. o. b. plant price" applies to all sales and deliveries.

SEC. 5. *Maximum prices for the sale of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by jobbers.* The maximum prices for the sale of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by a jobber shall be 75¢ per ton maximum markup for sales in carloads and less than carloads, and \$1.00 per ton maximum markup for sales in pool cars over the maximum price which the processor could lawfully charge for the quantity and quality now being sold.

SEC. 6. *Maximum prices for the sales of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by a wholesaler.* The maximum prices for the sale of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by a wholesaler shall be \$2.50 per ton maximum markup over the maximum price he could lawfully have paid the processor or jobber for the quantity and quality now being sold delivered at his warehouse plus his transportation cost from his warehouse to the buyer's receiving point.

SEC. 7. *Maximum prices for the sale of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by a retailer.* The maximum prices for the sale of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts by a retailer shall be \$5.50 per ton maximum markup over the maximum price which he could lawfully have paid the processor, jobber or wholesaler from whom he purchased the material for the quantity and quality now being sold delivered at his receiving point plus his transportation cost from his receiving point to his buyer's receiving point.

SEC. 8. *Maximum prices in other cases.* The maximum price for the sale of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts

by any other person of a class of sellers not herein specifically provided for shall be the maximum price which the person from whom he purchased could lawfully have charged for a like sale.

SEC. 9. *Maximum price for export sales.* The maximum prices for export sales of malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts shall be determined in accordance with the provisions of the Second Revised Export Price Regulation.<sup>1</sup>

SEC. 10. *Tagging and labeling.* Malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts shall be sold only in accordance with a guaranteed protein analysis and, if sold in sacks, properly tagged or printed, or if sold in bulk, accompanied by a proper certificate of analysis.

SEC. 11. *Increase for sacks.* When malt dried grain, dried brewers' grain, malt cleanings, malt hulls and malt sprouts are sold in sacks furnished by the seller there may be added to the appropriate maximum prices the reasonable market value of the sacks used (not exceeding any maximum price established thereon).

SEC. 12. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 13. *Evasion.* The provisions of this Maximum Price Regulation shall not be evaded whether by direct or indirect methods in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of any commodity covered by this regulation alone or in connection with any other commodity or by way of commission, service, transportation or other charge, or discount, premium or other privilege or by tying-agreement or other trade understanding or otherwise.

SEC. 14. *Records and reports.* (a) Every seller subject to this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect his customary records including, if any, all bills, invoices and other documents relating to every sale or delivery of malt dried grain,

<sup>1</sup> 8 F.R. 4132, 5987, 7662, 9998, 15193.

dried brewers' grain, malt cleanings, malt hulls and malt sprouts after the effective date of this regulation.

(b) Upon demand every such seller shall submit such records to the Office of Price Administration and keep such further records as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget.

SEC. 15. *Enforcement.* Persons violating any provision of this regulation are subject to the license revocation or suspension provisions, civil enforcement actions, suits for treble damages, and criminal penalties as provided in the Emergency Price Control Act of 1942, as amended.

SEC. 16. *Protests and petitions for amendment.* Any person desiring to file a protest against or seeking an amendment of any provisions of this regulation may do so in accordance with Revised Procedural Regulation No. 1<sup>2</sup> issued by the Office of Price Administration.

SEC. 17. *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

This regulation shall become effective April 15, 1944.

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

Issued this 10th day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-5097; Filed, April 10, 1944;  
11:38 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 375, Amdt. 2]

USED INDUSTRIAL SEWING MACHINES

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 375 is amended in the following respects:

1. Section 1390.161 (a) is amended to read as follows:

(a) *Reports of additions to stock and offering and selling prices*—(1) *Who shall file.* Reports of additions to stock and offering and selling prices must be filed by every person engaged in the business of selling used industrial sewing machines, either on his own behalf or on behalf of another. For example,

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

<sup>1</sup> 8 F.R. 5887, 7114.

<sup>2</sup> 7 F.R. 8961; 8 F.R. 3313, 3533, 6173.

these reports must be filed by agents, auctioneers, brokers, and dealers, and manufacturers who sell used industrial sewing machines.

(2) *Method of filing.* These reports shall be filed on Form OPA 2:10:P1 Revised—Form WPB-2574—(Used Equipment and Machinery Inventory and Sales Report Form). Copies of this form may be obtained from any War Production Board District Office. Within five days after the acquisition of a used industrial sewing machine by a person required to report under this paragraph (a), that person shall file three copies of the information required by items 1 to 16 of the form with the District Office of the War Production Board which is located in the district in which his place of business is located. Within five days after the sale of a used industrial sewing machine by a person required to report under this paragraph (a), that person shall file a copy of all the information required by the form with the District Office of the War Production Board which is located in the district in which the seller's place of business is located.

(3) *Records of information filed.* Every person required to file reports under this paragraph (a) shall keep a complete and accurate record of the information contained in those reports for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect.

2. In § 1390.161 paragraphs (b), (c) and (d) are redesignated paragraphs (c), (d) and (e) respectively.

3. Section 1390.161 (b) is added to read as follows:

(b) *Rental*—(1) *Report of rentals.* Every lessor of industrial sewing machines shall file a report with the Office of Price Administration, Washington, D. C. within ten days after a lease. This report shall set forth:

- (i) The name of the person making the report;
- (ii) The name and address of the lessor;
- (iii) The name and address of the lessee;
- (iv) Identification of the machine by the manufacturer, style or model number, type and serial or other number;
- (v) The rental price; and
- (vi) The date of delivery.

These reports shall be filed in duplicate and shall be signed by the person reporting.

(2) *Reports of list price rentals for industrial sewing machines not listed in Appendix A.* Every lessor of industrial sewing machines which are not listed in Appendix A and for which there was a list price in effect on October 1, 1941, unless he has already done so, must file all his list prices in effect on October 1, 1941, for the rental of industrial sewing machines with the Office of Price Administration, Washington, D. C.

4. Section 1390.161a is added to read as follows:

§ 1390.161a *Notification of auction sales.* Every auctioneer shall file a written notice of every private or public auction sale

of used industrial sewing machines at least one week before the sale. This notice shall be filed with the District Office of the Office of Price Administration, which is located in the district in which the auction is to be held. This notice shall include the place, date and time of the sale, the classes and types of used industrial sewing machines that are to be sold, and a copy of any announcements of the sale.

5. Section 1390.162a is amended to read as follows:

§ 1390.162a *Licensing*—(a) *License granted.* The licensing provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all persons subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(b) *Registration of certain sellers of used industrial sewing machines.* Every person engaged in the business of selling used industrial sewing machines, either on his own behalf or on behalf of another, must register with the Office of Price Administration in accordance with Licensing Order No. 3.

This amendment shall become effective April 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4631; Directive No. 35 of the War Production Board)

Issued this 10th day of April 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-5090; Filed, April 10, 1944;  
11:36 a. m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 465, Amdt. 4]

USED PRESSURE VESSELS AND USED ENCLOSED ATMOSPHERIC PRESSURE VESSELS

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 465 is amended in the following respects:

1. Section 12a is added to read as follows:

SEC. 12a. *Reports of additions to stock and offering and selling prices*—(a) *Who shall file.* Reports of additions to stock and offering and selling prices must be filed by every person engaged in the business of selling used vessels, either on his own behalf or on behalf of another. For example, these reports must be filed by agents, auctioneers, brokers and dealers, and manufacturers who sell used vessels.

(b) *Method of filing.* These reports shall be filed on Form OPA-2:10:P1 Re-

<sup>1</sup> 8 F.R. 12625, 16170, 9 F.R. 2091, 287, 2692.

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vised—Form WPB-2574—(Used Equipment and Machinery Inventory and Sales Report Form). Copies of this form may be obtained from any War Production Board District Office. Within five days after the acquisition of a used vessel by a person required to report under this section, that person shall file three copies of the information required by items 1 to 16 of the form with the District Office of the War Production Board which is located in the district in which his place of business is located. Within five days after the sale of a used vessel by a person required to report under this section, that person shall file a copy of all the information required by the form with the District Office of the War Production Board which is located in the district in which the seller's place of business is located.

(c) *Records of information filed.* Every person required to file reports under this section shall keep a complete and accurate record of the information contained in those reports for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect.

2. Section 13 is amended to read as follows:

SEC. 13. *Notification of auction sales.* Every auctioneer shall file a written notice of every public or private auction sale of used vessels at least one week before the sale. This notice shall be filed with the District Office of the Office of Price Administration which is located in the district in which the auction is to be held. The notice shall include the place, date and time of the sale, the classes and types of used vessels that are to be sold, and a copy of any announcement of the sale.

3. Section 15 is amended to read as follows:

SEC. 15. *Licensing—(a) License granted.* The licensing provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all persons subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(b) *Registration of certain sellers of used vessels.* Every person engaged in the business of selling used vessels, either on his own behalf or on behalf of another, must register with the Office of Price Administration in accordance with Licensing Order No. 3.

This amendment shall become effective April 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Directive No. 35 of the War Production Board)

Issued this 10th day of April 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-5096; Filed, April 10, 1944; 11:37 a. m.]

PART 1395—NONFERROUS FOUNDRY PRODUCTS

[RMFR 125, Amdt. 4]

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.\*

Section 1395.1 is amended by adding a new paragraph (b1) after paragraph (b) and before paragraph (c), to read as follows:

(b1) *Small orders.* Nothing in this regulation or in the General Maximum Price Regulation<sup>2</sup> shall apply to any sale, contract to sell, or delivery of nonferrous castings if all of the following conditions are met:

NOTE: If any one or more of the conditions are not met, the exclusion is not in effect.

(1) *Limits as to total weight and number.* The order for the castings must not exceed the following limits either in total weight or in total number of castings:

	(i) For the particular small order		(ii) For all small orders received from the same buyer within 30 days before the receipt of the particular order, plus the particular order	
	Weight	Number from one design of pattern	Weight	Number from one design of pattern
Copper base castings.....	Pounds 150	25	Pounds 450	50
Aluminum base castings.....	100	25	300	50
Magnesium base castings.....	100	25	300	50

The total weights are the weights, before machining, of all castings of each metal base, and the number of castings is the number of castings from each design of pattern. The number of castings from more than one design of pattern in a single order may, of course, be greater than the limit provided for each single design of pattern.

(2) *No pricing contract or list in effect.* The exemption does not apply to castings for which the prices are provided, at the time of the order, by a pricing contract or agreement, price list or schedule, such as, for example, a flat price for similar castings or groups of castings.

(3) *No pricing under the regulation within past 30 days.* The exemption does not apply to castings the same as castings that have been sold, contracted to be sold, delivered or offered for sale to the same buyer within 30 days before the receipt of the order, at a price

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

<sup>2</sup> 8 F.R. 1271, 2597, 2721; 9 F.R. 576.

figured for the purpose of complying with pricing provisions of this regulation.

(4) *Statement on invoice and copy.* A statement must appear on the invoice for the castings and on at least one copy of the invoice in the records of the seller as follows: "Exempted from price control by RMFR 125, § 1395.1 (b1)."

(5) *Report of small orders.* The seller must report on January 15, April 15, July 15 and October 15 of each year the following information concerning castings sold by him during the preceding completed calendar quarter year:

(i) Total weight and dollar amount of castings of each metal base exempted from price control under this section.

(ii) Total weight and dollar amount of all nonferrous castings priced under RMFR 125.

The information shall be reported by a letter signed by the seller and filed with the Office of Price Administration, Washington, D. C.

This amendment shall become effective April 15, 1944.

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

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

Issued this 10th day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-5086; Filed, April 10, 1944; 11:38 a. m.]

PART 1405—FERRO ALLOYS

[MPR 248, Amdt. 4]

MANGANESE ORES

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. 248 is amended in the following respects:

A new § 1405.56b is added as set forth below:

§ 1405.56b *Sales or deliveries of metallurgical manganese ores, quantities not in excess of 500 pounds.* Neither the provisions of this Maximum Price Regulation No. 248, other than § 1405.59, nor the provisions of the General Maximum Price Regulation,<sup>2</sup> shall apply to the sale or delivery of manganese ores when the sale or delivery does not exceed 500 pounds in weight.

This amendment shall become effective April 15, 1944.

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

Issued this 10th day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-5088; Filed, April 10, 1944; 11:38 a. m.]

<sup>2</sup> 7 F.R. 8694, 10017; 8 F.R. 2109, 12406.  
<sup>3</sup> 9 F.R. 1385.

PART 1405—FERRO ALLOYS

[MPR 258,<sup>1</sup> Amdt. 4]

CHROME ORES

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. 258 is amended in the following respects:

A new § 1405.104b is added as set forth below:

§ 1405.104b *Sales or deliveries of chrome ores, quantities not in excess of 500 pounds.* Neither the provisions of this Maximum Price Regulation No. 258, other than § 1405.108, nor the provisions of the General Maximum Price Regulation<sup>2</sup> shall apply to the sale or delivery of chrome ores when the sale or delivery does not exceed 500 pounds in weight.

This amendment shall become effective April 15, 1944.

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

Issued this 10th day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-5089; Filed, April 10, 1944; 11:39 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 395,<sup>3</sup> Amdt. 17]

MAXIMUM PRICES IN THE VIRGIN ISLANDS OF THE UNITED STATES

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 395 is amended in the following respects:

1. Section 32 (a) (4) is added to read as follows:

(4) "Soup bones" means scrap soup bones only and does not include bones customarily sold as meat.

2. Section 37 is added to read as follows:

Sec. 37. *Maximum prices for laundry, dry cleaning or wet cleaning, and pressing services sold in the Municipality of St. Thomas and St. John*<sup>4</sup>—(a) *Definition.* When used in this section 37, the term:

(1) "Dry cleaning or wet cleaning" includes all customary pressing and finishing services.

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

<sup>1</sup> 7 F.R. 9002; 8 F.R. 3371, 7198, 9787.

<sup>2</sup> 9 F.R. 1385.

<sup>3</sup> 8 F.R. 6621, 8873, 9996, 11438, 12661, 13345, 14144, 15865, 17062, 18298, 16793; 9 F.R. 1398.

<sup>4</sup> Maximum prices for laundry, dry cleaning and wet cleaning, and pressing services sold in the Municipality of St. Croix are governed by the General Maximum Price Regulation, as amended.

(b) *Laundry services.* The maximum prices for laundry services sold by establishments, not including individual laundresses, located in the Municipality of St. Thomas and St. John shall be the applicable price set forth in the following table:

TABLE XXIV—MAXIMUM PRICES FOR LAUNDRY SERVICES IN THE MUNICIPALITY OF ST. THOMAS AND ST. JOHN

	Each
Aprons	\$0.08
Bed head covers	.08
Brassieres	.10
Bath mats	.10
Bath robes	.25
Bedspreads, plain and light chenille	.25
Bedspreads, heavy chenille	.35
Blankets	.25
Blouses, plain	.15
Blouses, fancy	.25
Caps, doctors'	.05
Caps, cooks	.10
Coats, men's	1.40
Collars, men's, hard	.06
Collars, men's, soft	.05
Comforts, except silk	.25
Comforts, silk	.50
Drawers (shorts), men's	1.06
Drawers (unionsuits or B. V. D.'s) men's	.10
Dresses, plain	.25
Dresses, pleated	.50
Dresses, silk or sharkskin	.50
Dungarees, pants only, and work pants	.25
Dungarees, jackets only	.15
Dungarees, combination	.40
Gowns, doctors'	.20
Handkerchiefs	1.02
Housecoats	.50
Laundry bags	.05
Mattress covers	.15
Mosquito nets	.25
Neckties	.05
Nightgowns, except silk	.15
Nightgowns, silk	.25
Overalls, one piece	.25
Overalls, combination (two pieces)	.40
Pads, bed	.25
Pajamas, pair	1.22
Pajamas, coats	.10
Pajamas, trousers	.12
Panties, except silk	.08
Panties, silk	.15
Pants, work	.25
Pants, except work pants and riding trousers	1.35
Pillow cases	.05
Rugs, rag	.25
Sheets, regular	.15
Sheets, half	.08
Shirts, sport	.15
Shirts, white	.18
Shirts, colored	.15
Shirts, starched dress	.25
Shorts, play or sport	.20
Shower curtains	.12
Skirts, plain	.25
Slacks, ordinary	.35
Slacks, other	.40
Slack suits	.60
Socks, white, pair	.05
Socks, colored, pair	.04
Suits, ladies' cotton	.60
Suits, men's, except stuff (as serge)	1.75

<sup>1</sup> Hotels and resorts may charge the following maximum prices on the items listed below:

Coats, men's	\$0.50
Drawers (shorts), men's	.10
Handkerchiefs	.03
Pajamas, silk only—otherwise as specified above	.35
Pants, men's, all	.50
Suits, men's	1.00

TABLE XXV—MAXIMUM PRICES FOR LAUNDRY SERVICES IN THE MUNICIPALITY OF ST. THOMAS AND ST. JOHN—Continued.

	Each
Suits, men's, stuff (as serge)	\$1.00
Sweaters, except wool	.30
Sweatshirts	.20
Tablecloths, ordinary only	.10
Table napkins	.03
Towels, bath	.06
Towels, face	.05
Towels, hand and kitchen	.04
Towels, roller	.06
Trousers, riding	.50
Undershirts	.06
Uniforms, maids' and nurses'	.50

NOTE: The maximum prices for laundering articles not specifically mentioned in this table shall be determined by the seller on the basis of the maximum prices for laundry services of comparable difficulty, and must be in line with the listed prices.

The seller may add a surcharge not in excess of 25 per cent of the total charge for laundering items on a 24-hour service basis, if such service is specially requested by the customer.

(c) *Dry cleaning or wet cleaning services.* The maximum prices for dry cleaning or wet cleaning services sold in the Municipality of St. Thomas and St. John shall be the applicable price set forth in the following table:

TABLE XXV—MAXIMUM PRICES FOR DRY CLEANING OR WET CLEANING SERVICES IN THE MUNICIPALITY OF ST. THOMAS AND ST. JOHN

	Each
Suits, men's	\$1.25
Coats, men's	.75
Pants, except flannel	.50
Pants, flannel	1.00
Dresses, plain	1.00
Dresses, half pleated	1.25
Dresses, full pleated	1.50
Evening gowns	( <sup>1</sup> )

<sup>1</sup> Exempt from price control by the Office of Price Administration.

NOTE: The maximum prices for dry cleaning or wet cleaning articles not specifically mentioned shall be determined by the seller on the basis of maximum prices for dry cleaning services of comparable difficulty, and must be in line with the listed prices.

The seller may add a surcharge not in excess of 25 per cent of the total charge for dry cleaning or wet cleaning items on a 24-hour service basis, if such service is specially requested by the customer.

(d) *Pressing services.* The maximum prices for pressing only, or sponging and pressing only, garments in the Municipality of St. Thomas and St. John shall be 50 cents per garment, except that the total price per suit may not exceed 75 cents.

This amendment shall become effective April 15, 1944.

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

Issued this 10th day of April 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-5091; Filed, April 10, 1944; 11:39 a. m.]

## PART 1499—COMMODITIES AND SERVICES

[MPR 188, Amdt. 31]

## BUILDING BRICK

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. 188 is amended in the following respect:

1. The list of commodities in § 1499.167, Appendix B, is amended by deleting the term "common brick", listed under the heading "Structural clay products" and adding the term "Building brick (common and unglazed face)", as set forth below:

Building brick (common and unglazed face)

This Amendment No. 31 shall become effective April 15, 1944.

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

Issued this 10th day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-5087; Filed, April 10, 1944;  
11:39 a. m.]

## PART 1499—COMMODITIES AND SERVICES

[SR 15 to GMPR, Amdt. 24]

## SERVICES OF CARRIER OTHER THAN COMMON CARRIER

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.\*

§ 1499.75 (a) (3), the fourth undesignated paragraph, including the subdivisions (a) through (j), is amended to read as follows:

Applications for adjustment under this subparagraph (3) shall be filed on and contain the information required by OPA Forms 644-602 and 603.

This amendment shall become effective April 15, 1944.

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

Issued this 10th day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-5095; Filed, April 10, 1944;  
11:37 a. m.]

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

<sup>1</sup> 7 F.R. 5872, 7987, 8943, 10155; 8 F.R. 537, 1815, 1980, 3105, 3788, 3850, 4140, 4931, 5759, 8751, 8753, 9836, 10433, 10906, 11037, 12406, 12479, 12186, 12668, 14622, 14766, 16298, 17415; 9 F.R. 1912, 2556.

## Chapter XIII—Petroleum Administration for War

[PAO 12, as Amended Apr. 8, 1944]

## PART 1528—MATERIAL CONSERVATION; MARKETING

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of material for the marketing of petroleum for defense, for private account and for export; and the following order is deemed necessary in the public interest to promote the national defense and provide adequate supplies of petroleum for military and other essential uses.

§ 1528.1 *Petroleum Administrative Order No. 12*—(a) *Scope of order.* The provisions of this order shall be applicable to petroleum marketing operations in the United States, its territories or possessions and to the use of material for such operations.

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

(2) "Marketing" means the operation of all facilities (other than petroleum terminal or terminal storage facilities or marine, rail, pipeline or truck facilities used to transport petroleum) for distributing or dispensing petroleum (excluding natural or liquefied petroleum gas), including without limitation the operation of service stations, substations, bulk plants, warehouses, wholesale depots, or facilities operated by "consumer accounts".

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

(4) "Structure" means any building, physical construction or portion thereof, used in marketing, but not including equipment used therein.

(5) "Equipment" means dispensing pumps, other than "drum" or "barrel" pumps as these terms are known to the trade, and storage tanks (including but not limited to skid tanks) having a capacity of more than 65 gallons used in marketing.

(6) "Maintenance and repair" means (without regard to accounting practice):

(i) The upkeep of any structure or equipment in a sound working condition or the restoration or fixing of any structure or equipment which has broken down or is worn out, damaged or destroyed;

(ii) Any other use of material not exceeding in material cost five hundred dollars (\$500.00) for any one complete operation which has not been subdivided for the purpose of coming within this definition: *Provided*, That maintenance and repair shall not include (a) any use of material in connection with a service station or retail outlet other than for upkeep or restoration purposes; or (b)

the installation or replacement of any equipment.

(7) "Farm" means any plot of land at least 10 acres of which are used for agricultural purposes for profit.

(8) "Supplier" means any person, other than an ultimate consumer, supplying petroleum directly or indirectly.

(9) "Advertising material" means any material (other than non-metallic material) used for such display or advertising purposes as are incident to marketing.

(c) *Restrictions on use of material.* Subject to the exceptions in paragraph (d), no person shall:

(1) Construct, reconstruct, expand, alter or remodel any structure;

(2) Install equipment or advertising material;

(3) Construct, equip or locate any tank truck or tank trailer where such tank truck or tank trailer is used or is to be used to deliver petroleum into the fuel supply tanks of passenger motor vehicles.

(4) Use any (i) structure constructed, reconstructed, expanded, altered or remodelled in violation of this order; (ii) equipment installed in violation of this order; (iii) tank or tank trailer constructed, equipped or located in violation of this order.

(d) *Permitted uses of material.* The provisions of paragraph (c) shall not apply in the following instances:

(1) To any case where material is to be used by any person for the maintenance and repair of any structure or equipment.

(2) To any case where the structure or equipment is to be used exclusively for the official requirements of the armed forces of the United States.

(3) To any case where equipment is to be installed as a replacement of equipment the repair of which cannot be effected on the premises: *Provided*, That:

(i) In the case of storage tanks having a capacity of more than 65 gallons, the capacity of the tank which is to be installed does not exceed the capacity of the tank which is to be replaced;

(ii) In the case of dispensing pumps, the pump which is to be installed is of similar type and design as the pump which is to be replaced.

(4) To any case where any dispensing pump completely fabricated prior to January 14, 1942

(i) Is to be installed to replace a dispensing pump manufactured not less than five years prior to the date of such installation; or

(ii) Is to be installed by any person at any location from which such dispensing pump had been previously removed by such person for safe-keeping for a period of at least two months or is to be installed by any person as a replacement of a pump of the same type and design which had been removed by such person from such location for safe-keeping for a period of at least two months: *Provided*, That any person installing a dispensing pump pursuant to this para-

graph (d) (4) (ii) shall keep a record showing the date and location of the removal, the type and design of the pump removed, the date of the installation and the type and design of the newly installed pump.

(5) To any case where equipment is to be installed to distribute petroleum to machinery or vehicles used directly in physical construction work on any project to which a preference rating of AA-4 or higher has been assigned: *Provided*, That such equipment shall be withdrawn from the location of the project upon the completion thereof and shall thereafter be subject to the provisions of this Order.

(6) To any case where equipment is to be installed to contain, distribute or dispense fuel oil, including grades Nos. 1, 2, 3, 4, 5 or 6, Bunker "C", kerosene, range oil or gas oils, to stationary consuming facilities: *Provided*, That such equipment is not installed at any structure for use in carrying out marketing functions regularly performed by a service station, substation, bulk plant, warehouse, or wholesale depot.

(7) To any case where equipment is to be installed on a farm and is to be used exclusively to dispense petroleum products to the machinery or vehicles used directly in operations on such farm.

(8) To any case where advertising material which was completely fabricated, but not necessarily assembled, on or before March 30, 1942, is to be installed.

(9) To any case where storage tanks are to be installed to augment the storage capacity at any location for a product presently stored at that location: *Provided*, That the installation results in an annual mileage saving of at least 25% in the mileage traveled by the transportation facilities used in making deliveries of such petroleum product to the location; *And provided further*, That the installation is not disapproved by the Petroleum Administration for War within ten days after a statement in triplicate is filed with the District Director of Distribution and Marketing, as directed in paragraph (e) hereof, advising the date and location of the proposed installation, the material and equipment to be used, and the estimated mileage traveled by the transportation facilities used in making deliveries of such petroleum product to the location before and after the proposed installation, such notice to be signed by a duly authorized representative of the person supplying the location with petroleum.

(10) To any case where an authorized official of the Petroleum Administration for War has determined that the construction, reconstruction, expansion or remodeling of any structure, the installation of equipment or advertising material, or the construction, equipping or locating of any tank truck or trailer, is necessary and appropriate in the public interest and contributes to the successful prosecution of the war. Application for such a determination shall be filed in triplicate on Form PAW 23.

(e) *Application and correspondence.* All correspondence and all applications filed under subparagraphs (d) (8) and (d) (9) shall, unless otherwise directed,

be addressed to the District Director of Distribution and Marketing, Petroleum Administration for War at:

(1) 122 East 42d Street, New York, New York, if the material is to be used in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, or the District of Columbia.

(2) 1200 Blum Building, 624 South Michigan Avenue, Chicago, Illinois, if the material is to be used in the States of Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, or North Dakota.

(3) 245 Mellie Esperson Building, Houston, Texas, if the material is to be used in the States of Alabama, Mississippi, Louisiana, Arkansas, Texas, or New Mexico.

(4) 320 First National Bank Building, Denver, Colorado, if the material is to be used in the States of Montana, Wyoming, Colorado, Utah, or Idaho.

(5) 855 Subway Terminal Building, Los Angeles, California, if the material is to be used in the States of Arizona, California, Nevada, Oregon, or Washington, or the Territories of Alaska or Hawaii.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who wilfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3627; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong. as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of April 1944.

RALPH K. DAVIES,  
Deputy Petroleum  
Administrator for War.

[F. R. Doc. 44-5060; Filed, April 10, 1944;  
10:37 a. m.]

#### PART 1531—MARKETING NAPHTHA

[Petroleum Distribution Order 18, Amdt. 1]

##### QUARTERLY QUOTA

Section 1531.1 *Petroleum Distribution Order No. 18* is hereby amended by changing subparagraph (7) of paragraph (a) to read as follows:

(a) *Definitions.* \* \* \*

(7) "Quarterly quota" means that amount of naphtha which any dealer or bulk consumer is entitled to obtain under the provisions hereof from his supplier or suppliers during any quota period and shall be determined by multiplying by 125% the number of gallons of naphtha

delivered to such dealer or bulk consumer during the calendar quarter of 1942 corresponding to the quota period: *Provided*, That any naphtha or other petroleum product which was sold as a motor fuel during the corresponding calendar quarter of 1942 shall not be included in the number of gallons of naphtha upon which the quarterly quota of any dealer or bulk consumer is computed.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3627; WPB Directive No. 30, 8 F.R. 11559; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong. as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 8th day of April 1944.

RALPH K. DAVIES,  
Deputy Petroleum  
Administrator for War.

[F. R. Doc. 44-5059; Filed, April 10, 1944;  
10:37 a. m.]

#### TITLE 34—NAVY

##### Chapter I—Department of the Navy

##### PART 7—UNITED STATES MARINE CORPS

##### PROMOTION; SEPARATION

Section 7.13-111 (c) is amended by adding at the end thereof: "(See § 7.13-66 (b) (3))"; §§ 7.13-66 (b) (3) and 7.13-111 (e) are amended to read as follows:

§ 7.13-66 *Failure to qualify for promotion.* \* \* \*

(b) *Failure on examination.* \* \* \*

(3) *Professionally.* An officer who fails to qualify professionally may be honorably discharged or, in the discretion of the Commandant of the Marine Corps, be suspended from promotion for a period of 1 year from the date of his examination, with the loss of 1 year's numbers from the date he originally became due for promotion. Should he then qualify, his loss of numbers will be that of all officers of his rank, junior to him, who have been promoted during the year. At the end of 1 year, should he fail to qualify upon reexamination, he shall be honorably discharged (see § 7.13-111), placed on the honorary retired list (see § 7.13-113), or retained in the Marine Corps Reserve as an extra number in grade. While so serving as an extra number in grade, he may request reexamination and, if and when so qualified, may be reassigned to the regular lineal list with a consequent loss of numbers.

§ 7.13-111 *Discharge of officers.* \* \* \*

(e) When 40 years of age in grade of second lieutenant or first lieutenant; 46 years of age in grade of captain; 52 years of age in grade of major; or 58 years of age in grade of lieutenant colonel; unless, within the discretion of the Secretary of the Navy, he is retained on the active list or placed on the honorary retired list of the Marine Corps Reserve.

<sup>1</sup> 8 F.R. 16437.

<sup>2</sup> 8 F.R. 16440.

(R.S. 1621, 41 Stat. 787, 56 Stat. 10, 52 Stat. 1175, 55 Stat. 3, 56 Stat. 226, 739; 34 U.S.C. 715, 622, 853-856)

MAJ. GEN. D. PECK,  
Acting Commandant of the  
U. S. Marine Corps.

Approved:

FRANK KNOX,  
Secretary of the Navy.

[F. R. Doc. 44-4983; Filed, April 7, 1944;  
11:43 a. m.]

PART 1—GENERAL REGULATIONS AFFECTING  
THE PUBLIC COMMERCIAL ADVERTISING;  
PHOTOGRAPHS OF NAVAL SUBJECTS

Sections 1.3002<sup>1</sup> and 1.3005<sup>2</sup> (b) (5),  
(h) (1) are amended to read as follows:

§ 1.3002 *Commercial advertising.* (a) The Navy Department will not object to commercial firms advertising that their products are or have been supplied to, or used by the Navy, provided:

(1) That no information held as confidential by the Navy is divulged.

(2) That the advertising constitutes a statement of fact with no misleading or otherwise objectionable features.

(3) That no mention is made of the fact that a product has undergone or is undergoing test at the instance of or under the cognizance of the Navy Department, and that there are included no data derived from tests made in Government laboratories or on board naval vessels.

(4) That no statement is made that the product is used by the Navy to the exclusion of other similar products.

(5) That all copy, text, and photographs to appear are submitted for review prior to release.

(b) The following regulations govern the use of naval insignia, uniforms, and personnel in advertisements or publicity stories:

(1) *Insignia.* Reproductions of naval insignia may be used in advertising and publicity provided that the dignity of such insignia is not compromised.

(2) *Uniforms.* Actual uniforms may be used for illustrations, provided that the dignity of such uniforms is not compromised. There is no objection to the use of professional models photographed in naval uniforms provided that the foregoing regulations are observed.

(3) *Personnel.* Navy personnel may be used under the following conditions:

(i) The action may not in any way reflect discredit upon the Navy.

(ii) The action or pose shall in no way infer the products advertised are endorsed by the Navy to the exclusion of other products.

(iii) Testimonials from Navy personnel are not banned per se, but the person giving the testimonial cannot be specifically identified. The use of name, initials or rank of Navy personnel ap-

pearing in testimonial advertising is not permitted. However, it is permissible to use the expression "says a Navy captain," etc. Care should be taken to phrase testimonials from Navy personnel so as to make clear that the views expressed are those of individuals and not of the Navy Department.

(iv) Names and pictures of naval personnel shall not be used for advertising purposes without first obtaining the permission of the man in question and without submission of the advertisement, in completed form, to the Office of Public Relations for review and approval prior to publication.

(v) Should an advertiser contemplate the use of Navy heroes in a manner not covered by the foregoing, he should be requested to submit photographs and text material to the Office of Public Relations, Review Section, Washington, D. C., for review prior to publication.

(c) In each case in which any bureau or office of the Navy Department or other agency in the naval service receives an inquiry on this subject, it will reply in the sense of the foregoing.

(d) So far as practicable, the review of advertising copy by naval authority will be carried out by the commandant of the naval district within which the advertising company is located.

(e) When there is doubt as to the propriety of the copy or photographs, reference should be made to the Office of Public Relations, Review Section, Navy Department, Washington, D. C.

[G. O. 201, Oct. 16, 1943]

§ 1.3005 *Photographs of naval subjects.* \* \* \*

(b) *Responsibility.* \* \* \*

(5) *Reference to Navy Department in cases of doubt.* Where there is doubt as to the advisability of making or releasing any photograph for publication, reference, with recommendation, will be made to the Secretary of the Navy (Director of Public Relations). When an official Navy still photograph is referred to the Navy Department for review, the original negative and two prints will be forwarded to the Chief of Naval Operations. All copies of negatives and photographs of combat action against the enemy which show loss of or damage to U. S. combatant ships, or fleet operations knowledge of which must be kept in the limited distribution category, should be forwarded via the Commander in Chief, United States Fleet, who will take appropriate action as to further disposition. All still negatives and prints made by commercial photographers shall remain under naval jurisdiction until such negatives have been released. In the case of commercial photographers one additional print should be forwarded to the Secretary of the Navy (Director of Public Relations) for the Department files.

(h) *General.* (1) Official Navy photographs of potential strategic or historic value without regard to release status,

will be forwarded to the Chief of Naval Operations. [G.O. 204, Nov. 15, 1943]

(R.S. 1547; 34 U.S.C. 591)

JAMES FORRESTAL,  
Acting Secretary of the Navy.

[F. R. Doc. 44-5050; Filed, April 10, 1944;  
9:43 a.m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office  
(Appendix)

[Public Land Order 219]

ALASKA

RESERVING ADDITIONAL PUBLIC LANDS  
WITHIN CHUGACH NATIONAL FOREST FOR  
TOWNSITE PURPOSES

By virtue of the authority vested in the President by section 1 of the act of March 12, 1914, 38 Stat. 305, 307 (U.S.C., title 48, sec. 303), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The reservation for townsite purposes made by Executive Order No. 1919½ of April 21, 1914, of a tract of public land at the head of Passage Canal (Portage Bay), within the Chugach National Forest, Alaska, is hereby enlarged, the reservation as so enlarged being described as follows:

Beginning at a point from which the highest point of the most northerly knob, about 50 feet high, on the well-defined glaciated spur between Passage Canal and Portage Glacier, about 1¼ miles southwest of Passage Canal, bears west one-quarter mile.

From the point of beginning,  
South, 40 chains, to a point in approximate latitude 60°45'45" N., and longitude 148°45' W.;

East, 300 chains;  
North, 140 chains;  
West, 80 chains;  
North, 100 chains;  
West, 220 chains;  
South, 200 chains, to the place of beginning.

The area described aggregates 6,400 acres, including land and water surface.

ABE FORTAS,  
Acting Secretary of the Interior.

MARCH 28, 1944.

[F. R. Doc. 44-5005; Filed, April 8, 1944;  
10:06 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications  
Commission

PART 3—RULES GOVERNING STANDARD AND  
HIGH FREQUENCY BROADCAST STATIONS

[Order 84-B]

MULTIPLE OWNERSHIP OF STANDARD BROAD-  
CAST STATIONS

At a meeting of the Commission held on April 4, 1944, the Commission gave consideration to the petitions pending before it for a suspension of § 3.35 (8 F.R. 16065) or for a postponement of the ef-

<sup>1</sup> 8 F.R. 7397.

<sup>2</sup> 8 F.R. 7398.

fective date of that regulation. The Commission thereupon adopted the following order:

I. Except as provided below the effective date of § 3.35 is hereby suspended.

II. On or before May 31, 1944, all licenses to whom § 3.35 is or may be applicable will be required to:

1. File an application which will effect compliance with § 3.35; or

2. Submit a petition for extension of license for such period as may be necessary to complete negotiations for an orderly disposition or otherwise to comply with the terms of the regulation, provided such petition sets forth:

(a) The determination of the licensee to proceed in good faith as expeditiously as may be to effectuate compliance with the regulation; and

(b) A statement of the steps which petitioner proposes to take in order to effect his compliance with the regulation, and the specific facts establishing due diligence in the effort to effect a compliance with the terms of the regulation and the licensee's inability to comply therewith; or

3. Submit a petition for a hearing to determine the applicability of § 3.35 to the petitioner, in which case the petition and the license renewal will be set for hearing.

III. The license renewals of all affected licensees, who do not take one of the foregoing steps or who are unsuccessful in obtaining an extension of time under subparagraph 2 above, will be designated for hearing.

IV. The Commission will insist upon a speedy determination of any proceeding hereunder and will require an expeditious compliance with its final order thereon within such reasonable time as may be fixed in such final order.

V. Upon compliance with § 3.35 the Commission will issue appropriate certificates pursuant to the provisions of section 123 of the Revenue Act of 1943.

Adopted this 4th day of April 1944.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 44-5009; Filed, April 8, 1944; 11:16 a. m.]

**TITLE 49—TRANSPORTATION AND RAILROADS**

**Chapter I—Interstate Commerce Commission**

[S. O. 173-A]

**PART 97—ROUTING OF TRAFFIC**

**ROUTING OF CARLOAD FREIGHT FROM MONROE OR WEST MONROE, LA.**

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of April, A. D. 1944.

No. 72—5

Upon further consideration of Service Order No. 173 (9 F.R. 222) of January 4, 1944, and good cause appearing therefor: *It is ordered*, That:

Service Order No. 173 (9 F.R. 222) of January 4, 1944, 49 CFR 97.10, providing restrictions on routing of carload freight from Monroe or West Monroe, Louisiana, to destinations east of the Mississippi River be, and it is hereby, suspended until further order of the Commission. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17), 15 (4))

*It is further ordered*, That this order shall become effective at 12:01 a. m., April 10, 1944; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 44-5075; Filed, April 10, 1944; 11:28 a. m.]

**Chapter II—Office of Defense Transportation**

[Administrative Order ODT 23]

**PART 503—ADMINISTRATION**

**EXERCISE OF DELEGATED AUTHORITY**

Pursuant to Executive Orders 8989, as amended, 9108, as amended, 9156, 9214, 9294, and 9341, and War Production Board Directive 21, it is hereby ordered:

§ 503.425 *Continuance of authority and functions.* Federal officers, departments, agents and agencies, and employees shall continue to exercise the authority and perform the functions heretofore conferred and imposed upon them by the Director and the Acting Director of the Office of Defense Transportation until otherwise ordered.

Administrative Order ODT 22 (9 F.R. 3040) be, and it hereby is, revoked.

(E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9108, as amended, 7 F.R. 2201 and 8 F.R. 3687; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; E.O. 9341, 8 F.R. 6323; War Production Board Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 6th day of April 1944.

J. M. JOHNSON,  
Director,  
Office of Defense Transportation.

[F. R. Doc. 44-5064; Filed, April 10, 1944; 11:17 a. m.]

**Notices**

**DEPARTMENT OF THE INTERIOR.**

**General Land Office.**

**UTAH**

**ESTABLISHMENT AND MODIFICATION OF GRAZING DISTRICTS**

Establishing Utah Grazing District No. 11 and modifying Utah Grazing Districts Nos. 4 and 5.

Under and pursuant to the provisions of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315 et seq.), and subject to the limitations and conditions therein contained, Utah Grazing Districts Nos. 4 and 5 are modified by eliminating therefrom the following-described lands, and Grazing District No. 11, embracing such lands, is hereby established:

**UTAH**

**SALT LAKE MERIDIAN**

*From District No. 4*

- T. 43 S., R. 2 W.,  
Secs. 8 to 10, inclusive, secs. 15 to 22, inclusive, and secs. 28 to 33, inclusive.
- T. 44 S., R. 2 W.,  
Secs. 3 to 10, inclusive.
- T. 40 S., R. 3 W., unsurveyed,  
Secs. 4 to 9, inclusive, secs. 16 to 21, inclusive, and secs. 28 to 33, inclusive.
- T. 41 S., R. 3 W.,  
Secs. 4 to 9, inclusive, secs. 16 to 21, inclusive, and secs. 28 to 33, inclusive.
- Tps. 42, 43, and 44 S., R. 3 W.
- T. 39 S., R. 4 W.,  
Secs. 1 and 2;  
Sec. 9, S½S½;  
Sec. 10, S½;  
Secs. 11 to 16, inclusive;  
Sec. 17, E½;  
Sec. 19, lots 6 to 20, inclusive, and E½;  
Secs. 20 to 36, inclusive.
- Tps. 40 to 44 S., R. 4 W.
- T. 32 S., R. 4½ W.,  
Secs. 6, 7, 18, 19, 30, and 31.
- T. 33 S., R. 4½ W., partly unsurveyed,  
Sec. 5, W½;  
Secs. 6 and 7;  
Sec. 8, W½;  
Sec. 17, W½;  
Secs. 18 and 19;  
Sec. 20, W½;  
Sec. 29, W½;  
Secs. 30 and 31;
- T. 34 S., R. 4½ W., partly unsurveyed,  
Sec. 5, W½;  
Secs. 6 and 7;  
Sec. 8, W½;  
Sec. 17, W½;  
Secs. 18 and 19;  
Sec. 20, W½;  
Sec. 29, W½;  
Secs. 30 and 31.
- T. 35 S., R. 4½ W., partly unsurveyed,  
Sec. 5, W½;  
Secs. 6 and 7;  
Sec. 8, W½;  
Sec. 17, W½;  
Secs. 18 and 19;  
Sec. 20, W½;  
Sec. 29, W½;  
Secs. 30 and 31.

- T. 36 S., R. 4½ W.,  
Sec. 4, lots 3, 4, 5, 6, 11, and 12, and S½NW¼;  
Sec. 5, lots 1 to 10, inclusive, and S½NE¼.
- T. 39 S., R. 4½ W.,  
Secs. 25, 26, 27, 34, 35, and 36.
- Tps. 40 to 44 S., R. 4½ W.
- T. 32 S., R. 5 W., partly unsurveyed.  
Sec. 1, S½NE¼, E½SW¼, SW¼SW¼, and SE¼;  
Sec. 2, S½SE¼;  
Sec. 10, SE¼NE¼, NE¼SW¼, S½SW¼, and SE¼;  
Sec. 11, NE¼, S½NW¼, and S½;  
Secs. 12 to 15, inclusive;  
Sec. 16, NE¼NE¼, S½NE¼, SE¼NW¼, NE¼SW¼, S½SW¼, and SE¼;  
Sec. 20, SE¼;  
Secs. 21 to 23, inclusive;  
Sec. 29, NE¼, E½NW¼, SW¼NW¼, and S½;  
Sec. 30, S½SE¼;  
Sec. 31, NE¼ and SE¼SW¼;  
Secs. 32 to 36, inclusive.
- Tps. 33, 34, and 35 S., R. 5 W.
- T. 36 S., R. 5 W.,  
Secs. 1 to 24, inclusive;  
Sec. 25, W½;  
Secs. 26 to 35, inclusive.
- T. 37 S., R. 5 W., partly unsurveyed,  
Secs. 2 to 10, inclusive;  
Sec. 11, W½NE¼ and W½;  
Sec. 14, NW¼;  
Secs. 15 to 22, inclusive;  
Sec. 27, W½;  
Secs. 28 to 33, inclusive;  
Sec. 34, W½.
- T. 38 S., R. 5 W.,  
Secs. 3 to 10, inclusive, Secs. 16 to 22, inclusive, and Secs. 27 to 34, inclusive.
- T. 39 S., R. 5 W.,  
Sec. 4, lots 1 and 2, and S½NW¼;  
Secs. 5 to 8, inclusive, Secs. 17 to 21, inclusive, and Secs. 25 to 36, inclusive.
- Tps. 40 to 44 S., R. 5 W.
- T. 33 S., R. 6 W.,  
Secs. 24 to 27, inclusive, and Secs. 34, 35, and 36.
- T. 34 S., R. 6 W.,  
Secs. 1, 2, 3, Secs. 11 to 14, inclusive, and Secs. 23 to 26, inclusive;  
Secs. 35 and 36.
- T. 35 S., R. 6 W.,  
Secs. 1 and 2;  
Secs. 11 to 14, inclusive, and Secs. 23 to 26, inclusive;  
Secs. 35 and 36.
- T. 36 S., R. 6 W.,  
Secs. 1 to 4, inclusive, and Secs. 9 to 16, inclusive;  
Secs. 24, 25, and 36.
- T. 37 S., R. 6 W.,  
Secs. 1, 12, 13, 24, 25, and 36.
- T. 38 S., R. 6 W.,  
Sec. 1;  
Secs. 11 to 14, inclusive, and Secs. 23 to 26, inclusive;  
Secs. 35 and 36.
- T. 39 S., R. 6 W.,  
Secs. 1 and 2;  
Secs. 11 to 14, inclusive;  
Sec. 15, SE¼;  
Sec. 22, NE¼ and S½;  
Secs. 23 to 28, inclusive, and Secs. 30 to 36, inclusive.
- Tps. 40 to 44 S., R. 6 W., partly unsurveyed.
- T. 39 S., R. 7 W.,  
Sec. 19;  
Secs. 25 to 36, inclusive.
- Tps. 40 to 44 S., R. 7 W., partly unsurveyed.
- T. 38 S., R. 8 W.,  
Sec. 19;  
Sec. 20, S½;  
Secs. 29 to 32, inclusive;  
Sec. 33, S½;  
Sec. 34, SW¼.
- T. 39 S., R. 8 W.,  
Sec. 3, NW¼ and S½;  
Secs. 4 to 10, inclusive, and Secs. 14 to 36, inclusive.
- Tps. 40 to 44 S., R. 8 W., partly unsurveyed.
- T. 38 S., R. 9 W.,  
Secs. 3 to 10, inclusive;  
Sec. 11, W½;  
Sec. 13, S½;  
Sec. 14, NW¼ and S½;  
Secs. 15 to 36, inclusive.
- Tps. 39 and 40 S., R. 9 W.
- T. 41 S., R. 9 W.,  
Secs. 1 to 6, inclusive, and Secs. 8 to 16, inclusive;  
Secs. 21 to 28, inclusive, and Secs. 33 to 36, inclusive.
- T. 42 S., R. 9 W.,  
Secs. 1 to 4, inclusive, Secs. 9 to 16, inclusive, and Secs. 19 to 36, inclusive.
- Tps. 43 and 44 S., R. 9 W.
- T. 42 S., R. 9½ W., unsurveyed,  
Secs. 17 to 20, inclusive, and Secs. 29 to 32, inclusive.
- T. 43 S., R. 9½ W.
- T. 41 S., R. 10 W., partly unsurveyed,  
Sec. 28, N½ and SW¼;  
Secs. 29, 31, and 32;  
Sec. 33, W½.
- T. 42 S., R. 10 W., partly unsurveyed,  
Sec. 3, SW¼;  
Sec. 4, NW¼ and S½;  
Secs. 5 to 9, inclusive;  
Sec. 10, W½;  
Secs. 13 to 36, inclusive.
- T. 43 S., R. 10 W.
- T. 42 S., R. 11 W.,  
Secs. 1, 2, 3, Secs. 10 to 15, inclusive, and Secs. 22 to 27, inclusive;  
Secs. 34, 35, and 36.
- T. 43 S., R. 11 W.,  
Secs. 1, 2, 3, Secs. 10 to 15, inclusive, and Secs. 23 to 26, inclusive;  
Secs. 35 and 36.
- From District No. 5*
- T. 36 S., R. 1 W., unsurveyed,  
Secs. 19 to 22, inclusive;  
Sec. 23, S½;  
Secs. 25 to 36, inclusive.
- Tps. 37 to 44 S., R. 1 W., partly unsurveyed.
- T. 33 S., R. 2 W.,  
Sec. 1, W½;  
Secs. 2 to 11, inclusive;  
Sec. 12, NW¼;  
Secs. 14 to 23, inclusive, and Secs. 26 to 35, inclusive.
- T. 34 S., R. 2 W.,  
Secs. 2 to 10, inclusive;  
Sec. 11, W½;  
Sec. 14, W½;  
Secs. 15 to 22, inclusive;  
Sec. 23, W½;  
Secs. 27 to 33, inclusive.
- T. 35 S., R. 2 W.,  
Sec. 4, W½;  
Secs. 5 to 8, inclusive.
- T. 36 S., R. 2 W., partly unsurveyed,  
Secs. 13 to 36, inclusive.
- Tps. 37 to 42 S., R. 2 W., partly unsurveyed.
- T. 43 S., R. 2 W.,  
Secs. 1 and 2;  
Secs. 11 to 14, inclusive, and Secs. 23 to 26, inclusive;  
Secs. 35 and 36.
- T. 44 S., R. 2 W.,  
Secs. 1, 2, 11, and 12.
- T. 33 S., R. 3 W., partly unsurveyed,  
Secs. 1, 12, and 13;  
Secs. 23 to 26, inclusive;  
Secs. 35 and 36.
- T. 34 S., R. 3 W.,  
Secs. 1 and 2;  
Secs. 11 to 14, inclusive, and Secs. 23 to 26, inclusive;  
Secs. 35 and 36.
- T. 35 S., R. 3 W.,  
Secs. 1 and 2;  
Secs. 11 to 14, inclusive, and Secs. 20 to 23, inclusive;  
Secs. 27, 28, 29, 32, 33, and 34.
- T. 36 S., R. 3 W., partly unsurveyed,  
Sec. 3, N½ and N½S½;  
Sec. 4, N½, SW¼, N½SE¼, and SW¼SE¼;  
Secs. 5, 6, and 7;  
Sec. 8, W½;  
Sec. 13;  
Sec. 14, E½;  
Sec. 22, SE¼NE¼ and E½SE¼;  
Sec. 23, NE¼, S½NW¼, and S½;  
Secs. 24, 25, and 26;  
Sec. 27, E½;  
Sec. 34, NE¼, S½NW¼, and S½;  
Secs. 35 and 36.
- T. 37 S., R. 3 W.,  
Secs. 1, 2, and 3;  
Sec. 4, NE¼ and S½;  
Sec. 5, E½SE¼;  
Sec. 8, SE¼NE¼ and NE¼SE¼;  
Secs. 9 to 16, inclusive;  
Secs. 21 to 29, inclusive, and Secs. 31 to 36, inclusive.
- Tps. 38 and 39 S., R. 3 W.
- T. 40 S., R. 3 W., unsurveyed,  
Secs. 1, 2, and 3;  
Secs. 10 to 15, inclusive, and Secs. 22 to 27, inclusive;  
Secs. 34, 35, and 36.
- T. 41 S., R. 3 W.,  
Secs. 1, 2, and 3;  
Secs. 10 to 15, inclusive, and Secs. 22 to 27, inclusive;  
Secs. 34, 35, and 36.
- T. 36 S., R. 4 W.,  
Secs. 1 to 4, inclusive, and Secs. 9 to 12, inclusive.
- T. 37 S., R. 4 W., unsurveyed,  
Sec. 36.
- T. 38 S., R. 4 W., unsurveyed,  
Sec. 1;  
Secs. 11 to 14, inclusive, and Secs. 23 to 26, inclusive;  
Secs. 35 and 36.
- T. 35 S., R. 1 E.,  
Secs. 1 and 2;  
Secs. 11 to 14, inclusive, and Secs. 23 to 26, inclusive;  
Sec. 33, SE¼;  
Secs. 34, 35, and 36.
- T. 36 S., R. 1 E., partly unsurveyed,  
Secs. 1, 2, and 3;  
Sec. 4, E½.
- T. 37 S., R. 1 E.,  
Secs. 13 to 36, inclusive.
- Tps. 38 to 44 S., R. 1 E., partly unsurveyed.
- T. 34 S., R. 2 E., unsurveyed,  
Secs. 19 to 36, inclusive.
- Tps. 35 to 44 S., R. 2 E., partly unsurveyed.
- T. 34 S., R. 3 E., unsurveyed,  
Secs. 1, 2, and 3;  
Secs. 10 to 15, inclusive, and Secs. 19 to 36, inclusive.
- Tps. 35 to 44 S., R. 3 E., partly unsurveyed.
- T. 33 S., R. 4 E.,  
Secs. 25, 26, 35, and 36.
- Tps. 34 to 44 S., R. 4 E., partly unsurveyed.
- T. 33 S., R. 5 E.,  
Secs. 21 to 36, inclusive.
- Tps. 34 to 44 S., R. 5 E., partly unsurveyed.
- T. 32 S., R. 6 E., unsurveyed,  
Secs. 22 to 27, inclusive;  
Secs. 34, 35, and 36.
- Tps. 33 to 44 S., R. 6 E., partly unsurveyed.
- Tps. 40½ to 43 S., R. 6½ E., unsurveyed.
- T. 32 S., R. 7 E.,  
Sec. 19, lot 4 and SE¼SW¼ and S½SE¼;  
Sec. 20, SW¼SW¼;  
Sec. 27, SW¼NW¼, NW¼SW¼, S½SW¼, and S½SE¼;  
Secs. 28 to 34, inclusive;  
Sec. 35, SW¼SW¼.
- T. 33 S., R. 7 E., unsurveyed,  
Sec. 2, W½SW¼;  
Sec. 3, NW¼NE¼, S½NE¼, W½, and SE¼;  
Secs. 4 to 10, inclusive;  
Sec. 11, SW¼NE¼, W½NW¼SE¼, and S½SE¼;  
Sec. 13, SW¼NE¼, NW¼NW¼, S½NW¼, and S½;  
Secs. 14 to 36, inclusive.
- Tps. 34 to 42 S., R. 7 E., unsurveyed.

- T. 33 S., R. 8 E., unsurveyed,  
Sec. 18, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 19, W $\frac{1}{2}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 29, W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Secs. 30 and 31;  
Sec. 32, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ .
- T. 34 S., R. 8 E., unsurveyed,  
Sec. 5, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and SE $\frac{1}{4}$ ;  
Secs. 6, 7, and 8;  
Sec. 9, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 15, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Secs. 16 to 22, inclusive;  
Sec. 23, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 25, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 26, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and SE $\frac{1}{4}$ ;  
Secs. 27 to 35, inclusive;  
Sec. 36, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ .
- T. 35 S., R. 8 E., unsurveyed,  
Sec. 1, W $\frac{1}{2}$  and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Secs. 2 to 11, inclusive;  
Sec. 12, W $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 13, W $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and SE $\frac{1}{4}$ ;  
Secs. 14 to 36, inclusive.
- Tps. 36 to 42 S., R. 8 E., unsurveyed.
- T. 35 S., R. 9 E., unsurveyed,  
Sec. 19, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$  and S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 30, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and SE $\frac{1}{4}$ ;  
Sec. 31;  
Sec. 32, W $\frac{1}{2}$ W $\frac{1}{2}$  and SE $\frac{1}{4}$ SW $\frac{1}{4}$ .
- T. 36 S., R. 9 E., unsurveyed,  
Sec. 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Secs. 6, 7, and 8;  
Sec. 9, W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 16, W $\frac{1}{2}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ ;  
Secs. 17 to 20, inclusive;  
Sec. 21, W $\frac{1}{2}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 27, NW $\frac{1}{4}$ SW $\frac{1}{4}$  and S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Secs. 28 to 33, inclusive;  
Sec. 34, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and SE $\frac{1}{4}$ .
- T. 37 S., R. 9 E., unsurveyed,  
Sec. 2, W $\frac{1}{2}$ W $\frac{1}{2}$ ;  
Secs. 3 to 11, inclusive;  
Sec. 12, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 13, W $\frac{1}{2}$ ;  
Secs. 14 to 23, inclusive;  
Sec. 24, W $\frac{1}{2}$ ;  
Sec. 25, W $\frac{1}{2}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Secs. 26 to 35, inclusive;  
Sec. 36, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and SE $\frac{1}{4}$ .
- Tps. 38 to 42 S., R. 9 E., unsurveyed.
- Tps. 39 and 40 S., R. 9 $\frac{1}{2}$  E., unsurveyed.
- T. 37 S., R. 10 E., unsurveyed,  
Sec. 31, SW $\frac{1}{4}$ SW $\frac{1}{4}$ .
- T. 38 S., R. 10 E., partly unsurveyed,  
Sec. 6, lots 4 to 7, inclusive, and SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 7;  
Sec. 8, S $\frac{1}{2}$ NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
Sec. 14, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 15, SW $\frac{1}{4}$ NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
Sec. 16, S $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and SE $\frac{1}{4}$ ;  
Secs. 17 to 22, inclusive;  
Sec. 23, W $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and SE $\frac{1}{4}$ ;  
Sec. 25, W $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Secs. 26 to 36, inclusive.
- Tps. 38 $\frac{1}{2}$ , 39, and 40 S., R. 10 E., unsurveyed.
- T. 38 S., R. 11 E., unsurveyed,  
Sec. 31, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SW $\frac{1}{4}$ .
- Tps. 38 $\frac{1}{2}$ , 39 S., R. 11 E., unsurveyed.

ABE FORTAS,

Acting Secretary of the Interior.

MARCH 30, 1944.

[F. R. Doc. 44-5002; Filed, April 8, 1944; 10:05 a. m.]

UTAH

ESTABLISHMENT AND MODIFICATION OF GRAZING DISTRICTS

Establishing Utah Grazing District No. 10 and modifying Utah Grazing Districts Nos. 2 and 3.

Under and pursuant to the provisions of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. sec. 315 et seq.), and subject to the limitations and conditions therein contained, Utah Grazing Districts Nos. 2 and 3 are modified by eliminating therefrom the following-described lands and Grazing District No. 10, embracing such lands, is hereby established.

UTAH

SALT LAKE MERIDIAN

From District No. 2

- Tps. 10 to 15 S., R. 1 W.
- T. 16 S., R. 1 W.,  
Secs. 1 to 29, inclusive;  
Secs. 30 and 31, those parts north and east of Sevier River;  
Secs. 32 and 33.
- T. 17 S., R. 1 W.,  
Sec. 6, that part north of Sevier River;
- T. 15 S., R. 1 $\frac{1}{2}$  W.
- Tps. 10 to 13 S., R. 2 W., partly unsurveyed.
- T. 14 S., R. 2 W.,  
Secs. 1 to 30, inclusive;  
Sec. 31, that part north of Sevier River;  
Secs. 32 to 36, inclusive.
- T. 15 S., R. 2 W., partly unsurveyed,  
Secs. 1 to 5, inclusive;  
Secs. 6, 7, and 8, those parts east of Sevier River;  
Secs. 9 to 13, inclusive;  
Secs. 14 to 17, inclusive, Secs. 22 and 23, those parts north and east of Sevier River;  
Secs. 24 and 25;  
Secs. 26, 27, and 34, those parts east of Sevier River;  
Secs. 35 and 36.
- T. 16 S., R. 2 W.,  
Secs. 1 and 2;  
Secs. 3, 10, and 11, those parts east of Sevier River;  
Secs. 12 and 13;  
Secs. 14, 15, 22, and 23, those parts east of Sevier River;  
Secs. 24 and 25;  
Secs. 26, 27, and 35, those parts east of Sevier River;  
Sec. 36, that part north of Sevier River.
- T. 17 S., R. 2 W.,  
Secs. 1 and 2, those parts north of Sevier River.
- T. 9 S., R. 3 W., that part in Juab County.
- Tps. 10 to 13 S., R. 3 W., partly unsurveyed.
- T. 14 S., R. 3 W.,  
Secs. 1 to 32, inclusive;  
Secs. 35 and 36.
- T. 10 S., R. 4 W., that part in Juab County.
- Tps. 11 to 14 S., R. 4 W., partly unsurveyed.
- T. 10 S., R. 5 W.,  
Secs. 25 and 26;  
Sec. 27, S $\frac{1}{2}$ ;  
Secs. 32 to 36, inclusive.
- T. 11 S., R. 5 W.,  
Secs. 1 to 5, inclusive, and secs. 7 to 36, inclusive.
- Tps. 12, 13, and 14 S., R. 5 W., partly unsurveyed.
- T. 12 S., R. 6 W.,  
Secs. 25, 35, and 36.
- T. 13 S., R. 6 W.,  
Secs. 1, 2, 3, secs. 9 to 36, inclusive.
- T. 14 S., R. 6 W.

- T. 13 S., R. 7 W.,  
Secs. 13 to 36, inclusive.
- T. 14 S., R. 7 W.
- T. 13 S., R. 8 W.,  
Secs. 13 to 36, inclusive.
- T. 14 S., R. 8 W.
- T. 13 S., R. 9 W.,  
Secs. 24 to 27, inclusive, and secs. 31 to 36, inclusive.
- T. 14 S., R. 9 W.
- T. 13 S., R. 10 W.,  
Sec. 17, S $\frac{1}{2}$ S $\frac{1}{2}$ ;  
Sec. 18, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 19, lots 2, 3, and 4, E $\frac{1}{2}$ , and E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
Sec. 20, and secs. 29 to 32, inclusive.
- T. 14 S., R. 10 W.
- T. 13 S., R. 11 W., unsurveyed,  
Sec. 23, SE $\frac{1}{4}$ SW $\frac{1}{4}$  and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 24, S $\frac{1}{2}$ NE $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
Secs. 25 and 26;  
Sec. 27, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
Sec. 28, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
Sec. 29, S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
Sec. 30, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Secs. 31 to 36, inclusive.
- T. 14 S., R. 11 W.
- T. 13 S., R. 12 W.,  
Sec. 25, S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 35, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 36.
- T. 14 S., R. 12 W.,  
Secs. 1 and 2;  
Sec. 3, lot 1, S $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
Sec. 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 5, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 6, lots 6 and 7, SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Secs. 7 to 36, inclusive.
- T. 14 S., R. 13 W., unsurveyed,  
Sec. 1, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
Sec. 2;  
Sec. 3, NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ ;  
Sec. 4, S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
Sec. 5, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 6, S $\frac{1}{2}$ S $\frac{1}{2}$ ;  
Secs. 7 to 36, inclusive.
- T. 14 S., R. 14 W., unsurveyed,  
Sec. 1, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 10, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 11, S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
Secs. 12 to 15, inclusive, secs. 22 to 27, inclusive, and secs. 34, 35, and 36.
- T. 10 S., R. 1 E.
- T. 11 S., R. 1 E.,  
Secs. 3 to 10, inclusive, secs. 15 to 22, inclusive, and secs. 27 to 34, inclusive.
- T. 12 S., R. 1 E.,  
Secs. 4 to 8, inclusive;  
Sec. 9, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
Sec. 16, NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Secs. 17 to 20, inclusive;  
Sec. 21, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ ;  
Sec. 25, NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 26, NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Secs. 27 to 34, inclusive;  
Sec. 35, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and S $\frac{1}{2}$ .
- T. 13 S., R. 1 E.,  
Secs. 1 to 12, inclusive;  
Sec. 13, W $\frac{1}{2}$ ;  
Secs. 14 to 23, inclusive;  
Sec. 24, W $\frac{1}{2}$ ;  
Sec. 25, W $\frac{1}{2}$ ;  
Secs. 26 to 35, inclusive;  
Sec. 36, W $\frac{1}{2}$  and W $\frac{1}{2}$ E $\frac{1}{2}$ .
- T. 14 S., R. 1 E.,  
Sec. 1, W $\frac{1}{2}$  and W $\frac{1}{2}$ E $\frac{1}{2}$ ;  
Secs. 2 to 11, inclusive;  
Sec. 12, W $\frac{1}{2}$  and W $\frac{1}{2}$ E $\frac{1}{2}$ ;  
Sec. 13, W $\frac{1}{2}$  and W $\frac{1}{2}$ E $\frac{1}{2}$ ;  
Secs. 14 to 23, inclusive;  
Sec. 24, W $\frac{1}{2}$  and W $\frac{1}{2}$ E $\frac{1}{2}$ ;  
Sec. 25, W $\frac{1}{2}$  and W $\frac{1}{2}$ E $\frac{1}{2}$ ;  
Secs. 26 to 35, inclusive;  
Sec. 36, W $\frac{1}{2}$  and W $\frac{1}{2}$ E $\frac{1}{2}$ .

- T. 15 S., R. 1 E.,  
Sec. 5, W $\frac{1}{2}$ ;  
Secs. 6 and 7;  
Sec. 8, N $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Secs. 18 and 19;  
Sec. 27, W $\frac{1}{2}$ ;  
Secs. 28 to 33, inclusive;  
Sec. 34, W $\frac{1}{2}$ .
- T. 16 S., R. 1 E.,  
Secs. 1 to 30, inclusive.
- T. 10 S., R. 2 E.,  
Secs. 6, 7, and 18.
- T. 13 S., R. 2 E.,  
Sec. 2, N $\frac{1}{2}$ ;  
Secs. 3 to 6, inclusive;  
Sec. 8, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 9;  
Sec. 10, W $\frac{1}{2}$ .
- From District No. 3
- T. 16 S., R. 1 W.,  
Secs. 34, 35, and 36.
- T. 17 S., R. 1 W.,  
Secs. 1 to 4, inclusive;  
Secs. 5 and 8, those parts east of Sevier River;  
Secs. 9 to 15, inclusive;  
Secs. 16, 17, and 21, those parts east of Sevier River;  
Secs. 22 to 26, inclusive;  
Secs. 27, 28, 34, and 35, those parts east of Sevier River;  
Sec. 36.
- T. 18 S., R. 1 W.,  
Sec. 1;  
Secs. 2, 3, and 11, those parts east of Sevier River;  
Sec. 12;  
Secs. 13, 14, 24, 25, 35, and 36, those parts east of Sevier River.
- T. 19 S., R. 1 W.,  
Sec. 1;  
Secs. 2 and 11, those parts east of Sevier River;  
Secs. 12 and 13;  
Secs. 14, 23, 24, 25, and 36, those parts east of Sevier River.
- T. 20 S., R. 1 W.,  
Secs. 1, 24, 25, and 36, those parts east of Sevier River.
- T. 21 S., R. 1 W.,  
Secs. 1, 12, 13, 14, and 23, those parts east of Sevier River;  
Secs. 24 and 25;  
Secs. 26, 27, and 34, those parts east of Sevier River;  
Secs. 35 and 36.
- T. 15 S., R. 3 W.,  
Sec. 6, lots 1 to 6, inclusive, and lots 8 to 11, inclusive.
- T. 15 S., R. 4 W.,  
Secs. 1 to 11, inclusive;  
Sec. 12, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
Sec. 13, W $\frac{1}{2}$ ;  
Secs. 14 to 23, inclusive;  
Sec. 24, W $\frac{1}{2}$ ;  
Sec. 25, NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Secs. 26 to 35, inclusive.
- T. 16 S., R. 4 W., partly unsurveyed,  
Sec. 2, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Secs. 3 to 10, inclusive;  
Sec. 11, W $\frac{1}{2}$ NE $\frac{1}{4}$ , and W $\frac{1}{2}$ ;  
Sec. 16, W $\frac{1}{2}$ E $\frac{1}{2}$  and W $\frac{1}{2}$ ;  
Secs. 17 to 20, inclusive;  
Sec. 21, W $\frac{1}{2}$ ;  
Sec. 28, W $\frac{1}{2}$ ;  
Secs. 29 to 32, inclusive;  
Sec. 33, NW $\frac{1}{4}$ .
- T. 17 S., R. 4 W.,  
Sec. 4, lot 8, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Secs. 5 and 6;  
Sec. 7, N $\frac{1}{2}$ ;  
Sec. 8, N $\frac{1}{2}$ ;  
Sec. 9, N $\frac{1}{2}$ .
- Tps. 15 and 16 S., R. 5 W.
- T. 17 S., R. 5 W.,  
Secs. 1 to 11, inclusive;  
Sec. 12, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
Sec. 13, W $\frac{1}{2}$ ;  
Secs. 14 to 23, inclusive, and secs. 26 to 30, inclusive.
- Tps. 15 and 16 S., R. 6 W.  
T. 17 S., R. 6 W.,  
Secs. 1 to 30, inclusive.  
Tps. 15 and 16 S., R. 7 W.  
T. 17 S., R. 7 W.,  
Secs. 1 to 30, inclusive.  
Tps. 15 and 16 S., R. 8 W.  
T. 17 S., R. 8 W.,  
Secs. 1 to 30, inclusive.  
Tps. 15 and 16 S., R. 9 W.  
T. 17 S., R. 9 W.,  
Secs. 1 to 30, inclusive.  
Tps. 15 and 16 S., R. 10 W.  
T. 17 S., R. 10 W.,  
Secs. 1 to 30, inclusive;  
Sec. 31, lots 1 to 8, inclusive, and lot 16, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 32, N $\frac{1}{2}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
Tps. 15, 16, and 17 S., R. 11 W.  
Tps. 15, 16, and 17 S., R. 12 W., partly unsurveyed.  
T. 18 S., R. 12 W.,  
Secs. 2 to 11, inclusive, secs. 14 to 23, inclusive, and secs. 26 to 35, inclusive.  
T. 19 S., R. 12 W.,  
Secs. 2 to 11, inclusive, secs. 14 to 23, inclusive, and secs. 26 to 35, inclusive.  
T. 20 S., R. 12 W.,  
Secs. 2 to 8, inclusive;  
Sec. 9, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 10, N $\frac{1}{2}$ N $\frac{1}{2}$ ;  
Sec. 11, NW $\frac{1}{4}$ NE $\frac{1}{4}$  and N $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , and W $\frac{1}{2}$ ;  
Sec. 18;  
Sec. 19, N $\frac{1}{2}$ NE $\frac{1}{4}$  and NW $\frac{1}{4}$ .  
Tps. 15 to 19 S., R. 13 W., unsurveyed.  
T. 20 S., R. 13 W., unsurveyed,  
Secs. 1 to 23, inclusive;  
Sec. 24, N $\frac{1}{2}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 26, N $\frac{1}{2}$ NE $\frac{1}{4}$  and NW $\frac{1}{4}$ ;  
Sec. 27, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 28, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Secs. 29 and 30;  
Sec. 31, NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 32, N $\frac{1}{2}$ N $\frac{1}{2}$ ;  
Sec. 33, NW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
Tps. 15 to 19 S., R. 14 W., unsurveyed.  
T. 20 S., R. 14 W., unsurveyed,  
Secs. 1 to 30, inclusive;  
Sec. 31, N $\frac{1}{2}$  and N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 32, N $\frac{1}{2}$  and N $\frac{1}{2}$ S $\frac{1}{2}$ ;  
Sec. 33, N $\frac{1}{2}$  and N $\frac{1}{2}$ S $\frac{1}{2}$ ;  
Sec. 34, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Secs. 35 and 36.  
T. 21 S., R. 14 W.,  
Sec. 1, lots 1 to 4, inclusive, and N $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 2, lots 1 and 2, NE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
Tps. 15 to 19 S., R. 15 W., unsurveyed.  
T. 20 S., R. 15 W., unsurveyed,  
Secs. 1 to 33, inclusive;  
Sec. 34, N $\frac{1}{2}$ N $\frac{1}{2}$ ;  
Sec. 35, NE $\frac{1}{4}$  and N $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 36, N $\frac{1}{2}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 21 S., R. 15 W.,  
Sec. 3, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Secs. 4 to 7, inclusive;  
Sec. 8, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 9, N $\frac{1}{2}$ ;  
Sec. 10, NW $\frac{1}{4}$ ;  
Sec. 17, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Secs. 18 and 19;  
Sec. 20, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 28, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Secs. 29 to 33, inclusive;  
Sec. 34, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$ .  
T. 22 S., R. 15 W.,  
Sec. 3, lots 2, 3, and 4, SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Secs. 4 to 10, inclusive;  
Sec. 11, SW $\frac{1}{4}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ ;  
Sec. 14, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 15, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Secs. 16 to 21, inclusive;
- Sec. 23, N $\frac{1}{2}$ ;  
Sec. 29, N $\frac{1}{2}$  and N $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 30, lots 1, 2, and 3, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and N $\frac{1}{2}$ SE $\frac{1}{4}$ .  
Tps. 15 to 21 S., R. 16 W., partly unsurveyed.  
T. 22 S., R. 16 W.,  
Secs. 1 to 35, inclusive;  
Sec. 36, N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ .  
T. 23 S., R. 16 W.,  
Sec. 1, lots 3, 4, and 5, SW $\frac{1}{4}$ N $\frac{1}{4}$ ;  
Secs. 2 to 10, inclusive;  
Sec. 11, W $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and SE $\frac{1}{4}$ ;  
Sec. 12, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 13, NW $\frac{1}{4}$  and NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Secs. 14 to 23, inclusive;  
Sec. 26, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 27;  
Sec. 28, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 29, NE $\frac{1}{4}$ ;  
Sec. 30, lot 1, NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ .  
Tps. 15 to 22 S., R. 17 W., partly unsurveyed.  
T. 23 S., R. 17 W.,  
Secs. 1 to 16, inclusive;  
Sec. 17, N $\frac{1}{2}$  and N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 18, NE $\frac{1}{4}$  and NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 21, E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Secs. 22 to 27, inclusive;  
Sec. 28, E $\frac{1}{2}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ ;  
Sec. 33, E $\frac{1}{2}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Secs. 34, 35, and 36.  
Tps. 15 to 22 S., R. 18 W., partly unsurveyed.  
T. 23 S., R. 18 W.,  
Secs. 1 to 11, inclusive;  
Sec. 12, NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$  and NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 16, N $\frac{1}{2}$ N $\frac{1}{2}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Secs. 17 and 18;  
Sec. 19, lots 1 to 9, inclusive, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 20, NW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
Tps. 15 to 21 S., R. 19 W.  
T. 23 S., R. 19 W.,  
Sec. 13, E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 24, E $\frac{1}{2}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
Tps. 15 to 21 S., R. 20 W., partly unsurveyed.  
T. 16 S., R. 1 E.,  
Secs. 31 to 36, inclusive.  
Tps. 17, 18, and 19 S., R. 1 E.  
T. 20 S., R. 1 E.,  
Secs. 1 to 5, inclusive;  
Secs. 6 and 7, those parts east of Sevier River;  
Secs. 8 to 17, inclusive;  
Secs. 18 and 19, those parts east of Sevier River;  
Secs. 20 to 29, inclusive;  
Secs. 30 and 31, those parts east of Sevier River;  
Secs. 32 to 36, inclusive.  
T. 21 S., R. 1 E., partly unsurveyed,  
Secs. 1 to 5, inclusive;  
Secs. 6 and 7, those parts east of Sevier River;  
Secs. 8 to 12, inclusive, and secs. 14 to 21, inclusive;  
Sec. 22, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
Sec. 23, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ;  
Secs. 29 to 32, inclusive;  
Sec. 33, NW $\frac{1}{4}$ .  
T. 13 S., R. 2 E.,  
Sec. 1;  
Sec. 2, S $\frac{1}{2}$ ;  
Sec. 10, E $\frac{1}{2}$ ;  
Secs. 11 to 16, inclusive;  
Sec. 21, E $\frac{1}{2}$ ;  
Secs. 22 to 26, inclusive;  
Sec. 27, N $\frac{1}{2}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
Sec. 34, NE $\frac{1}{4}$  and E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Secs. 35 and 36.  
T. 14 S., R. 2 E.,  
Secs. 1, 2, secs. 11 to 14, inclusive;  
Secs. 23 to 26, inclusive;  
Secs. 35 and 36.  
T. 15 S., R. 2 E.,  
Secs. 1 and 2;  
Sec. 3, E $\frac{1}{2}$ ;

Sec. 10, E½;  
 Secs. 11 to 14, inclusive;  
 Sec. 15, E½;  
 Sec. 22, E½;  
 Secs. 23 to 26, inclusive;  
 Sec. 27, E½;  
 Sec. 34, E½;  
 Secs. 35 and 36.  
 Tps. 16, 17, and 18 S., R. 2 E.  
 T. 19 S., R. 2 E.,  
 Secs. 2 to 11, inclusive, secs. 14 to 23, inclusive, and secs. 26 to 35, inclusive;  
 Sec. 36, SW¼.  
 T. 20 S., R. 2 E.,  
 Sec. 2, N½, W½SW¼, and SE¼SW¼;  
 Secs. 3 to 10, inclusive;  
 Sec. 11, NW¼;  
 Secs. 15 to 22, inclusive;  
 Sec. 23, S½;  
 Secs. 26 to 35, inclusive.  
 T. 21 S., R. 2 E.,  
 Sec. 6.  
 T. 12 S., R. 3 E.,  
 Secs. 1, 2, 3, secs. 10 to 16, inclusive, and secs. 19 to 36, inclusive.  
 Tps. 13 to 17 S., R. 3 E.  
 T. 18 S., R. 3 E.,  
 Secs. 4 to 8, inclusive;  
 Sec. 9, W½;  
 Sec. 17, NW¼NW¼;  
 Sec. 18, N½.  
 Tps. 12 to 15 S., R. 4 E.  
 T. 16 S., R. 4 E.,  
 Sec. 2, N½ and N½S½;  
 Sec. 3, N½ and SW¼;  
 Secs. 4 to 9, inclusive;  
 Sec. 10, W½;  
 Sec. 15, NW¼;  
 Secs. 16 to 20, inclusive;  
 Sec. 29, NW¼;  
 Sec. 30, lots 1, 2, 3, and 9, NE¼, E½NW¼, and NE¼SW¼.  
 T. 12 S., R. 5 E.,  
 Sec. 7, lots 3 and 4, E½SW¼;  
 Sec. 18, W½ and W½SE¼;  
 Sec. 19, W½E½ and W½;  
 Sec. 30, W½E½ and W½;  
 Sec. 31, W½E½ and W½.  
 T. 13 S., R. 5 E.,  
 Sec. 6, W½;  
 Sec. 7, W½;  
 Sec. 18, W½;  
 Sec. 19, W½ and SE¼;  
 Sec. 29, S½;  
 Secs. 30, 31, and 32;  
 Sec. 33, W½.  
 T. 14 S., R. 5 E.,  
 Sec. 3, W½;  
 Secs. 4 to 10, inclusive, secs. 15 to 22, inclusive, and secs. 27 to 34, inclusive.  
 T. 15 S., R. 5 E.,  
 Secs. 3 to 10, inclusive, secs. 15 to 22, inclusive, and secs. 27 to 34, inclusive.

ABE FORTAS,

Acting Secretary of the Interior.

MARCH 30, 1944.

[F. R. Doc. 44-5003; Filed, April 8, 1944; 10:05 a. m.]

CALIFORNIA

[Air-Navigation Site Withdrawal 216]

WITHDRAWAL OF LAND FOR USE OF WAR DEPARTMENT

By virtue of the authority contained in section 7 of the act of June 28, 1934, 48 Stat. 1272, as amended by the act of June 26, 1936, 49 Stat. 1976 (U.S.C., title 43, sec. 315f), and in section 4 of the act of May 24, 1928, 45 Stat. 729 (U.S.C., title 49, sec. 214), it is ordered as follows:

So much as may be necessary of the following-described public land in California is hereby classified as suitable for the purpose and, subject to valid existing rights, is withdrawn from all forms of appropriation under the public land laws and reserved for the use of the War Department in the construction and maintenance of air-navigation facilities, the reservation to be known as Air-Navigation Site Withdrawal No. 216:

SAN BERNARDINO MERIDIAN

T. 5 S., R. 20 E.,  
 Sec. 14, unsurveyed.  
 T. 6 S., R. 20 E.,  
 Secs. 11 and 14, unsurveyed.  
 The areas described aggregate 1,920 acres.

The jurisdiction granted by this order shall cease at the expiration of the six-months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other department or agency of the Federal Government according to their respective interests then of record. The land, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

ABE FORTAS,

Acting Secretary of the Interior.

MARCH 30, 1944.

[F. R. Doc. 44-5004; Filed, April 8, 1944; 10:06 a. m.]

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD-22]

DEEP ROCK OIL Co.

FINDING REGARDING WAR CONTRACT

In the matter of Deep Rock Oil Company, Des Moines, Iowa (Case No. S-818).

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Deep Rock Oil Company, Des Moines, Iowa;

I find that transportation of petroleum products by the Deep Rock Oil Company, Des Moines, Iowa, pursuant to contracts for wholesale distribution and delivery of such products to service stations, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 7th day of April 1944.

FRANCES PERKINS,  
 Secretary of Labor.

[F. R. Doc. 44-5008; Filed, April 8, 1944; 11:21 a. m.]

Wage and Hour Division.

[A. O. 335]

PUERTO RICO

ACCEPTANCE OF RESIGNATION FROM AND APPOINTMENT TO SPECIAL INDUSTRY COMMITTEE

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, as amended, I, L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. John W. De Bruycker from Special Industry Committee No. 3 for Puerto Rico and do appoint in his stead as representative for the employers on such Committee, Mr. Beniamino Suarez of Caguas, Puerto Rico.

Signed at Washington this 4th day of April 1944.

L. METCALFE WALLING,  
 Administrator.

[F. R. Doc. 44-5043; Filed, April 8, 1944; 4:27 p. m.]

CLYDE SHIRT COMPANY OF NORTHAMPTON, PA.

NOTICE OF DENIAL OF PETITION FOR REVIEW OF ORDER CANCELLING A SPECIAL LEARNER CERTIFICATE

Whereas, on March 26, 1943, pursuant to § 522.8 of the Regulations Applicable to the Employment of Learners Pursuant to section 14 of the Fair Labor Standards Act of 1938, Isabel Ferguson, duly authorized representative of the Administrator of the Wage and Hour Division, after notice and hearing, issued an order cancelling the special learner certificate of the Clyde Shirt Company of Northampton Pennsylvania (8 F.R. 3812), and filed her findings and determination upon the basis of which such order was issued; and

Whereas, upon application for reconsideration filed by the company pursuant to § 522.13 (1) of the regulations, such duly authorized representative reconsidered and affirmed such order of cancellation on April 21, 1943 (8 F.R. 5502); and

Whereas, pursuant to § 522.13 (2) of the regulations, a petition for review of such order was filed with the Administrator on May 6, 1943, by the company; and

Whereas, upon due examination and consideration of petitioner's request for review and the record of the proceedings in the matter of the cancellation I have determined that the findings of the presiding officer are supported by the evidence in the record and that petitioner was given a full hearing by my duly authorized representative:

Now, therefore, notice is hereby given that such petition for review is denied and that the company is required to reimburse persons employed under the

certificate in accordance with the order of my duly authorized representative.

Signed at New York, New York, this 1st day of April.

L. METCALFE WALLING,  
Administrator.

[F. R. Doc. 44-5042; Filed, April 8, 1944; 4:27 p. m.]

**CIVIL AERONAUTICS BOARD.**

[Docket Nos. 609, 1070, 969, 970, 1311, 1312, 1313, 1049, 1195, 1290, 1291, 1217, 1314]

AMERICAN AIRLINES, INC., ET AL.

**NOTICE OF HEARING**

American Airlines, Inc., Colonial Airlines, Inc., Eastern Air Lines, Inc., Hylan Flying Service, Page Airways, Inc., Pennsylvania-Central Airlines Corp., United Air Lines, Inc., Union Airways, Inc.

Applications for certificates and amendment of existing certificates of public convenience and necessity, between Washington, D. C., New York, N. Y., Ottawa, and Montreal, Canada.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 401 of said act, that a hearing in the above-entitled proceeding is assigned to be held on May 1, 1944, at 10:00 a. m. (eastern war time), in Conference Room B, Departmental Auditorium, Constitution Avenue between 14th Street and 12th Street NW., Washington, D. C., before Examiners William J. Madden and H. Heinrich Spang.

Dated Washington, D. C., April 7, 1944.  
By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,  
Secretary.

[F. R. Doc. 44-5058; Filed, April 10, 1944; 10:10 a. m.]

**CIVIL SERVICE COMMISSION.**

**CONDITION OF APPORTIONMENT AT CLOSE OF BUSINESS FRIDAY, MARCH 31, 1944**

The apportioned classified Civil Service includes central offices physically located in Washington, D. C., or elsewhere. Positions in local post offices, customs districts and other field services outside of the District of Columbia which are subject to the Civil Service act are filled almost wholly by persons who are local residents of the general community in which the vacancies exist. It should be noted and understood that so long as a person occupies, by original appointment a position in the apportioned service, the charge for his appointment continues to run against his state of original residence. Certifications of eligibles are first made from states which are in arrears. The apportionment is observed in certifications except to low salaried positions; but as persons who receive appointments in the Departmental Service under the War Service Regulations do not thereby acquire a permanent classified civil service status, their appointments are not charged to the apportionment.

**IN ARREARS**

State	Number of positions to which entitled	Number of positions occupied
1. Virgin Islands.....	20	0
2. Puerto Rico.....	1,464	53
3. Hawaii.....	332	24
4. Alaska.....	57	13
5. California.....	5,410	1,588
6. Michigan.....	4,117	1,584
7. Louisiana.....	1,851	720
8. Arizona.....	361	192
9. Texas.....	5,024	2,588
10. Alabama.....	2,219	1,273
11. Kentucky.....	2,229	1,289
12. Georgia.....	2,447	1,424
13. Mississippi.....	1,710	1,035
14. Ohio.....	5,410	3,288
15. South Carolina.....	1,488	936
16. Oregon.....	853	546
17. Arkansas.....	1,527	1,034
18. Nevada.....	86	60
19. Indiana.....	2,685	1,894
20. Washington.....	1,360	960
21. New Jersey.....	3,258	2,346
22. New Mexico.....	417	315
23. Illinois.....	6,185	4,731
24. Wisconsin.....	2,457	1,920
25. North Carolina.....	2,707	2,213
26. Tennessee.....	2,284	1,838
27. Idaho.....	411	339
28. Connecticut.....	1,339	1,133
29. Florida.....	1,486	1,266
30. Rhode Island.....	559	503
31. Delaware.....	209	196
32. Missouri.....	2,964	2,821

**QUOTA FILLED**

33. Utah.....	431	431
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**IN EXCESS**

34. Massachusetts.....	3,381	3,391
35. Pennsylvania.....	7,754	8,029
36. Maine.....	664	697
37. Vermont.....	281	295
38. New Hampshire.....	385	405
39. Oklahoma.....	1,830	1,989
40. West Virginia.....	1,490	1,675
41. Iowa.....	1,988	2,249
42. Montana.....	438	521
43. Colorado.....	880	1,059
44. Minnesota.....	2,187	2,685
45. Wyoming.....	196	243
46. New York.....	10,557	13,708
47. North Dakota.....	503	670
48. Kansas.....	1,411	1,956
49. South Dakota.....	504	862
50. Nebraska.....	1,031	1,837
51. Virginia.....	2,097	4,332
52. Maryland.....	1,426	4,641
53. District of Columbia.....	519	13,213

Gains.....	532
Losses.....	2,224
Total appointments.....	104,990

NOTE: Number of employees occupying apportioned positions who are excluded from the apportionment figures under section 3, Rule VII, and the Attorney General's Opinion of August 25, 1934, 21,775.

By direction of the Commission.

[SEAL] L. A. MOYER,  
Executive Director  
and Chief Examiner.

[F. R. Doc. 44-5007; Filed, April 8, 1944; 9:10 a. m.]

**FEDERAL COMMUNICATIONS COMMISSION.**

[Docket No. 6578]

TACOMA BROADCASTERS, INC.

**NOTICE OF HEARING**

In re application of Tacoma Broadcasters, Inc. (KTBI); date filed, November 10, 1943; for construction permit;

class of service, broadcast; class of station, broadcast; location, Tacoma, Washington; operating assignment specified: frequency, 1220 kc.; power, 250 w., hours of operation, unlimited.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the provisions of Executive Agreement Series 196.

2. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942, or subsequent modifications thereof.

3. To determine the extent of any interference which would result from the simultaneous operation of Station KTBI as proposed and Station KTW.

4. To determine the areas and populations, if any, which would be deprived of primary service particularly from Station KTW as a result of the proposed operation of Station KTBI and what other broadcast services are available to these areas and populations.

5. To determine whether the proposed radiating system complies with the Standards of Good Engineering Practice, particularly with reference to the height of the antenna.

6. To determine the areas and populations which may be expected to gain primary service should Station KTBI operate as proposed, and what other broadcast services are available to these areas and populations.

7. To determine whether a grant of the application would be consistent with the provisions of the North American Regional Broadcasting Agreement.

8. To determine whether a grant of the application would be consistent with the provisions of Commission Rule 3.25 (d).

9. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Tacoma Broadcasters, Inc., Radio Station KTBI, Puget Sound Bank Building, 1117 Pacific Avenue, Tacoma 2, Washington.

Dated at Washington, D. C., April 7, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 44-5061; Filed, April 10, 1944; 10:41 a. m.]

[Docket No. 6579]

COMMUNITY BROADCASTING SERVICE  
NOTICE OF HEARING

In re application of Community Broadcasting Service (WABI); date filed November 17, 1942; for modification of C. P. (B1-P-2349) as modified, for change in type of transmitter and extension of construction and completion dates; class of service, broadcast; class of station, broadcast; location, Bangor, Maine; operating assignment specified (under C. P.): Frequency, 910 kc.; power, 5 kw.; hours of operation, unlimited (DA-night).

You are hereby notified that the Commission has examined the above-described application and has designated the matter for hearing for the following reasons:

1. To determine the cost of completing the construction authorized in Permit No. B1-P-2349 and the financial outlay, if any, incurred in connection therewith by the applicant prior to April 27, 1942.

2. To determine when the construction heretofore authorized in Permit No. B1-P-2349 was actually commenced.

3. To determine what materials and equipment the applicant has on hand or available for the construction authorized by Permit No. B1-P-2349 and what additional materials and equipment, if any, will be necessary for the completion thereof.

4. To determine whether the granting of the application for modification of construction permit and extension of commencement and completion dates would be consistent with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942, as amended.

5. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Community Broadcasting Service, Radio Station WABI, 57 State Street, Bangor, Maine.

Dated at Washington, D. C., April 7, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 44-5062; Filed, April 10, 1944; 10:41 a. m.]

[Docket No. 6580]

COMMUNITY BROADCASTING SERVICE  
NOTICE OF HEARING

In re application of Community Broadcasting Service (WABI); date filed, January 4, 1943; for renewal of license; class of service, broadcast; class of station, broadcast; location, Bangor, Maine; operating assignment specified: frequency, 1230 kc.; power, 250 w.; hours of operation, unlimited.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing for the following reasons:

1. To determine whether the applicant is financially and otherwise qualified to continue the operation of Station WABI in the public interest.

2. To determine whether the applicant has complied with the provisions of the section 308 (b) of the Communications Act of 1934, as amended, with reference to furnishing information and written statement of facts as requested by the Commission in its communications to the applicant under date of August 11 and September 11, 1943.

3. To obtain full information respecting the character of service that has been and is now being rendered and that is proposed to be rendered by Station WABI.

4. To determine whether in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served by the granting of the instant application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Community Broadcasting Service, Radio Station WABI, 57 State Street, Bangor, Maine.

Dated at Washington, D. C., April 7, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 44-5063; Filed, April 10, 1944; 10:41 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-532]

INTERSTATE PIPE LINE COMPANY

NOTICE OF APPLICATION

APRIL 7, 1944.

Notice is hereby given that on March 23, 1944, Interstate Pipe Line Company (hereinafter referred to as "Applicant") filed with the Federal Power Commission an application seeking authority under section 7 of the Natural Gas Act, as amended, to operate approximately 8½ miles of 2-inch to 6-inch pipe line extending from a point in Miami County, Kansas, in an easterly direction to the town border of Drexel, Missouri.

The application states that the aforesaid facilities were acquired by Applicant, a wholly-owned subsidiary of Interstate Gas Company, from its parent company on August 21, 1943.

Any person desiring to be heard or to make any protest with reference to this application should, on or before April 25, 1944, file with the Federal Power Commission a petition or protest in accordance with the rules of practice and regulations of the Commission.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 44-5006; Filed, April 8, 1944; 10:26 a. m.]

FEDERAL SECURITY AGENCY.

Food and Drug Administration.

DRUGS AND DEVICES

PROPOSED AMENDMENTS TO THE GENERAL REGULATIONS

Notice is hereby given that by virtue of and pursuant to the provisions of sections 502 (f) and 701 (a) of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 352 (f), 371 (a)] the Administrator proposes to amend the regulations heretofore promulgated under sections 502 (f) and 505 of the act. The proposed amendments are attached hereto.

All interested persons may submit written statements for consideration in determining the final action to be taken on these proposed amendments. Such statements should be submitted to the Hearing Clerk, General Counsel's Office, Food and Drug Division, Federal Security Agency, Washington 25, D. C., within thirty days after the date of the publication of the proposed amendments in the FEDERAL REGISTER. The proposed amendments may be adopted, rejected, or amended, in whole or in part, by the Administrator, without further notice.

Washington, D. C., April 7, 1944.

[SEAL]

WATSON B. MILLER,  
Acting Administrator.

Proposed Amendments

The regulation promulgated under section 502 (f) of the Federal Food, Drug, and Cosmetic Act, as published in the FEDERAL REGISTER of April 15, 1941 (6 F.R. 1920), is hereby amended by striking out

paragraphs (b) and (c), and promulgating the following:

§ 2.106 *Drugs and devices; directions for use.*

(b) A shipment or other delivery of a drug or device shall be exempt from the requirements of section 502 (f) (1) of the act, if it complies with all of the following conditions:

(1) Such drug or device, because of its toxicity or other potentiality for harmful effect or the method of its use or the collateral measures necessary to its use, is not generally recognized among experts by scientific training and experience to evaluate its safety and efficacy, as safe and efficacious for use except by or under the supervision of a physician, dentist, or veterinarian.

(2) Such shipment or delivery is made for the purpose of exclusive use:

(i) By physicians, dentists, or veterinarians in their professional practice; or  
(ii) Upon their prescriptions and under labeling bearing the directions for use specified in such prescriptions; or

(iii) In the manufacture of another drug or device.

(3) Adequate directions for the use of such drug or device by physicians, dentists, or veterinarians, as the case may be, are readily available.

(4) The label of such drug or device (other than surgical instruments and other devices to be used exclusively by physicians, dentists, or veterinarians in their professional practice) bears the statement "Caution: To be dispensed only by or on the prescription of a -----," or "Caution: To be dispensed only by a -----," the blank being filled in with one or more of the words "physician," "dentist," and "veterinarian," as the case may be.

(5) No representation with respect to the conditions for which a drug or device is to be used and no statement of dosage or other direction for use appears in its labeling except representations or directions:

(i) Referred to in paragraph (f);

(ii) In printed matter supplied to a physician, dentist, or veterinarian separately from such drug or device; and

(iii) Specified in the prescription of a physician, dentist, or veterinarian upon which such drug or device was dispensed.

(6) In the case of a drug which is not designated solely by a name recognized in an official compendium and which is fabricated from two or more ingredients, its label also bears a statement of the quantity or proportion of each active ingredient.

(c) A shipment or other delivery of a drug or device shall also be exempt from the requirements of section 502 (f) (1) of the act if it complies with all the conditions set forth in paragraph (b) (3) and (6) and if such shipment or delivery is made to a physician, dentist, veterinarian, hospital, or clinic for the purpose of exclusive use by physicians, dentists, or veterinarians in their professional practice.

(d) A shipment or other delivery of a drug or device shall also be exempt from the requirements of section 502 (f) (1) of the act, if it is made to a dealer or

manufacturer for the purpose of exclusive use in the manufacture of another drug or device and its label bears the statement "For manufacturing use only."

(e) A shipment or other delivery of a drug or device shall also be exempt from the requirements of section 502 (f) (1) of the act with respect to common uses, adequate directions for which are known by the ordinary individual.

(f) No shipment or other delivery of a new drug shall be exempt under paragraph (b) or (c) unless its labeling bears such directions for use as are contained in the labeling upon the basis of which an application under section 505 of the act is effective with respect to such new drug.

(g) No exemption under any provision of this regulation shall apply to any shipment or other delivery of:

(1) A drug if its advertising disseminated or sponsored by or on behalf of its manufacturer, packer, or other persons responsible for making such shipment or delivery, contains any representation not borne by its labeling and which, if so borne, would make it a new drug.

(2) A drug intended for administration by iontophoresis or by injection into or through the skin or mucous membrane.

(3) A drug or device if such shipment or delivery is made in the course of the conduct of a business of dispensing drugs or devices pursuant to diagnosis by mail.

(h) If a shipment or other delivery, or any part thereof, of a drug or device which is exempt under paragraph (b), (c), or (d) is disposed of for any purpose other than that of the exclusive uses specified in such paragraph, such exemption shall expire, with respect to such shipment or delivery or part thereof which is so disposed of, at the beginning of the act of such disposal. The causing of an exemption so to expire shall be considered to be an act which results in such drug or device being misbranded unless, prior to such disposal, it is relabeled to comply with the requirements of section 502 (f) (1) of the act, or it is disposed of for use otherwise than as a drug or device.

(i) For the purposes of this regulation:

(1) The term "dispense" includes, but the term "manufacture" does not include, the use of a drug as an ingredient in compounding any prescription issued by a physician, dentist, or veterinarian in his professional practice.

(2) The terms "physician," "dentist," and "veterinarian," as used in relation to the exemption of any drug or device, include only those physicians, dentists, and veterinarians who are licensed by law to administer or apply such drug or devices.

The regulations relating to section 505 of the act promulgated December 28, 1938 (3 F.R. 3168), as amended April 15, 1941 (6 F.R. 1921), are hereby further amended as follows:

I. By changing paragraph (b) of § 2.110 (relating to section 505 (b) of the act) and adding a new paragraph (d) thereto as follows:

(b) An application shall not be accepted for filing if only one copy is submitted or if it is incomplete on its face in that:

(1) It does not contain all the matter required by clauses (1), (2), (3), (4), and (6) of section 505 (b) of the act;

(2) It does not state the conditions under which the drug is to be used; or

(3) The specimens of labeling proposed for use upon or within the retail package do not expressly or by reference to a brochure or other printed matter prescribe, recommend, or suggest the use of such drug under such conditions.

The Food and Drug Administration shall notify the applicant of such non-acceptance and the reason therefor and, in case of incompleteness as to matter required by any clause of section 505 (b), shall specify such clause. Otherwise the date on which an application is received by the Agency shall be considered to be the date on which such application is filed, and the Food and Drug Administration shall notify the applicant of such date. If the applicant withdraws his application, such application shall be considered as not having been filed.

(d) After an application has become effective with respect to a drug the applicant may file a supplemental application with respect thereto setting forth any proposed change in the conditions under which such drug is to be used, in the labeling thereof, in any circumstance relating to its production, or in any other information contained in the effective application. Such supplemental application may omit statements made in the effective application concerning which no change is proposed.

II. By adding to such regulations a new section (relating to section 505 (d) of the act) as follows:

§ 2.112 The information contained in an application may be insufficient for the Administrator to determine whether a drug is safe for use if it fails to include (among other things) a statement showing whether the drug is to be exempt under § 2.106 (b) or (c) of the regulation under section 502 (f) of the act, as amended, from the requirement that its labeling bear adequate directions for use. If the drug is to be so exempt the information may also be insufficient if:

(1) The specimen label of the drug fails to incorporate by reference a specifically identified brochure or other printed matter containing adequate directions for use by physicians, dentists, or veterinarians, as the case may be, under all conditions under which the drug is to be used;

(2) Such label fails to state that the drug is to be used as shown in such brochure or printed matter and that such brochure or printed matter will be sent to physicians, dentists, or veterinarians, as the case may be, on request;

(3) The application fails to contain a copy of such brochure or printed matter; or

(4) The application fails to show that such brochure or printed matter is readily available to physicians, dentists, or veterinarians, as the case may be, or if

not that it is to be made so upon the application becoming effective.

III. By adding to such regulations a new section (relating to section 505 (e) of the act) as follows:

§ 2.113 Among the reasons why a statement contained in an application may be untrue are changes in:

- (1) Conditions of use prescribed, recommended, or suggested by the applicant for the drug from the conditions of such use stated in the application;
- (2) Articles used as components of the drug from those listed in the application;
- (3) Composition of the drug from that stated in the application;
- (4) Methods used in, or the facilities or controls used for, the manufacture, processing, or packing of the drug from such methods, facilities, and controls described in the application; and
- (5) Labeling from the specimens contained in the application.

The numbers of §§ 2.110 (d), 2.111, and 2.1065 (relating respectively to sections 505 (c), 505 (i), and 502 (k) and 506 of the act) have been changed to 2.111, 2.114, and 2.115, respectively.

[F. R. Doc. 44-5074; Filed, April 10, 1944; 11:27 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4959]

WILLYS-OVERLAND MOTORS, ET AL.

AMENDED 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 6th day of April, A. D., 1944.

In the matter of Willys-Overland Motors, Inc., a corporation; United States Advertising Corporation, a corporation; Ward M. Canaday, individually and as Chairman of the Board of Directors of Willys-Overland Motors, Inc., and of United States Advertising Corporation; Joseph W. Frazer, individually and as President of Willys-Overland Motors, Inc.; George W. Ritter, individually and as Vice President and Secretary of Willys-Overland Motors, Inc., and as Vice President and Director of United States Advertising Corporation; Delmar G. Roos, individually and as Vice President in Charge of Engineering of Willys-Overland Motors, Inc.; Frank H. Canaday, individually and as a Director of United States Advertising Corporation. Minneapolis-Moline Power Implement Company, a corporation, Intervenor.

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 J. Earl Cox, 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, April 18, 1944, at ten o'clock in

the forenoon of that day (Eastern Standard Time), in Room 207, Federal Building, Toledo, Ohio.

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 intervenor and the respondents, respectively. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 44-5082; Filed, April 10, 1944; 11:35 a. m.]

[Docket No. 5112]

JOSEPH LEVY CLOTHING MFG. CO., INC.,  
ET AL.

ORDER APPOINTING TRIAL EXMINER 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 7th day of April, A. D. 1944.

In the matter of Joseph Levy Clothing Manufacturing Company, Inc., a corporation; Crawford Clothes, Inc., a corporation; Joseph Levy, David Levy, and Frank Seidenwurm, individually and as officers and directors of Joseph Levy Clothing Manufacturing Company, Inc., and Crawford Clothes, Inc.

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, April 27, 1944, at ten o'clock in the forenoon of that day (eastern standard time), in Room 504, 45 Broadway, New York, New York.

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] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 44-5084; Filed, April 10, 1944; 11:35 a. m.]

[Docket No. 5119]

HOWARD CLOCK CORP.

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 7th day of April, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursu-

ant to authority vested in the Federal Trade Commission,

*It is ordered*, That Miles J. Furnas, 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 Friday, April 14, 1944, at eleven 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] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 44-5083; Filed, April 10, 1944; 11:35 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S.O. 70-A, Special Permit 178]

RECONSIGNMENT OF GRAPEFRUIT AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, April 3 or 4, 1944, by Rio Grande Valley Citrus Exchange, of car ART 73936, grapefruit, now on the Missouri Pacific Railroad to Salina, Kansas.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of April 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-5018; Filed, April 8, 1944; 11:40 a. m.]

[S.O. 70-A, Special Permit 179]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering

paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconignment at Chicago, Illinois, April 5 or 6, 1944, by Gus Relias of car PFE 94679, tomatoes, now on the Wabash Railroad, to Schofel Brothers, Newark, New Jersey.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of April 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-5019; Filed, April 8, 1944;  
11:40 a. m.]

[S. O. 70-A, Special Permit 180]

RECONSIGNMENT OF POTATOES AT  
KANKAKEE, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconignment at Kankakee, Illinois, April 5 or 6, 1944, by Edw. H. Anderson Company of cars WFE 67192 and BRE 75465, potatoes, now on the Illinois Central Railroad, to Camp Selby, Mississippi.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of April 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-5020; Filed, April 8, 1944;  
11:40 a. m.]

[S. O. 70-A, Special Permit 181]

RECONSIGNMENT OF POTATOES AT MILWAUKEE, WIS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering

paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconignment at Milwaukee, Wisconsin, April 5 or 6, 1944, by Edw. H. Anderson Company of car DS 6252, potatoes, now on the C. M. St. P. & P. Railroad, to Chicago, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of April 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-5021; Filed, April 8, 1944;  
11:40 a. m.]

[S. O. 70-A, Special Permit 182]

RECONSIGNMENT OF POTATOES AT DANVILLE, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconignment at Danville, Illinois, April 5 or 6, 1944, by Edw. H. Anderson Company of car WFE 60429, potatoes, now on the C. & E. I. Railroad, to St. Louis, Missouri.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of April 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-5022; Filed, April 8, 1944;  
11:40 a. m.]

[S. O. 70-A, Special Permit 183]

RECONSIGNMENT OF POTATOES AT  
KANKAKEE, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Serv-

ice Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconignment at Kankakee, Illinois, April 5 or 6, 1944, by Edw. H. Anderson Company of car FGE 35264, potatoes, now on the Illinois Central Railroad, to Cincinnati, Ohio.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of April 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-5023; Filed, April 8, 1944;  
11:40 a. m.]

[S. O. 103, Special Permit 7]

TRANSPORTATION OF CANADIAN MALTING  
BARLEY FROM DULUTH, MINN.

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.4, 8 F.R. 572) of Service Order No. 103 of January 12, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 103 insofar as it applies to the acceptance and movement by railroad of 27,000 bushels of Canadian malting barley shipped by the Russell-Miller Milling Company, Duluth, Minnesota, to destination in Mexico, provided shipper will advise car numbers and dates of shipment of each car.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of April 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-5025; Filed, April 8, 1944;  
11:40 a. m.]

[S. O. 178, General Permit 6]

TRANSPORTATION AND REFRIGERATION OF  
FATS

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Serv-

ice Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the furnishing or supplying of a refrigerator car or cars for loading with lard, lard compounds, lard substitutes, rendered pork fats, vegetable oil shortening or animal tallow, or the transportation or movement of a refrigerator car or cars so loaded.

This general permit shall become effective at 12:01 a. m., April 10, 1944, and shall expire at 12:01 a. m., September 25, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of April 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-5026; Filed, April 8, 1944;  
11:41 a. m.]

[S. O. 178, Special Permit 106]

LOADING OF SHORTENING AT BERKELEY,  
CALIF.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of car PFE 74859, with shortening by Durkee's Famous Foods at Berkeley, California, and the movement of that car so loaded from that point not later than April 9, 1944, to Durkee's Famous Foods, Spokane, Washington. (S.P.-G.N.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of April 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-5015; Filed, April 8, 1944;  
11:41 a. m.]

[S. O. 178, Special Permit 107]

LOADING OF LARD AT OMAHA, NEBR.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of car ARL 11246 with lard by Armour & Company at Omaha, Nebraska, and the movement of that car so loaded from that point April 5, 1944, to Texarkana, Arkansas-Texas. (Mo. Pac.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of April 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-5016; Filed, April 8, 1944;  
11:41 a. m.]

[S. O. 178, Special Permit 108]

LOADING OF SHORTENING AT MEMPHIS,  
TENN.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of two refrigerator cars with shortening by the Humko Company at Memphis, Tennessee, and the movement of the two cars so loaded from that point, one April 7, 1944, to Philadelphia, Pennsylvania (Mo. Pac.) and one April 8, 1944, to New York, N. Y. (I. C.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of April 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-5017; Filed, April 8, 1944;  
11:41 a. m.]

[S. O. 187, 2d Amended General Permit 1]

MOVEMENT OF POTATOES FROM COLORADO,  
NEBRASKA AND WYOMING

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation and movement of any refrigerator car loaded with potatoes, other than sweet, of any grade, from origins in the States of Colorado, Nebraska and Wyoming, consigned to washing plants located at Center, Del Norte, Julesburg, La Jara or Monte Vista, Colorado; Alliance, Bayard, Clouse, Gering, Haig, Hemingford, Kimball, Lyman, Minatare, Mitchell, Morrill, Scottsbluff, Sidney or South Mitchell, Nebraska; Huntley, Lingle, Pine Bluffs, River-ton, South Torrington or Torrington, Wyoming; for washing, sorting and grading purposes only, provided the bill of lading carries a certification by the shipper that the shipment is intended for washing, sorting, and grading purposes only.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of April 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-5024; Filed, April 8, 1944;  
11:41 a. m.]

[S. O. 196]

UNLOADING OF COAL AT HARRISBURG, PA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of April, A. D. 1944.

It appearing, that two (2) cars containing coal, PRR 161143 and PRR 901728 on hand at Harrisburg, Pennsylvania, on The Pennsylvania Railroad Company have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. *It is ordered, That:*

*Coal at Harrisburg, Pennsylvania, to be unloaded.* (a) The Pennsylvania Railroad Company, its agents or employees, shall unload forthwith two (2) cars containing coal, PRR 161143 and 901728 on hand at Harrisburg, Pennsylvania.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carloads of coal have been completely unloaded. (40



This Order No. 677 may be revoked or amended by the Administrator at any time.

Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120, shall apply to the terms used herein.

All prayers of the applicant not granted herein are hereby denied.

This Order No. 677 shall become effective April 7, 1944.

Issued this 6th day of April 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-4935; Filed, April 6, 1944;  
3:53 p. m.]

[MPR 120, Order 678]

CONGRESS COAL CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 678 under Maximum Price Regulation No. 120. Bituminous Coal

delivered from mine or preparation plant. Establishing maximum prices for coals of the Congress Coal Company.

For the reasons set forth in an accompanying opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Cumberland Mine of The Congress Coal Company is hereby assigned Mine Index No. 4032 and classified in the Cambridge Freight Origin Group and Railroad Fuel Price Group No. 102.

(b) Coals produced by The Congress Coal Company, Zanesville, Ohio, Mine Index No. 4032, in District No. 4, for the indicated uses and movements, may be sold and purchased at per net ton prices not exceeding the following:

	Size groups											
	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipments.....	\$3.10	\$3.05	\$2.75	\$2.75	\$2.70	\$2.60	\$2.35	\$2.25	\$2.60	\$2.10		\$2.60
Truck shipments.....	3.55	3.45	3.30	3.05	3.05	2.90	2.65	2.55				
Railroad fuel.....	2.75	2.75	2.75	2.75	2.75	2.60	2.20	2.20	2.35	2.20		2.60

(c) The maximum prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad fuel.

(d) This order may be revoked or amended at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(f) All prayers of the applicant not granted herein are hereby denied.

(g) This order shall become effective April 7, 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 6th day of April 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-4934; Filed, April 6, 1944;  
3:53 p. m.]

[MPR 120, Order 679]

DIAMOND "D" COAL CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 679 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing price classifications and maximum prices for coals of the Diamond "D" Coal Company.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Barrie "D" Mine of Diamond "D" Coal Company in Somerset County,

Pennsylvania, Subdistrict No. 40 of District No. 1, is hereby assigned Mine Index No. 5046.

(b) Coals produced by Diamond "D" Coal Company, Somerset, Pennsylvania, from its Barrie "D" Mine, Mine Index No. 5046, in District No. 1, for the indicated uses and movements are assigned the following classifications and may be sold and purchased at per net ton prices not exceeding the following:

	Size groups				
	1	2	3	4	5
Price classifications.....	H	H	H	H	H
Rail shipments.....	\$3.30	\$3.30	\$3.10	\$2.85	\$2.85
Truck shipments.....	3.50	3.25	3.25	3.15	3.05
Railroad locomotive fuel.....	3.20	3.20	3.05	2.95	2.95

(c) The maximum prices established herein are f. o. b. the mine for truck shipments, and f. o. b. the rail shipping point for rail shipments and for railroad locomotive fuel.

(d) This order may be revoked or amended at any time.

(e) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120 shall apply to the terms used herein.

(f) All prayers of the applicant not granted herein are hereby denied.

This order shall become effective April 7, 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 6th day of April 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-4933; Filed, April 6, 1944;  
3:52 p. m.]

[MPR 275, Order 1, Revocation]

H. J. HEINZ CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 1 under Maximum Price Regulation 275. Extracted honey.

Authorization of maximum prices of "Lakeshore" brand extracted honey for H. J. Heinz Company, Pittsburgh, Pennsylvania.

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

(a) That Order No. 1 with amendments thereto issued pursuant to § 1351.-1319 (g) of Maximum Price Regulation No. 275 be and is hereby revoked.

(b) This order of revocation shall be effective as of the 4th day of April 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 7th day of April 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-4999; Filed, April 7, 1944;  
4:21 p. m.]

[MPR 188, Order 1472]

STANDARD MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1472 under § 1499.153 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 new garden tools manufactured by Standard Manufacturing Company.

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) This order establishes maximum prices for sales of two new hoes, hay rake, level head rake and trowel manufactured by the Standard Manufacturing Company, 182½ East Jefferson Street, Los Angeles, California.

(1) For sales by the manufacturer, the maximum prices are those set forth below, f. o. b. Los Angeles, California:

Article	Model No.	To jobbers		To retailers	
		Per doz.	Per doz.	Per doz.	Per doz.
Hoe.....	V12	\$2.94	\$3.92		
Hoe.....	H12	4.90	6.53		
Box rake.....	V24	3.69	4.92		
Rake.....	RO14	4.20	5.60		
Trowel.....		.90	1.20		

(2) For sales by jobbers to retailers, the maximum prices are those set forth below, f. o. b. seller's city:

Article	Model No.	Maximum prices
		<i>Per doz.</i>
Hoe.....	V12	\$3.92
Hoe.....	H12	6.53
Bow rake.....	V24	4.92
Rake.....	RO14	5.60
Trowel.....		1.20

(3) For sales at retail, the maximum prices are those set forth below:

Article	Model No.	Maximum prices
		<i>Each</i>
Hoe.....	V12	\$0.39
Hoe.....	H12	.85
Bow rake.....	V24	.62
Rake.....	RO14	.70
Trowel.....		.15

(b) To every garden tool shipped to a purchaser for resale, the manufacturer shall attach a tag or label which plainly states the retail ceiling price.

(c) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resale by the purchaser. This order establishes maximum prices for sales by all jobbers to jobbers and retailers. Each jobber who resells any commodity covered by this order must notify his purchaser of the maximum prices established by this order for sales by the purchaser. The written notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This Order No. 1472 may be revoked or amended by the Price Administrator at any time.

This Order No. 1472 shall become effective on the 10th day of April 1944.  
Issued this 8th day of April 1944.

CHESTER BOWLES,  
*Administrator.*

[F. R. Doc. 44-5045; Filed, April 8, 1944; 4:41 p. m.]

[MPR 136, Amdt. 1 to Rev. Order 88]

GENERAL ELECTRIC CO. OF BRIDGEPORT,  
CONN.

**AUTHORIZATION OF MAXIMUM PRICES**

Amendment No. 1 to Revised Order No. 88 under Maximum Price Regulation No. 136, as amended. Machines and parts, and machinery services.

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, Executive Order Nos. 9250 and 9328, and in accordance with § 1390.25a, Revised Order No. 88 under Maximum Price Regulation No. 136 is amended in the following respects:

1. Paragraph (a) is amended by adding the words "or manufactured" after the word "rebuilt."

2. Paragraph (a) is amended by adding the following model number and maximum price under the heading "monitor top sealed units":

Model: *Maximum price for each unit*  
FEA-2..... \$64.00

3. Paragraph (b) is amended by adding the following model number and maximum price under the heading "monitor top sealed units":

Model: *Maximum price for each unit*  
FEA-2..... \$71.00

4. Paragraph (c) is amended by adding the following model number and maximum price under the heading "monitor top sealed units":

Model: *Maximum price for each unit*  
FEA-2..... \$94.50

This amendment shall become effective February 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 17th day of February 1944.

CHESTER BOWLES,  
*Administrator.*

[F. R. Doc. 44-5057; Filed, February 17, 1944; 11:34 a. m.]

**Regional and District Office Orders.**

[Region III Order G-13 Under RMPR 122, Amdt. 4]

**SOLID FUELS IN TOLEDO, OHIO, AREA**

Amendment No. 4 to Order No. G-13, as Amended, Under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Toledo, Ohio, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 and § 1340.254 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G-13 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) Part I under section (c) (1) is amended by adding paragraph E thereto as follows:

E. To the prices stated in paragraphs A, B, C, and D of Part I may be added 15¢ per ton provided the coal is mined in Sub-district 6 of Producing District 8. Sub-district 6 includes that portion of District 8 which is in Northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rockcastle, Wayne and Whitley.

(b) The general description contained in the heading of Part III under Column I of section (c) (1) is amended by the substitution of the words "(Southeastern West Virginia and Northwestern Virginia)" for the word "(Pocahontas)" so that the entire heading under Part III

shall read as follows: "Low Volatile Bituminous Coal from Producing District No. 8 (Southeastern West Virginia and Northwestern Virginia)".

This amendment to Order No. G-13 under Revised Maximum Price Regulation No. 122 shall become effective March 29, 1944.

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

Issued March 29, 1944.

CLIFFORD J. HOUSER,  
*Acting Regional Administrator.*

[F. R. Doc. 44-4939; Filed, April 6, 1944; 3:54 p. m.]

[Region III Order G-14 Under RMPR 122, Amdt. 5]

**SOLID FUELS IN DESIGNATED LOCALITIES IN MICHIGAN**

Amendment No. 5 to Order No. G-14 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the cities of Saginaw, Carrollton and Zilwaukee and the townships of Kochville, Buena Vista, and Saginaw, all in the State of Michigan.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.254 and 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G-14 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) Sub-paragraphs 3 and 4 of paragraph B, Part I in section (c) are combined to constitute a new sub-paragraph 3 of paragraph B, Part I in section (c) to read as follows:

Column I	Column II	Column III
3. Size Groups No. 6 and 7 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size not exceeding 3") mine price classifications B through M.....	\$9.10	\$8.35

(b) Sub-paragraph 3 (d), paragraph A of Part I in section (c) is amended to read as follows:

Column I	Column II	Column III
(d) Glen Alum Mine, Index No. 219 of the Glen Alum Coal Company.....	\$9.50	\$8.75

(c) Part I in section (c) is amended by the addition of paragraph E thereto to read as follows:

E. To the prices stated in paragraphs A, B, C, and D of Part I may be added 15¢ per ton provided the coal is mined in Sub-district 6 of Producing District 8. Sub-district 6 includes that portion of District 8 which is in Northern Ten-

nessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.

(d) The general description contained in the heading of Part III under Column I of the price schedule in section (c) is amended by the substitution of the words "(Southeastern West Virginia and Northwestern Virginia)" for the word "(Pocahontas)" so that the entire heading under said Part III shall read as follows: "Low Volatile Bituminous Coal from Producing District No. 7 (Southeastern West Virginia and Northwestern Virginia)".

This Amendment No. 5 to Order No. G-14 under Revised Maximum Price Regulation No. 122 shall become effective March 29, 1944.

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

Issued March 29, 1944.

CLIFFORD J. HOUSER,  
Acting Regional Administrator.

[F. R. Doc. 44-4940; Filed, April 6, 1944; 3:55 p. m.]

[Region III Order G-19 under RMPR 122, Amdt. 1]

SOLID FUELS IN WARREN, OHIO, AREA

Amendment No. 1 to Order No. G-19 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Warren, Ohio Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 and § 1340.254 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G-19 under Revised Maximum Price Regulation No. 122 be amended by adding Paragraph C to Part IV in section (c) to read as follows:

C. To the prices stated in paragraphs A and B of Part IV may be added 15¢ per ton provided the coal is mined in Sub-district 6 of Producing District 8. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.

This amendment to Order No. G-19 under Revised Maximum Price Regulation No. 122 shall become effective March 29, 1944.

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

Issued March 29, 1944.

CLIFFORD J. HOUSER,  
Acting Regional Administrator.

[F. R. Doc. 44-4941; Filed, April 6, 1944; 3:54 p. m.]

[Region III Order G-20 Under RMPR 122, Amdt. 1]

SOLID FUELS IN LANSING, MICH., AREA

Amendment No. 1 to Order No. G-20 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Lansing, Michigan, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.254 and 1340.260 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G-20 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) Sub-paragraph 3, Paragraph 3, of Part I in section (e) is amended to read as follows:

Column I	Maximum prices per net ton		
	Column II	Column III	Column IV
3. Size Group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller) Mine Price Classifications B through W.....	\$8.80	\$9.30	\$7.55

(b) Paragraph C of Part I in section (c) is amended to read as follows:

Column I	Maximum prices per net ton		
	Column II	Column III	Column IV
C. Stove, Size Group No. 8 (top size larger than 2" but not exceeding 3" x bottom size 2" and smaller) Mine Price Classifications B through G.....	\$8.75	\$9.25	\$7.50

(c) Part I in section (c) is amended by adding Paragraph F thereto as follows:

F. To the prices stated in paragraphs A, B, C, D, and E of Part I may be added 15¢ per ton provided the coal is mined in Sub-district 6 of Producing District 8. Sub-district 6 includes that portion of District 8 which is in Northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne, and Whitley.

This Amendment No. 1 to Order No. G-20 under Revised Maximum Price Regulation No. 122 shall become effective March 29, 1944.

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

Issued March 29, 1944.

CLIFFORD J. HOUSER,  
Acting Regional Administrator.

[F. R. Doc. 44-4942; Filed, April 6, 1944; 3:54 p. m.]

[Region III Order G-21 under RMPR 122, Amdt. 1]

SOLID FUELS IN ALLIANCE, OHIO

Amendment No. 1 to Order No. G-21 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the City of Alliance in the State of Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.260 and 1340.254 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G-21 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) The general description in subparagraph 1, paragraph A, Part I under Schedule I in section (c) (1) is amended by the addition of the following phrase "excepting Mine Index No. 413" so that the entire heading under said subparagraph 1 shall read as follows: "Mine Price Classification E through J, excepting Mine Index No. 413".

(b) Sub-paragraph 2, paragraph B, Part II under Schedule I in section (c) (1) is amended to read as follows:

	Maximum Gross Price per Net Ton
2. Size Group No. 3 (double screened; bottom size larger than 1½" but not exceeding 2").....	\$6.30

(c) Part I under Schedule I in section (c) is amended by adding paragraph C thereto as follows:

C. To the prices stated in paragraphs A and B of Part I may be added 15¢ per ton provided the coal is mined in Sub-District 6 of Producing District 8. Sub-District 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne, and Whitley.

This amendment to Order No. G-21 under Revised Maximum Price Regulation No. 122 shall become effective March 29, 1944.

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

Issued March 29, 1944.

CLIFFORD J. HOUSER,  
Acting Regional Administrator.

[F. R. Doc. 44-4943; Filed, April 6, 1944; 3:55 p. m.]

[Region III Order G-34 Under RMPR 122, Amdt. 1]

SOLID FUELS IN YOUNGSTOWN, OHIO, AREA

Amendment No. 1 to Order No. G-34 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Youngstown, Ohio, area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional

Administrator of Region III of the Office of Price Administration by §§ 1340.260 and 1340.254 of Revised Maximum Price Regulation No. 122, *It is hereby ordered*, That Order No. G-34 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

(a) Paragraph A, Part V under section (c) (1) is amended to read as follows:

Column I	Column II	Column III
A. Lump, Size Group No. 2 (Bottom size larger than 3" but not exceeding 5") in Mine Price Classifications G through H:		
1. All coal mined in Sub-district 6 (that part of Tennessee in Producing District 8 and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne & Whitley)	\$9.00	\$8.00
2. All other	8.85	7.85

(b) The general description contained in the heading of Part VI under Column I of section (c) (1) is amended by the substitution of the words "(Southeastern West Virginia and Northwestern Virginia)" for the word "(Pocahontas)" so that the entire heading under said Part VI shall read as follows: "Low Volatile Bituminous Coal from Producing District No. 8 (Southeastern West Virginia and Northwestern Virginia)".

This amendment to Order No. G-34 under Revised Maximum Price Regulation No. 122 shall become effective March 29, 1944.

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

Issued March 29, 1944.

CLIFFORD J. HOUSER,  
Acting Regional Administrator.

[F. R. Doc. 44-4944; Filed, April 6, 1944; 3:54 p. m.]

[Region VIII Order G-88 Under 18 (c)]

TRANSPORTATION OF FRUITS AND VEGETABLES IN CALIFORNIA

Order No. G-88 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Adjusted maximum prices for the transportation of certain fruits and vegetables in California by motor carriers other than common carriers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered*:

(a) The adjusted maximum prices which may be charged by any carrier other than a common carrier for the service of transporting by motor truck in truck lots any of the fruits and vegetables listed in paragraph (b) when the

point of origin and the point of destination are within the State of California shall be the applicable rate specified in Appendix A attached hereto.

(b) This order shall apply to the hauling of potatoes.

(c) The rates specified in Appendix A shall include loading and unloading, except that unloading performed at the Los Angeles Produce Market or at the San Francisco Docks shall not be included but may be made the subject of a separate charge.

(d) In determining the distance between any two points for purposes of this order the Constructive Highway Mileages set forth in Distance Table No. 3 issued by the Railroad Commission of the State of California on December 27, 1938, in connection with its decision No. 31605, as said table has been amended and supplemented up to the date of this order, shall be used.

(e) Orders No. G-19 and No. G-20 under § 1499.18 (c) as amended of the General Maximum Price Regulation are hereby revoked.

(f) This order may be amended or revoked or corrected at any time. This order shall become effective April 5, 1944.

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

Issued this 1st day of April 1944.

L. F. GENTNER,  
Regional Administrator.

APPENDIX A

ADJUSTED MAXIMUM PRICES IN CENTS PER 100 POUNDS

Miles		12,000 lbs. or less	Over 12,000 lbs. but not over 24,000 lbs.	Over 24,000 lbs.
Over—	But not over—			
0	5	10	8.5	7.5
5	10	10.5	9	8
10	15	11	9.5	8.5
15	20	11.5	10	9
20	25	12	10.5	9.5
25	30	12.5	11.5	10
30	40	14	12.5	11
40	50	15.5	14	12
50	60		15	13
60	70		16	14
70	80		17.5	15
80	90		18.5	16
90	100		19.5	17
100	110		20.5	18
110	120		22	19
120	130		23.5	20.5
130	140		25	22
140	150		26.5	23.5
150	160		28	25
160	170		29.5	26
170	180		30.5	27
180	190		31.5	28
190	200		33	29
200	220		34.5	30.5
220	240		36.5	32
240	260		38.5	33.5
260	280		41	35
280	300		43	36.5
300	320		45.5	38
320	340		48	39.5
340	360		50.5	41
360	380		53	42.5
380	400		55.5	44
For distances over 400 miles add for each 20 miles or fraction.			2.5	2

[F. R. Doc. 44-4945; Filed, April 6, 1944; 3:55 p. m.]

[Region VIII Order G-7 Under MPR 280, Amdt. 2]

MILK IN BURLINGTON, WASH.

Amendment No. 2 to Order No. G-7 under Maximum Price Regulation No. 280, as amended. Maximum prices for specific food products (Milk).

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.817 (a) of Maximum Price Regulation No. 280, *It is hereby ordered*, That Order No. G-7 be amended as follows:

(a) Sub-paragraph (a) (2) is hereby amended to read as follows:

(2) For such sales of milk to purchasers who did not purchase milk from the particular farmer's cooperative during August 1943, the maximum price shall be the highest price which such farmer's cooperative charged during August 1943 to a purchaser of the same class.

(b) Paragraph (c) is hereby amended by adding a new sub-paragraph (c) (4) to read as follows:

(4) "Purchaser of the same class" refers to the practice followed by the seller during the base period, August 1943, in setting different prices for sales to different purchasers or kinds of purchasers (for example, but not limited to, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer, or any ordinarily recognized sub-group, or combination of the foregoing) or for purchasers located in different areas or for different quantities or, under different conditions of sale.

This amendment No. 2 shall become effective April 1, 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 1st day of April 1944.

L. F. GENTNER,  
Regional Administrator.

[F. R. Doc. 44-4938; Filed, April 6, 1944; 3:55 p. m.]

[Region I Order G-48 Under RMPR 122, Amdt. 1]

SOLID FUELS IN BRATTLEBORO-KEENE, VT.-N. H., AREA

Amendment No. 1 to Order No. G-48 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Brattleboro-Keene Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942 as amended, Region I Order No.

G-48 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. Those portions of Price Schedule I in paragraph (b) (1) which list "Jeddo Highland or Greenwood," and establish specific prices for listed sizes of those coals, are deleted.

2. Those portions of Price Schedule II in paragraph (c) (1) which list "Jeddo Highland or Greenwood," and establish specific prices for listed sizes of those coals, are deleted.

3. Those portions of Price Schedule III in paragraph (d) (1) which list "Jeddo Highland or Greenwood," and establish specific prices for listed sizes of those coals, are deleted.

4. Paragraph (f) is revoked and a new paragraph (f) is inserted, to read as follows:

(f) *Certain named Pennsylvania anthracite coals.* The specific maximum prices set forth for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold; *Provided*, That the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed:

Kind and size	Amount of addition			
	Per net ton	½ ton	¼ ton	100 lbs.
Jeddo Highland:				
Egg, stove and chestnut.	\$0.50	\$0.25	\$0.10	\$0.05
Broken, pea and buck-wheat	.25	.15	.05	None
Rice	.15	.10	None	None
Greenwood:				
Egg, stove and chestnut.	.50	.25	.10	.05
Pea	.25	.15	.05	None
Franklin:				
Broken	.75	.40	.20	.05
Egg	1.00	.50	.25	.05
Stove	1.25	.65	.30	.05
Chestnut	.30	.15	.05	None
Rice	.10	.05	None	None

5. Subparagraphs (13) and (14) are added to paragraph (g), to read as follows:

(13) "Named Pennsylvania anthracite" means Jeddo Highland, Greenwood and Franklin.

(14) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley".

This Amendment No. 1 to Order G-48 shall become effective March 31, 1944.

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

Issued this 31st day of March 1944.

ELDON C. SHOUP,  
Regional Administrator.

[F. R. Doc. 44-4994; Filed, April 7, 1944; 12:20 p. m.]

No. 72-7

[Region I Order G-16 Under SR 15, MPR 280, 329, Amdt. 13]

FLUID MILK IN MASSACHUSETTS

Amendment No. 13 to Order G-16 under § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280 and § 1351.408 of Maximum Price Regulation 329. Fluid milk in the Commonwealth of Massachusetts.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, as amended, by § 1351.807 of Maximum Price Regulation 280, as amended, and by § 1351.408 of Maximum Price Regulation 329, as amended, *It is hereby ordered*, That subparagraphs (10) and (11) of paragraph (a) and subparagraph (3) of paragraph (b) be amended and subparagraph (13) of paragraph (i) be added to read as set forth below:

(a) \* \* \*  
(10) Massachusetts Milk Marketing Area 6B (the town of Hampden):

Milk	Retail delivered	Retail over counter	Wholesale delivered
Quart bottles	\$0.16	\$0.15	\$0.13
Pint bottles			.075
10-ounce bottles			.055
Half-pint bottles			.0425
10-quart cans			1.25
Full 40-quart cans			5.00
Price to Producers	14.25		

<sup>1</sup> Per cwt.

(11) Massachusetts Milk Marketing Area 6C (the city of Westfield):

Milk	Retail delivered	Retail over counter	Wholesale delivered
Quart bottles	\$0.16	\$0.15	\$0.13
Pint bottles			.075
10-ounce bottles			.055
Half-pint bottles			.0425
10-quart cans			1.25
Full 40-quart cans			5.00
Price to Producers	14.25		

<sup>1</sup> Per cwt.

(b) \* \* \*

(3) The above "Wholesale Delivered" sales shall include delivered sales to stores, hotels, restaurants and institutions in any quantity, sales to any person in glass or paper containers whose purchases in such containers average not less than eight quarts per day, and sales in any container to an ultimate consumer whose purchases average not less than eight quarts per day.

\* \* \*  
(i) \* \* \*

(13) Amendment No. 13 shall become effective at 12:01 a.m. on April 1, 1944.

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

Issued this 31st day of March 1944.

ELDON C. SHOUP,  
Regional Administrator.

Approved March 31, 1944.

F. D. CRONIN,  
Regional Director,  
Food Distribution Administration.

[F. R. Doc. 44-5000; Filed, April 7, 1944; 4:21 p. m.]

[Region II 2d Rev. Order G-1 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN MIDDLESEX COUNTY, N. J.

Second Revised Order No. G-1 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Middlesex County, State of New Jersey, Coal Area VII.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does*—(1) *Dealers' maximum prices; area covered.* If you are a dealer in "Pennsylvania anthracite", this order sets the maximum prices which you may charge and, if you are a purchaser in the course of trade or business, this order sets the maximum prices which you may pay for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in State of New Jersey, Coal Area VII. Coal Area VII comprises all of Middlesex County in the State of New Jersey.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Coal Area VII are set forth in Schedules 1, 11, and 111 hereafter.

(3) *To what this order applies.* If you are a dealer in anthracite you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Coal Area VII whether or not you are located in Coal Area VII.

(b) *What this order prohibits.* Regardless of any contract or other obligation, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(1) Changing the discounts authorized herein, or

(ii) Charging for any service rendered in connection with the sale or delivery of anthracite subject to this order, or

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(iv) Using any other device by which a higher price than maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) Use the schedule which covers your sale. (Schedule I applies to sales on a "direct delivery" basis. You will find Schedule I in paragraph (d). Schedule II applies to "yard sales." You will find Schedule II in paragraph (e). Schedule III applies to sales of bagged coal in 50 lb., 25 and 12 lb. paper bags. You will find Schedule III in paragraph (f).)

(2) Take the dollars-and-cents figure set forth in the applicable schedule for the size and quantity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give as specified in the schedule. If the schedule makes no reference to any discount, you need give no discount. When a discount is required, you must state it separately on your invoice.

(4) If you deliver a fraction of a net ton, even if less than one-half ton, and the applicable schedule provides a discount on the basis of one ton or one-half ton, you shall allow a proportionate discount, making your calculation to the nearest full cent. For example, if you are required to deduct 50¢ per ton for cash payment, you shall deduct 38¢ for three-quarters of a ton and 13¢ for one-quarter of a ton.

(d) *Schedule I: "Direct delivery" sales.* Schedule I establishes maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Coal Area VII.

(1) *For sales of anthracite of the sizes and in the quantities specified.*

Size	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton)
Broken, egg, stove, nut.....	\$13.75	\$7.15	\$0.85
Pea.....	11.95	6.25	.75
Buckwheat.....	10.05	5.30	.70
Rice.....	8.95	4.75	
Screenings.....	4.30	2.15	

(2) *Required discounts.* You shall deduct from the prices set forth above in this Schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing in this sub-paragraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the fiftieth ton and continue to grant the discount on every subsequent delivery during the same twelve-month period.

(e) *Schedule II: "Yard sales."* Schedule II establishes maximum prices for certain sizes of anthracite in certain specific quantities sold at the dealer's yard.

(1) *For sales of anthracite of the sizes and in the quantities specified.*

Size	Per net ton (for sales of ½ ton or more)	Per 100 lbs. (for sales of 100 lbs. or more, but less than ½ ton)
Broken, egg, stove, nut.....	\$11.75	\$0.70
Pea.....	10.50	.65
Buckwheat.....	8.75	.55
Rice.....	7.65	.50
Screenings.....	2.50	

(2) *Required discounts.* You shall deduct from the prices set forth in this Schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton where payment is made within ten days after delivery. Nothing in this sub-paragraph requires you to sell on other than a cash basis.

(f) *Schedule III: "Sales of bagged coal."* Schedule III establishes maximum prices for sales to dealers and to consumers of certain sizes of anthracite in 50 lb., 25 lb., and 12 lb. paper bags.

MAXIMUM PRICES PER 50 LB. PAPER BAG

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumers
Nut.....	\$0.37	\$0.42	\$0.47
Pea.....	.32	.37	.42

MAXIMUM PRICES PER 25 LB. PAPER BAG

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumers
Nut.....	\$0.19	\$0.21	\$0.26

MAXIMUM PRICES PER 12 LB. PAPER BAG

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumers
Nut.....	\$0.095	\$0.105	\$0.125

(g) *Commingling.* If one size of anthracite is sold commingled with another size of anthracite, the maximum price for the combination shall be the maximum price established in this order for

the smallest of the sizes so commingled, whether the sale be a "delivered sale", "yard sale", or a "sale of bagged coal", except in the following situation: Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if these sizes are separately weighed at the point of loading, or when bagged, the dealer may commingle those sizes in the truck or other vehicle, or in the bags, in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price or, in the case of bagged coal, on the basis of the applicable bagged price, for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(h) *Ex Parte 148—Freight Rate Increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any Schedule Price on account of freight rates.

(i) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(j) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the tax imposed by Section 620 of the Revenue Act of 1942 if actually paid or incurred by you or by any of your prior suppliers and separately stated and collected from you by your supplier. On sales to the United States or any agency thereof, you need not state this tax separately.

(k) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(l) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(m) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke

or rescind this order, or any provision thereof, at any time.

(n) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(o) *Records.* If you are a dealer subject to this order, you shall reserve, keep, and make available for examination by the Office of Price Administration a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(p) *Posting of maximum prices: sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices as set forth in the applicable schedule or schedules of this order in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you sell subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the maximum prices set hereby.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(q) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Trenton District Office of the Office of Price Administration or with the Price Panel of the appropriate War Price and Rationing Board.

(r) *Definitions and explanations.* When used in this Revised Order No. G-1, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-

divisions, or any agency or any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "seller," "buy," "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the Schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of Pennsylvania anthracite described as broken, egg, stove, nut, pea, buckwheat, rice, and screenings shall refer to such sizes of anthracite as they were sold and designated in the State of New Jersey—Coal Area VII, during December 1941.

(6) "Direct delivery" means delivery to the buyer's bin or storage space.

(7) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(8) "Delivered at dealer's yard" as applied to sales of bagged coal in 50 lb., 25 lb., and 12 lb. paper bags, means physical transfer at the dealer's yard to the purchaser's truck or other vehicle.

(9) "Delivered to retail stores" as applied to sales of bagged coal in 50 lb., 25 lb., or 12 lb. bags, means deposit in that part of the store designated by the purchaser.

(10) "Sales to ultimate consumers" as applied to bagged coal in 50 lb., 25 lb., or 12 lb. bags, means sales by dealers other than sales at the dealer's yard, whether or not delivered to the consumer's premises.

(11) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation 122 shall apply to terms used herein.

(s) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable this order supersedes Revised Maximum Price Regulation No. 122.

(t) *Effect of order on Revised Order No. G-1 and on Order No. G-23.* Order No. G-1 under Revised Maximum Price Regulation No. 122, as issued on September 13, 1943, is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G-23 issued under that regulation on November 24, 1943, to the extent that Order No. G-23 was applicable to Revised Order No. G-1.

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

This second Revised Order No. G-1 shall become effective December 9, 1943.

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

Issued this 8th day of December 1943.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 44-4991; Filed, April 7, 1944; 12:19 p. m.]

[Region II Rev. Order G-11 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN HUDSON  
COUNTY, N. J.

Revised Order No. G-11 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in that portion of Hudson County east of Hackensack River, State of New Jersey, Coal Area II.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does—(1) Dealers' maximum prices; area covered.* If you are a dealer in "Pennsylvania anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in Coal Area II. Coal Area II includes all of Hudson County in the State of New Jersey east of the Hackensack River.

(2) *Schedules of prices, charges and discounts.* The applicable prices and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Coal Area II, are set forth in Schedules I, II, and III hereafter.

(3) *To what sales this order applies.* If you are a dealer in anthracite, you are bound by the prices and discounts, and by all other provisions of this order for all deliveries within Coal Area II, whether or not you are located in Coal Area II.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service rendered in connection with the sale or delivery of anthracite subject to this order, or

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that the dealer may comply with requirements or standards with respect to deliveries which have been or may

be issued by an agency of the United States Government.

(iv) Using any other device by which a higher than the applicable maximum price is maintained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) *Use the schedule which covers your sale.* (Schedule I applies to "direct-delivery" sales of anthracite. You will find Schedule I in paragraph (d). Schedule II applies to "yard sales". You will find Schedule II in paragraph (e). Schedule III applies to sales of bagged coal in 50 lb., 25 lb., and 12 lb. paper bags. You will find Schedule III in paragraph (f).)

(2) *For "direct-delivery" sales.* (i) Take the dollar-and-cents figure given in the applicable Schedule for the size and quantity you are selling.

(ii) Deduct from this figure the amount of the discount which you are required to give as specified in the schedule. (You will find discounts stated in paragraph (d) (2).) If the schedule makes no reference to any discount, you need give no discount. Where a discount is required, you must state it separately on your invoice.

(iii) If you deliver a fraction of a net ton, even if less than one-half ton, and the applicable schedule provides a discount on the basis of one ton or one-half ton, you shall allow a proportionate discount, making your calculation to the nearest full cent. For example, if you are required to deduct 50¢ per ton for cash payment, you shall deduct 38¢ for three-quarters of a ton and 13¢ for one-quarter of a ton.

(iv) You shall not impose any charges with respect to such sales.

(3) *For "yard sales".* (i) The dollars-and-cents figure set forth in the applicable schedule for the sizes and quantities specified shall be the maximum price for sales of those sizes and in those quantities at the yard. You shall not impose any charge, and you are required to give no discounts, in connection with such sales.

(4) *For "sales in 50 lb., 25 lb., and 12 lb. paper bags".* (i) The dollars-and-cents figure set forth in the applicable schedule for the size of anthracite and type of sale there specified, shall be the maximum price. You shall not impose any charges, and you are required to give no discounts, in connection with such sales.

(d) *Schedule I: Sales on a "direct-delivery" basis.* Schedule I establishes maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Coal Area II.

(1) *For sales of anthracite of the sizes and in the quantities specified.*

Size	Per net ton	Per net ½ ton	Per 100 lbs. for sales of 100 lbs. or more, but less than one-half ton
Broken, egg, stove, nut.....	\$14.75	\$7.65	\$0.85
Pea.....	13.20	6.85	.75
Buckwheat.....	10.55	5.55	.70
Rice.....	9.45	5.00	-----
Barley.....	8.20	4.35	-----
Screenings.....	4.50	2.25	-----

(2) *Required discounts.* (i) You shall deduct from the prices set forth above in this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net half ton, where payment is made on delivery. Nothing in this sub-paragraph requires you to sell on other than a cash basis.

(ii) In addition, you shall deduct a discount of 75¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the 50th ton and continue to grant the discount on every subsequent delivery during the same twelve-month period.

(e) *Schedule II: "Yard sales".* (1) Maximum prices for certain sizes of anthracite sold at the dealer's "yard" within Coal Area II.

Size	Per net ton for sales of ½ ton or more	Per 100 lbs. for 100 lbs. or more, but less than one-half ton	
		Dealers	Consumers
Broken, egg, stove, nut.....	\$11.75	\$0.62	\$0.70
Pea.....	10.20	.55	.60
Buckwheat.....	7.80	.45	.55
Rice.....	6.95	-----	-----
Barley.....	5.70	-----	-----
Screenings.....	2.55	-----	-----

(f) *Schedule III.* Schedule III establishes maximum prices for sales to dealers and to consumers within Coal Area II of the specified size of anthracite in 50 lb., 25 lb., and 12 lb. paper bags.

(1) *Maximum price per 50 lb. paper bag.*

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut.....	\$0.38	\$0.42	\$0.52

(2) *Maximum price per 25 lb. paper bag.*

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut.....	\$0.19	\$0.21	\$0.26

(3) *Maximum price per 12 lb. paper bag.*

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut.....	\$0.095	\$0.105	\$0.125

(g) *Commingling.* If you sell one size of anthracite commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if those sizes are separately weighed at the point of loading, or when bagged, the dealer may commingle those sizes in the truck or other vehicle, or in the bags, in which the anthracite is sold. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price, or, in the case of bagged coal, on the basis of the applicable bagged price, for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(h) *Ex parte 148 freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(i) *Addition of increase in suppliers' maximum price prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(j) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, you need not state this tax separately. For convenience, in billing, you may use on your invoice a rubber stamp reading: "Above price includes Federal Transportation Tax of 4¢ per ton."

(k) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(l) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a peti-

tion for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(m) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(n) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(o) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(p) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser, or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(q) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Newark District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(r) *Definitions and explanations.* When used in this Order No. G-11, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and delivery, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the State of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New Jersey, Coal Area II, with such designation during December 1941.

(6) "Coal Area II" includes that portion of Hudson County in the State of New Jersey which lies east of the Hackensack River.

(7) "Direct-delivery" means delivery to the buyer's bin or storage space.

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) "Delivered at dealer's yard" as applied to sales of bagged coal in 50 lb., 25 lb., and 12 lb. paper bags, means physical transfer at the dealer's yard to the purchaser's truck or other vehicle.

(10) "Delivered to retail stores" as applied to sales of bagged coal in 50 lb., 25 lb., and 12 lb. paper bags, means deposit in that part of the store designated by the purchaser.

(11) "Sales to ultimate consumer" as applied to bagged coal in 50 lb., 25 lb., and 12 lb. paper bags, means sales by dealers, other than sales at a dealer's yard whether or not delivered to the consumer's premises.

(12) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation 122 shall apply to terms used herein.

(s) *Effect of order on Revised Maximum Price Regulation No. 122.* This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

(t) *Effect of Order No. G-11 as originally issued and on Order No. G-23.* Order No. G-11 under Revised Maximum Price Regulation No. 122, as issued on August 16, 1943, is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G-23 issued under that regulation on November 24, 1943, to the extent that Order No. G-23 was applicable to Order No. G-11.

*Effective date.* This revised order shall become effective December 8, 1943.

*Note:* The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

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

Issued this 6th day of December 1943.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 44-4993; Filed, April 7, 1944;  
12:19 p. m.]

[Region II Rev. Order G-13 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN BRADFORD COUNTY, PA.

Revised Order No. G-13 under §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Bradford County Commonwealth of Pennsylvania, Coal Area IV.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does—*(1) *Dealers' maximum prices; area covered.* If you are a dealer in "Pennsylvania anthracite", this order sets the maximum prices which you may charge and, if you are a purchaser in the course of trade or business, this order sets the maximum prices which you may pay for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in Commonwealth of Pennsylvania, Coal Area IV. Coal Area IV comprises all of Bradford County in the Commonwealth of Pennsylvania.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Coal Area IV are set forth in Schedules I and II hereafter.

(3) *To what this order applies.* If you are a dealer in anthracite you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Coal Area IV whether or not you are located in Coal Area IV.

(b) *What this order prohibits.* Regardless of any contract or other obligation, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes

and in the quantities set forth in the schedules herein at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Charging for any service which is not expressly requested by the buyer, or  
 (ii) Charging for any service for which a charge is not specifically authorized by this order, or

(iii) Charging a price for any service higher than the schedule price for such service, or

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(v) Using any other device by which a higher price than maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) Use the schedule which covers your sale. (Schedule I applies to sales on a "direct delivery" basis. You will find Schedule I in paragraph (d). Schedule II applies to "yard sales". You will find Schedule II in paragraph (e).)

(2) Take the dollars-and-cents figure set forth in the applicable schedule for the size and quantity you are selling.

(3) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the foregoing figure no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for sales under Schedule I.

(4) If you deliver a fraction of a net ton, but not less than one-half ton, you shall add no more than a proportionate service charge, based on the per net ton charge, making your calculation to the nearest full cent. For example, if the transaction permits a service charge of 50¢ per ton, you shall not add more than 38¢ for performance of that service in connection with the delivery of three-quarters of a ton.

(d) *Schedule I: "Direct delivery" sales.* Schedule I established maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Coal Area IV.

(1) *For sales of anthracite of the sizes and in the quantities specified.*

Size	Per net ton	Per net ½ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than ½ ton).
Broken, egg, stove, nut.....	\$12.25	\$6.40	\$0.85
Pea.....	10.90	5.70	.75
Buckwheat.....	8.90	4.70	.65
Rice.....	7.70	4.10	-----
Screenings.....	3.50	1.75	-----

(2) *Maximum authorized service charges.*

Special service rendered at the request of the purchaser:

"Carry" or "wheel" (except for sales in 100 lb. lots, amounting to less than one-half ton). 50¢ per net ton and 80¢ per net ½ ton.

Carrying upstairs, for one full floor above the ground floor (except for sales in 100 lb. lots, amounting to less than one-half ton). This charge shall be in addition to any charge for "carry" or "wheel". 75¢ per net ton.

Carrying upstairs for two full floors above the ground floor (except for sales in 100 lb. lots, amounting to less than one-half ton). This charge shall be in addition to any charge for "carry" or "wheel". \$1.10 per net ton.

(e) *Schedule II: "Yard sales".* Schedule II establishes maximum prices for certain sizes of anthracite in certain specific quantities sold at the dealer's yard.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton, for sales of ½ ton or more	Per 100 lbs. for 100 lbs. or more but less than ½ ton	Per 50 lb. paper bag	Per 25 lb. paper bag
Broken, egg, stove, nut.....	\$11.75	\$0.70	\$0.37	\$0.21
Pea.....	10.40	.60	.32	-----
Buckwheat.....	8.40	.50	-----	-----
Rice.....	7.20	-----	-----	-----
Screenings.....	2.60	-----	-----	-----

(f) *Commingling.* If one size of anthracite is sold commingled with another size of anthracite, the maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "delivered sale" or "yard sale", except in the following situation: Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if these sizes are separately weighed at the point of loading, the dealer may commingle those sizes in the truck or other vehicle, in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(g) *Ex Parte 148 freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(h) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(i) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the tax imposed by section 620 of the Revenue Act of 1942 if actually paid or incurred by you or by any of your prior suppliers and separately stated and collected from you by your supplier. On sales to the United States or any agency thereof, you need not state this tax separately.

(j) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(k) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(l) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(m) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(n) *Records.* If you are a dealer subject to this order, you shall preserve,

keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(o) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices as set forth in the applicable schedule or schedules of this order in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you sell subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added, to the maximum prices set hereby.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(p) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Williamsport District Office of the Office of Price Administration or with the Price Panel of the appropriate War Price and Rationing Board.

(q) *Definitions and explanations.* When used in this Order No. G-13, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency or any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedules herein, and does not include a

producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of Pennsylvania anthracite described as broken, egg, stove, nut, pea, buckwheat, rice, and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the Commonwealth of Pennsylvania, Coal Area IV, with such designation during December 1941.

(6) "Direct delivery", except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from seller's truck in the course of "direct delivery".

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(r) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable this order supersedes Revised Maximum Price Regulation No. 122.

(s) *Effect of order on Order No. G-13 as originally issued and on Order No. G-23.* Order No. G-13 under Revised Maximum Price Regulation No. 122, as issued on September 20, 1943, is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G-23 issued under that regulation on November 24, 1943, to the extent that Order No. G-23 was applicable to Order No. G-13.

This Revised Order No. G-13 shall become effective December 9, 1943.

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

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

Issued this 8th day of December 1943.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 44-4995; Filed, April 7, 1944; 12:20 p. m.]

[Region II G-22 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN DESIGNATED COUNTIES IN PENNSYLVANIA

Order No. G-22 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Lancaster, Lebanon, Berks, Lehigh and Northampton Counties, Commonwealth of Pennsylvania, Coal Area V.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does—(1) Dealers' maximum prices, area covered.* If you are a dealer in "Pennsylvania anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in the zones comprising Commonwealth of Pennsylvania, Coal Area V. That area consists of five zones, as follows:

- Zone 1. Zone 1 includes all of Lancaster County.
- Zone 2. Zone 2 includes all of Lebanon County.
- Zone 3. Zone 3 includes all of Berks County.
- Zone 4. Zone 4 includes all of Lehigh County except the City of Bethlehem and the Borough of Fountain Hill.
- Zone 5. Zone 5 includes all of Northampton County including the Borough of Fountain Hill and that portion of the City of Bethlehem which lies in Lehigh County.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Zones 1, 2, 3, 4, and 5 are set forth in Schedules I, II, III, IV, and V respectively.

(3) *To what sales this order applies.* If you are a dealer in anthracite you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Zones 1, 2, 3, 4, and 5.

You shall determine the maximum price for "direct-delivery" sales, as hereinafter defined, by reference to the appropriate Schedule of this order covering the zone to which delivery is made, whether or not you are located in one of the five zones.

You shall determine your maximum price for a "yard" sale, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone in which the purchaser takes physical possession or custody of the anthracite.

(b) *What this order prohibits.* Regardless of any contract or other obligation, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the Schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) *Use the schedule which covers your sale.* (Schedule I applies to sales on a "direct-delivery" basis and "yard sales" within Zone 1. You will find Schedule I in paragraph (d). In like manner, Schedules II, III, IV, and V apply to similar sales in Zones 2, 3, 4, and 5, respectively. You will find Schedule II in paragraph (e), Schedule III in paragraph (f), Schedule IV in paragraph (g), and Schedule V in paragraph (h).

(2) Take the dollars-and-cents figure set forth in the applicable schedule, for the sizes and quantity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified in each schedule. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the schedules.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Zone 1. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut.....	\$12.80	\$6.65	\$3.45	\$0.80
Pea.....	11.10	5.80	3.05	.70
Buckwheat.....	9.45	5.00	2.65	.60
Rice.....	8.35	4.45	2.35	.55
Barley.....	7.05	3.80	2.05	-----
Screenings.....	3.50	1.75	-----	-----

*Required discounts.* You shall deduct from the prices set forth in table (1) of this Schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

*Maximum Authorized Service Charges (Cents per Net Ton)*

Special service rendered at the request of the purchaser:

"Carry" or "wheel" (except for sales amounting to less than one ton).....	50
Carrying upstairs or downstairs, for each floor above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel".....	50

No such service charge may be imposed for sales and deliveries in quantities under one ton.

(2) *"Yard sales".*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut.....	\$11.80	\$6.15	\$3.20	\$0.70
Pea.....	10.40	5.30	2.80	.60
Buckwheat.....	8.45	4.60	2.40	.60
Rice.....	7.35	3.95	2.10	.45
Barley.....	6.05	3.30	1.80	-----
Screenings.....	2.50	1.25	-----	-----

(e) *Schedule II.* Schedule II establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 2. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut.....	\$12.55	\$6.55	\$3.40	\$0.80
Pea.....	10.85	5.70	3.00	.70
Buckwheat.....	9.25	4.90	2.60	.60
Rice.....	8.00	4.25	2.25	.55
Barley.....	6.70	3.60	1.95	-----
Screenings.....	3.50	1.75	-----	-----

*Required discounts.* You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, the following discounts for the sizes designated where payment is made within ten days after delivery:

*Required Discounts (Cents per Net Ton)*

Size:	
Broken, egg, stove, nut and pea.....	50
Buckwheat.....	40
Rice and barley.....	25

Nothing herein requires you to sell on other than a cash basis.

*Maximum Authorized Service Charges (Cents per Net Ton)*

Special service rendered at the request of the purchaser:

"Carry" or "wheel" (except for sales amounting to less than one ton).....	50
Carrying upstairs or downstairs, for each floor above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel".....	50

No such service charge may be imposed for sales and deliveries in quantities under one ton.

(2) *"Yard sales".*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut.....	\$11.55	\$6.05	\$3.15	\$0.70
Pea.....	9.85	5.20	2.75	.60
Buckwheat.....	8.25	4.40	2.35	.50
Rice.....	7.00	3.75	2.00	.45
Barley.....	5.70	3.10	1.70	-----
Screenings.....	2.50	1.25	-----	-----

(f) *Schedule III.* Schedule III establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 3. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net ½ ton	Per net ¼ ton	Per 100 lbs. for sales of 100 lbs. or more but less than ¼ ton
Broken, egg, stove, nut.....	\$12.55	\$6.55	\$3.40	\$0.80
Pea.....	10.85	5.70	3.00	.70
Buckwheat.....	9.20	4.85	2.55	.60
Rice.....	8.10	4.30	2.30	.55
Barley.....	6.85	3.70	2.00	-----
Screenings.....	3.50	1.75	-----	-----

*Required discounts.* You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

**Maximum Authorized Service Charges**  
(Cents per Net Ton)

Special service rendered at the request of the purchaser:  
 "Carry" or "wheel" (except for sales amounting to less than one ton)----- 75  
 Carrying upstairs or downstairs, for each floor above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel"----- 75

No such service charge may be imposed for sales and deliveries in quantities under one ton.

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per 100 lbs. for sales of 100 lbs. or more but less than 1/4 ton
Broken, egg, stove, nut.....	\$11.55	\$6.05	\$3.15	\$0.70
Pea.....	9.85	5.20	2.75	.60
Buckwheat.....	8.20	4.35	2.30	.50
Rice.....	7.10	3.80	2.05	.45
Barley.....	5.85	3.20	1.75	-----
Screenings.....	2.50	1.25	-----	-----

(g) *Schedule IV.* Schedule IV establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 4. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) Sales on a "Direct-delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per 100 lbs. for sales of 100 lbs. or more but less than 1/4 ton
Broken, egg, stove, nut.....	\$12.55	\$6.55	\$3.40	\$0.80
Pea.....	10.85	5.70	3.00	.70
Buckwheat.....	9.20	4.85	2.55	.60
Rice.....	8.05	4.30	2.30	.55
Barley.....	6.80	3.65	1.95	-----
Screenings.....	3.50	1.75	-----	-----

*Required discounts.* You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

**Maximum Authorized Service Charges**  
(Cents per Net Ton)

Special service rendered at the request of the purchaser:  
 "Carry" or "wheel" (except for sales amounting to less than one ton)--- 50  
 Carrying upstairs or downstairs, for each floor above or below the ground floor except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel"----- 50

No such service charge may be imposed for sales and deliveries in quantities under one ton.

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per 100 lbs. for sales of 100 lbs. or more but less than 1/4 ton
Broken, egg, stove, nut.....	\$11.55	\$6.05	\$3.15	\$0.70
Pea.....	9.85	5.20	2.75	.60
Buckwheat.....	8.20	4.35	2.30	.50
Rice.....	7.05	3.80	2.05	.45
Barley.....	5.80	3.15	1.70	-----
Screenings.....	2.50	1.25	-----	-----

(h) *Schedule V.* Schedule V establishes maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 5. There is a separate table of prices for "direct-delivery" sales and "yard sales".

(1) Sales on a "direct-delivery" basis.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per 1/2 ton	Per 1/4 ton	Per 100 lbs. for sales of 100 lbs. or more but less than 1/4 ton
Broken, egg, stove, nut.....	\$12.70	\$6.60	\$3.45	\$0.80
Pea.....	11.00	5.75	3.00	.70
Buckwheat.....	9.25	4.90	2.60	.60
Rice.....	8.10	4.30	2.30	.55
Barley.....	6.85	3.70	2.00	-----
Screenings.....	3.50	1.75	-----	-----

*Required discounts.* You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, in quantities of one ton or more, a discount of 50¢ per net ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

**Maximum Authorized Service Charges**  
(Cents per Net Ton)

Special service rendered at the request of the purchaser:  
 "Carry" or "wheel" (except for sales amounting to less than one ton)--- 50  
 Carrying upstairs or downstairs, for each floor above or below the ground floor (except for sales amounting to less than one ton). This charge shall be in addition to any charge for "carry" or "wheel"----- 50

No such service charge may be imposed for sales and deliveries in quantities under one ton.

(2) "Yard sales".

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net 1/2 ton	Per net 1/4 ton	Per 100 lbs. for sales of 100 lbs. or more but less than 1/4 ton
Broken, egg, stove, nut.....	\$11.70	\$6.10	\$3.20	\$0.70
Pea.....	10.00	5.25	2.75	.60
Buckwheat.....	8.25	4.40	2.35	.50
Rice.....	7.10	3.80	2.05	.45
Barley.....	5.85	3.20	1.75	-----
Screenings.....	2.50	1.25	-----	-----

(i) *Commingleing.* If you sell one size of anthracite, commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "direct-delivery" sale or "yard sale", except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, in that event, if those sizes are separately weighed at the point of loading, the dealer may commingle those sizes in the truck or other vehicle in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(j) *Ex Parte 148 freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(k) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(l) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, you need not state this tax separately.

(m) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(n) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition

shall be filed with the Regional Administrator and acted upon by him.

(o) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(p) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(q) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(r) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or of, during December 1941, you customarily gave purchasers such sales slips or receipts.

(s) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Harrisburg District Office of the Office of Price Administration for violations in Zones 1 and 2 (Lancaster and Lebanon Counties), and with the Philadelphia District Office of the Office of Price Administration for violations in Zones 3, 4, and 5 (Berks, Lehigh and Northampton Counties), or

with the Price Panel of the appropriate War Price and Rationing Board.

(t) *Definitions and explanations.* When used in this Order No. G-22, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or any other successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedule herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings, shall refer to the same sizes of the same fuel as were sold and delivered in the Commonwealth of Pennsylvania, Coal Area V, with such designation during December 1941.

(6) "Direct delivery", except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle, or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from the seller's truck in the course of "direct delivery".

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to terms used herein.

(u) *Effect of order on Revised Maximum Price Regulation No. 122.* This order shall supersede Revised Maximum Price Regulation No. 122, except as to any

sales or deliveries of solid fuels not specifically subject to this order.

*Effective date.* This order shall become effective November 29, 1943.

*NOTE:* This order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

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

Issued this 27th day of November 1943.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 44-4990; Filed, April 7, 1944; 12:17 a. m.]

[Region IV Order G-7 Under RMPR 122, Amdt. 1]

SOLID FUELS IN KNOXVILLE, TENN., AREA

Amendment No. 1 to Order No. G-7 under Revised Maximum Price Regulation No. 122. Solid Fuels Sold and Delivered by dealers. Maximum prices for solid fuels in the City of Knoxville and adjacent territory in the State of Tennessee.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and by paragraph (g) of Order No. G-7, it is hereby ordered, That:

To the maximum prices for Bituminous Coals from Sub-district No. 6 (Southern Appalachian) of District No. 8 as established by Order No. G-7, as amended by any supplementary order thereto, may be added the sum of 15¢ per ton, 8¢ per ½ ton, and 4¢ per ¼ ton.

This Amendment No. 1 to Order No. G-7 shall become effective April 1, 1944.

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

Issued April 1, 1944.

ALEXANDER HARRIS,  
Acting Regional Administrator.

[F. R. Doc. 44-4992; Filed, April 7, 1944; 12:20 p. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on April 8, 1944.

##### REGION II

Maryland Order No. 1-F, Amendment No. 1, filed 9:55 a. m.

Williamsport Order No. 1-F, Amendment No. 1, filed 9:55 a. m.

##### REGION III

Detroit Order No. 1-F, Amendment No. 9, filed 9:55 a. m.

##### REGION IV

Montgomery Order No. 1-W, Amendment No. 1, filed 10:06 a. m.

Montgomery Order No. 15, Amendment No. 1, filed 10:06 a. m.

REGION V

Fort Worth Order No. 6-F, Amendment No. 2, filed 10:16 a. m.

REGION VI

Chicago Order No. 2-F, Amendment No. 8, filed 10:15 a. m.  
 Duluth-Superior Order No. 10, Amendment No. 1, filed 10:14 a. m.  
 Fargo-Moorhead Order No. 1-F, Amendment No. 3, filed 10:04 a. m.  
 Fargo-Moorhead Order No. 2-F, Amendment No. 3, filed 10:04 a. m.  
 Fargo-Moorhead Order No. 3-F, Amendment No. 3, filed 10:04 a. m.  
 Omaha Order No. 1-W, Amendment No. 1, filed 10:08 a. m.  
 Omaha Order No. 1-F, Amendment No. 10, filed 10:07 a. m.  
 Omaha Order No. 1-F, Amendment No. 11, filed 10:08 a. m.  
 Omaha Order No. 2-F, Amendment No. 8, filed 10:07 a. m.  
 Omaha Order No. 2-F, Amendment No. 9, filed 10:07 a. m.  
 Omaha Order No. 2-F, Amendment No. 10, filed 10:07 a. m.  
 Omaha Order No. 3-F, Amendment No. 2, filed 10:08 a. m.  
 Sioux Falls Order No. 1-W, filed 10:16 a. m.

REGION VII

Montana Order No. 25, Amendment No. 3, filed 10:05 a. m.  
 Montana Order No. 26, Amendment No. 3, filed 10:09 a. m.  
 Montana Order No. 29, Amendment No. 3, filed 10:09 a. m.  
 Montana Order No. 30, Amendment No. 3, filed 10:09 a. m.  
 Montana Order No. 31, Amendment No. 3, filed 10:09 a. m.  
 Montana Order No. 33, Amendment No. 3, filed 10:09 a. m.  
 Montana Order No. 34, Amendment No. 3, filed 9:55 a. m.  
 Montana Order No. 35, Amendment No. 1, filed 9:55 a. m.  
 Montana Order No. 38, Amendment No. 3, filed 10:05 a. m.  
 New Mexico Order No. F-1, Amendment No. 6, filed 10:03 a. m.  
 New Mexico Order No. 6-W, filed 10:04 a. m.  
 Wyoming Order No. 1-F, Amendment No. 3, filed 9:57 a. m.  
 Wyoming Order No. 2-F, Amendment No. 1, filed 10:03 a. m.  
 Wyoming Order No. 21, Amendment No. 2, filed 9:57 a. m.

REGION VIII

Fresno Order No. 1-F, Amendment No. 11, filed 9:56 a. m.  
 Los Angeles Order No. 1-F, Amendment No. 6, filed 10:10 a. m.  
 Portland Order No. 1-F, Amendment No. 10, filed 9:57 a. m.  
 San Diego Order No. 1-F, Amendment No. 30, filed 9:56 a. m.  
 San Diego Order No. 6, Amendment No. 7, filed 9:57 a. m.  
 Seattle Order No. 1-F, Amendment No. 10, filed 10:14 a. m.  
 Seattle Order No. 2-F, Amendment No. 8, filed 10:14 a. m.  
 Seattle Order No. 3-F, Amendment No. 10, filed 10:14 a. m.  
 Seattle Order No. 4-F, Amendment No. 10, filed 10:14 a. m.  
 Seattle Order No. 5-F, Amendment No. 8, filed 10:13 a. m.  
 Seattle Order No. 20, Amendment No. 4, filed 10:09 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,  
 Secretary.

[F. R. Doc. 44-5044; Filed, April 8, 1944; 4:40 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on April 8, 1944.

REGION II

District of Columbia Order No. 1-F, Amendment No. 1, filed 11:07 a. m.

REGION III

Indianapolis Order No. 4-F, Amendment No. 9, filed 11:14 a. m.  
 Indianapolis Order No. 5-F, Amendment No. 9, filed 11:14 a. m.  
 Indianapolis Order No. 6-F, Amendment No. 9, filed 11:13 a. m.  
 Indianapolis Order No. 8-F, Amendment No. 9, filed 11:13 a. m.  
 Indianapolis Order No. 9-F, Amendment No. 9, filed 11:07 a. m.  
 Indianapolis Order No. 10-F, Amendment No. 9, filed 11:07 a. m.  
 Indianapolis Order No. 11-F, Amendment No. 9, filed 11:06 a. m.  
 Lexington Order No. 4-F, Amendment No. 2, filed 11:08 a. m.  
 Lexington Order No. 12, Amendment No. 4, filed 11:07 a. m.

REGION IV

Jacksonville Order No. 1-W, Amendment No. 1, filed 11:08 a. m.  
 Jackson Order No. 3-F, Amendment No. 1, filed 11:10 a. m.  
 Memphis Order No. 4-F, Amendment No. 28, filed 11:13 a. m.  
 South Carolina Order No. 3-F, Amendment No. 4, filed 11:06 a. m.  
 South Carolina Rev. Order No. 1-F, filed 11:06 a. m.

REGION V

Arkansas Order No. 1-F, Amendment No. 3, filed 11:13 a. m.  
 Arkansas Order No. 2-F, Amendment No. 7, filed 11:05 a. m.  
 Arkansas Order No. 3-F, Amendment No. 7, filed 11:07 a. m.  
 Arkansas Order No. 4-F, Amendment No. 9, filed 11:05 a. m.  
 Arkansas Order No. 5-F, Amendment No. 8, filed 11:05 a. m.  
 Arkansas Order No. 6-F, Amendment No. 9, filed 11:05 a. m.  
 Houston Order No. 2-F, Amendment No. 3, filed 11:14 a. m.  
 San Antonio Order No. 1-F, Amendment No. 3, filed 11:08 a. m.  
 San Antonio Order No. 2-F, Amendment No. 3, filed 11:08 a. m.

REGION VI

La Crosse Order No. 3-F, Amendment No. 6, filed 11:14 a. m.  
 La Crosse Order No. 5-F, Amendment No. 6, filed 11:14 a. m.  
 Peoria Order No. 1-F, Amendment No. 2, filed 11:10 a. m.  
 Sioux City Order No. 1-W, filed 11:12 a. m.

REGION VII

Utah Order No. F-1, Amendment No. 6, filed 11:12 a. m.  
 Utah Order No. F-2, Amendment No. 5, filed 11:11 a. m.  
 Utah Order No. F-3, Amendment No. 4, filed 11:11 a. m.  
 Utah Order No. F-4, Amendment No. 4, filed 11:11 a. m.  
 Utah Order No. F-5, Amendment No. 4, filed 11:10 a. m.  
 Utah Order No. F-6, Amendment No. 4, filed 11:11 a. m.  
 Wyoming Order No. 20, Amendment No. 1, filed 11:12 a. m.

REGION VIII

Phoenix Order No. 3-F, Amendment No. 13, filed 11:10 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,  
 Secretary.

[F. R. Doc. 44-5085; Filed, April 10, 1944; 11:36 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-39, 54-50, 59-10, 54-82]

NORTH AMERICAN LIGHT AND POWER CO.,  
 ET AL.

ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of April 1944.

In the matter of North American Light & Power Company, Holding-Company System, and The North American Company, File No. 59-39; North American Light & Power Company, File No. 54-50; The North American Company, et al., File No. 59-10; and The North American Company, File No. 54-82.

The Commission having entered an order on October 28, 1943, providing, among other things, for a consolidated hearing in the above proceedings, and hearings having been held from time to time thereafter and having been adjourned on November 13, 1943, subject to call, and it appearing to the Commission that said hearings should be reconvened:

*It is ordered,* That hearings in said consolidated proceedings be reconvened on the 17th day of April, 1944 at 10:00 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as may be designated at that time by the hearing room clerk in Room 318.

*It is further ordered,* That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at such reconvened hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Public Utility Holding Company Act of 1935 and to a trial examiner under the Commission's rules of practice.

*It is further ordered,* That the Secretary of the Commission shall serve notice of the reconvened hearing by mailing a copy of this order by registered mail to Illinois Power Company, Illinois Traction Company, North American Light & Power Company, The North American Company and to Lawrence R. Condon, attorney for certain preferred stockholders of North American Light & Power Company; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
 Secretary.

[F. R. Doc. 44-5051; Filed, April 10, 1944; 9:44 a. m.]

[File No. 70-878]

UNION ELECTRIC COMPANY OF MISSOURI  
NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of April 1944.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Union Electric Company of Missouri, a registered holding company; and

Notice is further given that any interested person may, not later than April 18, 1944 at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said application or declaration, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application or declaration which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

Union Electric Company of Missouri proposes (a) to issue and sell to commercial banks at private sale and not for resale to the public, notes in the principal amount of not more than \$9,000,000 maturing not more than nine months, exclusive of days of grace, after date of issue thereof (the interest rate on the proposed notes will be supplied by amendment); and (b) to use the proceeds from such notes, together with other funds, (1) to repay the open account indebtedness in the approximate amount of \$5,700,000 owing by Union Electric Company of Missouri to its subsidiary, Mississippi River Power Company and (2) to make a capital contribution to said subsidiary in the amount of approximately \$9,560,000.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-5052; Filed, April 10, 1944;  
9:44 a. m.]

[File No. 70-882]

NORTHERN INDIANA PUBLIC SERVICE CO.  
NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of April, A. D. 1944.

Notice is hereby given that an application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by

Northern Indiana Public Service Company, a subsidiary of Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, a registered holding company. All interested persons are referred to the said application-declaration which is on file in the office of the said Commission for a statement of the transactions therein proposed which are summarized below:

Northern Indiana Public Service Company proposes to refinance its presently outstanding 220,078 shares of cumulative preferred stock (69,858 shares of the 7% series, 124,505 shares of the 6% series, and 25,715 shares of the 5½% series) by making an offer to the holders of such stock whereby they will be afforded the opportunity to exchange each share of presently held stock for one share of 5% cumulative preferred stock of the company, plus a cash payment in an amount not as yet determined. Any shares not exchanged will be called for redemption at the redemption prices (\$115 per share for the 7%, \$107.50 for the 6%, and \$105 for the 5½%, cumulative preferred stock), plus accrued dividends. Northern Indiana Public Service Company also proposes to enter into an agreement with underwriters who have not as yet been designated in the application-declaration, providing for their services in furthering the exchanges and also providing that such underwriters will purchase from Northern Indiana Public Service Company such number of the 220,078 shares of the 5% cumulative preferred stock as have not been issued as a result of the exchanges. The exact terms of the proposed exchange offer, the price at which such shares not exchanged will be sold to underwriters, and the offering price of the underwriters upon sale to the public will be determined by an agreement to be entered into and subsequently to be filed as an amendment to the application-declaration.

The said application-declaration contains a request that the Commission enter an order finding that, with respect to the proposed issuance and sale of the 5% cumulative preferred stock, compliance with paragraphs (b) and (c) of Rule U-50 is not necessary or appropriate.

Applicant-declarant has designated sections 6 (b) and 12 (c) of the act and Rules U-42 and U-50 as applicable to the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matters;

It is ordered, That a hearing on such matters under the applicable provisions of said act and the rules of the Commission thereunder be held on April 21, 1944, at 10:30 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file

with the Secretary of this Commission on or before April 19, 1944, his request or an application therefor as provided in Rule XVII of the rules of practice of the Commission.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said application-declaration, particular attention will be directed at such hearing to the following matters and questions:

1. Whether the proposed issue and sale of its 5% cumulative preferred stock by Northern Indiana Public Service Company is solely for the purpose of financing its business;

2. Whether the proposed transactions are appropriate and in the public interest and the interest of investors and consumers;

3. Whether compliance with the requirements of paragraphs (b) and (c) of Rule U-50 is not necessary or appropriate under the circumstances;

4. The propriety of the proposed accounting treatment of the proposed transactions on the books of the applicant-declarant;

5. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors or consumers; and

6. Whether the proposed transactions comply with all the provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-5053; Filed, April 10, 1944;  
9:44 a. m.]

[File Nos. 54-78, 54-40, 59-40, 54-53, 59-49]

CONSOLIDATED ELECTRIC AND GAS CO. AND  
CENTRAL PUBLIC UTILITY CORP.

ORDER POSTPONING HEARING

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 April, A. D. 1944.

In the matters of Consolidated Electric and Gas Company, File No. 54-78; Consolidated Electric and Gas Company, Applicant, File No. 54-40; Central Public Utility Corporation, Consolidated Electric and Gas Company, Respondents, File No. 59-40; Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under Voting Trust Agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, Applicants, File No. 54-53; and Christopher H. Coughlin, W.

T. Crawford, and Rawleigh Warner, voting trustees under Voting Trust Agreement dated August 1, 1932, relating to common stock of Central Public Utility Corporation, Respondents, File No. 59-49.

Consolidated Electric and Gas Company, a registered holding company, having filed an application, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for approval of a plan for certain action designed to enable that company and certain of its subsidiary companies to comply with the provisions of section 11 (b) of said act; the Commission having by order dated July 19, 1943, consolidated the proceedings upon said application (1) with certain proceedings theretofore instituted by the Commission pursuant to section 11 (b) of said act with respect to said Consolidated Electric and Gas Company and Central Public Utility Corporation, also a registered holding company, (2) with certain other proceedings instituted by the Commission pursuant to said section 11 (b) with respect to Christopher H. Coughlin, W. T. Crawford, and Rawleigh Warner, voting trustees under a certain voting trust agreement dated August 1, 1932, relating to common stock of said Central Public Utility Corporation (said trustees also being a registered holding company), (3) with proceedings upon an earlier application of said Consolidated Electric and Gas Company for approval of certain other action also designed to enable said Consolidated Electric and Gas Company to comply with said section 11 (b), and (4) with proceedings upon an application and declaration by said trustees, above named, regarding the disposition of the common stock of Central Public Utility Corporation held by said trustees; and the Commission having by said order of July 19, 1943, set down said consolidated proceedings for hearing at the offices of the Commission in Philadelphia, Pennsylvania, at 10:00 a. m., e. w. t., on August 3, 1943; and said hearing having been postponed by subsequent orders of the Commission until April 18, 1944; and

Consolidated Electric and Gas Company having requested that the hearing so directed to be held in said consolidated proceedings be further postponed for a period of not less than sixty days, stating in such request, among other things, that the company, since June 23, 1943, the date of the filing of its application for approval of the plan hereinabove first mentioned, has been actively engaged in a program of divestment of its investments in its subsidiary companies, and, since January 1, 1943, has effected dispositions of such investments in sixteen public utility companies, theretofore comprised within the Consolidated Electric and Gas holding company system, has contracted for the sale of its investment in a seventeenth such company (with relation to which a hearing was held before a trial examiner of this Commission on March 28, 1944), and has substantially completed negotiations for the sale of its investments in six additional subsidiary public utility com-

panies, which last mentioned sales it is anticipated will be effected within sixty days from March 29, 1944; that the consummation of said sales and said proposed sales will serve to simplify the problems of said Consolidated Electric and Gas holding company system in effecting compliance with section 11 (b) of the act, reducing the number of public utility subsidiaries of the system operating in the United States to seven; that such divestments will require a substantial revision of the plan for such compliance filed with this Commission on June 23, 1943, which revision cannot be made until such further divestments are consummated; and

The Commission deeming it appropriate under the circumstances that the hearing directed to be held herein on April 18, 1944, be further postponed;

*It is ordered*, That the hearing in this matter previously scheduled for April 18, 1944, at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, be, and hereby is, postponed to June 20, 1944, at the same hour and place and before the same trial examiner as heretofore designated.

*It is further ordered*, That the time within which any person other than parties to said consolidated proceedings desiring to be heard or otherwise wishing to participate in said proceedings shall file his request or application therefor with the Secretary of the Commission as provided by Rule XVII of the Commission's rules of practice be, and the same hereby is, extended to June 15, 1944.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-5054; Filed, April 10, 1944;  
9:44 a. m.]

[File No. 812-37]

BANKERS SECURITIES CORP.  
ORDER DISMISSING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of April, A. D. 1944.

Bankers Securities Corporation having filed an application for an order declaring its status under section 3 (b) (2) of the Investment Company Act of 1940, or in the alternative for exemption pursuant to section 6 (c) of said act, and having requested declaratory orders under sections 3 (a) and 3 (c) of the said act;

A hearing having been held after appropriate notice, briefs having been filed and oral argument heard; and the Commission having fully advised and having this day issued its findings and opinion herein;

On the basis of said findings and opinion, and pursuant to the applicable provisions of said act,

*It is ordered*, That said application be and hereby is dismissed in so far as it requests orders under sections 3 (a) and 3 (c), and be and hereby is denied in so

far as it requests an order under section 3 (b) (2).

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-5055; Filed, April 10, 1944;  
9:45 a. m.]

[File No. 70-877]

WEST PENN POWER CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 6th day of April, A. D. 1944.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by West Penn Power Company (West Penn) a registered holding company and a subsidiary of American Water Works and Electric Company, Inc., a registered holding company.

All interested persons are referred to said declaration or application (or both), which is on file in the office of this Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

West Penn proposes to reduce the amount of capital represented by its presently outstanding 2,935,000 shares of no par value common stock from \$31,750,000 to \$21,750,000 without reducing the number of such shares. The surplus created by such reduction of common capital amounting to \$10,000,000 will be setup in a separate account designated "capital surplus". The transaction proposed is for the stated purpose of making available "capital surplus" in the said amount of \$10,000,000 for use in connection with the reclassification of the accounts and the adjustment of books of West Penn under the Uniform System of Accounts prescribed by the Federal Power Commission and the Pennsylvania Public Utility Commission. The declaration or application (or both) states that the "capital surplus" so created, together with the earned surplus and reserves of West Penn, will be sufficient to cover any adjustments or write-offs which West Penn may be lawfully required to make by regulatory authorities in connection with the reclassification of its accounts. West Penn also proposes to call a special stockholders' meeting to obtain approval of the proposed reduction in capital and, in connection therewith, to solicit proxies from its stockholders.

It appearing to the Commission that it is appropriate, in the public interest and in the interest of investors and consumers, that a hearing be held with respect to said matter and that said declaration or application (or both), shall not become effective or be granted except pursuant to further order of this Commission;

*It is ordered*, That a hearing on such matter be held on April 24, 1944 at 10:00

a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th & Locust Streets, Philadelphia, Pennsylvania. On such day, the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

*It is further ordered,* That Allen MacCullen, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

*It is further ordered,* That any other person desiring to be heard in connec-

tion with these proceedings or proposing to intervene herein shall file with the Secretary of the Commission, on or before April 21, 1944, his request or application therefor as provided by Rule XVII of the rules of practice of the Commission.

*It is further ordered,* That, without limiting the scope of issues presented by said declaration or application (or both) otherwise to be considered in this proceeding, particular attention will be directed at the hearing to the following matters and questions:

(1) Generally, whether the proposed transactions comply with the applicable provisions of the Public Utility Holding Company Act of 1935 and all rules and

regulations promulgated thereunder, and, particularly whether the proposed reduction of the Common Capital Stock account is detrimental to the public interest or the interests of investors or consumers.

(2) What terms and conditions, if any, are necessary or appropriate in the public interest or the interests of investors or consumers to ensure compliance with the requirements of the Holding Company Act or any rules, regulations, or orders promulgated thereunder.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
*Secretary.*

[F. R. Doc. 44-5056; Filed, April 10, 1944;  
9:45 a. m.]