

FEDERAL REGISTER

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Regulations

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary

PART 2—AWARD OF FELLOWSHIPS TO APPLICANTS FROM OTHER AMERICAN REPUBLICS

Pursuant to the following authority and official recommendations and subject to appropriations available, fellowships in agricultural economics, extension work and soil conservation in the Department of Agriculture will be awarded to qualified applicants from the other American republics:

(a) Public Law 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 recommended by the American Governments);

(b) The Department of State Appropriation Act, 1944, approved July 1, 1943, appropriating funds for tuition, compensation, monthly allowances and enrollment, laboratory, insurance, and other fees incident to training, including 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, internes, and persons possessing special scientific or other technical qualifications, who are citizens of the United States or the other American republics;

(c) Title 5, U.S.C., sec. 22 (R.S., sec. 161) authorizing the head of each Department to prescribe regulations for the government of his Department and the performance of its business; and

(d) Title 5, U.S.C., sec. 511 (R.S., sec. 520) establishing the Department of Agriculture and indicating its purposes.

Fellowships will be awarded, subject to the following regulations:

Sec.

- 2.1 Type of fellowship.
- 2.2 Qualifications.
- 2.3 Award of fellowships.
- 2.4 Allowances and expenses.
- 2.5 Duration.
- 2.6 Official notification.
- 2.7 Definitions.

AUTHORITY: §§ 2.1 to 2.7, inclusive, issued under R.S. 161, 5 U.S.C. 1940 ed. 22; 53 Stat. 1290, 22 U.S.C. 1940 ed. 501 and 502; R.S. 520, 5 U.S.C. 1940 ed. 511; Pub. Law 105, 78th Cong., 1st Sess., approved July 1, 1943.

§ 2.1 *Type of fellowship.* Fellowships shall be of the interne-training type, consisting of instruction by the respective bureaus of the Department of Agriculture as follows:

Bureau of Agricultural Economics (Option I): (1) Agricultural economics, (2) agricultural program formulation and administration, (3) agricultural statistics, (4) rural sociology, and (5) technological research in agriculture or more specialized application in dairy industry, animal husbandry, entomology or plant industry and soils.

Agricultural Extension Service (Option II): Methods and techniques for adult education in agriculture, home-making and rural life, and 4-H Club work.

Soil Conservation Service (Option III): Agronomy, forestry, biology, range management, climatology, sedimentation, hydrology, agricultural and civil engineering.

§ 2.2 *Qualifications.* Each applicant selected for a fellowship shall be:

(a) A bona fide citizen 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 the English language;

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per book. The following are now available:

- 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.
- Book 4: Titles 18-25, with index.

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(d) Of good moral character and possessing intellectual ability and suitable personal qualities;

(e) In possession of acceptable evidence of studies indicating the completion of the equivalent of a four-year college course in agriculture, economics, engineering or related science at a recognized institution of learning, or a minimum of two years of such education accompanied by at least four years of experience in the field of his option.

§ 2.3 *Award of fellowships.* Fellowships will be awarded by the Secretary of Agriculture of the United States, upon the recommendation of the heads of the respective bureaus, and with the approval of the Secretary of State of the United States, or the duly authorized representative of the Secretary of State. No applicant will be considered in awarding fellowships unless his application shall have been transmitted by the government of the American republic of which the applicant is a citizen, through the diplomatic mission of the United States of America accredited to that republic.

§ 2.4 *Allowances and expenses.* An applicant awarded a fellowship may be granted any or all of the following, upon recommendation of the head of the respective bureau:

(a) *Monthly allowances.* Monthly allowances for quarters and subsistence during the entire period spent in the United States, or its Territories or Possessions, in pursuance of a fellowship, beginning on the date of arrival at his initial headquarters and ending on the date of departure for his home, as follows: (1) Not exceeding \$180 per month while under assignment to headquarters in a Department or agency of the Federal or a local government in a city of more than 100,000 population; or not exceeding \$150 per month while under such assignment in a city of less than 100,000 population; and (2) not exceeding \$135 per month while under assignment to receive training at colleges or universities and residing in quarters usually occupied by students in attendance thereat or in similar quarters, irrespective of the population of the city wherein the institution is located.

(b) *Transportation expenses.* Transportation expenses from the home of the applicant (or place in which appointment is accepted) to the place or places in the United States, its Territories, or Possessions, where the studies and research are to be pursued, and return to the home of the applicant (or point of departure), including travel via Washington, D. C., en route to the place of study or research and from the place of study or research to Washington, D. C., and return to that place, if neces-

sary, for consultation with reference to the fellowship, and between places of study and research in the United States, its Territories or Possessions, 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 items in the following schedule and contingent upon prior authorization:

(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. (Government transportation requests are to be used, if practicable, within the United States.)

(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 travel is performed. American vessels must be used if available (section 901 of the Merchant Marine Act of 1936, 49 Stat. 2015. This requirement has been suspended with respect to appropriations for the fiscal year 1944 by section 302 of Public Law 216—78th Congress, approved December 23, 1943). No receipts are necessary.

(4) Airplane fare: 'Transportation by air will be allowed regardless of the cost when authorized by the head of the respective bureau. When air travel has not been specifically authorized, the traveler may proceed by air with the understanding that he may claim reimbursement 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: 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 an allowance is granted.

(7) Drayage or transfer of baggage: For the hauling of personal effects from 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) 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.

¹In all cases, round trip tickets must be purchased if possible. In the event that the return portion of the ticket cannot be used, it should be returned to the respective bureau for collection of the refund.

(c) *Per diem.* Per diem in lieu of subsistence while in travel status proceeding from, and to, his home at the following rates: \$6 over land and by air in and outside of the United States, and \$4 aboard vessels outside of the United States. No per diem will be allowed concurrently with monthly allowances, but per diem may be substituted therefor at the rate of \$6 per day for any period of authorized travel.

§ 2.5 *Duration of fellowships.* Fellowships will be awarded for periods not exceeding one year each, and may be extended for not exceeding the same periods in the manner prescribed under § 2.3 and subject to the availability of appropriations. Fellowships may be cancelled for cause by the Secretary of Agriculture on the recommendation of the appropriate bureau head, and with the approval of the Secretary of State, or the duly authorized representative of the Secretary of State.

§ 2.6 *Official notification.* Each applicant recommended for a fellowship by the head of a bureau and approved by the Secretary of Agriculture and the Secretary of State, or the duly authorized representative of the Secretary of State, shall be notified of his award through diplomatic channels. The notification shall name the option in which the award is granted, state the duration and type of fellowship, and the allowances authorized; and shall describe in general terms the program of studies: *Provided, however,* That the head of the bureau concerned may in his discretion subsequently amend the course of studies and duration of the fellowship within the broad outlines of the prescribed option in order to develop a program better suited to the needs and capabilities of the individual fellow.

§ 2.7 *Definitions.* As used in these regulations, the term "bureau" includes the Bureau of Agricultural Economics, the Extension Service, and the Soil Conservation Service of the United States Department of Agriculture. The term "heads of the respective bureaus" includes the Chief of the Bureau of Agricultural Economics, the Director of the Extension Service, and the Chief of the Soil Conservation Service.

Issued this 17th day of March 1944.

H. R. TOLLEY,
Chief,

Bureau of Agricultural Economics.

M. L. WILSON,

Director,

Extension Service.

H. H. BENNETT,

Chief,

Soil Conservation Service.

Approved: March 17, 1944.

CLAUDE R. WICKARD,
Secretary of Agriculture.

Approved: May 1, 1944.

CORDELL HULL,
Secretary of State.

[F. R. Doc. 44-6829; Filed, May 12, 1944; 11:21 a. m.]

Chapter X—War Food Administration (Production Orders)

[WFO 41, Amdt. 1]

PART 1206—FERTILIZER

CHEMICAL FERTILIZER IN PUERTO RICO

Paragraph (j) of § 1206.501 (9 F.R. 1073, 4319) is hereby amended to read as follows:

(j) *Fertilizer requirements for tobacco.* Each tobacco grower's requirement for chemical fertilizer for use on any tobacco crop shall be the product of his tobacco acreage, which shall be determined by the Farm Rationing Committee, and 800 pounds of chemical fertilizer in any formula prescribed by the Farm Rationing Committee. The Farm Rationing Committee shall determine such tobacco acreage on the basis of the land, labor and equipment available for the production of tobacco, crop rotation practices, soil and other physical factors affecting the production of tobacco.

(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)

Issued this 11th day of May 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-6828; Filed, May 12, 1944; 11:21 a. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 87, Amdt. 1]

PART 1460—FATS AND OILS

RESTRICTIONS ON INVENTORIES OF FATTY ACIDS

War Food Order 87 (9 F.R. 54, 4319), § 1460.31 is amended to read as follows:

§ 1460.31 *Restrictions on inventories of fatty acids—(a) Definitions.* (1) The term "fatty acids" means all grades and qualities of fatty acids, whether distilled or undistilled, produced from animal, vegetable, fish, or marine animal fats and oils, excluding crude and refined tall oil; raw or acidulated foots produced in the refining of animal, vegetable, fish, or marine animal fats and oils; pitch; and fatty acids which have been processed to the extent that they no longer exist as such by reason of chemical changes or compounding with non-fatty materials.

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

(3) The term "user" means any person who engages in the manufacturing of any product by any process which requires the use of fatty acids, without regard to whether or not fatty acids are incorporated in the product.

(4) The term "inventory" means the total quantity of fatty acids owned by any user at any particular time, excluding fatty acids which were produced by

such user, or delivered to him pursuant to a specific authorization by the Director.

(5) The term "maximum unit" means, with respect to any user, the largest, single, segregate, commercial quantity of fatty acids which such user accepted delivery of, from other persons, during the period beginning on January 1, 1943 and ending on December 31, 1943. For example, such a unit might be one, but not more than one, of the following: a tank car, or fraction thereof; a tank truck, or fraction thereof; a carload, or fraction thereof, of packages; or a truckload, or fraction thereof, of packages.

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

(b) *Inventory limitations.* Except as provided for in (c) hereof, no user shall accept delivery of any fatty acids from any other person, if such acceptance of delivery will cause his inventory to exceed a quantity equal to a 60-day supply at his current rate of consumption.

(c) *Exceptions.* Notwithstanding the provisions of (b) hereof:

(1) Any user may accept delivery of his maximum unit of fatty acids, if at the time of such acceptance of delivery his inventory does not exceed a quantity equal to a 30-day supply at his current rate of consumption.

(2) Any user may accept delivery of fatty acids, if such acceptance of delivery will not cause his inventory to exceed 12,000 pounds.

(d) *Restrictions on delivery.* No user shall accept delivery of more than 50 pounds of fatty acids in any calendar month unless and until he shall have properly filled out, executed, and delivered to the person making delivery of such fatty acids a certificate in the following form:

The undersigned hereby certifies to the War Food Administration and to _____ that he

(name of supplier)

is familiar with the provisions of War Food Order No. 87, and all amendments, if any, thereto, and that the acceptance of delivery by him of _____ pounds of fatty acids, from said supplier, in connection with which this certificate is furnished, will not be in violation of the provisions of said War Food Order No. 87, or any amendment thereto.

(Name of deliverer)

By _____
(Authorized official)

(Date)

No person shall deliver more than 50 pounds of fatty acids in any calendar month to any user without receiving such a certificate.

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

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

of his transactions in fatty acids, and retain all certificates received by him pursuant to (d) hereof.

(f) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of fatty acids of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him, may file a petition for relief in writing with the Director, addressed as follows: Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WF 87. Such petition shall set forth all pertinent facts and the nature of the relief sought. The Administrator of this order shall then act upon the petition. In the event that the petitioner is dissatisfied with the action taken by the Administrator of this order, he may request a review of such action by the Director whose decision with respect to the relief sought shall be final.

(h) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using fatty acids, or any other material subject to priority or allocation control by any governmental agency. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(i) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WF-87.

(k) *Territorial extent.* This order shall apply only in the forty-eight States of the United States, and the District of Columbia.

(l) *Effective date.* This amendment shall become effective 12:01 a. m. e. w. t., May 9, 1944. However, with respect to violations of said War Food Order 87, or rights accrued, or liabilities incurred thereunder, prior to said date, said War Food Order 87 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.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(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 9th day of May 1944.

ASHLEY SELLERS,

Assistant War Food Administrator.

[F. R. Doc. 44-6721; Filed, May 10, 1944; 1:28 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT Chapter VIII—Procurement and Disposal of Equipment of Supplies

PART 83—DISPOSITION OF SURPLUS AND UNSERVICEABLE PROPERTY

SALE OF SALVAGE

Sections 83.4 to 83.10 are rescinded and the following §§ 83.4 to 83.9 are substituted therefor. The regulations in these sections are also contained in Army Regulations No. 700-25, 26 April 1944, the particular paragraphs being shown in brackets at end of sections.

Sec.

- 83.4 Authorized methods of sale.
- 83.5 Bids from certain persons prohibited.
- 83.6 Making of awards.
- 83.7 Bid deposits to guarantee fulfillment.
- 83.8 Suspension of sale; when authorized.
- 83.9 Amount due United States to be paid before shipment.

AUTHORITY: §§ 83.4 to 83.9, inclusive, issued under R.S. 161; 5 U.S.C. 22.

§ 83.4 Authorized methods of sale.

(a) The authorized methods of sale are:

- (1) Formal sealed bid procedure contemplated by section 3709, Revised Statutes, with respect to purchases.
- (2) Securing of informal written bids.
- (3) Securing of bids by telephone or oral negotiation.
- (4) By auction.
- (5) Retail.

(b) The sealed bid procedure will be used only when directed by the Commanding General, Army Service Forces.

(c) Unless otherwise authorized or directed by the Commanding General, Army Service Forces, the commanding general of the appropriate service command, or the chief of the technical service having jurisdiction, all sales will be made upon informal written bids solicited from as many bidders as may be practicable under the circumstances and in no case less than three bidders. Such bids will be obtained by issuing written invitations for informal bids on forms prescribed in applicable technical manuals.

(d) Sales may be made upon bids obtained by telephone or oral negotiation.

(1) Upon specific authorization of the commanding general of the appropriate service command or the chief of the technical service having jurisdiction;

(2) Where the sale is to be made to an Army exchange; or

(3) When sale is made by allocation, pursuant to orders of the War Production Board.

(c) Sales may be made by auction, and professional auctioneers may be employed upon the specific authorization of the Commanding General, Army Service Forces. [Par. 17]

§ 83.5 *Bids from certain persons prohibited.* On all sales of Government-owned property, except as provided in AR 30-2290,¹ other War Department publications, and § 83.20 of this chapter, all officials and employees of the War Department, officers, enlisted men, and civilian employees of the Army will be excluded from the field of bidders, and bids from any of said persons will not be considered or accepted. [Par. 18]

§ 83.6 *Making of awards.* (a) Written invitations for bids will specify a time for submitting bids thereon which will be not less than 15 days from the date of the invitation unless a shorter period has been authorized by the commanding general of the appropriate service command or the chief of the technical service having jurisdiction.

(b) Award will be made normally to the highest bidder, but if it is considered to be in the best interests of the Government, award may be made to other than the highest bidder, either at his bid price or another price arrived at by further negotiation. [Par. 19]

§ 83.7 *Bid deposits to guarantee fulfillment.* Invitations for bids will specify that at least 20 percent of the entire amount of the bid, in the form of a certified check drawn in favor of the Treasurer of the United States, bond, or legal tender, will accompany the bid as a guaranty of fulfillment. The provisions of this paragraph may be waived in special cases by the commanding general of the appropriate service command or chief of the technical service having jurisdiction. [Par. 20]

§ 83.8 *Suspension of sale; when authorized.* Whenever, prior to the acceptance of a bid, in the opinion of the officer making the sale, the prices offered are not in keeping with market values, and fair prices cannot be arrived at by further negotiation, he will suspend the sale and request new bids. [Par. 21]

§ 83.9 *Amount due United States to be paid before shipment—(a) Property sold.* No property sold will be delivered or shipped to the buyer until the amount due the United States therefor has been paid, except as authorized by the chief of the technical service having jurisdiction, or the commanding general of the appropriate service command. When such authority is given, title will not pass until final payment has been made. Payment will be made only in cash, or by certified check, bank draft, postal money order, or irrevocable letter of credit drawn in favor of the Treasurer

of the United States. Drafts or checks of any kind drawn under a letter of credit will be made payable to the Treasurer of the United States.

(b) *Shipment on Government bills of lading.* No shipment will be made on Government bills of lading without express authority therefor from either:

(1) The Commanding General, Army Service Forces;

(2) The commanding general of the appropriate service command, or

(3) The chief of the technical service having jurisdiction. [Par. 22]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-6786; Filed, May 11, 1944;
2:55 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs. Serial No. 308]

PART 61—SCHEDULED AIR CARRIER RULES

ALTITUDE RECORDING DEVICE

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 10th day of May 1944.

Effective May 10, 1944, the effectiveness of § 61.341¹ of the Civil Air Regulations is suspended for a period of 30 days from this date.

(52 Stat. 984, 1007 49; U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-6801; Filed, May 12, 1944;
10:47 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51057]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

INVOICES

Section 8.10 (b), Customs Regulations of 1943, relating to the acceptance of triplicate or quadruplicate copies of invoices to cancel bond obligations for the production of certified invoices, amended.

Section 8.10 (b), Customs Regulations of 1943 (19 CFR 8.10 (b)), is hereby amended to read as follows:

(b) The quadruplicate copy of the certified invoice, bearing a consular notation that the original was stamped, presented by the principal on the entry bond within six months from the date of entry of the merchandise covered thereby may be accepted to cancel the bond obligation for the production of the certified invoice. The triplicate copy of the certified invoice, bearing a consular notation that the original was stamped, may also be used for such purpose upon the

request of the principal, provided satisfactory evidence of his inability to produce the original or the quadruplicate copy is presented to the collector. (See § 8.14 (b).) (Sec. 484, 46 Stat. 722, sec. 12, 52 Stat. 1083, sec. 624, 46 Stat. 759; 19 U.S.C. 1484, 1624.)

W. R. JOHNSON,
Commissioner of Customs.

Approved: May 10, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-6789; Filed, May 11, 1944;
3:59 p. m.]

TITLE 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Order 3695, Supp. 4]

PART 5—ADMINISTRATION OF THE FOREIGN AGENTS REGISTRATION ACT

MISCELLANEOUS AMENDMENTS

MAY 9, 1944.

Pursuant to authority vested in me by the Foreign Agents Registration Act of 1938, as amended, 56 Stat. 248, 22 U. S. C. 611, the rules and regulations under the act are amended as follows:

I. Section 5.1 is amended to read as follows:

§ 5.1 *Administration of act assigned to Foreign Agents Registration Section.* The administration of the act is assigned to the Foreign Agents Registration Section of the War Division of the Department of Justice. Communications with respect to the Act should be addressed to the Chief of the Foreign Agents Registration Section, War Division, Department of Justice, Washington 25, D. C.

Copies of the act, the rules and regulations, and the forms may be obtained upon request without charge.

II. All references in the rules and regulations under the act to the Special War Policies Unit are deleted, and all references therein to the Chief of the Special War Policies Unit are amended to refer to the Chief of the Foreign Agents Registration Section.

III. Section 5.6 is amended to read as follows:

§ 5.6 *Final supplemental statements.* Every person who has filed a registration statement pursuant to section 2 of the act and every person with respect to whom a statement has been furnished pursuant to section 3 (f) of the act shall, within 30 days after the termination of the agency which necessitated the filing of the statement, furnish a supplemental statement, in the appropriate form prescribed therefor, for the final period of the agency not covered by the previous statement or statements.

IV. The following new § 5.401 is hereby prescribed under section 4 of the act:

§ 5.401 *When political propaganda "caused" to be transmitted within meaning of section 4.* (a) An agent of a foreign principal who is required to register

¹ Administrative regulations of the War Department pertaining to sale of supplies and services.

¹⁷ F.R. 3070, 8 F.R. 9181.

under the provisions of the act shall be deemed to cause political propaganda to be transmitted in the United States mails or by a means or instrumentality of interstate or foreign commerce, within the meaning of section 4 of the act, if such propaganda is disseminated or caused to be disseminated by the agent, knowing, intending or having reason to believe that it will be, and thereafter it actually is, so transmitted in whole or in part either in the same or in a different form by any person.

(b) Notwithstanding paragraph (a), where the person by whom the political propaganda is so transmitted is not directly or indirectly affiliated or associated with, or supervised, directed, controlled, financed or subsidized in whole or in part by, the agent or any foreign principal of the agent, and the transmission of the propaganda is not subject to the direct or indirect supervision, direction or control of, and no compensation or remuneration therefor is paid directly or indirectly by, the agent or any foreign principal of the agent, the agent shall be deemed to have complied with section 4 if:

(1) The political propaganda is duly labeled to comply with section 4 of the act at the time it is disseminated or caused to be disseminated by the agent; and,

(2) Copies of the political propaganda are duly filed by the agent in accordance with section 4 of the act and § 5.400 thereunder.

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 44-6783; Filed, May 11, 1944;
12:29 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 1010—SUSPENSION ORDERS

[Suspension Order S-468, Revocation]

NATIONAL SUPPLY CORPORATION

Suspension Order No. S-468 was issued against Joseph Goldberg and Sidney E. Goldberg, doing business as National Supply Corporation, effective December 28, 1943. A petition for rehearing was filed by respondent, and on January 6, 1944, the Chief Compliance Commissioner directed that the case be reopened for further hearing and the admission of additional evidence, and the Chief Compliance Commissioner ordered a stay of execution of the suspension order. A further hearing was held before the Chief Compliance Commissioner, as a result of which on May 6, 1944, the Chief Compliance Commissioner directed that Suspension Order S-468 be revoked forthwith. In view of the fore-

going, *It is hereby ordered, That:*
§ 1010.468 *Suspension Order S-468 be*
revoked.

Issued this 11th day of May 1944.

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

[F. R. Doc. 44-6790; Filed, May 11, 1944;
4:18 p. m.]

PART 3289—RADIO AND RADAR

[Preference Rating Order P-133, Interpretation 1]

ELECTRONIC EQUIPMENT

The following interpretation is issued with respect to Preference Rating Order P-133:

Some things which cannot be bought under this order as maintenance, repairs or operating supplies: It appears that some persons who are entitled to use the priorities assistance given by Order P-133 for maintenance, repair and operating supplies have been applying those ratings for the purchase of items which are capitalized repairs, capital equipment or capital replacements. The following things are not items of maintenance, repair or operating supplies under Order P-133:

1. Recording or reproducing turntables.
2. Amplifiers.
3. Microphones.
4. Speech input consoles.
5. Transmitters.
6. Relay racks or cabinets.
7. Jack panels.
8. Frequency monitors.
9. Antenna towers.

This is not an all-inclusive list of products which are not MRO items under P-133, but simply includes those things about which questions have been raised.

The ratings assigned by Order P-133 must not be applied for the purchase of the things listed above; and any P-133 ratings which have been applied to purchase orders for those items have been improperly applied and should be cancelled at once. This does not mean, however, that necessary parts to maintain or repair those things may not be purchased with P-133 ratings.

How to distinguish the business of radio communication or radio broadcasting from other businesses of the kinds described in paragraph (a) (4): Persons engaged in the business of operating and maintaining electronic systems for the distribution of sound which are not radio communication or radio broadcasting systems are entitled only to use the AA-5 rating assigned by paragraph (a) (4) of Order P-133. The question has been asked as to how to distinguish between these businesses. No person is engaged in the business of radio communication or radio broadcasting who has not been licensed by the Federal Communications Commission to operate a radio transmitter. No person who has not been licensed by the Federal Communications Commission to operate a radio transmitter may use the AA-1 rating assigned by paragraphs (a) (1) and (a) (2) of Order P-133 for the businesses of radio communication and radio broadcasting.

Issued this 12th day of May 1944.

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

[F. R. Doc. 44-6824; Filed, May 12, 1944;
11:34 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-375]

WORK GLOVES

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

§ 3290.336 *General Conservation Order M-375—(a) Definitions.* For the purpose of this order:

(1) "Work gloves" means any of the following gloves and mittens customarily graded as men's, women's and children's:

Canton flannel gloves and mittens.
Jersey gloves and mittens.
Leather combination gloves and mittens.

"Gloves" means both gloves and mittens.

(2) "Put into process" means the first cutting of material in the manufacture of gloves and mittens.

(3) All terms used in this order shall have their usual and customary trade meanings unless stated otherwise.

(b) *General exceptions.* The provisions of this order shall not apply to orders for the delivery of work gloves to the United States Army, Navy, Maritime Commission or War Shipping Administration, or to other persons pursuant to authorization by the Maritime Commission on Form WPB-646.

(c) *General restrictions on processing and manufacturing of work gloves.* (1) No person shall, after May 15, 1944, manufacture work gloves or put into process or cause to be put into process by others for his account any material for the manufacture of work gloves with:

- (i) Canton flannel other than 4 harness construction.
- (ii) Thumb seam welts or welts at thumb crotch seam, or thumb straps, on other than side split leather or grain leather construction.
- (iii) Pairs tacked, stapled or otherwise fastened together.
- (iv) Rider tickets.
- (v) Imprints on hand portion other than manufacturer's trade mark.

(2) No person shall, after May 15, 1944, manufacture work gloves, or put into process or cause to be put into process by others for his account any material for the manufacture of work gloves, of any style, type and construction not listed in Schedule A of this order, or more numbers of any style than is specified in Schedule A.

Each person who manufactures work gloves or puts into process materials for the manufacture of work gloves shall, within 15 days after May 15, 1944, file with the War Production Board a list of the specific numbers of each style of gloves listed in Schedule A which he intends to produce. The numbers shall be listed in the sequence of Schedule A, and each number fully identified to conform with Schedule A. For example: only one number may be selected in Class 2 Men's

Safety Cuff. The selection made should be stated in this form: "Class 2, Men's Safety Cuff, 8 oz. palm, 10 oz. lining, without turtle neck, white back, quilted." If this is the number selected no other number of this style may be made. No person may make any number not set forth on his list filed with the War Production Board, or change from the production of any number of any style set forth in his list to any other number of that style, unless he is authorized by the War Production Board in writing to do so.

(3) The War Production Board may on written application authorize the production and sale of work gloves, other than those enumerated in Schedule A, for specific occupational requirements.

(4) No person shall, after May 15, 1944, manufacture work gloves or put into process or cause to be put into process by others for his account any material for the manufacture of work gloves except in accordance with the specifications set forth in Schedules A and B.

(5) *Exceptions.* The provisions of paragraph (c) shall not apply to:

(i) Work gloves put into process or manufactured prior to May 15, 1944.

(ii) Work gloves made and sold to conform with state, county and municipal safety laws, codes and regulations and in effect on May 15, 1944, and specifically requiring the use of work gloves made otherwise than as specified in this order.

(iii) Work gloves manufactured in the home except when made for sale or for a contractor or jobber or other person who sells the work gloves.

(iv) Work gloves made from materials and supplies in the inventory of a glove manufacturer on May 12, 1944, or purchased by him prior to May 12, 1944, provided such materials and supplies are consumed in the manufacture of gloves before June 30, 1944. However, such gloves may be sold and delivered only before July 31, 1944.

(d) *Restrictions on sales and deliveries.* (1) No person shall sell or deliver work gloves which he knows or has reason to believe were manufactured or the material for which was put into process contrary to the provisions of paragraph (c) of this order.

(2) No manufacturer of work gloves may deliver work gloves packed less than one dozen pairs to a package.

(3) No person shall sell, deliver or accept delivery of any hot mill flannel gloves, except upon a preference rated order, or pursuant to allocation or direction of the War Production Board. However, these restrictions do not apply to sales or deliveries of hot mill flannel gloves by an employer to his own employees, or by a retail establishment from its stocks on hand.

(4) Unless specifically authorized by the War Production Board, no person who purchases work gloves for distribution or sale to his own employees shall accept delivery of work gloves if by virtue of such acceptance his inventory of work gloves will be in excess of the minimum amount of work gloves required to supply the needs of his employees for a period of 30 days.

(e) *Assignment and use of ratings.*

(1) The War Production Board may as-

sign preference ratings for, or allocate, or direct the delivery of work gloves pursuant to application on Form WPB-541 filed with the nearest Field Office of the War Production Board. The War Production Board, in assigning a preference rating for work gloves may specify that the rating shall be valid only to obtain delivery from a designated manufacturer or supplier; in such case the manufacturer or supplier so designated may not reject the order on the ground that he has not in the past accepted or filled orders from that particular class of customer.

(2) No person shall apply, extend or give any effect to any preference rating for work gloves unless the preference rating has been assigned on Form WPB-541, and the order contains the certification required by Priorities Regulation 3 and, in addition, a notation substantially as follows:

This rating was assigned on Form WPB-541
Serial No. _____
(fill in)

In the case where a specific source of supply has been designated the preference rating form must accompany and be attached to the order.

(The above requirements must be met regardless of Priorities Regulation 3. When this is done the requirements of M-328 are met, and it is unnecessary to use any other notation.)

(3) No person who is assigned a rating for more than 10 dozen pairs of work gloves may apply it to get any of them at retail prices. This does not prevent purchase at retail of more than 10 dozen pairs of gloves on an unrated order.

(4) Preference ratings for work gloves will be assigned on Form WPB-541 only to persons operating industrial plants, mines or lumber camps and to such other classes of persons as the War Production Board may from time to time designate. Each applicant for a preference rating must show:

(i) That the gloves are desired by the applicant for distribution or sale only to his own employees for use in their occupations.

(ii) That he has in effect or will put into effect the plan approved by the War Production Board to screen his orders and requisitions for work gloves and to eliminate unnecessary and wasteful use of such gloves. The plan will include a provision requiring each employee to turn in a worn-out pair of gloves before obtaining a replacement, and a provision requiring that soiled work gloves be washed or cleaned and used until they are worn-out. The Field Offices of the War Production Board will on request furnish the applicant with a copy of the approved plan and will assist applicants in working out practicable methods of conserving work gloves.

(iii) In the case of hot mill flannel gloves, the applicant must show that the gloves are required for his employees handling hot metals or ladles or other extremely hot materials requiring heavy insulation for handling and for which purposes other types of work gloves may not be practicably substituted. He must show the actual number of his employees so engaged.

(5) Any person to whom a rating has been assigned, applied or extended for work gloves who has difficulty getting his order accepted and filled, may apply by letter to the War Production Board, stating the facts, for a designation of supplier or direction.

(f) *Obligations with respect to rated orders.* (1) Each person who manufactures work gloves or puts into process materials for the manufacture of work gloves shall in each calendar quarter accept and fill rated orders for leather combination gloves, or set aside for later delivery on rated orders, in a total quantity that shall be not less than 40% of his total production of leather combination gloves. Production for and deliveries on orders of the U. S. Army, Navy, Maritime Commission and War Shipping Administration shall not be included in computing the above percentage.

(2) The War Production Board may from time to time establish minimum quantities of specific types of work gloves that each manufacturer of work gloves shall be required to produce.

(3) The War Production Board may from time to time establish percentages with respect to the maximum amount of rated orders that each manufacturer of work gloves is required to accept and fill, and the minimum amount of work gloves that each manufacturer must deliver on or set aside for delivery on rated orders.

(g) *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.

(h) *Reports.* Each manufacturer of gloves shall report monthly his production and deliveries of work gloves on WPB Form 3548. This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(i) *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.

(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) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed in writing, be addressed to: War Production Board, Textile, Clothing, and Leather Bureau, Washington (25), D. C., Reference M-375.

Issued this 12th day of May 1944.

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

SCHEDULE A

WORK GLOVES—PERMITTED STYLES

Only the following styles of work gloves may be manufactured or put into process. No person may manufacture or put into process more numbers of any style than specifically permitted by this schedule. For example: Class 2, Men's Double Palm Safety Cuff—a manufacturer may make only one number. The option is given to use the construction of 8 ounce palm with 10 ounce lining or 10 ounce palm with 8 ounce lining, but not both. The construction chosen may be made either with or without turtle neck, but not both. The construction chosen may be made either with white back or striped back, but not both, and with palm parts either quilted or processed, but not both. Accordingly, a selection might be made as follows: "Class 2, Men's Safety Cuff 8 ounce palm with 10 ounce lining, without turtle neck, with white back, quilted." Any variation from this would constitute another number. This principle follows throughout the schedule.

Where ounces weight of Jersey cloth is specified it means ounces per square yard of material. Where ounces weight of flannel cloth is specified it means ounces per linear yard of cloth 34" wide.

1. *White canton flannel knit wrist, band top and gauntlet*—(A) *Clute pattern—knit wrist*:

Men's: 6-, 8-, 10-, 12-ounce. (4 numbers only).

Extra large: 12 ounces (1 number only).
Women's: 6-, 8-, 10-ounce (3 numbers only).

Small women's: 6 ounce (1 number only).

(B) *Clute pattern—band top*:

Men's: 8-, 10-, 12-ounce—optional as to weight (2 numbers only).

Women's: 8 ounce (1 number only).

(C) *Gauntlet—Double (2 ply) thickness cuff*:

Men's: 10 ounce without turtle neck (1 number only).

Men's: 12 ounce with or without turtle neck, not both (1 number only). Turtle neck 10 ounce minimum.

(D) *Gunn or fourchette pattern (optional) knit wrist*:

Men's: 8-, 10-, 12-ounce (3 numbers only).

Men's reversible 8 ounce or 10 ounce—optional (1 number only).

2. *Canton flannel gloves with double thickness nap out palm and single thickness back*.

Men's: *knit wrist*: 8 ounce palm, 10 ounce lining or 10 ounce palm, 8 ounce lining. (2 numbers only).

Women's: *knit wrist*: 8 ounce palm, 10 ounce lining or 10 ounce palm, 8 ounce lining. (1 number only).

Men's: *safety cuff*—double (2 ply) thickness cuff: 8 ounce palm, 10 ounce lining or 10 ounce palm, 8 ounce lining with or without turtle neck (optional). Turtle neck 10 ounce minimum. (1 number only).

Men's: *gauntlet*—Double (2 ply) thickness cuff: 8 ounce palm, 10 ounce lining or 10 ounce palm, 8 ounce lining; with or without turtle neck. Turtle neck 10 ounce minimum. (2 numbers only—to match knit wrist numbers).

NOTE: Backs may be either 10-ounce or 8-ounce stripe flannel with matching cuffs but not both.

Two-ply palm parts may be either quilted or processed.

3. *Hot mill Canton flannel gloves—nap out palm*.

Men's: *Band top*: 12-ounce palm and pull, 12-ounce lining, 12-ounce back, 12-ounce

band, 10-ounce knuckle strap. *Inseam*. (1 number only.)

Men's: *Band top*: 12-ounce palm without pull, 12-ounce lining, 12-ounce back, 12-ounce band, 10-ounce knuckle strap. *Inseam*. (1 number only.)

Men's: *Band top*: 12-ounce palm and pull, 12-ounce lining, 12-ounce back, 12-ounce band, 10-ounce knuckle strap. *Outseam*. (1 number only.)

Men's: *Gauntlet*: Double (2-ply) thickness cuff, 12-ounce palm and pull, 12-ounce lining, 12-ounce back, 10-ounce knuckle strap. *Inseam*. (1 number only.)

Men's: *Gauntlet*: Double (2-ply) thickness cuff, 12-ounce palm without pull, 12-ounce lining, 12-ounce back, 10-ounce knuckle strap. *Inseam*. (1 number only.)

Men's: *Knit wrist*: 12-ounce palm, 12-ounce lining, 12-ounce back, 10-ounce knuckle strap. *Inseam*. (1 number only.)

NOTE: Two-ply palm parts quilted only. In addition to above band-top inseam may be produced nap-in palm on special order only, when necessary for specific occupational requirements.

4. *White Flannel Gloves, nap-in-double thickness palm and single thickness back*.

Men's: *Knit wrist*: 10-ounce palm, 8-ounce lining, 10-ounce back (1 number only).

Men's: *Gauntlet*: Double (2-ply) thickness cuff: 10-ounce palm, 8-ounce lining, 10-ounce back (1 number only).

NOTE: Two-ply palm parts quilted only. Band wrist in lieu of gauntlet, optional.

5. *Double throughout: Nap-out-flannel "chore" gloves*.

Men's: *Knit wrist*: 6-ounce or 8-ounce shell, 6½-ounce or 8-ounce lining, or 10-ounce shell, 8-ounce lining. (2 numbers only). Quilted or processed.

Extra Large *Knit Wrist*: Same as above. (1 number only).

Women's: *Knit Wrist*: 6-ounce or 8-ounce shell, 6½-ounce or 8-ounce lining. Quilted or processed. (1 number only).

Men's: *Safety Cuff*: (2-ply cuff): 6-ounce or 8-ounce shell, 6½ or 8-ounce lining. Quilted or processed. (2 numbers only).

6. *Gunn or fourchette pattern two-thumb knit wrist Canton flannel husking gloves, white only, single thickness*.

Men's: *Knit wrist*: 8-ounce nap-out (1 number only).

Men's: *Knit wrist*: 10-ounce nap-out (1 number only).

Men's: *Knit wrist*: 12-ounce nap-out (1 number only).

Women's: *Knit wrist*: 8-ounce or 10-ounce optional (1 number only).

Men's: *Knit wrist*: 12-ounce nap-out palm and thumb with 8-ounce white or colored, outside thumb patch. (1 number only).

Men's: *Knit wrist*: 12-ounce nap-out palm. 12-ounce white or colored, double throughout thumb with 8-ounce liner. (1 number only).

7. *Two-thumb welt seam single thickness Canton flannel back and palm mittens, white only*.

Men's: *Knit wrist*: 12-ounce nap-out palm and thumb, 6-ounce thumb reinforcement. (1 number only).

Women's: *Knit wrist*: 10-ounce nap-out palm and thumb, 6-ounce thumb reinforcement. (1 number only).

Men's: *Knit wrist*: 12-ounce nap-out palm and thumb with 8-ounce white or colored outside thumb patch. (1 number only.)

8. *"Chore", Smelter's and Tick Mittens*.

(A) Men's: *Knit Wrist*: "Chore" Mittens, double throughout, nap-out flannel, 8 ounce shell, 6½ or 8 ounce lining, or 12 ounce shell, 8 ounce lining (1 number only).

(B) Men's: *Open Top*: Smelter Mitten, double throughout canton flannel, 10 ounce

nap-out shell, 10 ounce lining (1 number only).

(C) Men's: *Knit Wrist*: 6½ to 8 ounce tick shell or 8 ounce flannel shell. Fleece-lined, with or without cotton wadding (1 number only).

8/1. *Women's Industrial Glove*.

Double-nap cloth band top style, one size only (1 number only).

9. *Jersey Gloves, single thickness*.

Men's: *Knit Wrist*: (A) 9 ounce; (B) 10½ ounce; (C) 13 ounce, plain (3 numbers only).

Small Women's: *Knit Wrist*: 9 ounce plain (1 number only).

Women's: *Knit Wrist*: 9 ounce, 10½ ounce, plain (2 numbers only).

10. *Full lined open wrist "slip-on" Jersey Gloves*.

Men's: 8 ounce plain shell, 5½ to 6 ounce lining (1 number only).

Men's Extra Large: same as above. (1 number only).

Women's: 8 ounce fleece-in or fleece-out, plain shell, not more than 3 colors, assorted, 5½ to 6 ounce lining (1 number only).

Men's: 8 ounce cut presser fancy shell, 5½ to 6 ounce lining (1 number only).

11. *Children's single thickness Jersey Gloves and Mittens*.

Gloves: *Knit Wrist*. Ages up to 15: 9 ounce plain, not more than 3 colors assorted (1 number only).

Mittens: *Knit Wrist*. Ages up to 15: 9 ounce plain, not more than 3 colors assorted (1 number only).

Gloves: *Gauntlet*. Ages up to 15: 9 ounce plain (1 number only).

LEATHER COMBINATION GLOVES

12. *Clute pattern, without tips, 8 ounce canton flannel back, 5 ounce or heavier palm lining*.

(A) Men's: *Knit Wrist*: Lined split leather palm (1 number only). Women's: *Knit Wrist*: same as above (1 number only).

(B) Men's: *Single ply safety cuff*, lined split leather palm (1 number only).

(C) Men's: *Single Ply Gauntlet*: Lined split leather palm (1 number only).

Women's: *Single Ply Gauntlet*, Lined split leather palm (1 number only).

NOTE: The above may be made with either continuous or set-in thumb (not more than ¾ thumb), but not both. Leather colors optional and may be used in interchangeably when necessary, but not to duplicate numbers.

13. *Gunn pattern, knit wrist, continuous or set-in thumb, finger tips, 8 ounce flannel back; 6 ounce or heavier palm lining*.

One style of thumb only, not both.

(A) Men's: Lined split leather, ¾ thumb. (1 number only).

(B) Men's: Lined side split leather, ¾ thumb. (1 number only).

(C) Men's: Lined heavy side split leather. Full leather thumb, forefinger and little finger; separate wrist pull; with or without full length thumb strap (optional) for loggers and lumbermen. (1 number only).

(D) Men's: Lined heavy side split leather. Full leather thumb and forefinger. (1 number only).

(E) Men's: Lined side split leather, ¾ thumb, 10½ ounce plain Jersey back. (1 number only).

13/1. *Double (2 ply) thickness gauntlet and safety cuff; 6 ounces or heavier palm lining*.

(A) Men's: Lined split leather, ¾ thumb, Gauntlet. (1 number only).

(B) Men's: Lined split leather ¾ thumb, Safety Cuff. (1 number only).

14. *Gunn pattern, safety cuff, finger tips, continuous or set-in thumb, waterproof cuff, 8 ounce flannel back; 6 ounce or heavier palm lining*.

One style of thumb only, not both.

¹ Any four of the above numbers may be produced nap out for use in territories where such items have proved to be most satisfactory for special uses and are now in demand.

SCHEDULE B

(A) Men's: Lined split leather, $\frac{3}{4}$ thumb. (1 number only).
 Women's: Lined split leather, $\frac{3}{4}$ thumb. (1 number only).

(B) Men's: Lined split leather, $\frac{3}{4}$ thumb with pull and knuckle strap. (1 number only).

(C) Men's: Lined side split leather with pull and knuckle strap, full leather thumb—thumb crotch seam protection optional. (1 number only).

Women's: Lined side split leather with pull and knuckle strap, full leather thumb—thumb crotch seam protection optional. (1 number only).

(D) Men's: Lined side split leather with pull and knuckle strap with full leather thumb and full leather forefinger—thumb crotch seam protection optional. (1 number only).

(E) Men's: Lined side split leather palm, pull, full leather thumb and forefinger, $\frac{7}{8}$ length leather back—thumb crotch seam protection optional. (1 number only).

(F) Men's: Lined Grain Leather; full leather thumb and forefinger, pull, knuckle strap—thumb crotch seam protection optional. (1 number only).

(G) Men's: Lined heavy side split leather, full leather thumb and forefinger, $\frac{3}{4}$ length leather back, welted thumb seam optional. Can be made only one way. (1 number only).

(H) Men's: Lined heavy side split leather palm. Full leather fingers, thumb, pull and knuckle strap. Thumb crotch seam protection optional. Gunn or Clute pattern optional. (1 number only).

15. *Gunn pattern, gauntlet style, finger tips, continuous or set-in thumb, waterproof cuff, 8 ounce flannel back; 6 ounce or heavier palm lining.*

One style of thumb only, not both.

(A) Men's: Lined split leather, $\frac{3}{4}$ thumb. (1 number only).

Women's: Lined split leather, $\frac{3}{4}$ thumb. (1 number only).

(B) Men's: Lined split leather, $\frac{3}{4}$ thumb with pull and knuckle strap (1 number only).

(C) Men's: Lined side split leather with pull and knuckle strap, full leather thumb—thumb crotch seam protection optional. (1 number only).

Women's: Lined side split leather with pull and knuckle strap, full leather thumb—thumb crotch seam protection optional. (1 number only).

(D) Men's: Lined side split leather with pull and knuckle strap with full leather thumb and full leather forefinger—thumb crotch seam protection optional. (1 number only).

(E) Men's: Lined side split leather palm, pull, full leather thumb and forefinger, $\frac{7}{8}$ length leather back—thumb crotch seam protection optional. (1 number only).

(F) Men's: Lined Grained Leather; full leather thumb and forefinger, pull, knuckle strap—thumb crotch seam protection optional. (1 number only).

(G) Men's: Lined heavy side split leather, full leather thumb and forefinger, $\frac{3}{4}$ length leather back, welted thumb seam optional. Can be made only one way. (1 number only).

(H) Men's: Lined heavy side split leather palm. Full leather fingers, thumb, pull and knuckle strap. Thumb crotch seam protection optional. Gunn or Clute pattern optional. (1 number only).

16. *Gunn pattern, slip-on or driver's style, fingers tipped, full leather thumb, with or without draw strap on back optional.*

Side split or horse split leather, 8 ounce back. (1 number only).

*In the event that waterproof cuff material becomes unobtainable, double (2 ply) thickness cuffs may be used as alternate for Classes 14 and 15. Weight of waterproof cuff material shall be not less than 23 ounces per square yard.

Class	Maximum			Minimum measurement							
	Yards	Pounds	Feet	1	2	3	4	5	6	7	8
				Inch	Inch	Inch	Inch	Inch	Inch	Inch	Inch
1 Men's.	3.00			7 $\frac{1}{2}$	5	2 $\frac{1}{2}$	5	7	5	2 $\frac{1}{2}$	1 $\frac{1}{2}$
Men's with turtle neck	3.00			7 $\frac{1}{2}$	5	2 $\frac{1}{2}$	5	7	5	2 $\frac{1}{2}$	1 $\frac{1}{2}$
Men's extra large	3.40			8 $\frac{1}{2}$	5 $\frac{1}{2}$	2 $\frac{3}{4}$	5 $\frac{1}{2}$				
Women's	2.50			7 $\frac{1}{2}$	4 $\frac{1}{2}$	2 $\frac{1}{4}$					
Small, women's	2.00			6 $\frac{1}{2}$	4 $\frac{1}{8}$	2 $\frac{1}{4}$					1 $\frac{1}{2}$
2 Men's.	4.85			7 $\frac{1}{2}$	5	2 $\frac{3}{4}$	5	7	5	2 $\frac{1}{2}$	
Men's with turtle neck	4.85			7 $\frac{1}{2}$	5	2 $\frac{3}{4}$	5	7	5	2 $\frac{1}{2}$	
Women's	3.85			7 $\frac{1}{2}$	4 $\frac{1}{2}$	2 $\frac{1}{4}$					
3 Men's.	5.40			7 $\frac{1}{2}$	5	2 $\frac{3}{4}$	5	7	5 $\frac{1}{4}$		2 $\frac{1}{4}$
4 Men's.	4.85			7 $\frac{1}{2}$	5	2 $\frac{3}{4}$	5	7	5		1 $\frac{1}{2}$
5 Men's.	6.25			7 $\frac{1}{2}$	5 $\frac{1}{4}$	2 $\frac{1}{4}$					
Men's extra large	6.50			8 $\frac{1}{2}$	5 $\frac{1}{2}$	2 $\frac{3}{4}$				2 $\frac{1}{2}$	
Women's	5.25			7 $\frac{1}{2}$	4 $\frac{3}{4}$	2 $\frac{1}{4}$					
6 Men's.	4.45			7 $\frac{1}{2}$	5	2 $\frac{1}{4}$					
Women's	2.85			7	4 $\frac{1}{8}$	2 $\frac{1}{4}$					
7 Men's.	4.00			8	5	2 $\frac{1}{4}$					
Women's	3.25			7 $\frac{1}{2}$	4 $\frac{1}{2}$	2 $\frac{1}{4}$					
8 (A) Men's.	5.25			8	5	2 $\frac{1}{4}$					
8 (B) Men's.	6.60			10 $\frac{1}{4}$	5						
8 (C) Men's.	7.50			8	5	2 $\frac{1}{4}$					
8 (I) Women's	4.00			7 $\frac{1}{2}$	4						2 $\frac{1}{4}$
9 (A) Men's.		1.50		7 $\frac{1}{2}$	4 $\frac{3}{4}$	2 $\frac{1}{4}$					
Women's		1.15		6 $\frac{1}{2}$	3 $\frac{1}{2}$	2 $\frac{1}{4}$					
Small		.90		6	3 $\frac{1}{4}$	2 $\frac{1}{4}$					
9 (B) Men's.		1.70		7 $\frac{1}{2}$	4 $\frac{3}{4}$	2 $\frac{1}{4}$					
Women's		1.30		6 $\frac{1}{2}$	3 $\frac{1}{2}$	2 $\frac{1}{4}$					
9 (C) Men's.		2.10		7 $\frac{1}{2}$	4 $\frac{3}{4}$	2 $\frac{1}{4}$					
10 Men's.		2.50		9	4 $\frac{1}{2}$						
Men's extra large		2.85		9 $\frac{1}{2}$	4 $\frac{1}{2}$						
Women's fleece in or out		2.25		8 $\frac{1}{2}$	3 $\frac{3}{4}$						
11 Children's											
12 Men's.	2.70		14.50	7	5	2 $\frac{1}{4}$	4 $\frac{1}{2}$	6 $\frac{1}{2}$	5	2 $\frac{1}{2}$	
Women's	2.40		13.50	7 $\frac{1}{2}$	4 $\frac{1}{4}$	2 $\frac{1}{4}$	4	5 $\frac{1}{4}$	4 $\frac{1}{4}$		
13 (A) Men's.	2.45		18.00	7 $\frac{1}{2}$	5	2 $\frac{1}{4}$					
13 (B) Men's.	2.45		18.00	7 $\frac{1}{2}$	5	2 $\frac{1}{4}$					
13 (C) Men's.	2.45		25.00	7 $\frac{1}{2}$	5	2 $\frac{1}{4}$					
13 (D) Men's.	2.45		21.00	7 $\frac{1}{2}$	5	2 $\frac{1}{4}$					
13 (E) Men's.		1.70	18.00	7 $\frac{1}{2}$	4 $\frac{3}{4}$	2 $\frac{1}{4}$					
13 (I) Men's.	2.45		18.00	7 $\frac{1}{2}$	5		4 $\frac{1}{2}$	7	5	2 $\frac{1}{2}$	
14 (A) Men's.	2.45		18.00	7 $\frac{1}{2}$	5					2 $\frac{1}{2}$	
Women's	2.15		16.25	7 $\frac{1}{2}$	4 $\frac{1}{4}$				4 $\frac{1}{4}$	2	
14 (B) Men's.	2.45		22.00	7 $\frac{1}{2}$	5					2 $\frac{1}{2}$	
14 (C) Men's.	2.45		23.50	7 $\frac{1}{2}$	5					2 $\frac{1}{2}$	
Women's	2.15		21.75	7 $\frac{1}{2}$	4 $\frac{1}{4}$				4 $\frac{1}{4}$	2	
14 (D) Men's.	2.45		25.00	7 $\frac{1}{2}$	5					2 $\frac{1}{2}$	
14 (E) Men's.	2.45		28.00	7 $\frac{1}{2}$	5					2 $\frac{1}{2}$	
14 (F) Men's.	2.45		28.00	7 $\frac{1}{2}$	5					2 $\frac{1}{2}$	
14 (G) Men's.	2.45		27.00	7 $\frac{1}{2}$	5					2 $\frac{1}{2}$	
14 (H) Men's.	2.50		26.00	7 $\frac{1}{2}$	5					2 $\frac{1}{2}$	
15 (A) Men's.	2.45		18.00	7 $\frac{1}{2}$	5		4 $\frac{1}{2}$	7	5		
Women's	2.15		16.25	7 $\frac{1}{2}$	4 $\frac{1}{4}$		4	5 $\frac{1}{4}$	4 $\frac{1}{4}$		
15 (B) Men's.	2.45		22.00	7 $\frac{1}{2}$	5		4 $\frac{1}{2}$	7	5		
15 (C) Men's.	2.45		23.50	7 $\frac{1}{2}$	5		4 $\frac{1}{2}$	7	5		
15 (C) Women's.	2.15		21.75	7 $\frac{1}{2}$	4 $\frac{1}{4}$		4	5 $\frac{1}{4}$	4 $\frac{1}{4}$		
15 (D) Men's medium Leather	2.45		25.00	7 $\frac{1}{2}$	5		4 $\frac{1}{2}$	7	5		
15 (D) Men's heavy Leather	2.45		25.00	7 $\frac{1}{2}$	5		5	7	5		
15 (E) Men's medium Leather	2.45		28.00	7 $\frac{1}{2}$	5		4 $\frac{1}{2}$	7	5		
15 (E) Men's heavy Leather	2.45		28.00	7 $\frac{1}{2}$	5		5	7	5		
15 (F) Men's.	2.45		28.00	7 $\frac{1}{2}$	5		5	7	5		
15 (G) Men's.	2.45		28.00	7 $\frac{1}{2}$	5		5	7	5		
15 (H) Men's.	2.45		27.00	7 $\frac{1}{2}$	5		5	7	5		
15 (H) Men's.	2.50		26.00	7 $\frac{1}{2}$	5		5	7	5		
16 Men's.	1.25		21.00	9 $\frac{1}{4}$	4 $\frac{1}{2}$						

1. "Class" refers to the various classes or categories of gloves and mittens as customarily described in the industry, as they are listed in the order designated in Schedule A. "Gloves" means both gloves and mittens.

2. "Maximum yards" refers to linear yards of material used per dozen pairs in the hand portion of gloves below the wrist or cuff seam.

"Maximum pounds" refers to pounds of Jersey cloth per dozen pairs of jersey gloves. "Maximum feet" refers to square feet of leather per dozen pairs of leather combination gloves.

Yards, poundage, or feet specified to the dozen pairs shall mean maximum average yardage, poundage, or footage consumed in the cutting of each respective style of gloves and mittens.

3. "Minimum measurements" refers to the dimensions of gloves finished and ready for shipment: (1) length of hand from wrist seam to end of second finger; (2) width across palm measured just below thumb crotch; (3) knit wrist length measured from wrist seam; (4) gauntlet length measured from turtle neck or wrist seam; (5) gauntlet width measured at top; (6) gauntlet width measured at bottom where joins hands; (7) safety cuff length measured from turtle neck or wrist seam; (8) length of band wrist measured from wrist seam.

4. Jersey cloth when steamed and pressed to remove wrinkles and bring to a uniform width shall not be stretched to finish wider

than original mill width of the finished material.

5. Tubings for knit wrists shall be for (1) Men's: not less than 12 yards per pound, $2\frac{1}{4}$ " width; (2) Women's: not less than 15 yards per pound, 2" width; (3) Children's: not less than 17 yards per pounds, $1\frac{3}{4}$ " width.

6. Where split leather is specified it means shoulders and other pound stock (except middle splits).

Where heavy side split leather is specified the minimum average weight of palm leather shall be not less than 3 ounces per square foot.

Medium side split leather means side leather weighing not less than $2\frac{1}{4}$ ounces per square foot and not more than 3 ounces per square foot.

Where side split leather is specified it means either medium or heavy palm leather. Only one weight may be used for any one style.

Side split cattlehide or horsehide of fairly equivalent weight and quality may be used interchangeably, but not to duplicate numbers. Colors of leather are optional and may be used interchangeably but not to duplicate numbers.

7. Where ounces weight of jersey cloth is specified, it means ounces per square yard of material. Where ounces weight of flannel cloth is specified, it means ounces per linear yard of cloth 34" wide.

8. Double (two-ply) thickness gauntlet and safety cuffs shall be not less than a combination of:

Covering material: 2.85 37" twill or 6 ounce 37" flannel.

Lining material: 2.95 36" to 37" osnaberg or 3 yard duck; or similar covering and lining materials of fairly equivalent quality and value. Materials may be combined by either processing or quilting.

[F. R. Doc. 44-6825; Filed, May 12, 1944; 11:34 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-340 as Amended May 12, 1944]

MISCELLANEOUS CHEMICALS

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

§ 3293.491 Allocation Order M-340—

(a) *Definitions.* (1) "Subject chemical" means any chemical listed in Appendix A, as therein defined.

(2) "Producer" means any person engaged in the production of any subject chemical and includes a person who imports any subject chemical or has it produced for him pursuant to toll agreement.

(3) "Distributor" means any person who buys any subject chemical for the purpose of resale without further processing and without changing the form thereof.

(4) "Supplier" means a producer or distributor.

(b) *Restrictions on deliveries.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall deliver a subject chemical to any person except as specifically authorized or directed in writing by War Production Board. No person shall accept delivery of a subject chemical which he knows or has reason to believe is delivered in violation of this order.

(2) Authorization or directions as to deliveries to be made by suppliers in each calendar month will generally be issued by War Production Board prior to the beginning of such month, but may be issued at any time. They will normally be issued on Form WPB-2947 (formerly PD-602) which is to be filed by the supplier with War Production Board as explained in paragraph (g) below.

(3) If a supplier is authorized or directed by War Production Board to deliver a subject chemical to any specific customer or group of customers, but is unable to make the delivery either because of receipt of notice of cancellation or otherwise, the subject chemical shall revert to inventory, and shall not be delivered, or used, without further instructions.

(c) *Exceptions for small deliveries.* (1) Specific authorization in writing of War Production Board is not required for delivery by any supplier to any person in any calendar month of a subject chemical in a quantity not exceeding the quantity stated in Column 3 of Appendix B.

(2) The aggregate quantity of a subject chemical which any supplier may deliver in any calendar month pursuant to paragraph (c) (1), shall not exceed:

(i) The quantity which he has been specifically authorized, upon application pursuant to Appendix D, to deliver on small orders; or

(ii) If he is a distributor, the quantity which he acquired upon certification that it was required to fill small orders or the quantity which he acquired himself on such a small order, or

(iii) If he is a distributor who customarily delivers exclusively on small orders, any quantity.

(d) *Exceptions for deliveries for other reasons.* Specific authorization in writing of War Production Board is not required for delivery of a subject chemical by any supplier to any other person for a purpose stated in Column 4 of Appendix B.

(e) *Restrictions on use.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall use a subject chemical except as specifically authorized or directed in writing by War Production Board.

(2) Each person who with an order for a subject chemical furnishes a certificate required by paragraph (f) shall use the subject chemical delivered on such order only as specified on such certificate except as otherwise specifically authorized or directed in writing by War Production Board.

(3) War Production Board may from time to time issue directions with respect to the use or uses which may or may not be made of a subject chemical to be delivered to, or then in inventory of the prospective user.

(f) *Supplier to obtain from customer a certificate of use.* No supplier shall in any calendar month (beginning in the case of each subject chemical with the calendar month in which the order becomes effective as to that chemical as stated in Appendix A) deliver to any person a greater quantity of such subject chemical than is stated in Column 3 of Appendix B unless he shall have received from such person a certificate as to the use for which such person is ordering such subject chemical. Such certificate shall be substantially in the form and shall be subject to the instructions stated in Appendix C and shall be in the hands of the supplier not later than the 15th day of the month preceding the month in which delivery is to be made. It need not be filed with War Production Board. A supplier must not deliver a subject chemical where he knows or has reason to believe the purchaser's certificate is false, but in the absence of such knowledge or reason to believe he may rely on the certificate.

(g) *Applications by suppliers for leave to deliver or use.* (1) Each supplier requiring authorization to make delivery of, or to use, a subject chemical during any calendar month shall file application on or before the 20th day of the preceding month. The application should be made on Form WPB-2947 (formerly PD-602) in the manner set forth in the general instructions appearing on that form, subject to the special instructions contained in Appendix D. If there is an inconsistency between the general and

special instructions, the special instructions must be followed.

(2) War Production Board may issue to any supplier other and further directions with respect to preparing and filing Form WPB-2947 (formerly PD-602).

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

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

(3) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M-340.

Issued this 12th day of May 1944.

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

APPENDIX A

Chemicals subject to this order. (1) "Acetaldehyde" means the chemical known by that name and by the names aldol, beta hydroxy butyric aldehyde oxybutanol, 3-hydroxy butanal.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(2) "ST-115" means the preparation known by that trade name, as defined and specified in Appendix to Regulation No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(3) "Dehydrol-O" means the chemical known by that trade name as defined and specified in Appendix to Regulation No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(4) "G. C.-78" means the chemical known by that trade name.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(5) "By-product—phosphoric acid" means phosphoric acid obtained as a by-product in the manufacture of methyl methacrylate.

Effective date—September 1, 1943. Comes in the following grades: no grades.

(6) "Oxidized petrolatum" means high paraffinic petrolatum oxidized and processed to contain aliphatic ketones, and which is suitable for use as a base in the manufacture of rust preventive compounds or corrosion inhibitors meeting specification Nos. AXS-673, 52-C-18 and AN-C-52, such as those petrolatums known by the trade marks Par-Al-Ketone, Alox 707, Alox 701 and Alox 600.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(7) "Vinsol" resin and "Truline" binder means the resins known by those registered trade marks or any similar resin obtained from the oleo-resin of pine wood and having the following properties:

Maximum solubility in petroleum naphtha 20%; complete solubility in lower alcohols;

toluene insoluble 10 to 30 per cent; methoxy content 4 to 6 per cent; acid number 90 to 110; softening point (ASTM ball and ring method) 103° to 118° Centigrade.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(8) [Deleted Mar. 27, 1944]

(9) [Deleted Mar. 27, 1944]

(10) [Deleted Oct. 22, 1943.]

(11) "DDT" means the chemical 2, 2-bis (para chlorophenyl) 1, 1, 1-tri-chloroethane, and is also known by the trade name "Neocid".

Effective date—January 1, 1944. Comes in the following grades: no grades.

(12) "Enamel wire naphtha" (also known as E. W. naphtha) means a mixture of aromatic solvents derived from coke oven light oil, drip oil or coal tar, distilling between 150 and 290° C., with at least 15 per cent distilling above 200° C. and containing 20 to 60 per cent monomeric polymerizable constituents of the cumorone-indene type. The term does not include aromatic material for the production of E. W. naphtha, or for the production of cumorone-indene resin, or for the production of other chemicals or intermediates, or for use as solvents in the crude state.

Effective date—February 1, 1944. Comes in the following grades: no grades.

(13) "Methyl Bromide" means the chemical CH₃Br.

Effective date—March 1, 1944. Comes in the following grades: no grades.

(14) "Precipitated calcium carbonate" means ultra fine particle calcium carbonate such as the chemical known as Kalvan, Witcarb R and Multifex.

Effective date—April 1, 1944. Comes in the following grades: no grades.

(15) "Pyronate" means the pyroligneous alcohol known by that trade name which is produced as a by-product of the destructive distillation of hardwood.

Effective date—May 1, 1944. Comes in the following grades: No grades.

APPENDIX B

1	2	3	4
Name of chemical	Unit of measure	Maximum quantity deliverable to any one person in any calendar month without specific authorization and without certificate required by paragraph (f)	Purpose for which delivery may be made without specific authorization, regardless of quantity. (See par. (d).)
(1) Acetaldo...	Gallon	54 gallons	None.
(2) ST-115	Gallon	54 gallons	None.
(3) Dehydrol-O	Gallon	54 gallons	None.
(4) G. C.-78	Gallon	54 gallons	None.
(5) By-product phosphoric acid.	Ton	5 tons	None.
(6) Oxidized petroleum.	Pound	25 pounds	None.
(7) Vinsol resins.	Pound	500 pounds	None.
(8) [Deleted Mar. 27, 1944.]			
(9) [Deleted Mar. 27, 1944.]			
(10) [Deleted Oct. 22, 1943.]			
(11) DDT	Pound	1 pound	None.
(12) E.W.Naphtha	Gallons	54 gallons	None.
(13) Methyl Bromide	Pound	10 pounds	None.
(14) Precipitated calcium carbonate	Pound	50 pounds	None.
(15) Pyronate	Gallon	54 gallons	None.

APPENDIX C—CUSTOMER'S CERTIFICATE OF INTENDED USE

The undersigned purchaser hereby certifies to War Production Board and to his supplier, pursuant to Order No. M-340, that the _____ (specify subject chemical) ordered for delivery in _____, 194____

Month

will be used by him for the manufacture or preparation of the following product(s), and that such product(s) will be put to the following end use(s):

	Quantity	Primary product	End use
(A).....
(B).....

Name of purchaser

By

Date _____ Duly authorized official _____ Title _____

Instructions for customer's certificate. (1) The certificate shall be signed by an authorized official of the purchaser, either manually or as provided in Priorities Regulation No. 7.

(2) Where a purchaser wishes to receive more than the exempted quantity of each of two or more subject chemicals, a separate certificate shall be obtained as to each.

(3) The purchaser will specify under "Primary product", the exact product or products in the manufacture or preparation of which the subject chemical will be used or incorporated. A distributor ordering the subject chemical for resale as such will specify "resale" or, if ordering exclusively for resale on exempt small orders, will specify "small orders of _____ or less" (specify quantity stated in Column 3 of Appendix B). If purchase is for inventory state "inventory."

(4) Under "End use", purchaser will specify the ultimate or end use to which the primary product will be put. He will also indicate whether civilian, Lend-Lease, other export or military, and if the product is for uses falling in two or more such categories, the percentage falling in each. Also, he will give contract numbers in the case of military use or Lend-Lease, and in the case of export, export license numbers. A distributor ordering the subject chemical for resale as such will leave blank the "End Use" column.

APPENDIX D—SPECIAL INSTRUCTIONS FOR SUPPLIER'S FORM WPB-2947 (FORMERLY PD-602)

(1) Obtaining forms. Copies of Form WPB-2947 (formerly Form PD-602) may be obtained at local field offices of the War Production Board.

(2) Number of copies. Prepare an original and three copies. File original and two copies with War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M-340, retaining the third copy for your files. The original filed with the War Production Board shall be manually signed by a duly authorized official.

(3) Separate set for each chemical. Where the supplier's application relates to deliveries of two or more subject chemicals, he will file a separate set of Form WPB-2947 (formerly Form PD-602) for each.

(4) Information at top of form. In the heading, under "Name of Material", specify the subject chemical to which the Form WPB-2947 (formerly Form PD-602) relates; under "Grade", specify grade stated in Appendix A, or if no grade specified, leave blank; under "WPB Order No.", specify "M-340"; indicate month and year during which deliveries covered by the application are to be made; under "Unit of Measure", specify unit of measure stated in Column 2 to Appendix B; under name of company, specify your name and the address of the

plant or warehouse from which shipment will be made.

(5) Listing of customers. In Column 1 (except for small orders as explained in (7) below) list the name of each customer from whom an order for delivery of the subject chemical during the applicable month has been received. If it is necessary to use more than one sheet to list customers, number each sheet in order and show the grand total on last sheet which is the only one that need be certified.

(6) Primary product and end use. In Column 1-a (except for small orders as explained in (7) below) specify the product or products in the manufacture or preparation of which the subject chemical will be used by your customer, the end use to which such product or products will be put, and military or Lend-Lease contract numbers, and export license numbers, all as indicated by the certificate obtained under paragraph (f) of this order. The quantity of the subject chemical used in the manufacture or preparation of each primary product for each product use shall be shown separately. If the subject chemical ordered by a customer is for two or more uses, indicate each use separately and indicate the quantity of the subject chemical ordered for each use.

(7) Small orders. The supplier need not list the name of any customer to whom he is to deliver in the applicable month a quantity of the subject chemical not exceeding the maximum quantity (indicated in Column 3 of Appendix B) which he is permitted to deliver to any one person in any calendar month without specific authorization. Also, in the case of any such delivery, he need not show the name of the product or the end use. Instead, he must write in Column 1 "Total small order deliveries (estimated)" and in Column 4, must specify the total estimated quantity of the subject chemical to be delivered on such orders.

(8) Use by producers. A producer requiring permission to use a part or all of his own production of the subject chemical shall list his own name as customer in Column 1 on Form WPB-2947 (formerly Form PD-602) specifying quantity required and product manufactured. Written approval of War Production Board on such Form WPB-2947 (formerly Form PD-602) shall constitute authority to the producer to use the subject chemical in the quantity and for the purposes indicated in such approved form.

(9) Table II. Each producer will report production, deliveries and stocks as required by Table II, Columns 9 to 16, inclusive. Distributors will fill out only Columns 10, 12 and 13. Producers and distributors will show in Column 8 Grade, as stated in Appendix A, or if no Grade is there specified, will leave Column 8 blank.

[F. R. Doc. 44-6826; Filed, May 12, 1944; 11:34 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 5, Amdt. 62]

FOOD RATIONING FOR INSTITUTIONAL USERS

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

General Ration Order No. 5 is amended in the following respects:

1. Section 22.1 is amended by changing the definition of "Army, Navy, Marine

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

18 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2476, 2789, 3075, 3030, 3340, 3704, 3577, 4196, 4393.

Corps and Coast Guard personnel" to read as follows:

"Army, Navy, Marine Corps and Coast Guard personnel" means Army, Navy, Marine Corps and Coast Guard personnel of the United States or of any Allied Nation, State Maritime Academy cadets of the War Shipping Administration, and United States Army Specialized Training Program Reservists." Wherever "Army, Navy, Marine Corps and Coast Guard personnel" appear in the order, "prisoners of war" shall be deemed to be added at the end thereof."

2. Section 25.1 (a) is amended by inserting the words "and an officer authorized by the War Shipping Administration in connection with the feeding of State Maritime Academy Cadets" between the words "an officer authorized by the Army, Navy, Marine Corps, or Coast Guard" and the words "may issue ration checks."

This amendment shall become effective May 15, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471 respectively)

Issued this 11th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6795; Filed, May 11, 1944;
4:32 p. m.]

PART 1340—FUEL

[MPR 120,¹ Incl. Amdts. 1-97]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

This compilation of Maximum Price Regulation 120 includes Amendment 97, which amendment is effective March 16, 1944 with certain exceptions in §§ 1340.219 (b) and 1340.222 (b) as indicated by notes. The text added or amended by Amendment 97 is underscored with the exception of redesignations, deletions and changes in tables, which are indicated by notes.

In the judgment of the Price Administrator the prices of bituminous coal are threatening to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has ascertained and given due consideration to the prices of bituminous coal prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. At the request of the Price Administrator the Bituminous Coal Division, United States Department of the Interior, has cooperated with the Price Administrator in the formulation of the maximum prices established by this regulation in accordance with the arrangement effectuated by the letters, dated March 9 and March 13, exchanged between the Price Administrator and the

Secretary of the Interior. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said act. 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.²

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected and have been previously promulgated and their use lawfully required by another Government agency.

[Preamble amended by Am. 62, 8 F.R. 12557, effective 9-11-43]

Therefore, under the authority vested in the Price Administrator, and in accordance with Procedural Regulation No. 1,³ issued by the Office of Price Administration, Maximum Price Regulation No. 120 is hereby issued.

- Sec.
1340.201 Maximum prices for bituminous coal delivered from mine or preparation plant.
1340.202 Less than maximum prices.
1340.203 Adjustable pricing.
1340.204 Evasion.
1340.205 Records and reports.
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1340.212 Appendix A: Maximum prices for bituminous coal produced in District No. 1.
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1340.214 Appendix C: Maximum prices for bituminous coal produced in District No. 3.
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1340.218 Appendix G: Maximum prices for bituminous coal produced in District No. 7.
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1340.220 Appendix I: Maximum prices for bituminous coal produced in District No. 9.
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1340.224 Appendix M: Maximum prices for bituminous coal produced in District No. 13.
1340.225 Appendix N: Maximum prices for bituminous coal produced in District No. 14.
1340.226 Appendix O: Maximum prices for bituminous coal produced in District No. 15.
1340.227 Appendix P: Maximum prices for bituminous coal produced in District No. 16.
1340.228 Appendix Q: Maximum prices for bituminous coal produced in District No. 17.
1340.229 Appendix R: Maximum prices for bituminous coal produced in District No. 18.
1340.230 Appendix S: Maximum prices for bituminous coal produced in District No. 19.
1340.231 Appendix T: Maximum prices for bituminous coal produced in District No. 20.
1340.232 Appendix U: Maximum prices for bituminous coal produced in District No. 22.
1340.233 Appendix V: Maximum prices for bituminous coal produced in District No. 23.

AUTHORITY: §§ 1340.201 to 1340.233, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1340.201 *Maximum prices for bituminous coal delivered from mine or preparation plant.* On and after May 18, 1942, regardless of the terms of any contract, agreement, lease, or other obligation, no person who is a producer or a distributor shall sell or dispose of bituminous coal for delivery from a mine or a preparation plant operated as an adjunct of a mine or mines and no person shall, in the course of trade or business, buy or receive bituminous coal so delivered by a producer or distributor, at prices higher than the maximum prices set forth in Appendices A to V, inclusive, hereof, incorporated herein as § 1340.212 to § 1340.233; and no such person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That the provisions of this Maximum Price Regulation No. 120, and maximum prices set forth in said Appendices A to V, inclusive, (§ 1340.212 to § 1340.233, inclusive) shall not apply to the sale of any bituminous coal for direct use as bunker fuel at points on the Great Lakes and their connecting tributary waters, and at tidewater, defined in § 1340.308 (a) (5) and (6) of Maximum Price Regulation No. 189,⁴ as follows:

(a) "Points on the Great Lakes and their connecting or tributary waters" means any port, point, or place on Lakes Superior, Michigan, Huron, Erie, and Ontario, the waters connecting those lakes, the St. Lawrence River, and those tributaries of the enumerated lakes which are not included in the inland waterways system;

(b) "Points at tidewater" means any tidewater port, point, or place on the Atlantic and Pacific coasts of continental United States, and the coast of continental United States on the Gulf of Mexico.

[§ 1340.201 amended by Am. 12, 7 F.R. 5835, effective 8-1-42]

¹ 7 F.R. 3168.

² Statements of considerations are also issued simultaneously with the issuance of amendments. Copies may be obtained from the Office of Price Administration.

³ Revised: 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594; 3075.

⁴ 8 F.R. 2973, 5566, 6444, 6842, 8504, 8680, 10936, 11143, 11690, 11846.

§ 1340.202 *Less than maximum prices.* Lower prices than those set forth in Appendices A to V, inclusive (§§ 1340.212 to 1340.233, inclusive) may be charged, demanded, paid or offered.

[§ 1340.202 amended by Am. 59, 8 F.R. 11689, effective 8-21-43]

§ 1340.203 *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.

[§ 1340.203 amended by Am. 57, 8 F.R. 10936, effective 8-10-43]

§ 1340.204 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 120 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to bituminous coal alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or by the making of excessive charges for trucking or otherwise.

§ 1340.205 *Records and reports.* (a) Every producer and distributor making a sale of bituminous coal and every person making a purchase of bituminous coal from a producer or distributor in the course of trade or business, on and after May 18, 1942, shall keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records of each such sale or purchase showing the date thereof, the name and address of the buyer and of the person making the sale, the size, brand or trade name and quantity of the bituminous coal sold or purchased together with the name of the mine at which it originated and the mine index number of such mine; the method of transportation employed in the delivery thereof, and the price received or paid therefor.

[Paragraph (a) amended by Am. 16, 7 F.R. 6272, effective 8-17-42]

(b) Not later than June 1, 1942, every producer and distributor of bituminous coal shall file with the Bituminous Coal Division, United States Department of the Interior, Washington, D. C., a statement setting forth: (1) the rate of inter-

est, if any, charged on delinquent accounts or on any note, trade acceptance or other evidence of indebtedness accepted in payment of an account during the period October 1-15, 1941, inclusive; and (2) the charges, if any, made for any special services during the period October 1-15, 1941, inclusive, together with a description of the special service rendered. Statements filed with the Bituminous Coal Division of the Department of the Interior pursuant to this section prior to 12:01 a. m., August 24, 1943, shall be deemed to have been filed with the Office of Price Administration.

[Paragraph (b) amended by Am. 59, 8 F.R. 11689, effective 8-21-43]

(c) Persons affected by Maximum Price Regulation No. 120 shall submit such other reports and keep such other records as the Office of Price Administration may from time to time require.

(d) Persons subject to this Maximum Price Regulation No. 120 shall not be required to observe the provisions of paragraph (b) of § 1499.13 of the General Maximum Price Regulation.⁹

[Paragraph (d) added by Am. 16, 7 F.R. 6272, effective 8-17-42]

(e) Except where previously filed with the Bituminous Coal Division, every producer operating any mine the daily average capacity of which exceeds 50 net tons, shall for such mine file with the Solid Fuels Branch, Office of Price Administration, Washington, D. C., Form B. C. D. Nos. 288 and 350, issued by the Bituminous Coal Division, for each of the months April to July, 1943, inclusive.

Every producer for each such mine shall also file with the Solid Fuels Branch, OPA Form No. 653:499—Report of Operating Data Bituminous Coal Mines, issued by the Office of Price Administration, for the month of August 1943, and for each month thereafter, within thirty days after the close of the month for which the form is filed.

[Paragraph (e) added by Am. 60, 8 F.R. 11755, effective 8-23-43; amended by Am. 65, 8 F.R. 13175, effective 10-1-43]

§ 1340.206 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 120 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 120 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

[Paragraph (b) amended by Am. 59, 8 F.R. 11689, effective 8-21-43]

§ 1340.206a *Licensing.* The provisions of Licensing Order No. 1,⁹ 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

⁹ 9 F.R. 1385.

⁹ 8 F.R. 13240.

whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[§ 1340.206a added by Supplementary Order 72, 8 F.R. 13244, effective 10-1-43]

§ 1340.207 *Petitions for amendment and applications for adjustment.* (a) The Administrator may by order grant an adjustment of maximum prices to any producer who shows to the satisfaction of the Administrator that the sale of its mine's entire production at the maximum prices would return a realization less than the mine's representative costs of production.

(b) Any person seeking relief, for which no provision is made in the foregoing paragraphs of this section, from a maximum price established under this Maximum Price Regulation No. 120 may present the special circumstances of his case in an application for an order of adjustment. Such an application shall be filed in accordance with Revised Procedural Regulation No. 1 as amended, and shall set forth the facts relating to the hardship to which such maximum price subjects the applicant, together with a statement of the reasons why he believes that the granting of relief in his case and in all like cases will not defeat or impair the policy of the Emergency Price Control Act of 1942 and of this Maximum Price Regulation No. 120 to eliminate the danger of inflation. No application for adjustment filed after November 25, 1942, will be granted under this paragraph (b). But an application may be granted if filed prior to December 31, 1943 and if based upon hardship resulting from the fact that minimum prices established and in effect as of 12:01 a. m. August 24, 1943 by the Bituminous Coal Division prior to the expiration of the Bituminous Coal Act of 1937, as amended, were higher than the maximum prices established by this regulation.

[Paragraph (b) amended by Am. 69, 8 F.R. 14560, effective 10-30-43]

(c) The Office of Price Administration or any regional office thereof after clearance with the Solid Fuels Branch in Washington, D. C., may adjust any maximum price established under this regulation for bituminous coal in the case of any producer with a capacity of less than 50 tons a day or group of such producers when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of bituminous coal which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such producer and of like producers for such bituminous coal; and

(3) That such adjustment will not create or tend to create a shortage or a need for increase in prices in another locality and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

[Paragraph (c) added; former paragraphs (c) and (d) redesignated (d) and (e) by Am. 72, 8 F.R. 15456, effective 11-15-43]

(d) (1) In petitions filed pursuant to the provisions of this § 1340.207, the petitioner should submit and the Office of Price Administration will consider all relevant cost and realization data and the necessity, in terms of the war effort, for the granting of such adjustment or exception. Where cost of production varies from month to month or does not conform to average cost as indicated by monthly reports filed with the Bituminous Coal Division prior to 12:01 a. m., August 24, 1943, petitioner must indicate which cost is regarded as representative and the reasons therefor, and also the reasons for the fluctuations.

(2) The Office of Price Administration may require in connection with any such application, filed under the provisions of this section, full data on costs, profits and other relevant factors. Applications for adjustment or exception pursuant to this § 1340.207 shall be filed in accordance with Revised Procedural Regulation No. 1 as amended, issued by the Office of Price Administration.

(e) [Revoked]

[Paragraph (e) added and former (e) redesignated (f) by Am. 74, 8 F.R. 16419, effective 12-3-43. Paragraph (e) revoked by Am. 85, 9 F.R. 1721, effective 2-14-44]

(f) Persons seeking any modification of this Maximum Price Regulation No. 120 or the addition of an adjustment category not included therein may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration. The petitioners should submit and the Office of Price Administration will consider all relevant data with respect to costs and realizations and the necessity of the Amendment in view of the war effort and of the policy of the Emergency Price Control Act of 1942, as amended, and this Maximum Price Regulation No. 120, to eliminate the danger of inflation, and such other data that should be considered in connection with the proposed modification or the proposed addition of an adjustment category.

[§ 1340.207 amended by Am. 17, 7 F.R. 6523, effective 8-22-42; Am. 26, 7 F.R. 9783, effective 11-25-42; Am. 28, 7 F.R. 10581, effective 12-22-42; Am. 42, 8 F.R. 2501, effective 3-4-43; Am. 51, 8 F.R. 4717, effective 4-14-43; Am. 59, 8 F.R. 11689, effective 8-21-43 and as otherwise noted]

[Note: Procedural Regulation No. 6 (7 F.R. 5087, 5665) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[Note: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1340.208 *Definitions.* (a) When used in this Maximum Price Regulation No. 120 the term:

(1) "Person" includes an individual, corporation, partnership, association, or other organized group of persons, or

legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Producer" means a person engaged in the business of mining bituminous coal or preparing bituminous coal at a preparation plant which is an adjunct of a mine or mines, and any person acting as an agent of a producer in the sale of bituminous coal.

(3) "Distributor" means a person who purchases bituminous coal for resale, and resells the same in not less than cargo or railroad carload lots, all as more fully defined in the Bituminous Coal Act of 1937, as amended, and rules and regulations issued thereunder, in effect as of midnight, August 23, 1943, and any person acting as an agent of such distributor in the sale of bituminous coal.

(4) "Bituminous coal" means Bituminous coal, as used in the Bituminous Coal Act of 1937, as amended, in effect as of midnight, August 23, 1943 and includes all bituminous, semibituminous, and subbituminous coal and shall exclude lignite, which is defined as a lignite coal having calorific value in British thermal units of less than seven thousand six hundred per pound and having a natural moisture content in place of the mine of 30 per centum or more.

(5) "Bituminous Coal Division" means the Bituminous Coal Division, United States Department of the Interior as established pursuant to the Bituminous Coal Act of 1937, as amended, and the President's Second Reorganization Plan of 1939 and as in effect as of midnight, August 23, 1943.

[Subparagraphs (3), (4) and (5) amended by Am. 59, 8 F.R. 11689, effective 8-21-43] [Subparagraphs (6) and (7) revoked and former (8) redesignated (6) and amended by Am. 59]

(6) "District Nos. 1 to 20, inclusive, 22 and 23" mean the geographical bituminous coal producing districts as defined in the Bituminous Coal Act, as amended, and as they have been modified as of midnight, August 23, 1943.

[Subparagraph (9) added by Am. 12, 7 F.R. 5835, effective 8-1-43 and redesignated (7) by Am. 59, 8 F.R. 11689, effective 8-21-43]

(7) "Bunker fuel" means bituminous coal used aboard a vessel for consumption thereon.

(8) Underground mine means a mine that takes its coal entirely from underground seams from which the overburden is not removed and does not include a mine taking any coal from the ground by the stripping method.

[Subparagraph (8) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

(b) Where reference is made to maximum prices for shipment by a particular method of transportation (e. g., "shipment by rail," "truck or wagon shipments") this does not include such shipments made for special uses to which special maximum prices are applicable (e. g., railroad fuel shipments) unless the reference so specifies.

[Paragraph (b) added and former (b) redesignated (c) by Am. 25, 7 F.R. 8650, effective 5-18-42]

(c) Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1340.209 *Provision for specific ceiling prices.* In establishing prices for coals by an area ceiling order or where prices have been established by such an order issued under § 1340.260 of Revised Maximum Price Regulation No. 122¹ the Office of Price Administration or any regional office thereof may also establish maximum area prices for deliveries of coal made subject to this regulation from a mine or adjunct preparation plant to consumers in the same area and also for services in connection with the preparation of such coals and their delivery. The prices so established may be the same prices as are provided for similar deliveries made subject to Revised Maximum Price Regulation No. 122 or they may be such as will avoid diversions of supply which would disrupt an orderly pattern of distribution of coals in that area and areas nearby.

[Former § 1340.209 revoked by Am. 59, 8 F.R. 11689, effective 8-21-43; new § 1340.209 added by Am. 71, 8 F.R. 15455, effective 11-15-43]

§ 1340.210 *Maximum price instructions.* (a) The following maximum price instructions are applicable to the maximum prices set forth in §§ 1340.212 to 1340.233, inclusive (Appendices A to V, inclusive).

(1) Where the effective minimum price now or hereafter established by the Bituminous Coal Division for any shipment of coals to any particular destination or market area or for any particular use, or for movement by any particular method of transportation is higher than the maximum price provided in this Maximum Price Regulation No. 120 for such a shipment, the particular shipment may be made at not more than the applicable minimum price, in effect midnight, August 23, 1943: *Provided*, That no such shipments shall be made after December 31, 1943 at higher than the maximum price established by this regulation, except that such shipments may be made until April 30, 1944 if the coal is produced in District Nos. 8, 19 and 20.

[Subparagraph (1) amended by Am. 59, 8 F.R. 11689, effective 8-21-43; Am. 70, 8 F.R. 15256, effective 10-30-43; Am. 80, 9 F.R. 794, effective 1-26-44; and Am. 90, 9 F.R. 2237, effective 3-2-44]

(2) The maximum prices established herein apply to all sales by a producer or a distributor at, or for delivery from, a mine or a preparation plant operated as an adjunct of a mine or mines to destinations in Continental United States, the Territories of Alaska and Hawaii, the District of Columbia and the Dominion of Canada: *Provided however*, That subject to such future regulation as may be appropriate, the maximum prices established herein shall not apply to the resale of United States bituminous coal by Canadian distributors who import such coal from the

¹ 8 F.R. 440, 1200, 3524, 4510, 5652, 6543, 7198, 8179, 8754, 1338, 11143, 11690, 12659.

United States into the Dominion of Canada and resell it for consumption in the Dominion of Canada: *And provided further*, That maximum prices established herein do not apply to the sales of any bituminous coal for direct use as bunker fuel at points on the Great Lakes and their connecting or tributary waters or at tidewater as defined in § 1340.308 (a) (5) and (6) of Maximum Price Regulation No. 189, and set forth in § 1340.201, above. The provisions of this Maximum Price Regulation No. 120 shall apply, however, to the sale or delivery of bituminous coal to another person who resells the same for use as bunker fuel, even though the resale by such other person may be subject to the provisions of Maximum Price Regulation No. 189, Bituminous Coal Sold for Direct Use as Bunker Fuel, except that, where a supplier of bunker fuel does not have such fuel readily available (in storage or transportation facilities) to fuel a vessel at a particular port, and purchases the same from another bunker supplier who has such fuel available at that port, the sale by each supplier shall be subject to the maximum prices applicable under Maximum Price Regulation No. 189 to a direct sale by the particular supplier to the vessel in question.

[Subparagraph (2) amended by Am. 12, 7 F.R. 5835, effective 8-1-42; Am. 19, 7 F.R. 6744, effective 8-29-42; Am. 55, 8 F.R. 8504, effective 6-18-43; and Am. 69, 8 F.R. 14560, effective 10-30-43]

(3) All designations or definitions of classifications, price groups, size groups, mine index numbers, mine names, freight origin group numbers, subdistricts, seams, market areas, and other terms used in § 1340.212 to 1340.233 (Appendices A to V, inclusive) and in any order or authority issued under this regulation since May 18, 1942, are, unless otherwise specifically provided, the same designations or definitions of such matters set forth in the schedules of effective minimum prices for the same district, as established by the Bituminous Coal Division and as in effect midnight, August 23, 1943. References to classifications, price groups and size groups in § 1340.212 to 1340.233 (Appendices A to V, inclusive) are to classifications, price groups and size groups in the schedule of effective minimum prices for the same district in respect to coal shipped all-rail for general commercial use, unless otherwise specifically noted. Thus, special classifications or size groups in the schedule of effective minimum prices for coal moving to a special use or by a particular method of transportation are not applicable, unless otherwise specifically stated.

In addition to references to minimum prices which were in effect on April 1, 1942, and October 1, 1942, wherever a minimum price is a necessary element in the determination of a maximum price established by this Regulation, then such minimum price as established by the Bituminous Coal Division and effective as of midnight, August 23, 1943, is hereby adopted for such purpose.

[Subparagraph (3) amended by Am. 59, 8 F.R. 11689, effective 8-21-43; and Am. 73, 9 F.R. 573, effective 1-18-44]

(4) Where bituminous coal is delivered from a mine or preparation plant in any

transportation facilities owned or subject to the control of the producer or a distributor or subsidiary or affiliate of the producer or distributor, or in any transportation facilities hired by the producer or a distributor, there may be added to the applicable maximum prices established herein a sum not in excess of the actual transportation costs incurred, determined in a reasonable manner, but in no event to exceed the lowest common carrier rate for a haul between the same points: *Provided*, That where deliveries are made in river transportation facilities owned or subject to the control of the producer or distributor, or a subsidiary or affiliate of the producer or distributor, via the Kanawha and/or Ohio Rivers and from mines or preparation plants located in District No. 8, there may be added to the applicable maximum price established herein a sum not in excess of the average charge made by the producer or distributor concerned, or by his subsidiary or affiliate during October 1941 for the same transportation service, or, in the case of a service which was not supplied in October 1941, the offering price therefor in October 1941: *And provided further*, That there may also be added by a producer or distributor, to the applicable maximum price established herein, an amount not in excess of the transportation tax imposed by section 620 of the Revenue Act of 1942 if said producer or distributor incurred such tax, and if he separately states the amount of the tax in sales to all purchasers except the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

[Subparagraph (4) amended by Am. 8, 7 F.R. 5059, effective 7-2-42; Am. 20, 7 F.R. 6896, effective 5-18-42; Am. 27, 7 F.R. 10470, effective 12-1-42; Am. 61, 8 F.R. 12659, effective 9-20-43; and Am. 78, 9 F.R. 573, effective 1-18-44]

(5) In the event of the mixture of two or more sizes or classifications of coal to which different maximum prices are applicable, the maximum price for such mixture shall be not more than the weighted average of the maximum prices for each of the component sizes or classifications of coal in said mixture, on a per net ton basis.

(6) Prior to the sale of bituminous coal for which price classifications or maximum prices have not been established, the producer thereof shall file with the Price Administrator an application for specific maximum prices or price classifications, or both. The producer shall state the mine index number, if any, and the classifications, if any, assigned by the Bituminous Coal Division to the mine and coals involved, along with the name, location and mine index number of the nearest mine in the same seam, the coals of which are classified and sold subject to specific maximum prices, along with such classifications and prices. If there is no such mine in the same seam, the same comparative information shall be given for the nearest mine in a substantially similar seam.

For thirty days after filing the application, such coals shall be sold at temporary maximum prices no higher than the maximum prices established by this regulation for the coals which are produced

at the nearest mine in the same seam or in a substantially similar seam and which are classified and sold subject to specific maximum prices. After thirty days from the filing of the application, if no prior action has been taken by the Price Administrator, the classifications and prices as requested in the application shall be the classifications or maximum prices, or both, for such coals.

[Subparagraph (6) amended by Am. 59, 8 F.R. 11689, effective 8-21-43; and Am. 63, 8 F.R. 12933, effective 9-27-43]

(7) If no specific maximum price is established for a particular size of coal, the maximum price therefor shall be determined as follows:

(i) If the particular unpriced size is a lump size, the maximum price shall be not more than the lowest maximum price established for any size of lump coal for the same mine.

(ii) If the particular unpriced size is a double screened coal, the maximum price shall be not more than the lowest maximum price established for any double screened size of the same mine.

(iii) If the particular unpriced size is a resultant (slack or screening) size, the maximum price shall be not more than the lowest maximum price for any resultant (slack or screening) size of the same mine.

(8) (i) Except as otherwise specifically provided in this section or in §§ 1340.212 to 1340.233, inclusive, (Appendices A to V, inclusive) wherever lump, double screened coal, or mine-run coals (and coals of the same size group as mine-run coals) are crushed, the applicable maximum price shall be the maximum price for the size to which the coal is crushed, irrespective of whether the crushing is done by the producer for his own account or for the buyer's account.

(ii) Where a higher maximum price than is above provided for crushed coals is necessary to maintain or increase essential production of resultant screening sizes, a producer may file an application containing the information hereinafter set forth, requesting permission from the Office of Price Administration to sell crushed coal at straight run-of-mine prices. An original and two copies of such application shall be filed with the Office of Price Administration, Solid Fuels Branch, Washington, D. C. Immediately upon such filing, the producer has permission to charge maximum prices for crushed coal as is hereinafter provided. Such permission will terminate for failure to file the monthly reports as required in § 1340.210 (a) (8)

(iv), below, or may be terminated at any time in the discretion of the Administrator. On deliveries of bituminous coal made after such filing, (a) where the applicant's lump coals, double screened coals, or mine-run coals (and coals of the same size group as mine-run coals) are mechanically crushed to sizes normally sold by the applicant as screenings, and such resultant sizes are not screened, altered or modified (exclusive of mechanical cleaning or preparation), the maximum price applicable thereto shall be the maximum price for the coal produced at the mine involved which is classified as straight run-of-mine coal; (b) where mine-run coals

(and coals of the same size group as mine-run coal) are separated into two or more sizes and only the larger sizes are crushed, the smaller uncrushed sizes shall have the maximum price established under this regulation for the particular sizes involved; but if such smaller uncrushed sizes are re-assembled with the crushed sizes and shipped as re-assembled, the maximum price applicable to such re-assembled product shall be the maximum price for that coal produced at the mine involved which is classified as straight run-of-mine coal.

(iii) Such application shall include, in affidavit form:

(a) A complete identification of the applicant, including business name and address, mine name, mine index number, and number of producing district;

(b) A statement of the manner in which the requested permission will facilitate the economical and efficient production of slacks or screenings.

(c) For each month from October 1, 1941 to and including the month prior to the month when the application is filed, a statement of:

(1) The tonnages of lump coals, double screened coals, mine-run coals (or coals of the same size group as mine-run coals) crushed and shipped in a crusher-run state, without subsequent rescreening, alteration or modification (exclusive of mechanical cleaning or preparation), which were shipped from the applicant's mine during each such month—indicating in each case the specific sizes before crushing and the specific sizes as shipped, the total tonnage of crushed coal shipped during the month and the percentage relation which this total tonnage bears to the total of all shipments of all sizes made during the month;

(2) The tonnages of each size of coal not crushed which were shipped from the applicant's mine during each such month;

(3) An estimate of the data specified in (1) and (2) for 30 days subsequent to the actual date on which the application is filed.

(iv) On or before the 20th day of the month following that in which the application was filed, and monthly thereafter, an original and 3 copies of a monthly report, in affidavit form, containing the information hereinafter set forth, shall be filed with the Solid Fuels Branch, Office of Price Administration, Washington, D. C. Such monthly reports shall contain:

(a) A complete identification of the reporting producer including business name and address, mine name, mine index number, and number of producing district, and a statement of the date or dates on which the aforesaid application was filed by the reporting producer;

(b) A statement of why continued permission to sell crushed coal as previously requested is necessary;

(c) For the month in which the application was filed and for each full month thereafter, a statement of:

(1) The tonnages of crushed coals which were shipped at prices in excess of the maximum prices applicable to natural screenings of the same top sizes (i. e., screenings not produced by crusher);

(2) The tonnages shipped of each size of coal not crushed;

(3) The same details with respect to such tonnages of crushed and uncrushed coals as are called for in § 1340.210 (a) (8) (iii) (c) above; and

(4) An estimate of the foregoing data specified in (1), (2) and (3) for 30 days subsequent to the actual date on which the report is filed.

[Subparagraph (8) amended by Am. 22, 7 F.R. 7670, 7914, effective 9-26-42 and Am. 59, 8 F.R. 11689, effective 8-21-43]

(9) The rate of interest on overdue accounts or on a note, trade acceptance or other form of indebtedness accepted in payment of an account shall not exceed the rate charged by the seller on similar transactions during the period of October 1-15, 1941, inclusive.

[Subparagraph (9) amended by Am. 59, 8 F.R. 11689, effective 8-21-43]

(10) The charges made for any special service, including (specifically but not exclusively) calcium chloride treatment, specially prepared sizes, split cars (containing more than one size), box car loading, truck loading from pockets at the mine, bags and bagging, and the making of local or retail deliveries from the mine or preparation plant, shall not exceed the charges made for the same service during the period October 1-October 15, 1941, inclusive, except as is otherwise provided in subdivisions (i) and (ii) below.

[Above paragraph amended by Am. 87, 9 F.R. 1905, effective 2-23-44]

No person may pay and no person may receive a service charge over the maximum prices otherwise established by this regulation for the services rendered in the obtaining of supplies of coal or in handling shipments of coal by water unless the Administrator grants permission in writing to do so. Provision is made in subdivisions (i) and (ii) below for the obtaining of such permission; subdivision (i) states how and by what persons such permission may be obtained with regard to shipments other than those by lake and tidewater and subdivision (ii) states the same with regard to lake and tidewater shipments.

[Above paragraph added by Am. 87]

(i) With regard to shipments other than those by lake and tidewater a distributor may obtain such permission where the requirements of (a) below are met by filing two copies of a signed application containing the information required in (b) below with the Solid Fuels Branch, Office of Price Administration, Washington 25, D. C.

(a) Conditions under which permission to pay a service charge will not be granted. In no event will a service charge be permitted to be paid or received where:

(1) The distributor is or at any time since May 18, 1942 has been related to the producer or his sales agent directly or indirectly by ownership control or affiliation of any kind.

(2) In general the tonnage requirements of the person desiring to purchase from the distributor exceed 10,000 net tons per year, or the situation of the customer is such that the services of a distributor are not required.

(3) The coal to be procured by the distributor will be obtained from the

same mine or the same producer or an affiliate of the same producer as the mine, producer or affiliate which supplied the customer of the distributor at any time since May 18, 1942. This condition shall not, however, be applicable where the customer of the distributor is operating a manufacturing plant which was converted from oil to coal since January 1, 1942 and such customer has since that date been supplied coal by a distributor, or where the customer of the distributor is in New England and is now receiving via all-rail transportation part or all of the coal requirements he formerly received by tidewater or where the customer's requirements are supplied by a distributor under a direction issued by the Solid Fuels Administration for War.

(b) Information which the distributor's application should contain. A signed application filed in duplicate with the Solid Fuels Branch shall disclose:

(1) The kind, size, tonnage, distributor's f. o. b. mine purchase price of coal which the customer of the distributor needs, the service charge the distributor proposes to make and to which the customer agrees, and the method of shipment of the coal.

(2) A brief statement of the kind, size and tonnage of coal as well as total tonnage purchased by the customer of the distributor since January 1, 1943 from each source of supply together with the name and address of each supplier. The source of supply shall be identified as producer or distributor and by the names, mine index numbers of, and the producing district in which the mines from which the coals are to be shipped are located.

(3) A brief statement as to why applicant's services are necessary to his customer in the proposed transaction.

(4) A statement from the distributor's customer that it will not base any request for an increase in its maximum price for any commodity or service in whole or in part upon the added cost of the service charge and if customer is a reseller of coal subject to Revised Maximum Price Regulation No. 122 that it understands that the service charge it proposes to pay to the distributor may not be added to its maximum price in the resale of the coal and if customer is a person eligible for compensation under Revised Compensatory Adjustment Regulation No. 1 such service charge shall not be included in the current delivered cost of coal.

(5) Any other data deemed relevant by the applicant.

(c) Records to be kept by the distributor receiving permission to make a service charge. If such permission to make a service charge is granted, the distributor making such service charge shall maintain records for the effective period of this subdivision (i) in connection with any transaction on which such a service charge is made. The records shall disclose:

(1) The distributor's source of coal supply, including the name and address of each supplier, an identification of these suppliers as distributor or producer and the names, mine index numbers of, and the producing district in which the

mines from which the coals are to be shipped are located.

(2) The tonnage of coal shipped the customer, maximum f. o. b. mine price; the purchase price the distributor paid f. o. b. the mine; the amount and kind of all special service charges made in the sale of the coal by the producer and distributor and the amount of the service charge made by the distributor under the Administrator's authorization granted pursuant to this subdivision (1).

(d) Permission to pay a service charge of not more than 17 cents per net ton may be granted by the Administrator by letter or telegram with respect to individual transactions on transactions of a continuing nature for either individual distributors or groups of distributors. In all cases the amount of the service charge shall be separately identified in the invoice for the coal.

[Subparagraph (i) added, former (1) redesignated (ii) by Am. 87, 9 F.R. 1905, effective 2-23-44]

(ii) The following special rule shall govern the compensation for distributors' service rendered in connection with lake or tidewater shipments of bituminous coal:

(a) Services rendered by a distributor in connection with bituminous coal shipments by lake or tidewater (e. g. assembling cargoes, chartering vessels, etc.) shall be deemed to constitute special services within the meaning of this paragraph, only if:

(1) The service charge does not exceed the weighted average of service charges made by him during October 1941 for similar transactions (e. g. for similar f. a. s., or f. o. b. dock or f. o. b. vessel transactions, as the case may be), or (if he had no similar transactions during that month) does not exceed the service charge which has been authorized pursuant to this subparagraph (10) (i) for similar transactions of a competing distributor.

(2) The distributor has filed with the Office of Price Administration, Solid Fuels Branch, Washington, D. C., two copies of an application for permission to make a service charge for such transactions and has received such permission, and

(3) The distributor separately identifies in his invoice the amount of the service charge authorized pursuant to this paragraph.

(b) The Office of Price Administration may approve, reject or modify a service charge proposed in an application filed pursuant to this paragraph (10) (i); approval shall be effective for all similar transactions of the applicant. Such application shall include on a form copied from the sample Form reproduced below:

(1) The purchase costs (showing discounts, allowances, or commissions), resale prices and service charges in October 1941 for the tonnages involved, such tonnages to be specifically identified by origin, grade, size, and name and address of persons from whom purchased; and the type of transaction (e. g., f. a. s., f. o. b. dock, f. o. b. vessel), and the capacity in which each transaction was handled by the applicant and the person selling to him;

(2) The weighted average service charge per ton for each type of transaction; and

(3) A breakdown, for each type of transaction, of the service elements involved in the total service rendered, together with a cents-per-ton allocation, insofar as practicable, of the total service-charge to each such service element:

Form approved
Budget Bureau No. 08-R34

OFFICE OF PRICE ADMINISTRATION

APPLICATION FOR PERMISSION TO MAKE A SERVICE CHARGE ON LAKE OR TIDEWATER SHIPMENTS

BITUMINOUS COAL DISTRIBUTORS

Distributor's Name: _____ Date: _____

Address: _____

Lake and Tidewater Shipments

PART A—PRICE, SERVICE CHARGE & TYPE OF TRANSACTION—BITUMINOUS COAL HANDLED, OCTOBER 1941 (All units per net ton)

Line No.	FOB mine prior to resale		Resale price fob mine	Total tons sold	Service charge per ton	Total service charge (Col. 4 times Col. 5)	Type of transaction
	Price before any discounts, allowances, commissions	Amount of discounts, allowances, commissions					
	1	2	3	4	5	6	7
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

PART B—IDENTITY OF OCTOBER 1941 BITUMINOUS COAL TRANSACTIONS¹

Line No.	Origin of coal purchased			Grade and size ²	Name and address of persons from whom tonnage was purchased as reported on each numbered line of PART A	Capacity in which handled	
	Mine district No.	Mine name	Mine index No.			By person from whom purchased	By applicant
	1	2	3	4	5	6	7
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

¹The entries should correspond line for line with the entries in Part A.

²Give specific size dimensions in inches and fractions of inches or mesh including both top and bottom size of doublescreened coals.

PART C—WEIGHTED AVERAGE SERVICE CHARGE PER TON—OCTOBER 1941

F. A. S. _____ : F. O. B. Dock _____ : F. O. B. Vessel _____ : Other (specify) _____

NOTE: For each type of transaction shown in PART A, Column 7, compute the weighted average service charge by dividing the total of the service charges for each type as shown in PART A, Column 6, by the total net tons sold for such transactions as shown in PART A, Column 4.

PART D—ALLOCATION OF SERVICE CHARGES

Line No.	Service Elements and Charges by Type of Transaction ¹							
	Service elements	F. A. S. transactions	Charges	F. O. B. dock transactions	Charges	F. O. B. vessel transactions	Charges	Others (Specify) Charges
1	Assembling cargoes.....							
2	Chartering vessels.....							
3								
4								
5								
6								
7								
8								
9								
10								
	Total: ²	XXXX		XXXX		XXXX		

¹Under each type of transaction check (x) the appropriate Service Elements and enter the charges therefor.

²The total charge for each type of transaction should not exceed the weighted average shown in PART C for each type of transaction.

[Subparagraph (10) amended by Am. 45, 8 F.R. 2873, effective 3-6-43 and as otherwise noted.]

(11) Any distributor selling smithing coal for shipment direct from the mine to the purchaser may add to the maximum prices established for such coal in this Maximum Price Regulation No. 120 an amount not in excess of the weighted average margin realized by such distributor on similar sales or deliveries of smithing coal during the period October 1 to December 31, 1941. If such distributor made no sales or deliveries of smithing coal during said period then such distributor may use the weighted average margin realized during the next preceding three months' period in 1941 in which such sales were made. Such weighted average margin shall be determined by subtracting the average purchase price f. o. b. mine, weighted by tonnage, paid by such distributor for the smithing coal so sold or delivered by him in the period October 1 to December 31, 1941 from the average sale price, weighted by tonnage, but exclusive of transportation costs, which he received therefor: *Provided*, That not later than September 7, 1942, each distributor of smithing coal shall report the average margin obtained on sales of smithing coal during the period October 1 to December 31, 1941, determined in accordance with the provisions of this paragraph (a) (11) of § 1340.210 to the Bituminous Coal Division of the Department of the Interior of the United States at 734 Fifteenth Street NW., Washington, D. C.

[Subparagraph (11) added by Am. 11, 7 F.R. 5827, effective 7-27-42; amended by Am. 59, 8 F.R. 11689, effective 8-21-43]

(12) Any amounts which by order or amendment are permitted to be added to maximum prices cannot be added to Bituminous Coal Division minimum prices which are higher than maximum prices and which may be charged under § 1340.210 (a) (1) or § 1340.226 (b) (1) (i).

(13) Any purchaser, lessee, or transferee of a mine for which maximum prices or price classifications have been established will take the maximum prices or price classifications previously assigned to the mine or to the seller, lessor, or transferor thereof.

[Subparagraph (12) and (13) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

(14) A producer may receive a direction from the Solid Fuels Administration for War requiring him to rescreen his mine's "resultant coals" to increase production of double screened coals. "Resultant coals", as used in this paragraph (14), refers to coals which were given the same price classification and permitted to be sold at the same minimum price as mine run coals under the minimum price schedules for the respective producing Districts Nos. 1 and 3 through 8, except that, as to high volatile coals produced in Districts Nos. 7 and 8, the term refers also to coals in Size Group No. 17. The rescreening of "resultant coals" will result in an increase in the tonnage of screenings in excess of that normally produced by him at the mine involved in the direction. This paragraph (14) provides a formula for pricing such excess production of screenings for such mines if in any of Districts Nos. 1 and 3 through 8; it is not applicable to screenings normally pro-

duced; or to any increased production of screenings resulting from causes other than compliance with the direction, or to a mine in any other District.

If the producer complies with the direction in whole or in part and if compliance requires a change in his screening practices from those in effect at the mine prior to such compliance, the increase in production of screenings may be sold at no more than the applicable maximum price plus an amount necessary to return to the mine the total realization which the mine would have obtained on sale at maximum prices of the original "resultant coals"; except, that where the maximum price for the double screened size is less than the maximum price for the "resultant coals", the latter price shall be the maximum price for both the double-screened coals and the screenings: *Provided*, That the producer shall have reported the following information to the Solid Fuels Price Branch, Office of Price Administration, Washington 25, D. C. before selling screenings at maximum prices computed under this paragraph (14):

First. The number of the direction of the Solid Fuels Administration for War;

Second. The tonnages of double screened sizes and screenings, if any, shipped from each mine involved in the direction during each of the three calendar months immediately preceding the month in which the direction was received;

Third. The tonnages of double screened coals, apart from the direction, which the producer has committed himself to ship from each mine involved in the direction during the period in which the direction will be effective;

Fourth. An estimated percentage yield of double-screened coals obtainable from the mine's original "resultant coals", along with the top size of such "resultant coals";

Fifth. The maximum price applicable to the mine's "resultant coals," and to its double screened coals and screenings computed without the benefit of this paragraph (14);

and,

Provided, however, That the producer shall report within 20 days after the end of the effective period of the direction the total tonnages of double-screened coals and the excess tonnage of screenings produced in compliance with the direction, and the amount by which the maximum prices of the latter were increased, and

Provided, further, That the producer, when computing a price for screenings or double screened sizes or both under this paragraph, shall state on his invoice that he has computed his maximum price for the coals involved under § 1340.210 (a) (14) of Maximum Price Regulation No. 120.

[Subparagraph (14) added by Am. 82, 9 F.R. 1181, 2237, effective when the first direction to increase production of double-screened coals is issued by Solid Fuels Administration for War but not later than February 5, 1944 nor before January 30, 1944]

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of special packing expenses to maximum prices on sales to procurement agencies of the United States.]

(15) There may be added to the applicable maximum price, the amount of

any sales, gross receipts, gross proceeds or use tax, levied by any statute or ordinance, under which the tax is measured by gross proceeds or units of sale, only if the statute or ordinance permits or requires the seller to state the tax separately and the seller does state it separately on his invoice or other memorandum of sale.

[Subparagraph (15) added by Am. 97, effective 5-16-44]

§ 1340.211 *Effective date of Maximum Price Regulation No. 120*. This Maximum Price Regulation No. 120 (§§ 1340.201 to 1340.233, inclusive) shall become effective May 18, 1942. [MPR 120 originally issued April 28, 1942]

§ 1340.211a *Effective dates of amendments*. [Effective dates of amendments are shown in notes following the parts affected.]

§ 1340.212 *Appendix A: Maximum prices for bituminous coal produced in District No. 1*. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses (including railroad fuel for uses other than locomotive fuel use) and by all methods of transportation, except as otherwise specifically provided in this appendix.*

Price classifications	Prices and size group Nos.				
	1	2	3	4	5
A.....	355	340	330	315	-----
B.....	350	340	320	310	-----
C.....	340	335	315	300	300
D.....	330	310	305	295	295
E.....	325	305	305	285	285
F.....	305	305	305	275	275
G.....	300	300	285	275	275
H.....	300	300	280	255	255
J.....	-----	-----	-----	255	255
K.....	-----	-----	-----	255	255

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses*. The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 65 cents for all size groups.

(3) *Maximum prices in cents per net ton for railroad fuel (exclusive of railroad fuel for other than locomotive fuel use)*. The maximum prices for such railroad fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail shipment, plus a sum not exceeding 50¢ per net ton.

(i) *Special price instructions*. (a) The maximum price for coals in Size Group 3 produced in Cambria County, Pennsylvania, by producers having no direct physical connections with the Conemaugh & Black Lick Railroad Company but with a rail shipping point on said railroad, at Johnstown, Pennsylvania, and whose coal is trucked to the

railroad's locomotive coaling station at that point shall be \$3.65 per net ton.

[Subparagraph (1) added by Am. 45, 8 F.R. 2997, effective 3-15-43]

(b) Maximum prices for Size Group 3 coals for railroad fuel use purchased by the Huntingdon and Broad Top Mountain Railroad and Coal Company and produced at mines in the Broad Top region of District No. 1 shall be \$3.05 per net ton for coal produced in the Kelly seam and \$3.20 per net ton for coal produced in the Barnett and Fulton seams.

[Subparagraph (b) added by Am. 56, 8 F.R. 9018, effective 7-6-43]

(4) *Maximum prices in cents per net ton for Smithing Coal.* The maximum prices from all mines in all size groups for Smithing Coal shall not exceed 425 cents per net ton.

(5) In the event any specific maximum price has been adjusted prior to February 14, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1), (2), (3), and (4) above, but must be computed by adding to such adjusted price the following sum:

(i) For methods of shipment and uses indicated in (1) above:

	Cents
Size groups 1 and 2.....	20
Size groups 3, 4, and 5.....	25

Exception: Classes E and F in size group 2 may increase 25 cents.

(ii) For method of shipment and uses indicated in (2) above:

	Cents
Size groups 1 to 5, inclusive.....	25

PRICES AND SIZE GROUP NUMBERS

Price classification	1, 2—lump and double-screened coals, bottom size larger than 2"	3, 4, 5—lump and double-screened coals, bottom size 2" and smaller	6—mine run and resultants larger than 2"	7, 8—screenings larger than ¾" but not exceeding 2"	9, 10—screenings ¾" and smaller
A.....	355	335	325	300	285
B.....	350	335	325	300	285
C.....	350	335	325	300	280
D.....	335	325	315	295	270
E.....	335	305	295	275	260
F.....	310	300	290	275	260
G.....	310	300	290	270	255
H.....	310	295	285	260	250
J.....	310	275	265	260	250
K.....	305			245	235
L.....	300				
Exceptions:					
Mine index number:					
84.....	360	345	335	320	285
145.....	350	350	340	300	280
224.....	365	365	360	345	290

(iii) For use indicated in (3) above: 25 cents, *Provided, however,* That where relief has been granted prior to January 31, 1943, making railroad fuel prices equal to the commercial prices, the maximum prices applying shall be increased as indicated in subparagraph 5 (1) above.

(iv) For use indicated in (4) above: 25 cents.

[Paragraph (b) amended by Am. 13, 7 F.R. 6169, effective 8-11-42; Am. 21, 7 F.R. 7777, effective 10-5-42; and Am. 36, 8 F.R. 1679, 2713, effective 2-4-43]

(6) The prices established by subparagraphs (1), (2), (3), (4) and (5) of this paragraph (b) or by orders issued on or after February 14, 1943 and prior to December 1, 1943 may be increased by no more than 30 cents per ton.

[Subparagraph (6) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

§ 1340.213 *Appendix B: Maximum prices for bituminous coal produced in District No. 2.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Underground mines*—(i) *Maximum prices for coals produced at underground mines with the following designated price classifications.* These prices are for shipment to all destinations by all methods of transportation, except by truck or wagon, and for all uses, except all railroad fuel uses and smithing coal.

(ii) The maximum prices for coals for all railroad fuel uses shall be the maximum price for the grade and size shipped as set forth in (1) above; or the applicable effective minimum price as of October 1, 1942 for railroad fuel use for all-rail shipment, plus 75 cents per net ton, whichever is higher.

(iii) The maximum price for smithing coal shall be 455 cents per net ton.

(2) *Strip mines.* The maximum price for coals produced at any mine by the stripping method shall be the same as that for the grade, size and use of the coal shipped as set forth in subdivisions (i) and (ii) of this paragraph (b) (1) minus 25 cents per net ton.

(3) *Special price instructions.* (i) An underground mine is one which takes its coal entirely from underground seams from which the overburden is not removed and is not a mine taking any coal from the ground by the stripping method.

(ii) A strip mine is one producing coal by the stripping method and taking its entire production from the ground after removing all overburden.

(iii) If coals from an underground mine and from a strip mine are mixed, the maximum price for the mixture shall be the weighted average of the maximum prices for each of the mixed coals; the calculation shall be made in a reasonable manner on a per net ton basis.

(4) *Specific descriptions of size group numbers referred to in subparagraph (1) of this paragraph (b).*

Size Group Nos.	Description
1 and 2.....	All single-screened lump coals and double-screened egg coals with bottom size larger than 2".
3 and 4.....	All single-screened lump coals with a bottom size 2" and smaller, and all double-screened coals with a bottom size 2" and smaller, and top size larger than 2".
5.....	All double-screened, nut, pea and stoker coals with a top size not exceeding 2".
6.....	Straight mine run, all mine run resultants larger than 2", and any mine run altered by the removal of any intermediate size.
7 and 8.....	Screenings larger than ¾" x 0 but not exceeding 2" x 0.
9 and 10.....	Screenings, top size not exceeding ¾".

(5) Maximum prices for shipment by truck or wagon to all destinations for all uses.

PRICES AND SIZE GROUP NUMBERS

Coals produced at all mines in the following counties	Price group No.	1, 2, 3—lump and double-screened coals bottom size larger than 2"	4—lump and double-screened coals bottom size larger than 1 1/4" but not exceeding 2"	5, 6, 7—lump bottom size 1 1/4" and smaller and double-screened coals top size not exceeding 2"	8—mine run and resultants larger than 2"	9, 10—screenings larger than 3/4" but not exceeding 2"	11—screenings 3/4" and smaller
Allegheny.....	5	425	390	360	325	285	270
Exception:							
Mine Index No. 224.....	5	430	405	380	330	305	280
Armstrong.....	10	395	365	360	295	275	255
Beaver.....	4	415	400	375	305	265	245
Butler.....	2	435	415	405	320	290	270
Exceptions:							
Mine Index No. 84.....	2	450	415	405	320	290	270
Mine Index No. 858.....	2	600	440	420	390	380	315
Mine Index No. 904.....	2	600	440	420	390	380	315
Mine Index No. 934.....	2	600	440	420	390	380	315
Mine Index No. 1488.....	2	600	440	420	390	380	315
Mine Index No. 1628.....	2	600	440	420	390	380	315
Mine Index No. 923.....	2	600	440	420	390	380	315
Crawford.....	1	465	440	435	370	280	265
Fayette.....	7	415	385	375	310	260	230
Greene.....	11	330	360	340	280	260	255
Indiana.....	9	395	365	355	300	280	260
Lawrence.....							
Mercer.....	3	435	400	395	320	265	240
Vernon.....							
Washington.....	6	425	385	375	325	290	255
Westmoreland.....	8	415	395	365	305	285	255

[Table amended by Am. 97, effective 5-16-44]

(6) Specific descriptions of size group numbers referred to in subparagraph (5) of this paragraph (b).

Size Group Nos.:	Description
1 to 3, incl.....	All single-screened lump coals and all double-screened egg coals with a bottom size larger than 2".
4.....	All single-screened lump coals bottom size larger than 1 1/4" but not exceeding 2", and all double-screened egg coals, bottom size larger than 1 1/4" but not exceeding 2", and top size larger than 5".
5 to 7, incl.....	All single-screened lump coals, bottom size 1 1/4" and smaller, all forked coals, all double-screened egg coals, bottom size larger than 1 1/4" but not exceeding 2", and top size larger than 5", all double-screened egg coals, bottom size 1 1/4" and smaller and top size larger than 4", all double-screened nut, pea and stoker coals, top size not exceeding 2".
8.....	Straight mine run, all mine run resultants larger than 2", and any mine run altered by the removal of any intermediate size.

Size Group Nos.—Con.	Description
9 and 10.....	Screenings, larger than 3/4" x 0 but not exceeding 2" x 0.
11.....	Screenings, top size, not exceeding 3/4".

(7) A charge of no more than 10 cents per net ton may be made for a chemical, oil or waxing treatment to allay dust or to prevent freezing.

[§ 1340.213 amended by Am. 1, 7 F.R. 3901, effective 5-25-42; Am. 14, 7 F.R. 4540, effective 6-17-42; Am. 14, 7 F.R. 6218, effective 8-14-42; Am. 15, 7 F.R. 6265, effective 8-15-42; Am. 34, 8 F.R. 1338, effective 1-30-43; Am. 73, 8 F.R. 16280, effective 11-29-43; Am. 83, 9 F.R. 1395, effective 2-3-44; and as otherwise noted]

(c) Adjustments computed on Form OPA No. 653-638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation, and all orders of

adjustment issued prior to February 3, 1944 shall be void as of February 3, 1944.

[Paragraph (c) added by Am. 91, 9 F.R. 2746, effective 3-16-44]

§ 1340.214 Appendix C: Maximum prices for bituminous coal produced in District No. 3. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) Maximum prices for coals produced at mines with the following designated price classifications. These prices are for shipment to all destinations, by all methods of transportation, except by truck or wagon, and for all uses.

Price classifications	Prices and size group numbers				
	1	2	3	4	5
	Lump and double-screened coals bottom size larger than 2"	Lump and double-screened coals bottom size 2" and smaller	Mine Run and resultants larger than 2" x 0	Screenings top size over 3/4" x 0 but not exceeding 2" x 0	Screenings top size 3/4" and smaller
A.....	385	345	325	310	310
D and E.....	285	280	270	265	260
F.....	275	275	260	250	240
G.....	275	275	270	270	265
H.....	265	260	260	250	240
J.....	260	260	250	245	230
All mines in Preston County, West Virginia, except as stated hereinafter.....	300	300	290	285	285

If a mine is classified "DF" in any size group, the "D" classification shall apply to all coals from such mine having a sulphur content of 1.35% or under, irrespective of the use for which they are sold. If the sulphur content of the coals in any size group from such a mine is in excess of 1.35%, the "F" classification indicated in the applicable minimum price schedule for that particular size group shall apply.

Exceptions: (Letters appearing in this table instead of prices designate price classifications; in these instances, the maximum prices are those set forth in subparagraph (1) above for the classification stated.)

Mine index	Producer	Prices, classifications and size group numbers					
		Mine name	1	2	3	4	5
136	Bethlehem-Fairmont Coal Co.	Scott No. 2.	295	290	290	270	270
2	Buckhannon River Coal Co.	Adrian.	305	305	295	275	265
247-1378	Clark Coal Co.	Junior Nos. 4 and 7.	300	290	290	275	270
82	Fallon, John T.	Junior.	J	J	265	H	H
682	Jones, Doy M.	Miller.	285	280	270	265	260
1226	McCartney Coal Co.	Mon-Ark.	F	F	275	F	F
53	Miller Todd Coal Co.	Ella.	F	F	270	F	F
5	Pardee & Curtin Lumber Co.	Arthur No. 1.	290	290	270	260	250
2119	Pursglove Coal Mining Co.	No. 15.	295	295	285	265	255
133	Rose Valley Coal Co.	Rosemont.	290	290	275	260	260
59	Simpson Creek Colliery Co.	Galloway No. 2.	280	280	265	255	245
85	Virginia & Pittsburgh Coal & Coke Co.	Kingmont.	295	290	285	270	260
108	Virginia & Pittsburgh Coal & Coke Co.	Morgan.	295	295	280	265	265
48	Waddell Fuel Co.	Delmar No. 1.	305	305	295	275	275
112	West Virginia Coal and Coke Corporation.	Norton.	J	J	255	H	H

¹ The exception for Mine Index No. 136 shall be void on and after July 1, 1944. Maximum prices for price classification F for Size Groups 1, 2, and 3 and classification F for Size Groups 4 and 5 will govern thereafter.

² The exception for Mine Index No. 119 shall be void on and after October 1, 1944. Maximum prices for price classification F will govern thereafter.

Exceptions for Sewall Seam mines in price classification A in West Virginia.

Mine index No.	Producer	Mine name	Prices and size group numbers				
			1	2	3	4	5
435	Alpena Coal Co.	Alpena No. 1.....	420	380	360	345	345
1276-1277	Bowden Coal Co.	Big Knob Nos. 1 and 2.....	420	380	360	345	345
137	Green, W. H. (Green Smokeless Coal Co.)	Shaver.....	420	380	360	345	345
180	Harnick, Jesse.	Faulkner.....	420	380	360	345	345
723	Hiner, R. M. (Alpena Coal Co.)	Alpena.....	420	380	360	345	345
766	Martin Sewell Coal Co.	Martin No. 1.....	420	380	360	345	345
780	Reda Coal Co.	Reda No. 2.....	420	380	360	345	345
945	Shavers Mountain Coal Co.	Coberly.....	420	380	360	345	345
19	Walker Coal Mining Co.	Big Sewell No. 1.....	420	380	360	345	345
1272	Walker Coal Mining Co.	Big Sewell No. 2.....	420	380	360	345	345
795	Roaring Creek Coal Co.	Hart No. 1.....	410	370	350	335	335
91	Lilly Coal Co.	Lilly.....	485	445	425	410	410

Exceptions for No. 5 Block seam mines in Nicholas County, West Virginia, price classification D.

Mine index No.	Producer	Mine name	Prices and size group numbers				
			1	2	3	4	5
173	Tioga Coal Corporation.....	Tioga No. 1.....	310	290	290	275	275
1326-267	R. C. Catlette.....	Brown No. 2 Catlette.....	310	290	290	275	275
290	Nicholas-Webster Coal Corporation.....	Tioga No. 5.....	310	290	290	275	275

Exceptions for mines in Preston County, West Virginia.

Mine index No.	Producer	Mine name	Prices and size group numbers				
			1	2	3	4	5
188	Albright Coal Co.	Vivian.....	325	325	325	325	325
608	George-Keover Coal Co.	Keover No. 1.....	300	300	310	285	285
1101	Hartman Coal Co.	Maplewood.....	300	300	295	285	285
105	Marrara, Domenick.....	Miller No. 3.....	310	305	305	285	285
204	Marrara, Domenick.....	Marrara.....	335	330	330	285	285
33-72-1285	Preston County Coke Co.	Cascade Hawley No. 1 Bull Run.....	300	300	300	290	285
1338	Princess Pat Coal Co.	Princess Pat.....	335	335	335	335	335
47-1333-1334	Ruthbell Coal Co.	Deep Hollow Nos. 1, 2 and 3.....	305	305	305	305	305
169-206-213	Shay Coal Co.	Shay Nos. 2, 4 and 5.....	300	300	300	300	300
16-11	Stanley Coal Co.	Banner Nos. 1 and 2.....	300	300	300	300	285

[Subparagraph (1) amended by Am. 95, 9 F.R. 4219, effective 4-24-44]

(2) Adjustments computed on Form OPA No. 653-638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation, and all orders of adjustment issued prior to April 24, 1944, shall be void as of April 24, 1944, insofar as such adjustments and orders affect maximum prices for rail shipments of coals for all uses.

[Subparagraph (2) added, former (2) redesignated (3), former (3) revoked by Am. 95, 9 F.R. 4219, effective 4-24-44]

(3) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses. The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 40 cents for all size groups.

(4) In the event any specific maximum price has been adjusted prior to January 31, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1), (2), and (3) above, but must be computed by adding to such adjusted price the following sum:

(i) For methods of shipment and uses indicated in (1) above:

	Cents
Size group 2, Class F and G.....	5
Size group 3, Class D, E, and F.....	5
Size group 3, Class G.....	10
Size group 4, Class D and E.....	5
Size group 4, Class F, G, and J.....	10
Size group 5, Class D, E, G, H, and J.....	10
Size group 5, Class F.....	20
Size groups 6, 7, 8, 9, 10, all classes.....	20

(ii) For method of shipment and uses indicated in (2) above:

	Cents
Size groups 1 to 7, inclusive.....	20

(iii) For use indicated in (3) above:

20 cents: Provided, however, That where relief has been granted prior to January 31, 1943, making railroad fuel prices equal to the commercial prices, the maximum prices applying shall be increased as indicated in subparagraph 4 (i) above.

[Paragraph (b) amended by Am. 4, 7 F.R. 4342, effective 6-6-42; Am. 13, 7 F.R. 6169, effective 8-11-42; Am. 15, 7 F.R. 6265, effective 8-15-42; Am. 32, 7 F.R. 11012, effective 12-26-42; and Am. 36, 8 F.R. 1679; effective 2-4-43]

(5) The prices established by subparagraphs (3) and (4) insofar as the latter relates to maximum prices for truck shipments or by orders in effect and issued after January 30, 1943, and prior to December 1, 1943, may be increased by no more than 15 cents per net ton.

[Subparagraph (5) added by Am. 73, 8 F.R. 16280, effective 11-29-43, and amended by Am. 96, 9 F.R. 4686, effective 4-24-44]

§ 1340.215 Appendix D: Maximum prices for bituminous coal produced in District No. 4. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses, and by all methods of transportation, except as otherwise specifically provided in this appendix.

For shipment from all mines in freight origin districts	Prices and size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
Ohio No. 8.....	290	285	255	255	250	240	215	205	240	190	185	240
Cambridge.....	290	285	255	255	250	240	215	205	240	190	185	240
Hocking.....	330	325	285	285	285	255	235	225	255	225	225	255
Pomeroy.....	315	305	265	265	265	255	225	225	230	190	190	230
Crooksville.....	315	305	265	265	265	255	225	225	230	190	190	230
Jackson.....	330	325	285	285	285	255	235	225	255	225	225	255
Middle.....	310	305	280	275	270	260	230	220	260	215	215	260
Leetonia.....	310	305	280	275	270	260	230	220	260	215	215	260
Ohio Middle.....	290	285	265	265	245	245	245	235	245	210	210	245

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses. The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 45 cents for Size Groups 1, 2, 3, 4 and 5; 30 cents for Size Group 6; and 25 cents for Size Groups 7 and 8.

(3) Maximum prices in cents per net ton for railroad fuel. The maximum prices for Railroad Fuel (including Lake Cargo Railroad Fuel) shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipment plus a sum not exceeding 25 cents per net ton.

(4) In the event any specific maximum price has been adjusted prior to January 31, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1), (2), or (3), above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (1) above; Fifteen (15) cents in Size Groups 1 to 4, inclusive; Twenty (20) cents in Size Groups 5 to 12, inclusive.

(ii) For the methods of shipment and uses indicated in (2) above; Twenty (20) cents in all size groups.

(iii) For use indicated in (3) above; Twenty (20) cents.

[Paragraph (b) amended by Am. 12, 7 F.R. 5835, effective 8-1-42; Am. 15, 7 F.R. 8265, effective 8-15-42; and Am. 36, 8 F.R. 1679, 2713, effective 2-4-43]

(5) The prices established by subparagraphs (1), (2), (3) and (4) or by orders issued on or after February 14, 1943 and prior to December 1, 1943 may be increased by no more than 20 cents per ton.

[Subparagraph (5) added by Am. 73, 8 F.R. 16280, 17184, effective 11-29-43]

(6) Notwithstanding the provisions of subparagraphs (1), (3), (4) and (5) of this paragraph (b), or of any order issued prior to February 14, 1944, the maximum prices for coals shipped for railroad fuel use from any mine in the Hocking, Pomeroy, Crooksville, Jackson, Middle, Leetonia, and Ohio Middle freight origin districts, in Size Group Nos. 1 to 10 inclusive, and in Size Group No. 12, shall in no case be less than the maximum prices for coals in such respective size groups for any other use.

[Subparagraph (6) added by Am. 86, 9 F.R. 1721, effective 2-14-44]

§ 1340.216 Appendix E: Maximum prices for bituminous coal produced in District No. 5. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.

FOR SHIPMENTS FROM ALL MINES

	Prices and size group Nos.									
	1	2	3	4	5	6	7	8	9	10
R.....	560	555	530	520	505	485	410	455	400	250
W.....				545	530	510	435		425	325

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.

FOR SHIPMENTS FROM ALL MINES

	Prices and size group Nos.									
	1	2	3	4	5	6	7	8	9	10
R.....	610	605	580	570	555	535	460	505	450	390
W.....				595	580	560	485		475	375

Explanation of symbols used:

R = Raw

W = Washed or otherwise mechanically cleaned.

price instructions. (a) The maximum price for Mine Index No. 133 for 100 mesh x 0 Dust shall not exceed 275 cents per net ton.

(b) The maximum prices for Refuse Coal from Mine Index Nos. 21, 94, 117, 126 and 207 shall not exceed 250 cents per net ton.

at the mine or preparation plant from which delivery is made:

District No. 7—Low Volatile Coals

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix—(i) Special*

	Prices and size group Nos.									
	1	2	3	4	5	6	7	8	9	10
A.....	410	420	385	330	320	355	325	295	290	285
B.....	370	380	375	315	300	355	325	295	290	285
C.....	370	380	375	315	300	350	295	290	285	280
D.....	345	365	355	315	300	350	295	285	280	275
E.....	345	360	350	310	275	330	280	275	270	265
F.....	340	360	350	310	275	330	280	275	270	265
G.....	340	360	350	310	275	330	280	275	270	265
H.....	340	360	350	310	275	330	280	275	270	265
I.....	340	360	350	310	275	330	280	275	270	265
J.....	340	360	350	310	275	330	280	275	270	265
K.....	340	360	350	310	275	330	280	275	270	265
L.....	340	360	350	310	275	330	280	275	270	265
Mine Index No. 316.....	475	485	470	415	385	450	390	355	350	345
Mine Index No. 289.....	475	485	470	415	385	450	390	355	350	345
Mine Index No. 703.....	475	485	470	415	385	450	390	355	350	345

(5) In the event any specific maximum price has been adjusted prior to February 9, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1) and (2) above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (1) above:

5 cents to all classifications in Size Groups 1 and 2.

10 cents to classifications A to C, inclusive, and 15 cents to classifications D and E in Size Group 3.

15 cents to all classifications in Size Group 4.

10 cents to classification A and 5 cents to classifications B to E, inclusive, in Size Group 5.

20 cents to all classifications in Size Group 6.

25 cents to classification A and 40 cents to classifications B to D, inclusive, in Size Group 7.

35 cents to classifications A to C, inclusive, 45 cents to classification D, 40 cents to classification E and 35 cents to classifications F to J, inclusive, in Size Group 8.

35 cents to classifications A and B, 30 cents to classification C, 40 cents to classifications D and E and 35 cents to classifications F to J, inclusive, in Size Group 9.

35 cents to classifications A and 35 cents to classifications F to J, inclusive, in Size Group 10.

40 cents to classification A and 35 cents to classifications F to J, inclusive, in Size Group 10.

40 cents to classification A and 35 cents to classifications F to J, inclusive, in Size Group 10.

40 cents to classification A and 35 cents to classifications F to J, inclusive, in Size Group 10.

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* (1) The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 90 cents per ton.

(ii) The maximum prices from Mine Index No. 316 shall not exceed the following:

	Size groups					
	1	2	3	4	5	6
Price.....	405	425	455	390	345	345

(3) *Maximum prices in cents per net ton for railroad locomotive fuel.* The maximum prices for railroad locomotive fuel (including lake and tidewater cargo) shall be the applicable effective minimum prices as of October 1, 1942, for all-rail-on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 70 cents per net ton.

(4) *Maximum prices in cents per net ton for Smithing Coal.* The maximum prices from all mines in all size groups of Smithing Coal shall not exceed 350 cents per net ton.

ders issued on or after February 14, 1943 and prior to December 1, 1943 may be increased by no more than 50 cents per ton.

[Subparagraph (5) added by Am. 73, 8 F.R. 16280, 17184, effective 11-29-43]

§ 1340.217 Appendix F: *Maximum prices for bituminous coal produced in District No. 6.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made.

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

	Prices and size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
For shipments from all mines.....	290	285	290	255	255	255	220	210	240	190	240

cents in size groups 1 to 3, inclusive, twenty (20) cents in size groups 4 to 12, inclusive.

(ii) For the methods of shipment and uses indicated in (2) above; twenty (20) cents in all size groups.

(iii) For use indicated in (3) above; twenty (20) cents.

[Paragraph (b) amended by Am. 15, 7 F.R. 6265, effective 8-15-42 and Am. 36, 8 F.R. 1679, effective 2-4-43]

(5) The prices established by subparagraphs (1), (2), (3) and (4) of this paragraph (b) or by orders issued on or after February 14, 1943 and prior to December 1, 1943 may be increased by no more than 25 cents per ton.

[Subparagraph (5) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

§ 1340.218 Appendix G: *Maximum prices for bituminous coal produced in District No. 7.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for railroad fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipment plus a sum not exceeding 80 cents per net ton.

(4) In the event any specific maximum price has been adjusted prior to January 31, 1943, the effective maximum price in such case shall not be determined by reference to subparagraph above, but must be computed by adding to such adjusted price the following sum:

(i) For methods of shipment and uses indicated in (2) above forty (40) cents to Size Groups 2, 6, and 7.

[Paragraph (b) amended by Am. 47, 8 F.R. 2921, effective 3-6-43]

(5) The prices established by subparagraphs (1), (2), (3) and (4) or by or-

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 45 cents for size groups 1, 2, 3, 4 and 5; 30 cents for size group 6; and 25 cents for size groups 7 and 8.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for railroad fuel (including lake cargo railroad fuel) shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipment plus a sum not exceeding 25 cents per net ton.

(4) In the event any specific maximum price has been adjusted prior to January 31, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1), (2), or (3) above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (1) above; fifteen (15)

DISTRICT NO. 8—HIGH VOLATILE COALS

(1) *Maximum prices for coals produced at mines with the following designated price classifications.* These prices are for shipment to all destinations, by all methods of transportation, except by truck or wagon, and for all uses, except as otherwise specifically provided in this paragraph (b).

(2) Price classifications and Size Group Numbers 1 to 10, inclusive, and 15 to 23, inclusive, referred to below are the price classifications as set forth in the Schedule of Effective Minimum Prices as established by the Bituminous Coal Division and as in effect at midnight, August 23, 1943, for shipments to all destinations other than the Great Lakes and for maximum price purposes are for shipments to all destinations.

PRICES AND SIZE GROUP NUMBERS

Price classification	1	2	3	4	5	6	7	8	9	10
A	Lump and double-screened egg coals (bottom size larger than 5")	Lump and double-screened egg coals (4" and 5" lump and 8" x 4")	Lump and double-screened egg coals (3" lump and 6" x 4")	Lump and double-screened egg coals (2" lump and 8" x 3")	Double-screened egg coals (6" x 3")	Double-screened egg coals (6" x 2" and 8" x 3")	Double-screened egg coals (3" x 2" and 4" x 2")	Double-screened egg coals (3" x 2" and 3" x 1 1/4")	Double-screened egg coals (top size larger than 1 1/4" but not exceeding 2")	Double-screened egg coals (top size not exceeding 1 1/4")
B	436	436	436	415	395	370	350	335	325	405
C	436	410	410	390	370	345	325	320	315	370
D	415	385	385	365	345	320	300	290	285	370
E	405	385	385	365	345	320	300	290	285	370
F	385	370	370	355	335	310	290	285	280	345
G	385	370	370	355	335	310	290	285	280	345
H	385	370	370	355	335	310	290	285	280	345
I	385	370	370	355	335	310	290	285	280	345
J	375	370	370	355	335	310	290	285	280	340
K	365	360	360	345	325	300	285	280	275	340
L	365	360	360	345	325	300	285	280	275	340
M	330	330	330	315	295	270	255	250	245	300
N	330	330	330	315	295	270	255	250	245	300
O	330	330	330	315	295	270	255	250	245	300
P	330	330	330	315	295	270	255	250	245	300
Q	330	330	330	315	295	270	255	250	245	300
R	330	330	330	315	295	270	255	250	245	300
S	330	330	330	315	295	270	255	250	245	300

portation, except as otherwise specifically provided in this appendix—(1) Special price instruction. Price classifications and Size Group Nos. 1 to 23, inclusive, shown below, are the applicable effective minimum price classifications and size group numbers as of October 1, 1942, for all-rail shipment.

Prices and size group Nos.

Price classifications	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21	22	23
A	415	415	415	395	375	350	330	315	295	285	285	285	285	285	285	280	280	265	245
B	415	415	415	395	375	350	330	315	295	285	285	285	285	285	285	280	280	265	240
C	415	415	415	395	375	350	330	315	295	285	285	285	285	285	285	280	280	265	240
D	415	415	415	395	375	350	330	315	295	285	285	285	285	285	285	280	280	265	240
E	415	415	415	395	375	350	330	315	295	285	285	285	285	285	285	280	280	265	240
F	415	415	415	395	375	350	330	315	295	285	285	285	285	285	285	280	280	265	240
G	415	415	415	395	375	350	330	315	295	285	285	285	285	285	285	280	280	265	240
H	415	415	415	395	375	350	330	315	295	285	285	285	285	285	285	280	280	265	240
I	415	415	415	395	375	350	330	315	295	285	285	285	285	285	285	280	280	265	240
J	415	415	415	395	375	350	330	315	295	285	285	285	285	285	285	280	280	265	240
K	415	415	415	395	375	350	330	315	295	285	285	285	285	285	285	280	280	265	240
L	415	415	415	395	375	350	330	315	295	285	285	285	285	285	285	280	280	265	240
M	415	415	415	395	375	350	330	315	295	285	285	285	285	285	285	280	280	265	240
N	415	415	415	395	375	350	330	315	295	285	285	285	285	285	285	280	280	265	240
O	415	415	415	395	375	350	330	315	295	285	285	285	285	285	285	280	280	265	240
P	415	415	415	395	375	350	330	315	295	285	285	285	285	285	285	280	280	265	240
Q	415	415	415	395	375	350	330	315	295	285	285	285	285	285	285	280	280	265	240
R	415	415	415	395	375	350	330	315	295	285	285	285	285	285	285	280	280	265	240
S	415	415	415	395	375	350	330	315	295	285	285	285	285	285	285	280	280	265	240

(7) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 65 cents for Size Groups 1, 2, and 3; 40 cents for Size Groups 4, 5, and 6.

(8) *Maximum prices in cents per net ton for railroad locomotive fuel.* The maximum prices for railroad locomotive fuel (including lake and tidewater cargo) shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 65 cents for Size Groups 1, 2, and 3; 40 cents for Size Groups 4, 5, and 6.

(9) In the event any specific maximum price has been adjusted prior to February 9, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (6) and (7) above, but must be computed by adding to such adjusted price the following sum:

(10) For the methods of shipment and uses indicated in (6) above:

(11) For the methods of shipment and uses indicated in (7) above:

(12) For the methods of shipment and uses indicated in (8) above:

(13) For the methods of shipment and uses indicated in (9) above:

(14) For the methods of shipment and uses indicated in (10) above:

(15) For the methods of shipment and uses indicated in (11) above:

(16) For the methods of shipment and uses indicated in (12) above:

(17) For the methods of shipment and uses indicated in (13) above:

(18) For the methods of shipment and uses indicated in (14) above:

(19) For the methods of shipment and uses indicated in (15) above:

Price classifications	15, 16, 17	18	19	20, 21	22	23
A	305	305	305	300	285	265
B	305	305	305	300	285	265
C	305	305	305	300	285	265
D	305	305	305	300	285	265
E	305	305	305	300	285	265
F	305	305	305	300	285	265
G	305	305	305	300	285	265
H	305	305	305	300	285	265
I	305	305	305	300	285	265
J	305	305	305	300	285	265
K	305	305	305	300	285	265
L	305	305	305	300	285	265
M	305	305	305	300	285	265
N	305	305	305	300	285	265
O	305	305	305	300	285	265
P	305	305	305	300	285	265
Q	305	305	305	300	285	265
R	305	305	305	300	285	265
S	305	305	305	300	285	265

Maximum prices for coals produced at all mines in Subdistrict No. 6 (Southern Appalachian) shall be the above prices plus 15 cents per net ton.

Exceptions: (Letters appearing on this table, instead of prices, designate price classifications; in these instances, the maximum prices are the same as those set forth in this subparagraph (1) (1).)

Mine index	Producers	Mine name	Sub-dist.	Prices, classifications and size group Nos.																	
				1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	22	23		
8	Allburn Collieries Co.	Allburn	8	355	350	340	340	340	340	340	335	335	G	335	330	330	330				
13	Alma Fuel Co.	Alma	8	O	O	O	O	L	L	K	G	E	G	B	C	C	311				
492	Anchor Coal Co.	Anchor #5	4	L	L	L	L	F	F	E	E	C	E	350	E	E	335				
37	Bell Coal Co.	Bell	6	445	445	390	385	405	400	360	345	315	395	315	310	315	310	295			
481	Benedict Coal Corp.	Virglow	7	450	450	450	425	405	380	375	360	330	395	310	305	295	290	265	27		
405	Black Band Coal Co.	Reynolds	4	415	410	400	400	360	360	345	335	335	380	340	335	325	320				
4	Blue Bird Mining Co.	Blue Bird	3	O	O	O	O	M	M	L	J	G	J	310	295	290	290				
74	Buffalo Coal Co.	Buffalo	6	345	345	335	335	335	330	325	310	305	355	310	280	275	295				
142 & 419	Cambria Coal Co.	Cross Mountain & Royal	6	390	385	370	370	390	380	355	350	340	390	345	340	325	325	290			
590	Central Elkhorn Coal Co.	#3	1	F	F	F	F	D	355	350	350	350	380	350	350	350	350	350			
104, 105, 106	Christian Colliery Co.	#1, 2, 3	4	365	365	360	360	360	350	325	320	C	385	320	320	320	315				
338	Clover Darby Coal Co.	Jubilee	2	475	475	475	455	435	410	390	375	345	445	345	335	330	330	290			
123	Clover Splint Coal Co.	Clover Splint	2	A	A	A	A	A	A	A	A	C	C	330	F	F	K				
413	Coalburg-Kanawha Mng. Co.	Belmont #8	4	420	415	405	405	390	380	355	350	340	390	345	340	330	325				
5574	Coal Processing Corp.	Dixiana	7	390	390	J	J	H	H	330	D	C	390	A	B	B	B				
826, 3612	Columbia Coal & Mng. Co.	Tom's Creek, Turner Branch	1	440	430	430	415	405	375	345	340	335	405	340	330	320	315	275			
124	Columbus Mining Co.	#3	3	385	385	375	375	370	360	335	330	325	370	350	345	335	330				
126	Columbus Mining Co.	#5	3	360	360	355	355	330	325	315	J	305	350	315	310	300	295				
127	Columbus Mining Co.	#6	3	385	385	375	375	370	360	335	330	325	370	335	330	325	325				
921	Crystal Block Mining Co.	#2	8	O	O	O	O	L	L	K	G	E	G	320	C	C	C				
753	Dalton, A. J.	Low Ash	1	K	K	K	K	H	H	G	E	C	C	310	310	300	295				
151	Darb Fork Coal Co.	Darb Fork	3	K	K	K	K	J	J	H	315	315	G	315	300	295	295				
439	Dixport Coal Co.	Star Slope	4	450	440	430	425	400	390	365	360	355	425	360	350	345	345	300			
5210	Draper Mining Co.	Draper	5	R	R	R	R	L	L	K	H	F	H	306	H	H	H				
273	Elcomb Coal Co.	Elcomb	2	P	P	P	P	N	N	M	H	F	F	E	H	290	290	250			
187, 725	Elk Creek Coal Co.	Elk Creek #1 and #2	5	345	340	335	335	335	325	325	325	320	365	320	320	320	320	260			
285	Elkhorn Coal Co.	King Kona #2	1	410	405	390	390	375	365	340	335	330	400	335	330	330	330	235			
196	Elkhorn Coal Corp.	#28	1	F	F	F	F	F	355	330	330	330	C	345	345	330	330	270			
354	Etna Coal & Coke Co.	Nurex	6	460	460	460	440	420	395	375	360	330	395	330	310	305	305				
596	Fisher Coal Co.	Fisher	6											350							
203	Fleming, Robert, & Co.	Fleming	7	360	360	355	355	355	345	330	330	325	380	325	315	305	300				
207	Fourseam Coal Corp.	Fourseam	3	380	375	365	365	360	350	325	320	315	360	330	315	310	310	270			
404	Francis Rex Coal Co.	Rex #2	6	445	405	405	405	405	355	340	330	330	385	310	280	290	290	220			
213	Gatlift Coal Co.	Gatlift	6	435	425	415	410	410	385	350	345	340	410	340	335	325	320	270			
5805	Gatlift Coal Co.	Gatlift #4	6	475	475	475	455	435	410	390	375	345	410	345	325	320	320				
80	Gibson Fuel Co.	Calvin	7	M	M	M	M	K	K	J	G	E	G	310	305	300	290	290			
364	Gibson Fuel Co.	Pardee	7	425	425	O	390	380	365	A	340	A	C	A	305	305	305				
219	Glen Alum Coal Co.	Glen Alum	8	370	370	355	355	350	350	335	325	325	355	330	325	320	320				
5629	Hager Hill Coal Co.	Hager Hill	1	425	415	415	400	390	360	330	325	320	390	325	315	305	300	260			
233	Harlan Central Coal Co.	Harlan Central	2	360	360	355	355	355	345	340	340	340	380	325	320	320	320	280			
235	Harold Fuel Co.	Harold	1	H	H	H	H	H	345	G	E	C	E	315	310	305	305				
45	Hatcher, James, Land Co.	Big Shoal	1	K	K	K	K	H	H	G	E	C	C	311	306	296	291	266			
370	Hatfield-Campbell Creek Coal Co.	Point Lick #4	4	400	390	380	380	355	345	335	335	325	385	335	330	325	325	280			
111	Hi-Hat Elkhorn Mining Co.	Hi-Hat	1	F	F	F	F	F	F	E	E	E	C	C	350	F	F	F	K		
23	Hutchinson Coal Co.	Argyle	5	350	350	O	O	325	325	325	325	E	G	C	320	320	320				
252	Imperial Colliery Co.	#2	4	385	385	380	380	390	375	345	340	335	405	340	335	335	335				
169	Jeanne Francis Coal Co.	Jeanne Francis	3	M	M	M	M	H	H	G	F	D	F	D	K	K	390				
5529	Lyburn Mines, Inc.	Lyburn #1	6	O	O	O	O	L	L	K	F	E	F	D	D	D	D				
331, 332	Milburn By-Products Coal Co.	Milburn #1 and #2	4	L	L	L	L	F	F	E	E	C	E	320	320	320	315				
298	New Long Ridge Coal Co.	Long Ridge	6	345	340	335	335	335	330	325	310	305	385	335	280	275	270				
435, 3764	New Southland Coal Corp.	#1 and #2	6	435	425	420	420	420	400	370	365	360	420	360	325	315	315				
25	North-East Coal Co.	Auxler #7	1	450	450	450	430	410	385	365	350	A	420	320	315	315	315	265			
459	North-East Coal Co.	Thealka #3	1	420	410	410	395	385	355	325	320	C	385	320	310	305	305	255			
353	Norton Coal Co.	#11	7	O	O	O	O	K	K	J	F	E	G	305	G	G	300				
511	O & W Coal Company	Zenith	6	460	460	450	450	445	435	410	405	420	470	400	365	360	355				
437	Peerless Darby Coal Co.	Darby	2	430	420	420	405	395	365	335	330	325	430	330	320	315	315				
605	Pewee Coal Co.	Pewee	6	485	485	485	465	445	420	400	385	355	420	355	345	335	330	290			
7051	Pewee Coal Co.	Red Ash	6	445	435	425	420	420	395	360	355	345	395	330	335	330	330	280			
378	Premier-Jellico Coal Corp.	Premier	6	355	350	345	345	345	340	330				320	320	310	305				
380	Puritan Coal Corp.	Puritan #1	8	Q	330	325	325	315	315	315	315	315	L	300	295	295	295				
186, 239	Raleigh-Wyoming Mining Co.	Edwight #1, Hazy #3	4	380	380	380	380	380	375	345	340	335	E	345	345	345	345				
359	Red Ash Smokeless Coal Co.	Red Ash	8	H	H	385	H	D	D	C	A	A	A	345	310	305	305	280			
394	Red Jacket Coal Corporation	#6	8	O	O	O	O	L	L	K	G	E	G	330	C	325	325				
408	Ridgeway-Darby Coal Co.	Ridgeway	2	350	350	335	335	K	K	J	F	D	280	315	310	305	305	260			
446	Ruth Elkhorn Coals, Inc.	Steinman	7	K	K	K	K	E	E	D	320	320	E	320	320	320	320				
36	Sandlick Coal Co.	Belcraft	3	M	M	M	M	L	L	K	J	G	J	310	295	290	290	250			
425	Scuddy Mining Co.	Scuddy	3	365	365	360	360	360	350	350	350	D	F	345	340	330	325	295			
255	Southern Mining Co.	Insull	2	J	J	J	J	H	H	G	F	D	D	315	310	305	305				
297	Splash Dam Smokeless Coal Corporation	Lonesome Branch	7	M	M	M	M	H	H	G	E	C	E	315	305	300	300				
246	Standard Banner Coal Corporation	Honey Creek	7	365	365	360	360	355	355	340	340	335	385	325	320	320	320				
818	Stone Coal, Incorporated	Laurel	4	M	M	M	M	L	L	K	H	F	H	315	310	305	305	305			
22	Tennessee-Jellico Coal Co.	Anthras	6	425	425	405	400	400	390	355	350	345	415	345	340	340	340	280	280		
540	Turner Fuel Co.	Turner Darby	2	C	C	C	390	D	D	D	D	B	A	A	305	F	F				
483	War Eagle Coals, Inc.	War Eagle	8	390	385	370	370	365	365	350	340	340	385	345	340	335	335				

Each of these max. prices for mine index Nos. 7051 and 605 shall be reduced by 50 cents 180 days after Feb. 15, 1944.

[The following items in the above table are amended by Am. 97: Mine index 921, price classifications in size groups 18-21; Mine index 207, prices in size groups 1-10; mine index 413, price in size group 8, effective 8-24-44; mine index 753, prices in size groups 18, 19, 20 are substituted for price classifications, effective 5-16-44]

(ii) Maximum price in cents per net ton for all railroad fuel uses. (a) The maximum prices for coals in Size Groups 1 to 10, inclusive, for all railroad fuel uses shall be the maximum price for the grade and size shipped as set forth in subparagraph (1) (i) above, or \$3.10 per ton, whichever is higher; and the maximum prices for coals in Size Groups 15 to 23, inclusive, for all railroad fuel uses shall be the maximum prices for the grade and size shipped as set forth in subparagraph (1) (i) above.

(b) Mines within Freight Origin Groups 61, 63, 64, 123, 124, 128, 150 may ship coal to the C & O Railway Company, screened to order, for use for all on-line railroad fuel uses at the maximum price for run of mine coals: *Provided*, That within a period of time, previously specified in a single purchase order or contract, but not in excess of 12 months, the shipments of any size of coal which will pass through a 2 3/4" round hole screen shall not exceed the amount specified in the single purchase order or contract which shall be based upon the previously determined screening percentages of the mine or mines involved. The Solid Fuels Branch of the Office of Price Administration shall be notified of the screening percentage determination in effect as of March 24, 1944, for all mines and as redetermined or established from time to time.

The maximum price for the excess coal over the determined percentage passing through a 2 3/4" round hole screen shall be the maximum price for the actual size and grade shipped.

Purchase orders or contracts shall apply to a specific producer and to one mine in order that percentages of plus and minus 2 3/4 inch coal supplied on the order or contract will be related to the percentages of such sizes actually being produced. *Provided, however*, That any producer with two or more mines may fulfill a single purchase order or contract from any or all of his mines where the screening percentages are the same and where the mines maximum prices are the same or the purchase price is based on the mine with the lowest maximum price.

Each producer or his agent and each distributor selling coal at prices computed under this subparagraph shall state on all his invoices that the price charged has been computed under § 1340.219 (b) (1) (ii) of Maximum Price Regulation No. 120.

(iii) Specific description of size group numbers referred to in subparagraph (1) (i) of this paragraph (b).

Size Group Nos.: Description

- 1 All single-screened block, bottom size larger than 5".
- 2 All single-screened lump, bottom size larger than 3", but not exceeding 5".
- All double-screened egg coals, top size larger than 6" and bottom size larger than 3", but not exceeding 4".
- All double-screened coals, top size 5" and larger, and bottom size larger than 4".
- 3 All single-screened lump, bottom size larger than 2", but not exceeding 3".
- All double-screened egg coals, top size larger than 3" but not exceeding 6" and bottom size larger than 3" but not exceeding 4".

Size Group Nos.: Description

- 4 All single-screened lump, bottom size larger than 3/4", but not exceeding 2".
- All double-screened egg coals, top size larger than 6", and bottom size larger than 2" but not exceeding 3".
- 5 All double-screened egg coals, top size larger than 5", but not exceeding 6", and bottom size larger than 2", but not exceeding 3", and top size larger than 6", and bottom size 2" and smaller.
- 6 All double-screened egg coals, top size larger than 5", but not exceeding 6", and bottom size 2" and smaller, and top size 3" and larger but not exceeding 5", and bottom size larger than 2", but not exceeding 3".
- 7 All double-screened egg coals, top size larger than 3" but not exceeding 5" and bottom size 2" and smaller.
- 8 All double-screened stove coals, top size larger than 2", but not exceeding 3", and bottom size 2" and smaller.
- 9 All double-screened nut coals, top size larger than 1 1/4", but not exceeding 2", and bottom size smaller than 2".
- 10 All double-screened stoker coals, top size not exceeding 1 1/4", and bottom size less than 1 1/4".
- 15 Screen run of mine, bottom size 3/4" or smaller.
- 16 Straight run of mine.
- Altered run of mine (straight run of mine from which any intermediate size has been removed, but no coal smaller than 3/8" shall be removed).
- Resultant run of mine larger than 6" x 0.
- Altered resultant run of mine (straight resultant run of mine larger than 6" x 0 from which any intermediate size has been removed, but no coal smaller than 3/8" shall be removed).
- 17 Straight resultant run of mine (larger than 2 3/4" x 0, but not exceeding 6" x 0).
- Altered resultant run of mine (straight resultant run of mine larger than 2 3/4" x 0, but not exceeding 6" x 0 from which any intermediate size has been removed, but no coal smaller than 3/8" shall be removed).
- 18 Dedusted screenings, top size 2" and smaller and bottom size larger than 100 mesh, but not exceeding 10 mesh.
- Modified screenings (top size not exceeding 2" total consist containing not less than 15% 3/8" x 0 screenings).
- 19 Screenings larger than 2" x 0, but not exceeding 2 3/4" x 0.
- 20 Screenings larger than 3/4" x 0, but not exceeding 2" x 0.
- 21 Screenings larger than 3/8" x 0, but not exceeding 3/4" x 0.

Size Group Nos.: Description

- Altered screenings (top size not exceeding 2 3/4" from which all of the 1" to 1 1/4" top and 1/2" to 3/8" bottom coal has been removed).
- 22 Screenings 3/8" x 0 and smaller.
 - 23 Low grade reject; separated at the tippie or loaded separately in the mine.

[Subparagraph (1) amended by Am. 93, 9 F.R. 3035, effective 3-24-44]

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses (exclusive of Cannel Coal). The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 65 cents for Size Groups 1, 2, 3, 4 and 5; 40 cents for Size Groups 6, 7 and 8.

Stoker double screened coal with top size not exceeding 1 1/4" and bottom size less than 1 1/4" which is now included in Size Group No. 5 in the Effective Minimum Price Schedule for District No. 8 for truck shipment, may be sold at maximum prices not exceeding those applicable to Size Group No. 10 coal which is now included in the Schedule of Effective Minimum Prices for District No. 8 for rail shipment from the same mine.

(3) Maximum prices in cents per net ton for Cannel coal. The maximum prices for rail, truck or wagon shipments to all destinations shall be as follows:

Cannel coal—All subdistricts

Lump-----	435
Egg-----	385
Chips-----	335
Machine cuttings-----	235

[Subparagraph (3) amended by Am. 73, 8 F.R. 16280, effective 11-29-43; Am. 79, 9 F.R. 693, effective 1-22-44; Am. 89, 9 F.R. 2008, effective 2-25-44; and Am. 93, 9 F.R. 3035, effective 3-24-44]

(4) Orders of adjustment issued prior to March 24, 1944, and adjustments computed on OPA Form No. 653-638 under § 1340.207 (e) (added by Amendment No. 74 to this regulation) shall be void as of March 24, 1944, insofar as maximum prices of District No. 8 mines for rail shipments and shipments of coals for all railroad locomotive fuel uses are affected by such orders and adjustments.

[Subparagraph (4) amended by Am. 93, 9 F.R. 3035, 3590, effective 3-24-44. Former subparagraph (5) invoked, subparagraphs (6), (7), (8), (9), and (10) redesignated (5), (6), (7), (8), and (9) by Am. 93]

DISTRICT NO. 8—LOW VOLATILE COALS

(5) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.

Price classifications	Prices and size group numbers									
	1	2	3	4	5	6	7	8	9	10
A-----	410	420	385	330	320	355	325	295	290	285
B-----	370	380	375	315	300	355	325	295	290	285
C-----	370	380	375	315	300	350	295	290	285	280
D-----	345	365	355	315	300	350	295	285	280	275
E-----	345	360	350	310	275	330	-----	280	275	270
F-----	340	360	-----	-----	-----	-----	-----	275	270	265
G-----	-----	-----	-----	-----	-----	-----	-----	275	270	265
H-----	-----	-----	-----	-----	-----	-----	-----	275	270	265
I-----	-----	-----	-----	-----	-----	-----	-----	275	270	265
J-----	-----	-----	-----	-----	-----	-----	-----	275	270	265

(6) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* (a) The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 90 cents per ton.

(7) *Maximum prices in cents per net ton for Railroad Locomotive Fuel.* The maximum prices for Railroad Locomotive Fuel (including lake and tidewater cargo) shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 70 cents per net ton.

(8) *Maximum prices in cents per net ton for Smithing Coal.* The maximum prices from all mines in all size groups for Smithing Coal shall not exceed 350 cents per net ton.

(9) In the event any specific maximum price has been adjusted prior to February 9, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (5) and (6) above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (5) above:

5 cents to all classifications in Size Groups 1 and 2.

10 cents to classifications A to C, inclusive, and 15 cents to classifications D and E in Size Group 3.

15 cents to all classifications in Size Group 4.

10 cents to classification A and 5 cents to classifications B to E, inclusive, in Size Group 5.

20 cents to all classifications in Size Group 6.

25 cents to classification A and 40 cents to classifications B to D, inclusive, in Size Group 7.

35 cents to classifications A to C, inclusive, 45 cents to classification D, 40 cents to classification E and 35 cents to classifications F to J, inclusive, in Size Group 8.

35 cents to classifications A and B, 30 cents to classification C, 40 cents to classifications D and E and 35 cents to classifications F to J, inclusive, in Size Group 9.

35 cents to classifications A to D, inclusive, 40 cents to classification E and 35 cents to classifications F to J, inclusive, in Size Group 10.

(ii) For the methods of shipment and uses indicated in (6) above:

25 cents to Size Groups 1 to 8, inclusive.

[Paragraph (b) amended by Am. 18, 7 F.R. 6524, effective 8-22-42; Am. 24, 7 F.R. 8354, effective 10-19-42; Am. 29, 7 F.R. 10780, effective 12-26-42; Am. 32, 7 F.R. 11012, effective 12-26-42; Am. 40, 8 F.R. 2030, 2273, effective 2-13-43 and as otherwise noted]

(10) The prices established by subparagraphs (5) through (9) of this paragraph (b) or by orders relating to low volatile coal and issued on or after February 9, 1943, and prior to December 1, 1943, may be increased by no more than 20 cents per net ton.

[Subparagraph (10), formerly (11), redesignated and amended by Am. 97, effective 3-24-44]

§ 1340.220 *Appendix I: Maximum prices for bituminous coal produced in District No. 9.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices for shipment to all destinations, for all uses (including railroad fuel) and by all methods of transportation, except by truck or wagon.*

but not exceeding 2" and bottom size larger than 3/8". All raw double-screened nut, stoker and pea top size not exceeding 2" and bottom size larger than 10 mesh or 3/16".

13 and 14—All raw screening larger than 3/8"x0, but not exceeding 2"x0.

15 and 16—All raw screenings (carbon and dust) top size not exceeding 3/8".

17 to 22, incl.—All washed or air-cleaned, double screened nut, stoker and pea top size not exceeding 2"; dedusted washed screenings bottom size larger than 1 millimeter and top size not exceeding 2".

23 and 24—All washed or air-cleaned screenings larger than 3/8"x0 but not exceeding 2"x0.

25—All washed or air-cleaned screenings (carbon and dust) top size not exceeding 3/8".

26 to 29, incl.—All dry dedusted screenings (including carbon) top size not exceeding 2".

(2) *Maximum prices for shipment by truck or wagon to all destinations for all uses.*

Coals produced at any and all mines from all seams

Description:

All single-screened lump coals, bottom size larger than 1 1/2" and all double-screened raw, washed or air cleaned coals, bottom size larger than 1 1/2"	280
All single-screened lump coals, bottom size 1 1/2" and smaller, and all double screened coals, bottom size 1 1/2" and smaller	245
Mine run, modified mine run and mine run resultants larger than 2"	235
Screenings, top size not exceeding 2"	200

(3) A charge of no more than 10 cents per net ton may be made for a chemical, oil or waxing treatment to allay dust or to prevent freezing.

[§ 1340.220 amended by Am. 41, 8 F.R. 2284, effective 2-20-43; Am. 73, 8 F.R. 16280, effective 11-29-43; and Am. 81, 9 F.R. 973, effective 1-28-44]

(c) Adjustments computed on Form OPA 653-638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation and all orders of adjustment issued prior to January 26, 1944 shall be void as of January 26, 1944.

[Paragraph (c) added by Am. 91, 9 F.R. 2746, 4540, effective 3-16-44]

§ 1340.221 *Appendix J: Maximum prices for bituminous coal produced in District No. 10.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

General description	Group Nos.	Coals produced at any and all mines from the following seams:		
		14th and stray seams (maximum price group No. 1)	6th seam (maximum price group No. 2)	9th, 11th and all other seams (maximum price group No. 3)
Lump and egg	1 to 6, incl.	245	270	220
Mine run	7	225	225	210
Stove, nut and pea:				
Raw	8 to 12, incl.	220	310	200
Washed or air-cleaned	17 to 22, incl.	220		220
Screenings:				
Raw	13 and 14	185	245	175
Washed or air-cleaned	23 and 24	200		220
Dry dedusted	26 to 29, incl.	190	280	180
Carbon and dust:				
Raw	15 and 16	125	140	125
Washed or air-cleaned	25	175		125

Specific description of size group numbers referred to in this paragraph (1).

Size Group Nos., and Description

1 to 6, incl.—All single-screened lump coals and all double-screened raw, washed or air-cleaned egg coals, top size larger than 2".

7—Straight mine run—no fines removed. Mine run, modified by the removal of any intermediate size or sizes—no fines removed. All mine run resultants larger than 2"—no fines removed.

8 to 12, incl.—All double-screened raw or washed stove coals, top size larger than 1 1/2".

Prices and size group numbers

[illegible]

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum price as of October 1, 1942, plus a surcharge not exceeding 80 cents per net ton.

(3) *Maximum prices in cents per net ton for railroad locomotive fuel except as otherwise specifically provided herein.* The maximum prices for all railroad locomotive fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipments (without adjustments on account of price exceptions and freight differentials, but with application of railroad locomotive fuel Price Instructions A, B,

C, D, and E), plus a sum not exceeding 35¢ per net ton: *Provided*, That the maximum price on screenings (as defined in railroad locomotive fuel Price Instruction C of the Effective Minimum Price Schedule for District No. 10) for all railroad fuel uses for shipment from all mines in Price Groups 12 and 13, shall be the maximum railroad locomotive fuel price for such screenings.

(i) *Special price instructions.* (a) Maximum prices for railroad locomotive fuel shall not exceed:

Size:	Maximum price
6" x 1 1/4" egg	\$2.25
Mine run	2.20
Screenings	1.85

(4) In the event any specific maximum price has been adjusted prior to February 15, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1), (2), and (3) above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (1) above; No increase in Size Groups 1 to 8, inclusive; Fifteen (15) cents in Size Groups 9 to 29, inclusive.

(ii) For the methods of shipment and uses indicated in (2) above; Ten (10) cents in all size groups.

(iii) For use indicated in (3) above;
Ten (10) cents.

[Paragraph (b) amended by Am. 13, 7 F.R. 6169, effective 8-11-42; Am. 23, 7 F.R. 7942, effective 10-5-42; and Am. 41, 8 F.R. 2284, effective 2-20-43]

(5) The prices established by subparagraphs (1), (2), (3) and (4) of this paragraph (b) or by orders issued on or after February 15, 1943 and prior to December 1, 1943 for coals produced at a mine which is either (i) an underground truck mine without a rail siding or connection or (ii) an underground mine loading coal entirely by hand without the aid of any mechanical means such as loading machines or conveyors inside the mine may

be increased by no more than 20 cents per ton.

[Subparagraph (5) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

(6) The maximum prices for shipments of coals in Size Group Nos. 1 through 6, and 8 for other than locomotive fuel use shall in no case be less than the maximum prices for shipments from the same mine of 6" x 1 $\frac{1}{4}$ " egg, modified mine run or mine run, whichever price is the highest.

[Subparagraph (6) added by Am. 88, 9 P.R.
2008, effective 2-19-44; amended by Am. 92,
9 P.R. 2945, effective 3-22-44]

§ 1340.222 *Appendix K. Maximum prices for bituminous coal produced in District No. 11.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made.

(1) Maximum prices for shipment to all destinations for all uses except for railroad locomotive fuel use and by all methods of transportation, except by truck or wagon.

Mine	Producer	Mine Index No.
Beckemeyer	Beckemeyer Coal Co.	43
East	Citizens Coal Co., Frank B. Mienham, Trustee, Breese, Ill.	1317
North	Clinton County Mining Co., Breese, Ill.	45
Eureka No. 2	Forsyth Cartersville Coal Co., St. Louis, Mo.	59
Golden Rule	Golden Rule Coal Company	45
Richland	Groom Coal Co., Belleville, Ill.	140
Lebanon	Lebanon Coal Co., Belleville, Ill.	83
New National	New National Coal Co. & Miners, Co., Belleville, Ill.	1074
Muren No. 6	North Side Coal Co., Belleville, Ill.	103
Winegar Hill	Vinegar Hill Coal Company	179
Washed Coal Co.	Washed Coal Co. of Belleville, Belleville, Ill.	188
Okey Mine	Smith Coal Co. of Marissa, Ill.	114
Little Oak Mine	Massena Coal & Mining Co.	86
Blacklock Mine	Burnwell Coal Co.	20

[Subparagraph (i) added by Am. 50, 8 F.R. 4258, effective 4-1-43; amended by Am. 66, 8 F.R. 13203, effective 10-4-43; and Am. 68, 8 F.R. 14009, effective 10-18-43]

PRICES AND SIZE GROUP NUMBERS

Consolidated price groups	Specific price group numbers included	1, 2, 3	4, 5, 6, 8	7	9 to 12, incl. ¹	13, 14	15	16	38
		All lump and egg coals bottom size larger than 2", washed or raw	All lump, egg and stove coals bottom size 2" and smaller, washed or raw	Straight mine run, modified mine run and re-sultants larger than 2" x 0, washed or raw	Raw nut and pea bottom size larger than 10 mesh or 3/4"	Raw screenings larger than 3/4" x 0 but not exceeding 2" x 0	Raw carbon 3/4" x 0 and smaller	Raw dust top size not exceeding 10 mesh or 3/4"	Raw breaker screenings
A	1 to 4, incl.	240	240	200	215	175	135	105	155
B	8 to 12, incl.	240	240	200	215	180	140	110	160
C	7, 18 and 19	255	240	200	215	180	140	110	175
D	5, 13 and 20	300	275	250	255	205	165	135	185
E	15, 16	330	275	265	245	200	160	130	185
F	6	360	300	255	300	210	165	130	185
G	14	360	290	255	295	210	145	130	185
Exceptions:									
Mine Index No. 58 (P. G. 17)		385	365	355	335	200	160	130	190
Mine Index No. 70 (P. G. 13)		300	275	250	255	220	180	150	190
Mine Index No. 115 (P. G. 10-A)		255	240	210	235	175	130	110	155

¹ When a washed or air-cleaned coal is being priced, sizes of coal with a bottom size larger than one millimeter shall be included in this column of prices and service charges. [Footnote added by Am. 97, effective 3-27-44]

SCHEDULE OF MAXIMUM SERVICE CHARGES FOR SERVICES RENDERED IN CONNECTION WITH WET OR DRY MECHANICAL CLEANING

Washing or air-cleaning, Size Group Nos. 17 to 25 incl. and 34	15	25	35	40
Water dedusting, Size Group Nos. 30 to 32, incl.		20	25	
Dry dedusting, Size Group Nos. 26 to 29, incl.		15	20	

Only one service charge listed above can be made in connection with the sale of any coal.

¹ Exception: 50 cents for mines in Price Group Nos. 1 and 8.

² Exception: 20 cents for mines in Price Group Nos. 15 and 16.

(i) Maximum prices for railroad fuel.

(a) The maximum prices for mine run, modified mine run and all lump and double-screened coals for railroad locomotive fuel use shall be \$2.40 per net ton; and for screenings, top size not exceeding 2", the maximum price shall be \$1.85 per net ton: *Provided, however*, That the maximum prices for Mine Index No. 70 shall be the above prices, plus 20 cents per net ton.

(b) Modified mine run shipped for railroad locomotive fuel use shall contain 15%, with a tolerance of 2% up or down, of coal that will pass through screens with round hole openings 1 1/4" in diameter, or other shaped openings equivalent in area (1 1/4" screenings), and large lumps may be broken down; or modified mine run may be 6" x 1 1/4" egg coal with 15%, with a tolerance of 2% up or down, of 1 1/4" screenings, as described above.

(c) The maximum prices for coal sold to railroads for other than locomotive fuel use are those set forth in this paragraph (b) (1) for the size and grade shipped.

(d) An amount not exceeding 15 cents per net ton may be added to the maximum prices for railroad locomotive fuel use when railroad locomotives are coaled at the mine tipple.

(ii) The maximum prices for coals produced at any underground mine loading coal entirely by hand without the aid of any mechanical means, such as loading machines or conveyors inside the mine, shall be the specific prices for the grade and size and use of coal shipped as set forth in this paragraph (b), plus 15 cents per net ton. This paragraph (b) (1) (ii) shall be void on and after June 1, 1944.

(iii) *Special price instructions.* Coals in Size Group Nos. 17 to 25, inclusive, produced at the Chinook Mine, Mine Index No. 121, of the Ayrshire Potoka Collieries Corporation and the Victory Mine, Mine Index No. 1354 of the Pyramid Coal Corporation may be priced

under Price Group No. 8 in lieu of Price Group No. 1.

[Subparagraph (iii) added by Am. 97, effective 3-27-44]

[Subparagraph (1) amended by Am. 94, 9 F.R. 3299, effective 3-27-44]

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses. The maximum prices for shipment by truck or wagon shall be the applicable effective minimum price as of October 1, 1942, plus a sum not exceeding 65 cents per net ton.

(3) Adjustments computed on Form OPA No. 653-638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation, and all orders of adjustment issued prior to March 27, 1944, shall be void as of March 27, 1944 insofar as such adjustments and orders affect maximum prices for rail shipments of coals for all uses.

[Former subparagraph (3) revoked, new (3) added by Am. 94, 9 F.R. 3299, effective 3-27-44]

(4) In the event any specific maximum price has been adjusted prior to March 15, 1943 (except the adjustments made in Amendment No. 7, effective June 22, 1942 to Maximum Price Regulation No. 120 in Price Groups 5 and 10) the effective maximum price in such case shall not be determined by reference to subparagraphs (1), (2) and (3) above, but must be computed by adding to such adjusted price the following sum:

(i) [Revoked]

(ii) For the methods of shipment and uses indicated in (2) above; Twenty (20) cents in all Size Groups.

(iii) [Revoked]

[Subdivisions (1) and (iii) revoked by Am. 94, 9 F.R. 3299, effective 3-27-44]

[Paragraph (b) amended by Am. 7, 7 F.R. 4700, effective 6-27-42; Am. 30, 7 F.R. 10993, effective 5-18-42; Am. 48, 8 F.R. 3216, effective 3-13-43 and as otherwise noted]

(5) The prices established by subparagraphs (2) and (4) of this para-

graph (b) or by orders issued on or after March 15, 1943 and prior to December 1, 1943 for coals produced at a mine which is either (i) an underground truck mine without a rail siding or connection or (ii) an underground mine loading coal entirely by hand without the aid of any mechanical means such as loading machines or conveyors inside the mine may be increased by no more than 20 cents per ton. The prices of all other mines may be increased by no more than 5 cents per ton.

[Subparagraph (5) added by Am. 73, 8 F.R. 16280, effective 11-29-43; amended by Am. 76, 8 F.R. 16998, effective 12-16-43, and Am. 97, effective 3-27-44]

(6) [Revoked]

[Subparagraph (6) added by Am. 76, 8 F.R. 16998, effective 12-16-43, revoked by Am. 97, effective 5-16-44]

§ 1340.223 Appendix L: Maximum prices for bituminous coal produced in District No. 12. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix. The maximum prices for shipments by all methods of transportation (including truck or wagon) shall be:

The applicable effective minimum prices as of April 1, 1942, plus, for Size Groups 1, 2, 3, 4, 6 and 7, no more than 60 cents; and, for Size Groups 5, 8, 9 and 10, no more than 40 cents.

For Size Group 7-A, the applicable effective minimum price as of June 12, 1943, plus no more than 55 cents.

[Subparagraph (1) amended by Am. 64, 8 F.R. 12934, effective 9-27-43]

(2) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for railroad fuel shall be the applicable effective minimum prices as of April 1, 1942 (without adjustments on account of price exceptions, freight differentials and substitutions), plus a sum not exceeding 30 cents per net ton: *Provided*, That where a mine is on-line to more than one railroad, the highest minimum price shall be applicable in determining the maximum price.

[Subparagraph (2) amended by Am. 69, 8 F.R. 14560 effective 10-30-43]

(3) The prices established by subparagraph (1) and (2) of this paragraph (b) or by orders issued prior to December 1, 1943, except Order No. 290, may be

increased by no more than 60 cents per ton.

(4) The maximum prices established by Order No. 290 applying to Appanoose County, Iowa, may be increased by no more than 30 cents per ton.

[Subparagraphs (3) and (4) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

§ 1340.224 *Appendix M: Maximum prices for bituminous coal produced in District No. 13.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices for shipment to all destinations, for all uses (including railroad fuel and excepting smithing coal) by all methods of transportation except by truck or wagon from mines in Subdistrict No. 1.*

PRICES AND SIZE GROUP NUMBERS

Subdistrict No. 1 (Alabama) coals produced at any and all mines in the following price group numbers	All lump and double-screened egg coals (size groups 1 to 5, incl.)	Nut and chestnut size groups—		Mine run and resultants over 3", size groups—		Resultants and screenings 3" and under, size groups—	
	Washed or raw	6, 8, 10, washed	7, 9, 11, raw	12, 14, 15, 16, washed	13, 19, 20, 21, raw	17, 18, washed	22, 23, raw
1.....	350	350	340	345	335	340	330
2.....	365	365	355	365	355	365	355
3.....	375	375	365	375	365	365	355
4.....	420	410	400	400	390	390	380
5.....	415	415	405	415	405	405	395
6.....	430	480	470	390	380	370	365
7.....	560	510	500	435	425	425	415
8.....	690	550	540	460	450	420	410
9.....	480	455	445	405	395	395	385
Exceptions:							
Mine Index No. 11.....	550	500	490	410	400	390	380
Mine Index No. 13.....	540	490	480	390	380	400	390
Mine Index No. 21.....	580	510	500	435	425	435	425
Mine Index No. 35.....	375	375	365	370	360	365	355
Mine Index No. 53.....	370	370	360	365	355	360	350
Mine Index No. 56.....	450	440	430	430	420	420	410
Mine Index No. 68.....	380	380	370	380	370	380	370
Mine Index No. 69.....	485	465	455	405	395	410	400
Mine Index No. 212.....	550	500	490	410	400	390	380
Mine Index No. 1492.....				405	395		
Mine Index No. 1733.....	560	510	500	460	450	425	415

The maximum prices for blacksmithing coal shall not exceed 560 cents per net ton.

(2) *Maximum prices for shipment by truck or wagon to all destinations for all uses from mines in Subdistrict No. 2.*

PRICES AND SIZE GROUP NUMBERS

Subdistrict No. 2 (Alabama) coals produced at any and all mines in the following truck price group numbers	All lump and double-screened egg coals (size groups 1 to 5, incl.)	Nut and chestnut size groups—		Mine run and resultants over 3", size groups—		Resultants and screenings 3" and under, size groups—	
	Washed or Raw	6, 8, 10, washed	7, 9, 11, raw	12, 14, 15, 16, washed	13, 19, 20, 21, raw	17, 18, washed	22, 23, raw
1.....	525	475	455	440	430	415	405
2.....	505	475	455	425	415	400	365
3.....	495	485	465	435	425	415	405
4.....	485	455	435	410	400	400	390
5.....	465	460	450	415	405	410	390
6.....	430	425	415	395	385	400	380
7.....	420	435	415	380	370	375	340
Exceptions:							
Mine Index No. 3.....	555	490	455	455	450	400	365
Mine Index No. 4.....	570	490	455	455	450	400	365
Mine Index Nos. 7, 9, 11, 12, 1420.....	535	475	455	440	435	400	365
Mine Index Nos. 18, 21.....	550	460	455	440	430	425	405
Mine Index Nos. 6, 8.....	605	500	455	425	415	400	365
Mine Index No. 17.....	535	490	455	425	415	415	365
Mine Index No. 510.....	545	495	475	425	415	400	340
Mine Index No. 1543.....	540	490	455	425	415	405	365
Mine Index Nos. 22, 23, 1306, 1672.....	550	500	455	440	430	430	405
Mine Index No. 69.....	510	485	465	425	415	415	365

(3) *Specific descriptions of size group numbers referred to in subparagraphs (1) and (2) of this paragraph (b).*

Size Group Nos.:	Description
1 to 5, inclusive.....	All single-screened lump coals and all double-screened raw, washed or air-cleaned egg coals, bottom size larger than $\frac{1}{2}$ ", and top size larger than 3".
6, 8 and 10.....	All double-screened washed or air-cleaned nut and chestnut coals top size not exceeding 3".
7, 9 and 11.....	All double-screened raw, nut and chestnut coals, top size not exceeding 3".
12, 14, 15 and 16..	Washed or air-cleaned straight mine run; no fines removed. Washed or air-cleaned mine run, modified by the removal of any intermediate size or sizes; no fines removed. All washed or air-cleaned mine run resultants larger than 3"; no fines removed.

Size Group Nos.:

13, 19, 20 and 21..

Description
Raw straight mine run; no fines removed. Raw mine run, modified by the removal of any intermediate size or sizes; no fines removed. All raw mine run resultants larger than 3"; no fines removed.

17 and 18.....

All washed or air-cleaned mine run resultants and screenings, top size not exceeding 3".

22 and 23.....

All raw mine run resultants and screenings, top size not exceeding 3".

(4) *Maximum prices for shipment to all destinations, for all uses (including railroad fuel and excepting smithing coal) by all methods of transportation, except by truck or wagon from mines in Subdistricts Nos. 3 and 5.*

Special price instruction. The prices listed herein are for raw coals. Maximum prices for coals mechanically cleaned or washed shall be those listed herein, plus 10 cents per ton.

PRICES AND SIZE GROUP NUMBERS

Subdistricts Nos. 3 and 5 (Tenn. and Ga.) Coals produced at any and all mines in the following price group numbers	1, 2, 3 all lump and double-screened egg coals	4, 5, 6 all double-screened nut, pea, and stoker	7, 8, 9 mine run and resultants over 2"	10, 11, 12 screenings larger than $\frac{3}{4}$ " but not exceeding 2"	13, 14 screenings $\frac{3}{4}$ " and smaller
10.....	400	350	340	320	280
Exception:					
Mine Index No. 92.....	465	465	410	410	410
Mine Index No. 95.....	415	365	360	360	295

The maximum prices for smithing coal shall be 535 cents per net ton.

(5) *Maximum prices for shipment by truck or wagon to all destinations, for all uses from mines in Subdistrict No. 4.*

PRICES AND SIZE GROUP NUMBERS

Subdistrict No. 4 (Tenn., Ga., and White County, Tenn.) Coals produced at any and all mines in the following truck price group numbers	1, 2, 3 all lump and double-screened egg coals	4, 5, 6 all double-screened nut, pea, and stoker	7, 8, 9 mine run and resultants over 2"	10, 11, 12 screenings larger than $\frac{3}{4}$ " but not exceeding 2"	13, 14 screenings $\frac{3}{4}$ " and smaller
8.....	480	400	375	345	315
9.....	455	400	375	345	340
10.....	455	400	375	365	345
11.....	445	390	375	345	330
12.....	465	410	375	345	330
From mines in White County, Tenn.					
13.....	390	325	335	275	270

(6) *Specific descriptions of size group numbers referred to in subparagraphs (4) and (5) of this paragraph (b), including White County, Tenn.*

Size Group Nos.:	Description
1 to 3, inclusive.....	All single-screen lump coals and all double-screen egg coals, top size larger than 2".
4 to 6, inclusive.....	All double-screened nut, pea and stoker coals, top size not exceeding 2".
7 to 9, inclusive.....	Straight mine run; no fines removed. Mine run, modified by the removal of any intermediate size or sizes; no fines removed. All mine run resultants larger than 2"; no fines removed.

10 to 12, inclusive.. Screenings, larger than $\frac{3}{4}$ " but not exceeding 2".

13 and 14..... Screenings, top size not exceeding $\frac{3}{4}$ ".

(7) The charge for a chemical, oil or waxing treatment to allay dust or prevent freezing shall not exceed: 10 cents per net ton on coals produced at and shipped from a mine in Tennessee or Georgia; 15 cents per net ton for coals produced at and shipped from a mine in Alabama.

A charge of no more than \$2.50 per car may be made if more than one size is shipped in the same railroad car.

(8) *Identification by mine index number of mines in the price group numbers specified in subparagraphs (1) and (4) of*

this paragraph (b). Following is a statement on the mines in each such price group. A seller of coal produced at a mine identified by mine index number shall first determine the price group number applicable to the mine. He shall then use the maximum prices applicable to the mines in the same price group number, as set forth in this paragraph (b), unless otherwise specifically provided herein.

Mine Index Nos. 30 through 54, 82, 104, 118, 127, 155, 165, 215, 238, 303, 331, 573, 616, 621, 755, 1122, 1133, 1156, 1226, 1249, 1274, 1275, 1338, 1366, 1389, 1390, 1391, 1393, 1394, 1395, 1407, 1410, 1411, 1413, 1417, 1425, 1427, 1431, 1445, 1454, 1456, 1457, 1459, 1460, 1472, 1494, 1514, 1522, 1523, 1527, 1531, 1557, 1581, 1582, 1584, 1585, 1591, 1595, 1624, 1660, 1662, 1663, 1666, 1667, 1674, 1684, 1701, 1714, 1743, 1749, 1752, 1760, 1762, 1766, 1771, 1775, 1782 are in Price Group No. 1.

Mine Index Nos. 67, 68, 1465, 1492, 1690 are in Price Group No. 2.

Mine Index Nos. 59, 61 through 66, 71, 72, 73, 114, 115, 199, 283, 299, 310, 311, 313, 332, 357, 362, 371, 381, 383, 852, 1039, 1105, 1106, 1162, 1203, 1250, 1288, 1289, 1351, 1375, 1376, 1377, 1412, 1418, 1419, 1496, 1526, 1533, 1569, 1570, 1571, 1622, 1657, 1661, 1706, 1709, 1755, 1773 are in Price Group No. 3.

Mine Index Nos. 55, 56, 57, 70, 81, 142, 571, 641, 649, 668, 749, 751, 1136, 1137, 1224, 1231, 1256, 1261, 1278, 1293, 1396, 1436, 1437, 1438, 1439, 1440, 1453, 1464, 1470, 1484, 1502, 1510, 1546, 1635, 1742 are in Price Group No. 4.

Mine Index Nos. 74 through 78, 83, 113, 136, 141, 173, 193, 194, 196, 198, 213, 221, 229, 298, 301, 314, 317, 326, 339, 342, 356, 367, 385, 386, 390, 744, 1059, 1128, 1215, 1271, 1276, 1287, 1309, 1313, 1349, 1354, 1357, 1360, 1362, 1372, 1373, 1374, 1379, 1402, 1403, 1408, 1416, 1433, 1466, 1520, 1521, 1525, 1532, 1547, 1561, 1567, 1640, 1650, 1652, 1653, 1669, 1670, 1683, 1687, 1693, 1704, 1721, 1722, 1744, 1746, 1747, 1756, 1757, 1758, 1759, 1767, 1769, 1786 are in Price Group No. 5.

Mine Index Nos. 1, 2, 7, 9, 10 through 15, 17, 29, 103, 111, 128, 130, 135, 139, 166, 171, 212, 318, 509, 514, 564, 566, 568, 569, 624, 677, 678, 680, 683, 684, 686, 781, 804, 805, 808, 855, 902, 910, 984, 994, 1001, 1077, 1095, 1180, 1181, 1192, 1213, 1243, 1257, 1258, 1259, 1273, 1331, 1350, 1415, 1420, 1424, 1447, 1471, 1491, 1512, 1513, 1516, 1528, 1529, 1534, 1586, 1630, 1645, 1646, 1676, 1694, 1740, 1768, 1778, 1779, 1780, 1786 are in Price Group No. 6.

Mine Index Nos. 16, 18, 19 through 24, 106 through 110, 121, 122, 123, 124, 133, 144, 150, 151, 152, 153, 157, 182, 183 through 191, 241, 247, 249, 253, 404, 408, 411, 418, 421, 422, 424, 426, 427, 434 through 439, 450, 453, 455, 459, 460, 462, 466, 472, 480, 484, 485, 488, 489, 491, 492, 500, 519, 522, 538, 541, 557, 565, 570, 574, 577, 579, 581, 582, 583, 584, 586, 591, 592, 594, 595, 597, 600, 608, 609, 610, 612, 617, 622, 627, 629, 631, 632, 636 through 640, 643 through 648, 650, 657, 658, 664, 665, 670, 687, 763, 764, 765, 768, 780, 786, 790, 792, 793, 795, 838, 865, 867, 881, 897, 911, 922, 926, 949, 963, 965, 972, 985, 987, 1007, 1008, 1010, 1013, 1015, 1022, 1023, 1038, 1074, 1075, 1076, 1078, 1126, 1164, 1166, 1167, 1174, 1229, 1254, 1291, 1295, 1306, 1308, 1317 through 1330, 1333, 1334, 1369, 1381, 1383 through 1387, 1426, 1442, 1444, 1449, 1455, 1458, 1467, 1476, 1478, 1479, 1481, 1482, 1498, 1518, 1519, 1539, 1543, 1547, 1549, 1551, 1555, 1558, 1572 through 1576, 1578, 1583, 1587, 1604, 1607 through 1618, 1641, 1642, 1647, 1648, 1649, 1654, 1665, 1672, 1673, 1685, 1686, 1731 through 1735, 1777 are in Price Group No. 7.

Mine Index Nos. 3, 4, 6, 8, 195, 359, 1599, 1623 are in Price Group No. 8.

Mine Index Nos. 5, 58, 69, 80, 222, 233, 262, 263, 266 through 271, 512, 517, 968, 1072, 1232, 1544, 1545, 1556, 1598 are in Price Group No. 9.

All mine index numbers in Subdistrict Nos. 3 and 5 (Tennessee and Georgia) shipping coal by rail or river are in Price Group No. 10.

(9) *Identification by counties and seams of mines in the price group members specified in subparagraphs (2) and (5) of this paragraph (b).* Following is a table of counties seams and price group numbers. A seller of coal produced at a mine from any seam in these counties shall first determine the price group number applicable to the mine, as indicated in this table. He shall then use the maximum prices applicable to the mines in the same price group number, as set forth in this paragraph (b), unless otherwise specifically provided herein.

County, seam, and price group number

ALABAMA—SUBDISTRICT NO. 2

Bibb, Blue Gould, Clark, Gibson, Gould, Thompson, Wadsworth, Woodstock, and Youngblood, 2; all seams not named, 7.

Blount, Berry Mountain, 2; Black Creek and Taite Gap, 3; Underwood, 4; all seams not named, 7.

Cherokee, all seams, 5.

Cullman, all seams, 1.

De Kalb, Black Creek, Lookout Mountain and Payne, 1; all seams not named, 3.

Etowah, all seams, 4.

Fayette, Corona, 5; Cobb, 6; all seams not named, 7.

Jackson, all seams, 5.

Jefferson, Black Shale, Buck, Clark, Gould, Harkness, Hartley, Helena, Helena No. 3, Henry Ellen, Leaf, Lower Helena, Ratliff, Thompson, Upper Gould and Wadsworth, 2; Black Creek and Jefferson, 3.

Jefferson, Pratt and Pratt-America, 5; America, Blue Creek, Harkness (Mine Index No. 751 only) and Nickle Plate, 6; Bragg, Gwin, Jagger, Lower Nunnally, Mary Lee, Mt. Carmel, Upper Helena, Upper Nunnally and all seams not named, 7.

Madison, all seams, 5.

Marion, all seams, 1.

Saint Clair, Helena, Henry Ellen (Mine Index No. 1556 only), and Wadsworth, 2; Broken Arrow, Hammond, Harkness, and Marion, 5; Henry Ellen, 7.

Shelby, Buck, Clark-Gholson, Dogwood, Harkness, Helena, Maylene-Climax, Montevallo, Moyle, Underwood, upper Dogwood, and Wadsworth, 2; all seams not named, 7.

Tuscaloosa, Black Creek and Chambers, 1; Bowers, Carter, Johnson, Milldale, North River, Perkins, River View, Weaver, and Woodstock-North River, 3; Brookwood, Jagger, Milldale-Brookwood, and all seams not named, 7.

Walker and Winston, Black Creek, Blue Creek, and Jefferson, 1; Corona and Pratt, 5; America, 6, all seams not named, 7.

TENNESSEE—SUBDISTRICT NO. 4

Bledsoe, Battle Creek, 8; all seams not named, 9.

Franklin and Grundy, all seams, 9. Hamilton, Sewanee and Soddy No. 7, 9; all seams not named, 11.

Marion, Battle Creek, Top (Mine Index No. 814 only), 8; Bluff, Bolton, Etna, Etna No. 3, Etna No. 7, Sewanee, Sewanee No. 7, 9, and 10 and Soft Bottom and Top, 9; all seams not named, 11.

Rhea, Nelson, Nelson No. 2 and Nelson-Sewanee, 12; all seams not named, 11.

Sequatchie, Sewanee, Sewanee No. 2, 9; all seams not named, 11.

Van Buren, Battle Creek, 8; all seams not named, 9.

Warren, all seams, 9.

White, all seams, 13.

GEORGIA—SUBDISTRICT NO. 4

Dade and Walker, all seams, 10.

[§ 1340.224 amended by Am. 3, 7 F.R. 4336, effective 6-6-42; Am. 12, 7 F.R. 5835, effective 8-11-42; Am. 13, 7 F.R. 6189, effective 8-11-42; Am. 33, 8 F.R. 926, effective 1-23-43; Am. 49, 8 F.R. 3855, effective 3-27-43; Am. 54, 8 F.R. 6443, effective 5-15-43; Am. 58, 8 F.R. 11806, effective 8-30-43; Am. 73, 8 F.R. 16280, effective 11-29-43; Am. 77, 9 F.R. 396, effective 11-29-43; Am. 84, 9 F.R. 1454, 2127, effective 2-3-44 and as otherwise noted]

(c) Adjustments computed on Form OPA No. 653-638 and in accordance with § 1340.207 (e), added by Amendment No. 74 to this regulation and all orders of adjustment issued prior to February 3, 1944 shall be void as of February 3, 1944.

[Paragraph (c) added by Am. 91, 9 F.R. 2746, effective 3-16-44]

§ 1340.225 *Appendix N: Maximum prices for bituminous coal produced in District No. 14.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

Price classifications	Prices and size group Nos.																			
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
A.....	525	500	500	575	400	575	575	590	545	600	600	600	550	285	285	285	285	485	215	550
B.....	---	---	475	590	455	555	575	575	470	580	580	580	530	170	170	170	---	480	---	---
C.....	---	---	460	555	---	550	570	570	470	500	465	---	350	---	150	130	---	470	---	---
D.....	---	---	460	545	---	540	555	540	470	490	450	---	350	---	---	---	---	450	---	---
E.....	---	---	460	525	---	535	540	540	470	480	450	---	---	---	---	---	---	425	---	---
F.....	---	---	445	525	---	515	515	515	470	480	450	---	---	---	---	---	---	420	---	---
G.....	---	---	---	---	---	515	515	515	470	470	435	---	---	---	---	---	---	400	---	---
H.....	---	---	---	---	---	515	515	515	470	460	435	---	---	---	---	---	---	395	---	---
I.....	---	---	---	---	---	510	510	510	470	425	425	---	---	---	---	---	---	385	---	---
J.....	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	380	---	---
K.....	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	375	---	---
L.....	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	370	---	---
M.....	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	365	---	---
N.....	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	360	---	---
O.....	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	350	---	---
P.....	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	330	---	---
Q.....	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	320	---	---

(i) *Special price instructions.* (a) The maximum price for lump coal (solid shot) with a bottom size larger than 2½", when produced at mines in Production Groups 2 to 9, inclusive, shall be the maximum price which is applicable generally under § 1340.225 (b) (1) for Size Group 3 plus 15 cents per net ton.

[Subparagraph (i) added by Am. 53, 8 F.R. 5477, effective 4-29-43]

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 55 cents per net ton.

(3) *Maximum prices in cents per net ton for railroad fuel (exclusive of railroad fuel for other than locomotive fuel use).* The maximum prices for such railroad fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 5 cents per net ton.

(4) In the event any specific maximum price has been adjusted prior to February 1, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1), (2) and (3), but must be computed by adding to such adjusted price the following sum:

(i) For methods of shipment and use indicated in (1) above:

20 cents per net ton

(ii) For methods of shipment and uses indicated in (2) above:

20 cents per net ton

(iii) For use indicated in (3) above:
20 cents per net ton

[Paragraph (b) amended by Am. 10, 7 F.R. 5607, effective 7-21-42, and Am. 37, 8 F.R. 1747, effective 2-6-43]

(5) The prices established by subparagraphs (1), (2), (3) and (4) of this paragraph (b) or by orders issued on or after February 1, 1943 and prior to December 1, 1943 may be increased by no more than 40 cents per ton.

[Subparagraph (5) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

§ 1340.226 *Appendix O: Maximum prices for bituminous coal produced in District No. 15.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment from other than underground mines to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix (Underground mine prices are set forth in subparagraph (4) of this appendix)—(i) Special price instruction.*

(a) [Revoked]

[Subparagraph (a) amended by Am. 75, 8 F.R. 16738, effective 12-10-43; Am. 80, 9 F.R. 794, effective 1-26-44; revoked by Am. 90, 9 F.R. 2237, effective 3-2-44]

Production group No.	Prices and size group Nos.														
	1	2	3	4	5	6	7	2	9	10	11	12	13	14	15
1.....	320	320	320	320	325	305	300	275	270	270	270	255	200	170	140
2.....	285	285	285	285	285	285	275	260	265	265	245	210	200	165	140
3.....	280	280	280	280	285	270	255	245	220	220	255	225	205	160	140
4.....	335	335	335	335	310	295	280	275	335	270	270	255	205	205	140
5.....	330	330	330	330	305	290	275	270	330	265	265	250	200	140	
6.....	385	385	385	385						375	375	375			
7.....	575	575	575	520		450		285	370	240				135	
8.....	500	500	500	440		400		260	325	200				140	
9.....	500	500	500	440		400		260	325	200				140	
10.....	340	340	340	330		305		250	270	175	260			145	
11.....	330	330	330	315		300		255	295	215	255			155	150
13.....	380	380	380	380					380	290					

[Table amended by Am. 90, 9 F.R. 2237, effective 3-2-44]

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses from other than underground mines.* The maximum prices for shipment by truck or wagon shall be the applicable effective

minimum prices as of October 1, 1942, plus a sum not exceeding 65 cents per net ton.

(3) *Maximum prices in cents per net ton for railroad locomotive fuel from other than underground mines.*

Sizes of Coal	Prices and production group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Railroad locomotive fuel (any size not specifically listed below).....	270	270	270	310	310	285	270	270	270	270	270
3" x 1/4" unwashed.....	260	255									245
3" x 0 washed or 3" x 1/4" unwashed.....											
3" x 0 stoker screenings with 1/2 of fines removed.....											
2" x 1/4" unwashed.....	245										
2" x 0 washed or 2" x 1/4" unwashed.....		230	230								
2" x 0 washed or unwashed.....											
1 1/2" x 0 washed or 1 1/4" x 1/4" unwashed.....	230										
1 1/2" x 0 unwashed.....										230	230

[Headings of subparagraphs (1), (2) and (3) amended by Am. 97, effective 5-6-44]

(4) *Coals produced at underground mines—(i) Maximum prices in cents per net ton for coals produced at underground mines of the respective production groups for shipment to all destina-*

tions for all uses and by all methods of transportation, except as otherwise specifically provided in this subparagraph (4).

[Subparagraph (4), formerly (5), redesignated and amended by Am. 97, effective 5-16-44]

Prod. group No.	Prices and size group numbers														
	1, 2, 3	4	5	6	7	8	9	10	11	12	13	14	15		
1.....	385	385	360	345	330	335	345	320	295	280	280	260	160		
2.....	400	400	375	360	345	340	360	335	335	320	320	300	185		
3.....	370	370	355	345	335	325	350	320	325	310	310	250	185		
4.....	450	450	440	420	410	385	450	370	385	370		290	200		
5.....	450	450	440	420	410	385	450	370	385	370		290	200		
6.....	500	500					500	490	490	490					
7.....	640	560				335	420	225				190			
8, 9.....	590	510		460		335	420	285				190			
10—Rail.....	440	395		350		285	315	240	285			170			
10—Truck.....	460	415		370		280	335	260	270			215			
11.....	530	500		470		360	420	340	350			315			
13.....	500	500					500	490	490	490					
Exceptions:															
Mine Index No. 24.....	425	425	410	400	390	380	405	375	380	365	365	305	240		
Mine Index No. 48.....	465	465	455	435	425	400	465	385	400	385		305	215		
Mine Index No. 447.....	400	400	385	375	365	355	380	350	355	340	340	280	215		

[Table amended by Am. 90, 9 F.R. 2237 effective 3-2-44]

(ii) *Maximum prices in cents per net ton for railroad locomotive fuel.*

	Prices and production group numbers							
	1	2	3	4, 5	6	7, 8, 9	10	11
Railroad locomotive fuel (applicable to any size coal).....	320	345	335	400	365	320	315	395

(iii) *Maximum prices in cents per net ton for Oklahoma smithing coal from Production Group No. 12 to all destinations and by all methods of transportation.*

Crushed mine run—Bulk..... 645
Crushed mine run—Sacked..... 795
Lump—Over 2 1/2"..... 695

Any producer whose prices are increased by this amendment and who starts to charge the increased prices must immediately notify the Solid Fuels Branch, Office of Price Administration, Washington 25, D. C. stating the name of the operator of the mine for which the prices are increased, the name of

the mine, the mine index number, the production group number in which it is located and whether it is an underground mine within the meaning of § 1340.203 (a) (8) of this regulation. Such producer shall also include a statement on all invoices in connection with the sale of coal priced under this order that the price charged includes an adjustment granted under Amendment No. 75 to Maximum Price Regulation No. 120.

[Subparagraph (5) amended by Am. 75, 8 F.R. 16738, effective 12-10-43]

(6) [Revoked]

[Subparagraph (6) added by Am. 73, 16280, effective 11-29-43; revoked by Am. 75, 8 F.R. 16738, effective 12-10-43]

[Paragraph (b) amended by Am. 2, 7 F.R. 3901, effective 5-25-42; Am. 31, 7 F.R. 11008,

effective 12-31-42; Am. 44, 8 F.R. 2920, effective 3-6-43; and as otherwise noted]

§ 1340.227 *Appendix P: Maximum prices for bituminous coal produced in District No. 16.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

	Prices and size group Nos.												
	1	2	3	4	5	6	8	9	10	11	12	13	
Subdistrict No. 1, all mines.....	510	460	460	460	435	410	320	275	215	205	185	355	
Subdistrict No. 2, all mines.....	500	450	445	470	445	420	325	275	215	205	185	330	
Subdistrict No. 4, all mines.....	485	435	435	460	435	420	330	280	215	205	185	330	
Subdistrict No. 6, all mines.....	440	390	390	415	390	370	315	270	215	205	185	315	
Subdistrict No. 8, all mines.....	430	380	380	405	380	360	315	265	215	205	185	305	
Subdistrict No. 9, all mines.....	440	380	380	405	380	360	315	265	215	205	185	305	
Subdistrict No. 10, all mines.....	410	360	360	385	360	340	305	255	215	205	185	280	
Subdistrict No. 11, all mines.....	305	255	255	270	245	-----	-----	-----	125	-----	-----	250	

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of April 1, 1942, plus a sum not exceeding 30 cents in all size groups.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for railroad fuel shall be the applicable effective minimum prices as of April 1, 1942, plus a sum not exceeding 10 cents per net ton.

(4) The maximum prices established by this paragraph (b) shall be:

(i) Those set forth in subparagraph (1), plus: for Size Group Nos. 1 through 7, a sum not exceeding 45 cents per net ton; for Size Group No. 8, a sum not exceeding 35 cents per net ton and, for Size Group Nos. 9 through 13, 55 cents per net ton.

(ii) Instead of those determined pursuant to subparagraph (2), the applicable effective minimum prices as of April 1, 1942, plus; for Size Group Nos. 1 through 7, a sum not exceeding 75 cents

per net ton; for Size Group No. 8, a sum not exceeding 65 cents per net ton and for Size Group Nos. 9 through 13, a sum not exceeding 85 cents per net ton.

(iii) Instead of those determined pursuant to subparagraph (3), the applicable effective minimum prices as of April 1, 1942, plus a sum not exceeding 65 cents per net ton.

[Subparagraph (4) added Am. 73, 8 F.R. 16280, effective 11-29-43]

§ 1340.228 *Appendix Q: Maximum prices for bituminous coal produced in District No. 17.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made.

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

From all mines—	Prices and size group Nos.																
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Subdistrict No.:																	
1.....	515	510	495	475	455	435	430	-----	390	360	315	315	235	-----	180	145	355
2.....	530	525	520	495	470	450	445	-----	405	360	335	325	245	-----	235	205	355
3.....	465	455	455	455	430	435	430	-----	380	340	315	305	245	-----	235	205	365
4.....	520	515	510	495	470	455	420	-----	395	335	310	300	235	-----	205	175	355
5.....	465	465	450	460	435	405	395	-----	365	340	315	315	215	-----	205	200	355
6.....	460	450	440	440	410	410	390	-----	370	345	-----	-----	245	230	225	205	355
7.....	450	440	440	440	370	370	360	-----	365	345	-----	-----	265	230	225	185	355
8.....	400	390	390	390	345	345	335	-----	395	355	-----	-----	270	260	245	205	355
9.....	440	430	430	430	420	420	340	380	380	355	305	-----	265	245	240	230	355
*Exception for Sugarite Mine.....	490	480	480	480	470	445	365	-----	390	380	-----	-----	265	245	240	270	355
10.....	490	480	480	480	470	445	365	-----	390	380	-----	-----	265	245	240	270	355
11.....	475	465	440	440	395	385	385	-----	335	300	-----	-----	240	225	215	175	355
12.....	425	425	415	385	360	370	355	-----	350	315	-----	-----	235	230	220	180	355
13.....	425	415	395	395	370	335	320	-----	370	330	240	-----	235	230	220	180	355
14.....	390	380	360	360	335	300	285	-----	335	320	-----	-----	230	225	215	175	345
15.....	450	440	420	420	395	360	355	-----	405	370	-----	-----	240	235	225	185	355
16 and 20.....	495	485	465	465	440	405	390	-----	415	330	-----	-----	265	255	245	210	370

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942 (without adjustments on account of price exceptions), plus a sum not exceeding 35 cents in all size groups.

(3) *Maximum prices in cents per net ton for railroad locomotive fuel except as otherwise specifically provided herein.* The maximum prices for railroad locomotive fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail, on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 55 cents per net ton; *Provided*, That where a mine is on-line to more than one railroad, the highest minimum price shall be applicable in determining the applicable maximum price; *Provided, further*, That when railroads purchase coals for railroad locomotive fuel use in sizes which are not included in size groups specifically priced in the effective minimum price schedule for railroad locomotive fuel, or purchase coal for any use other than railroad locomotive use, the maximum price for such railroad fuel shall be the all-rail maximum price for the grade and size shipped, as specified in (1) above.

(4) *Maximum prices in cents per net ton for Smithing Coal.* The maximum prices from all mines in all size groups for Smithing Coal shall not exceed 605 cents per net ton.

[Paragraph (b) amended by Am. 5, 7 F.R. 4404, effective 5-18-42 and Am. 43, 8 F.R. 2497, effective 2-25-43]

(5) The prices established by subparagraphs (1), (2), (3) and (4) of this paragraph (b) or by orders issued prior to December 1, 1943 for coals produced at an underground truck mine without a rail siding or connection may be increased by no more than 20 cents per ton.

[Subparagraph (5) added by Am. 73, 8 F.R. 16280, effective 11-29-43; amended by Am. 77, 9 F.R. 396, effective 11-29-43]

§ 1340.229 *Appendix R: Maximum prices for bituminous coal produced in District No. 18.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

From all mines	Prices and size group Nos.															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Subdistrict No. 1	565	530	---	520	---	470	445	405	340	---	310	280	225	---	425	455
Subdistrict No. 2	540	515	505	490	505	480	450	420	350	---	300	280	240	425	425	---
Subdistrict No. 3	---	---	450	---	---	---	---	385	285	---	235	---	185	---	---	---
Subdistrict No. 4	535	485	---	---	---	---	---	---	---	---	245	---	---	---	335	335
Subdistrict No. 5	---	485	---	---	---	---	---	335	---	385	---	285	---	---	485	---
Subdistrict No. 6	---	---	---	---	---	435	---	385	300	---	335	255	235	---	435	---
Subdistrict No. 7	---	---	---	---	---	---	---	385	300	---	275	255	210	---	---	---
Subdistrict No. 8	---	485	---	---	---	---	---	---	---	235	185	135	---	---	---	285

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 110 cents in all size groups.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for railroad fuel shall be those

shown in subparagraph (1) above for Size Group No. 16; *Provided*, That where no maximum price is specified therein for a particular subdistrict, or where the size of coal involved is not included in Size Group No. 16 the maximum price for such railroad fuel shall be the commercial all-rail maximum price for the grade and size involved.

Exception to (2) above: Sub-District No. 2.

Producer	Mine	Mine index	Movement	Prices and size group Nos.													
				1	2	3	4	5	6	7	8	9	10	11	12	13	14
Albuquerque & Cerrillos Coal Co.	Jones	11	Truck	555	---	520	505	530	495	465	435	365	---	315	295	255	450

[Paragraph (b) amended by Am. 39, 8 F.R. 2023, effective 2-12-43]

(4) The maximum prices established by subparagraphs (1), (2) and (3) of this paragraph (b) or by orders issued prior to December 1, 1943 may be increased by no more than 50 cents per ton.

[Subparagraph (4) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

§ 1340.230 *Appendix S: Maximum prices for bituminous coal produced in District No. 19.* (a) The maximum prices set forth in paragraph (b) of this section

are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

From all mines—	Prices and size group Nos.																
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Subdistrict No.:																	
1.....	445	445	430	415	430	395	355	330	315	290	290	350	285	235	235	200	
2.....	415	415	390	390	390	390	340	320	315	300	320	315	285	270	270	170	
3.....	325	325	325	325	300	300	300	300	250	225	250	250	250	205	205	130	
4.....	400	400	325	325	300	300	300	300	250	225	250	250	250	205	205	130	
5.....	505	505	505	495	495	495	470	415	340	285	275	310	225	210	210	210	
6.....	310	310	285	285	340	340	340	260	240	240	240	285	245	190	190	190	
7.....	285	285	285	285	255	255	255	265	245	245	245	250	225	225	210	230	
8.....	225	225	225	200	200	200	200	200	195	195	195	180	180	140	140	140	
9.....	290	290	290	290	290	290	270	270	175	175	175	200	175	175	150	100	

[Table amended by Am. 78, 9 F.R. 573, effective 1-18-44]

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 75 cents in all size groups.

(3) *Maximum prices in cents per net ton for railroad fuel.* The maximum prices for all railroad fuel shall be the applicable effective minimum prices as of October 1, 1942 for all-rail on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 30 cents per net ton: *Provided*, That where a mine is on-line to more than one railroad, the highest minimum price shall be applicable in determining the maximum price: *Provided, further*, That where a producer, or a sub-district, does not have an established minimum price for railroad fuel, the maximum price for such coal shall be the all-rail maximum price for the grade and size shipped, as specified in (1) above.

(4) In the event any specific maximum price has been adjusted prior to February 15, 1943, the effective maximum price in such case shall not be determined by reference to subparagraphs (1), (2) or (3) above, but must be computed by adding to such adjusted price the following sum:

(i) For the methods of shipment and uses indicated in (1) above; Thirty (30) cents in all size groups.

(ii) For the methods of shipment and uses indicated in (2) above; Thirty (30) cents in all size groups.

(iii) For use indicated in (3) above; Fifteen (15) cents.

[Paragraph (b) amended by Am. 43, 8 F.R. 2497, effective 2-25-43]

(5) The maximum prices established by subparagraphs (1), (2), (3) and (4) of this paragraph (b) or by orders issued on and after February 15, 1943 and prior to December 1, 1943 may be increased by no more than 20 cents per ton.

[Subparagraph (5) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

§ 1340.231 *Appendix T: Maximum prices for bituminous coal produced in District No. 20.* (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) *Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.*

		Prices and size group Nos.														
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Subdistrict No. 1.....	All mines.....	395	395	375	370	375	370	310	290	260	245	245	225	310	285	265
Subdistrict No. 2 and Sub-district No. 3.....	All mines.....	385	360	340	330	330	335	275	230	200	200	205	200	240	230	

(2) *Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses.* The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 55 cents for Size Groups 1, 2, 3, 4, 5, 6, 7, 8 and 9; and 65 cents for Size Groups 10, 11, 12, 13, 14 and 15.

(i) *Special price instruction.* (a) The maximum prices for shipment by truck or wagon for the Williams Mine (Mine Index No. 167) of L. J. Williams & Sons (L. J. Reed and Ross Williams) shall be as follows:

Size groups:	Maximum prices
3.....	\$3.85
4.....	3.75
7.....	3.05

Size groups—Con.	Maximum prices
8.....	2.70
10.....	2.20
11.....	2.15
15.....	2.55

and the maximum prices for shipment by truck or wagon from all other mines in Iron County, Utah, in District No. 20 shall be as follows:

Size groups:	Maximum prices
3.....	\$5.10
4.....	5.00
7.....	4.30
8.....	3.95
10.....	3.00
11.....	2.95
15.....	3.35

[Subparagraph (i) added by Am. 52, 8 F.R. 4718, effective 4-14-43]

[Paragraph (b) amended by Am. 38, 8 F.R. 1747, effective 2-6-43]

(3) The prices established by subparagraphs (1) and (2) of this paragraph (b) or by orders issued prior to December 1, 1943 may be increased by no more than 10 cents per ton: *Provided, however*, That if the coal is produced at an underground truck mine without a rail siding or connection the prices may be increased by no more than 20 cents per ton.

[Subparagraph (3) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

§ 1340.232 Appendix U: Maximum prices for bituminous coal produced in

[From all mines]

	Prices and size group Nos.														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Subdistrict No. 1.....	440	440	440	430	425	375	325	295	300	190	155	130	270		
Subdistrict No. 2.....	440	440	440	405	400	345	295	275	245	185	155	130	255		
Subdistrict No. 7.....	435	435	410	385	385	360	335	260	185		135	115			
Subdistrict No. 8.....			435				260		185						
Subdistrict No. 9.....	440	440	440	430	425	375	325		270	205		130			
Subdistrict No. 12.....	435				360				185						

[Subparagraph (1) amended by Am. 67, 8 F.R. 13706, effective 10-9-43]

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses. The maximum prices for shipment by truck or wagon shall be the applicable effective minimum

prices as of October 1, 1942, plus a sum not exceeding 85 cents for Size Group 9, and 35 cents for Size Groups 1, 2, 3, 4, 5, 6, 7, 8, 10, 11 and 12.

Exception to (2) above:

Producers	Mine	Mine index	Movement	Prices and size group Nos.												
				1	2	3	4	5	6	7	8	9	10	11	12	15
SUBDISTRICT NO. 2																
Nye Coal Co. (S. R. Tandy)	Nye Coal Co.	247	Truck	450	450	450	400	300	275	250	160	145	125			
SUBDISTRICT NO. 6																
Miller Bros.	Miller	201	Truck		500								280			
SUBDISTRICT NO. 12																
Bennett, James N.	Oertel	215	Truck		700						350	150				
Thorman, Albert H.	Kellogg	175	Truck		700						350	150				

(3) Maximum prices in cents per net ton for railroad fuel. The maximum prices for all railroad fuel shall be the applicable effective minimum prices as of October 1, 1942, for all-rail on-line shipments (without adjustments on account of price exceptions, freight differentials, and substitutions), plus a sum not exceeding 30 cents per net ton: *Provided*, That where a mine is on-line to more than one railroad, the highest minimum price shall be applicable in determining the maximum price: *Provided, further*, That where a producer, or a sub-district, does not have an established minimum price for railroad fuel, the maximum price for such coal shall be the commercial all-rail maximum price for the grade and size shipped.

[Paragraph (b) amended by Am. 35, 8 F.R. 1629, effective 2-3-43]

(4) The prices established by subparagraphs (1), (2), and (3) of this paragraph (b) or by orders issued prior to December 1, 1943 may be increased by

no more than 10 cents per ton: *Provided, however*, That if the coal is produced at an underground truck mine without a rail siding or connection the prices may be increased by no more than 20 cents per ton.

[Subparagraph (4) added by Am. 73, 8 F.R. 16280, effective 11-29-43]

§ 1340.233 Appendix V: Maximum prices for bituminous coal produced in District No. 23. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds f. o. b. transportation facilities at the mine or preparation plant from which delivery is made:

(1) Maximum prices in cents per net ton for shipment to all destinations for all uses and by all methods of transportation, except as otherwise specifically provided in this appendix.

[From all mines except as listed below]

Subdistrict	Mines	Prices and size group numbers																								
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
Subdistrict A	Roslyn Field	585	575	545					565		500		530	500			450			490	490	430		405	385	370
Subdistrict B	Pierce County	585	585					585					390	315		345	345			335	325	325		330	210	335
Subdistrict C	Southwest Washington	495	485	490	415				415		505		575							485				455		
Subdistrict D	Bellingham Field	555	545	510	445		520	490					490	425	415											
Subdistrict E	McKay, Lawson Field	670							630	595	585		575													
Subdistrict F	Renton Field	585	585	585	585				505	490	495	475	475	435	435											
Subdistrict G	Cumbarland Field	565	565	525	525				525	525	475	475	460													
Subdistrict H	Healy River Field, Alaska																									
Subdistrict I	All Other Mines, Alaska																									
Subdistrict J	Riverton Field, Ore.	520								370																
Subdistrict K	Marshfield Field, Ore.	320								420																
Subdistrict L	Marion and Clackamas Counties, Ore.	465	455	490		415			415				390	315		345	345			335	325	325		330	210	335

Excluded from Price Schedule

(2) Maximum prices in cents per net ton for shipment by truck or wagon to all destinations for all uses. The maximum prices for shipment by truck or wagon shall be the applicable effective minimum prices as of October 1, 1942, plus a sum not exceeding 85 cents for Size Groups 1 to 25, inclusive, except 18, and 110 cents for Size Group 18, except as otherwise shown below.

prices for all sizes of railroad fuel shall be those shown in subparagraph (1) above for size group No. 26: *Provided*, That where no maximum price is specified therein for a particular subdistrict, the maximum price for such railroad fuel shall be the commercial all-rail maximum price for the grade and size shipped. Exceptions to (1) and (2) above:

Product	Mine	Mine Index	Movement	Prices and size group numbers																						
Subdistrict D	Bellingham Coal Mines	3	Rail	555	545	510	445		520	490		490	405		400	425	415									
Subdistrict E	Pacific Coast Coal Co.	32	Truck	675	625	625	585		585	585		585	560		535	500	485									
Subdistrict F	Continental Coal Co., c/o James S. Ramage	9	Truck	720					700	690	680		680													
Subdistrict G	Springbrook Mining Co. (A. F. Plant)	33	Truck	775					630	695	690		630													
	Renton Mining Co., Inc. (c/o John S. Mathven)	150	Rail	585	585	585	585		505	505	490	495	475	475	435	435	425									
	Consolidated Coal Mines, Inc.	160	Truck	600	600	600	590		505	505	490	495	475	475	435	435	425									
	Franklin Gem Coal Co. (Geo. T. Wake, Jr.)	162	Truck	625	625	590	590		505	505	490	495	475	475	435	435	425									
	Hyde Mines, Inc.	161	Truck	565	565	575	525		525	525	475	475	460		445											

When sold to Superior Portland Cement Co., Concrete, Skagit County, Wash., and Olympic Portland Cement Co., Bellingham, Whatcom County, Wash.

For all other sales for rail shipment.

[Paragraph (b) amended by Am. 9, 7 F.R. 5560, effective 7-17-42; and Am. 35, 8 F.R. 1629, 2873, effective 2-3-43]

(b) or by orders issued prior to December 1, 1943 may be increased by no more than 35 cents per ton.

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

Issued this 11th day of May 1944.
CHESTER BOWLES,
Administrator.
[F. R. Doc. 44-6791; Filed, May 11, 1944;
4:31 p. m.]

PART 1340—FUEL

[MPR 121,¹ Incl. Amdts. 1-31]MISCELLANEOUS SOLID FUELS DELIVERED
FROM PRODUCING FACILITIES

This compilation of Maximum Price Regulation 121 includes Amendment 31, effective May 16, 1944. The text added by Amendment 31 is underscored.

In the judgment of the Price Administrator the prices of miscellaneous solid fuels are threatening to rise to an extent and in a manner inconsistent with the purposes of the Emergency Price Control Act of 1942. The Price Administrator has given due consideration to the prices of miscellaneous solid fuels prevailing between October 1 and October 15, 1941, and has made adjustments for such relevant factors as he has determined and deemed to be of general applicability.

In the judgment of the Price Administrator the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of said Act. A statement of considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.²

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,³ issued by the Office of Price Administration, Maximum Price Regulation No. 121 is hereby issued.

Sec.

- 1340.241 Maximum prices for miscellaneous solid fuels delivered from producing facilities.
- 1340.242 Less than maximum prices.
- 1340.243 Adjustable pricing.
- 1340.244 Evasion.
- 1340.245 Records and reports.
- 1340.246 Enforcement.
- 1340.246a Licensing.
- 1340.247 Petitions for amendment.
- 1340.247a Applications for adjustment.
- 1340.247b Provisions for specific ceiling prices.
- 1340.248 Definitions.
- 1340.249 Appendix A: Maximum prices for miscellaneous solid fuels delivered from producing facilities.
- 1340.250 Effective date.
- 1340.250a Effective dates of amendments.

AUTHORITY: §§ 1340.241 to 1340.250a, inclusive, issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681.

§ 1340.241 *Maximum prices for miscellaneous solid fuels delivered from producing facilities.* On and after May 18, 1942, regardless of any contract, agreement, lease, or other obligation, no person who is a producer or a distributor of miscellaneous solid fuels shall sell or dispose of miscellaneous solid fuels, at or for delivery from a mine or preparation plant operated as an adjunct of a mine

or mines, or briquette plant, and no person shall, in the course of trade or business, buy or receive miscellaneous solid fuels so delivered, at prices higher than the maximum prices set forth in Appendix A hereof; incorporated herein as § 1340.249; and no person shall agree, offer, solicit or attempt to do any of the foregoing. The provisions of this section shall not be applicable to sales or deliveries of miscellaneous solid fuels to a purchaser, if prior to May 18, 1942, such solid fuel had been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

[§ 1340.241 amended by Am. 26, 8 F.R. 16662, effective 12-8-43]

§ 1340.242 *Less than maximum prices.* Lower prices than those set forth in Appendix A (§ 1340.249) may be charged, demanded, paid or offered.

§ 1340.243 *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.

[§ 1340.243 amended by Am. 18, 8 F.R. 8065, effective 6-18-43]

§ 1340.244 *Evasion.* (a) The price limitations set forth in this Maximum Price Regulation No. 121 shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to miscellaneous solid fuels, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

(b) The price limitations set forth in this Maximum Price Regulation No. 121 shall not be evaded by deterioration in the quality of miscellaneous solid fuels, in the form of substitution of a lower quality solid fuel for a higher quality product, or otherwise.

§ 1340.245 *Records and reports.* (a) On and after May 18, 1942, every producer and distributor making a sale of any miscellaneous solid fuel and every person making a purchase of miscellaneous solid fuels from a producer or dis-

tributor in the course of trade or business shall keep for inspection by the Office of Price Administration for a period of not less than two years complete and accurate records of each such sale or purchase, showing the date thereof; the name and address of the buyer and seller; the size, kind, quality, brand or trade name and quantity of the solid fuel sold, together with the name of the mine or plant at which it originated, the method of transportation employed in the delivery thereof; and the price paid or received therefor.

[Paragraph (a) amended by Am. 4, 7 F.R. 6002, effective 8-5-42]

(b) Not later than June 1, 1942, except where additional time may be granted by the Office of Price Administration in individual cases, every producer and distributor of miscellaneous solid fuels shall file with the Office of Price Administration in Washington, D. C., a statement setting forth:

(1) The last price circular, list or schedule issued by the same producer or distributor on or before December 31, 1941 and in effect during any portion of the period December 15-31, inclusive, 1941;

(2) Any "average price" used to determine any maximum price of such person, as provided in § 1340.249 (b) of this Maximum Price Regulation No. 121;

(3) The rate of interest, if any, charged by such person on delinquent accounts or on any note, trade acceptance or other evidence of indebtedness accepted in payment of an account during the period December 15-31, inclusive, 1941;

(4) The charges, if any, made by such person for any special services during the period December 15-31, 1941, inclusive, together with a description of the special service rendered; and

(5) The cash and quantity discounts and other allowances (except freight rate absorptions) which such person actually made, or made available, to purchasers during the period December 15-31, inclusive, 1941.

(c) Persons affected by this Maximum Price Regulation No. 121 shall submit such other reports to the Office of Price Administration and keep such other records as it may from time to time require.

(d) Persons subject to this Maximum Price Regulation No. 121 shall not be required to observe the provisions of paragraph (b) of § 1499.13 of the General Maximum Price Regulation.⁴

[Paragraph (d) added by Am. 4, 7 F.R. 6002, effective 8-5-42]

§ 1340.246 *Enforcement.* (a) Persons violating any provision of this Maximum Price Regulation No. 121 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 121 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a viola-

⁴ 9 F.R. 1385.

¹ 7 F.R. 3237.

² Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

³ Revised: 7 F.R. 8961; 8 F.R. 3313, 3533, 6178, 11806; 9 F.R. 1594, 3075.

tion are urged to communicate with the nearest field or regional office of the Office of Price Administration or its principal office in Washington, D. C.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

§ 1340.246a *Licensing.* The provisions of Licensing Order No. 1,² 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.

[§ 1340.246a added by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

§ 1340.247 *Petitions for amendment.* Any person seeking an amendment of any provision of this Maximum Price Regulation No. 121 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

[§ 1340.247 amended by Supplementary Order No. 26, 7 F.R. 8948, effective 11-4-42]

§ 1340.247a *Applications for adjustment.* The Office of Price Administration, or any duly authorized representative thereof, may adjust any maximum price established under this Maximum Price Regulation No. 121 in the following cases:

(a) In the case of any seller of miscellaneous solid fuels who shows:

(1) That such maximum price causes him substantial hardship and is abnormally low in relation to the maximum prices established for competitive sellers of miscellaneous solid fuels; and

(2) Establishing for him a maximum price, bearing a normal relationship to the maximum prices established for competitive sellers of miscellaneous solid fuels, will not cause or threaten to cause an increase in the level of retail prices of miscellaneous solid fuels.

No application for adjustment filed after November 15, 1942, will be granted under this paragraph (a).

(b) In the case of any seller of miscellaneous solid fuels when it appears:

(1) That there exists or threatens to exist in a particular locality a shortage in the supply of a miscellaneous solid fuel which aids directly in the war program or is essential to a standard of living consistent with the prosecution of the war; and

(2) That such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such miscellaneous solid fuel; and

(3) That such adjustment will not create or tend to create a shortage, or

a need for increase in prices, in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Each regional administrator is authorized to make adjustments or act upon applications for adjustments under this paragraph (b).

[Paragraph (b) amended by Am. 16, 8 F.R. 6957, effective 5-24-43]

(c) The Office of Price Administration, or any regional office thereof, after clearance with the Solid Fuels Branch in Washington, D. C., may by order grant an adjustment of maximum prices to any producer of a miscellaneous solid fuel, when it is established that the sale of its mine's or plant's entire production at existing maximum prices would not return a realization equal to its total costs of production.

[Paragraph (c) added by Am. 16, 8 F.R. 6957, effective 5-24-43; and amended by Am. 20, 8 F.R. 10358, effective 7-28-43]

(d) In connection with any application for adjustment filed under the provisions of this section, full data on costs, profits, price history and other relevant factors are required. The following forms must be used for filing the required data. Applicants operating a mine must use OPA Form No. 653-331, applicants operating a briquette or packaged fuel plant must use OPA Form No. 653-330. Two copies of each form used must be filed with each application. Copies of these forms may be obtained from the Office of Price Administration or any regional office thereof.

[Paragraph (d) added by Am. 16, 8 F.R. 6957, effective 5-24-43; amended by Am. 20, 8 F.R. 10358, effective 7-28-43; Am. 26, 8 F.R. 16662, effective 12-8-43; and Am. 27, 9 F.R. 455, effective 1-11-44]

(e) Applications for adjustment pursuant to this section shall be filed in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

[Paragraph (e) added by Am. 16, 8 F.R. 6957, effective 5-24-43]

[§ 1340.247a added by Am. 3, 7 F.R. 5941, effective 7-31-42; and amended by Am. 7, 7 F.R. 8521, effective 10-20-42; Am. 8, 7 F.R. 8938, effective 11-4-42; and as otherwise noted]

[NOTE: Procedural Regulation No. 6 (7 F.R. 4087, 5665; 8 F.R. 6173, 6174) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, excepting those which expressly prohibit such applications and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

§ 1340.247b *Provision for specific ceiling prices.* In establishing prices for solid fuels by an area ceiling order or where prices have been established by such an order issued under § 1340.260 of Revised Maximum Price Regulation No. 122⁶ the Office of Price Administration or any regional office thereof may also establish maximum area prices for deliveries of miscellaneous solid fuels made subject to this regulation from a mine, adjunct preparation plant, briquette plant, or other producing facility, to consumers in the same area and also for services in connection with the preparation of such solid fuels and their delivery. The prices so established may be the same prices as are provided for similar deliveries made subject to Revised Maximum Price Regulation No. 122 or they may be such as will avoid diversions of supply which would disrupt an orderly pattern of distribution of coals in that area and areas nearby.

[§ 1340.247b added by Am. 25, 8 F.R. 15706, effective 11-23-43]

§ 1340.248 *Definitions.* (a) When used in this Maximum Price Regulation No. 121, 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 sub-divisions, or any agency of any of the foregoing.

(2) "Miscellaneous solid fuels" or "miscellaneous solid fuel" means anthracite other than that produced in the State of Pennsylvania; semi-anthracite; lignite; petroleum coke when sold by a distributor for use as fuel; briquettes made from coke or coal; packaged fuel; and sea coal used for foundry facings.

[Subparagraph (2) amended by Am. 1, 7 F.R. 3989, effective 5-27-42; Am. 11, 8 F.R. 2756, effective 3-3-43; Am. 12, 8 F.R. 4179, effective 4-6-43; Am. 14, 8 F.R. 6261, effective 5-18-43; Am. 21, 8 F.R. 10432, effective 7-12-43; Am. 26, 8 F.R. 16662, effective 12-8-43; and Am. 27, 9 F.R. 455, effective 1-11-44]

(3) "Producer" means (i) a person engaged in the business of mining miscellaneous solid fuel or preparing miscellaneous solid fuel at a preparation plant operated as an adjunct of a mine or mines, and (ii) a person engaged in the business of manufacturing briquettes or packaged fuel, (iii) any person acting as an agent of such a producer in the sale of miscellaneous solid fuel.

[Subparagraph (3) amended by Am. 26, 8 F.R. 16662, effective 12-8-43; and Am. 27, 9 F.R. 455, effective 1-11-44]

(4) "Distributor" means a person who purchases miscellaneous solid fuel at or for delivery from a mine or preparation plant operated as an adjunct of a mine or mines, or briquette or packaged fuel plant, for resale, and resells the same in not less than cargo or railroad carload lots, without physically handling such

6 F.R. 2128.

8 F.R. 13240.

miscellaneous solid fuel, and any person acting as an agent of such distributor in the sale of miscellaneous solid fuel.

[Subparagraph (4) amended by Am. 26, 8 F.R. 16662, effective 12-8-43; and Am. 27, 9 F.R. 455, effective 1-11-44]

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1340.249 *Appendix A: Maximum prices for miscellaneous solid fuels delivered from producing facilities.* The maximum prices established in this Maximum Price Regulation No. 121 are applicable to solid fuel delivered at destinations in the continental United States, the District of Columbia, the territories of Alaska and Hawaii, the Dominion of Canada and Newfoundland.

(a) The maximum price for the sale of miscellaneous solid fuel by a producer or distributor thereof shall be the price specified in the last price circular, list or schedule issued by such person on or before December 31, 1941, and in effect during any portion of the period December 15-31, inclusive, 1941. This shall be the price so specified for the sale of:

- (1) The same size, kind and quality of solid fuel;
- (2) In quantities taking the same price per ton;
- (3) To purchasers of the same general class (e. g. domestic, commercial, industrial);
- (4) By the same method of delivery (e. g. truck, rail, etc.); and
- (5) Under the same terms of delivery (e. g. delivered to the purchaser or f. o. b. transportation facilities at the mine, preparation plant, or briquette plant, etc.).

[Subparagraph (5) amended by Am. 26, 8 F.R. 16662, effective 12-8-43]

(b) If the maximum price cannot be determined under paragraph (a) of this section, the maximum price for the sale of miscellaneous solid fuel by a producer or distributor thereof shall be the "average price" charged by the same person during the period December 15-31, inclusive, 1941. This "average price" shall be determined by dividing into the aggregate of the prices charged by such person during December 15-31, inclusive, 1941 (before the deduction of any allowances or discounts or the addition of any special service charges), the aggregate of the tonnage sold by such person during December 15-31, inclusive, 1941, on sales of:

- (1) The same size, kind and quality of solid fuel;
- (2) In similar quantities;
- (3) To purchasers of the same general class (e. g. domestic, commercial, industrial);
- (4) By the same method of delivery (e. g. truck, rail, etc.); and
- (5) Under the same terms of delivery (e. g. delivered to purchaser or f. o. b. transportation facilities at the mine,

preparation plant, or briquette plant, etc.).

[Subparagraph (5) amended by Am. 26, 8 F.R. 16662, effective 12-8-43]

[Paragraph (b) amended by Am. 5, 7 F.R. 6386, effective 8-18-42]

(c) (1) [Revoked]

[Subparagraph (1) amended by Am. 2, 7 F.R. 4483, effective 6-16-42; Am. 5, 7 F.R. 6386, effective 8-18-42; and revoked by Am. 23, 8 F.R. 12314, effective 9-10-43]

(2) [Revoked]

[Subparagraph (2) added by Am. 2, 7 F.R. 4483, effective 6-16-42; and revoked by Am. 23, 8 F.R. 12314, effective 9-10-43]

(3) If the maximum price cannot be determined under paragraph (a) or (b) of this section, the maximum price for the sale of miscellaneous solid fuel by a producer or distributor shall be the price set by the Office of Price Administration in line with the level of maximum prices established for competitive miscellaneous solid fuels. The producer or distributor shall apply by letter to Office of Price Administration, Washington, D. C., for the establishment of such a maximum price, setting forth (i) a description of the miscellaneous solid fuel for which a maximum price is to be established; (ii) the reasons why such price cannot otherwise be determined; (iii) the maximum price requested by the applicant and a detailed explanation of how such price was determined; and (iv) the reasons why the applicant believes such price to be in line with the level of maximum prices otherwise established for competitive miscellaneous solid fuels. The Office of Price Administration may require the applicant to furnish additional relevant information, if necessary, and may approve, disapprove, or make adjustments in the maximum price requested. Any maximum price established pursuant to this subparagraph (3) shall be subject to adjustment at any time.

[Subparagraph (3) added by Am. 19, 8 F.R. 9992, effective 7-16-43; and amended by Am. 23, 8 F.R. 12314, effective 9-10-43]

(4) The maximum price of a producer or distributor for the sales of a miscellaneous solid fuel that has been determined by reference to a competitor's price or the price established by such person for the most nearly similar sale of a miscellaneous solid fuel under former paragraph (c) (1) or (c) (2) of this section shall remain as so established and such producer or distributor may not make application for the establishment of a new maximum price for sales of such miscellaneous solid fuels under the provisions of subparagraph (3) above.

[Subparagraph (4) added by Am. 23, 8 F.R. 12314, effective 9-10-43]

(d) (1) A producer of briquettes or packaged fuel may redetermine his maximum price established by the Office of Price Administration and in effect on November 23, 1943 in the manner and

subject to the conditions hereinafter set forth:

(i) There may be added to the maximum price in effect on November 23, 1943 the increase in the cost of solid fuel, f. o. b. mine, preparation plant or producing facility used in the manufacture of briquettes or packaged fuel actually incurred by the producer on or after November 24, 1943, except where such price has been adjusted by order of a regional office of the Office of Price Administration and reflects such increase in the cost of solid fuel: *Provided*, That the increase in the cost of Pennsylvania anthracite f. o. b. mine or preparation plant used in the manufacture of briquettes or packaged fuel shall not exceed the sum of 50 cents per net ton.

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions the addition of extra packing expenses to maximum prices on sales to procurement agencies of the United States.]

(ii) If a mixture of solid fuels is used in the manufacture of briquettes or packaged fuel the increase shall be determined according to the percentage of each solid fuel used in the mixture as computed on OPA Form No. 653-432, hereinafter set forth.

(iii) There must be deducted from the maximum price in effect on November 23, 1943, or as redetermined under this paragraph or former paragraph (d) (4) the exact amount of any decrease actually incurred by a producer in the cost of the solid fuel f.o.b. mine, preparation plant or producing facility, used in the manufacture of briquettes or packaged fuel, *Provided however*, a producer's maximum price need not be decreased if he incurs a decrease in the cost of solid fuel by reason of substituting a percentage of Pennsylvania anthracite in the mixture of solid fuels used in the manufacture of briquettes or packaged fuel where, prior to November 23, 1943, only bituminous coal fines were used.

[Proviso added by Am. 31, effective 5-16-44]

(iv) Each producer whose maximum price in effect on November 23, 1943 has been increased under the provisions of this paragraph (d) (1) or former paragraph (d) (4) of this section as in effect prior to January 11, 1944, must report his redetermined maximum price and his method of computation on OPA Form 653-432 set forth below. The completed forms must be filed in duplicate with the Office of Price Administration on or before February 29, 1944, or within 30 days after a producer has redetermined his maximum price, whichever period is longer. Such report must be filed each time a producer redetermines his maximum price pursuant to this paragraph. Copies of these forms may be obtained from the Office of Price Administration or any regional or district office thereof.

[Subparagraph (iv) amended by Am. 29, 9 F.R. 2552 effective 3-10-44]

OPA Form 653-432 (12-49)
Form Approved
Budget Bureau No. 08-R767

United States of America
Office of Price Administration
Solid Fuels Price Branch
Washington 25, D. C.

SCHEDULE FOR COMPUTING REDETERMINED
MAXIMUM PRICES FOR BRIQUETTES OR PACK-
AGED FUEL

(Under Amendment No. 27 to MPR 121)

Name of Company

Address—Number and Street

Trade, or Brand Name of Product (if not sold under a name, describe briefly)

PART I—INSTRUCTIONS

An original and one copy of this report must be filed with the Solid Fuels Branch of the Office of Price Administration, Washington 25, D. C., for each fuel (briquettes or packaged fuel) for which an increase in price

is computed as a result of increased costs of solid fuel ingredients. The increase in price as computed on this schedule may be charged immediately after the schedule is filed, and will remain in effect unless later modified.

In Part IIA of this form list the kind and origin of each solid fuel used in making the product. In Columns 1 to 4 identify the solid fuel as to kind (anthracite, bituminous, coke, lignite, etc.), size and origin of the fuel. In Column 5 enter the percent of each kind of solid fuel used in the product; in Column 6 enter the F. O. B. mine or plant price per ton; and in Column 7 the cost of each solid fuel ingredient per ton of product. In Columns 8, 9, and 10 enter the current data for each fuel used in the product.

NOTE: Changes in solid fuel ingredients used may occur. The ingredients used previous to November 24, 1943, should be listed followed by the fuels used currently.

In Part IIB record the increase, or decrease, permitted by § 1340.249 (d).

In Part III record the increase, or decrease, as it affects the maximum price of the producer for each class of purchaser.

The list of methods of determining the original maximum prices is given below. This list is to be used in connection with Part III to indicate how your maximum prices were determined.

LIST OF METHODS OF DETERMINING ORIGINAL MAXIMUM PRICES

(a) Under paragraph (a) § 1340.249 of MPR 121, "The maximum price . . . shall be the price specified in the last price circular, list or schedule issued by such person on or before December 31, 1941, and in effect during any portion of the period December 15-31, inclusive, 1941."

(b) Under paragraph (b) "If the maximum price cannot be determined under paragraph (a) . . . the maximum price for the sale of miscellaneous solid fuel . . . shall be the 'average price' charged by the same person during the period December 15-31, inclusive, 1941."

(c) (1) Under paragraph (c) (1) "If the maximum price cannot be determined under paragraphs (a) or (b) the maximum price shall be the price of any other producer or distributor of miscellaneous solid fuel, as specified in any price circular, list or schedule issued prior to December 31, 1941, and in effect for any portion of the period December 15-31, 1941, inclusive."

(c) (2) Under paragraph (c) (2) if the maximum price cannot be determined under paragraphs (a), (b) or (c) (1) above, the maximum price shall be the price for the most similar sale of miscellaneous solid fuels.

Other. In addition to these four methods the maximum price may have been determined by an order. (Check Column 7 of Part III.)

PART IIA—WORK SHEET FOR COMPUTING THE AMOUNT BY WHICH THE PRODUCER OF BRIQUETTES OR PACKAGED FUEL MAY INCREASE, OR MUST DECREASE, MAXIMUM PRICES AFTER NOVEMBER 24, 1943

Kind and origin of fuels used in the manufacture of briquettes or packaged fuel				Latest cost previous to November 24, 1943			Current solid fuel costs			Freight cost per ton, point of origin to producer's plant
Kind of solid fuel	Screen size or size group	Origin of fuel		Percent each solid fuel used	F. o. b. mine price per ton ²	Solid fuel cost per ton of product	Percent each solid fuel used	F. o. b. mine price per ton ²	Solid fuel cost per ton of product	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Total fuel cost per ton of product.....				100.0	X X X	-----	100.0	X X X	-----	X X X

PART IIB—COMPUTATION OF AMOUNT OF INCREASE OR DECREASE IN MAXIMUM PRICES

1	Total of entries in Part IIA—Column 10.....	
2	Total of entries in Part IIA—Column 7.....	
3	Difference—Increase (or decrease) in Solid Fuel cost per ton of product.....	

NOTE: If the total of the entries in Column 10, Part IIA, is greater than the total of the entries in Column 7, the amount of the difference may be added to the November 24th, 1943 maximum prices. If the entry in Column 10 is smaller than the entry in Column 7 the difference must be subtracted from the November 24th, 1943 maximum prices.

¹ For coke or other processed solid fuel enter the producer's name and location of facility.

² For coke or other processed solid fuel enter the F. O. B. price at producer's facility.

or other form of indebtedness accepted in payment of an account shall not exceed the rate charged by the same producer or distributor on similar transactions during the period December 15-31, inclusive, 1941.

(3) The charge made for any special service (including, specifically but not exclusively, bags and bagging, specially prepared sizes, split cars containing more than one size, box car loading and truck loading from any producing facility) shall not exceed:

(i) The charge made by the same person for the same special service supplied during the period December 15-31, 1941; or

(ii) In the case of a special service which was not supplied during the period December 15-31, 1941, the offering price which the same person then had in effect for the supply of the same special service; or

(iii) If, during the period December 15-31, 1941, the same person neither supplied nor had in effect an offering price for the same special service, then the charge made by such person during the period December 15-31, 1941, for the similar service most nearly like it.

[Subparagraph (3) added by Am. 6, 7 F.R. 8587, effective 10-28-42]

[Paragraph (f), formerly paragraph (e), redesignated (f) by Am. 27, 9 F.R. 455, effective 1-11-44. Former (f) added by Am. 13, 8 F.R. 5756, effective 5-7-43; and revoked by Am. 26, 8 F.R. 16662, effective 12-8-43]

(g) [Revoked]

[Paragraph (g) added by Am. 15, 8 F.R. 6951, effective 5-28-43; and revoked by Am. 26, 8 F.R. 16662, effective 12-8-43]

(h) *Maximum prices for semi-anthracite produced in the State of Virginia.* Notwithstanding the provisions of paragraphs (a) and (b) of this section the following maximum prices are established for semi-anthracite produced in the State of Virginia (also known as Virginia anthracite) f. o. b. transportation facilities at the mine:

(1)

Size	Price per net ton on and including Mar. 31, 1945	Price per net ton on and after Apr. 1, 1945
Egg, stove, and nut.....	\$4.80	\$4.60
Pea.....	3.55	3.35
Buckwheat.....	3.05	2.85
Rice.....	2.30	2.10
Culm.....	1.10	1.10
Special prepared $\frac{1}{8}$ " by $\frac{3}{8}$ " crusher run of mine.....	4.05	3.85

(2) For truck or wagon shipment there may be added to the maximum prices established by subparagraph (1) above the sum of 25 cents per net ton on all sizes except special prepared $\frac{1}{8}$ " by $\frac{3}{8}$ " crusher run of mine.

(3) For rail shipment, a discount of 10 cents per net ton for cash payment or payment within 15 days from date of invoice must be deducted from the maximum prices established by subparagraph (1) above.

[Paragraph (h) added by Am. 22, 8 F.R. 10936, effective 8-10-43; and amended by Am. 30, 9 F.R. 3966, effective 4-12-44]

(i) Maximum prices for semi-anthracite produced in the Bernice Basin, Sullivan County, Pennsylvania.

Notwithstanding anything to the contrary contained in this regulation, the following maximum prices and size de-

Size	Top size description	Bottom size description	Per net ton
Stove.....	$2\frac{1}{4}$ " but not exceeding $2\frac{3}{4}$ "	$1\frac{1}{2}$ " but not exceeding $1\frac{3}{4}$ "	\$6.50
Nut.....	$1\frac{1}{2}$ " but not exceeding $1\frac{3}{4}$ "	$1\frac{1}{4}$ " but not exceeding $1\frac{1}{2}$ "	6.50
Pea.....	$1\frac{1}{4}$ " but not exceeding $1\frac{1}{2}$ "	$1\frac{1}{8}$ " but not exceeding $1\frac{1}{4}$ "	5.50
Buckwheat #1.....	$1\frac{1}{8}$ " but not exceeding $1\frac{1}{4}$ "	$1\frac{1}{16}$ " but not exceeding $1\frac{1}{8}$ "	3.75
Rice (Buckwheat #2).....	$1\frac{1}{16}$ " but not exceeding $1\frac{1}{8}$ "	$1\frac{1}{32}$ " but not exceeding $1\frac{1}{16}$ "	2.75
Screenings.....	$1\frac{1}{32}$ "	0"	1.95
Run of mine.....			3.05

[Paragraph (i) added by Am. 24, 8 F.R. 12791, effective 9-17-43]

§ 1340.250 *Effective date.* (a) This Maximum Price Regulation No. 121 (§§ 1340.241 to 1340.250, inclusive) shall become effective May 18, 1942. [MPR 121 originally issued April 29, 1942]

§ 1340.250a *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected]

NOTE: The reporting provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1943.

Issued this 11th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6792; Filed, May 11, 1944; 4:31 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13, Amdt. 33]

PROCESSED FOODS

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

Revised Ration Order 13 is amended in the following respects:

1. The last sentence of section 2.3 (a) is amended to read as follows: "Moreover, consumers may acquire, transfer, or use, without limitation or restriction, processed foods which have a zero point value at the time of the acquisition, transfer, or use, respectively."

2. Section 9.2 (e) is added to read as follows:

(e) The limitations or restrictions on acquisitions, transfers, or use of processed foods do not apply to processed foods which have a zero point value at the time of the acquisition, transfer, or use, respectively, except where the provisions of the limitation or restriction are stated to apply to processed foods which have a zero point value.

This amendment shall become effective May 12, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th

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

¹ 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791.

scriptions are established for semi-anthracite produced in the Bernice Basin, Sullivan County, Pennsylvania (also known as Bernice anthracite) f. o. b. railroad cars or trucks at mine for shipment to all destinations and for all uses.

Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320, and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 11th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6793; Filed, May 11, 1944; 4:31 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16, Amdt. 138]

MEAT, FATS, FISH AND CHEESES

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

Ration Order 16 is amended in the following respects:

1. Section 2.2 (a) is amended by adding the following sentence at the end of the paragraph: "Moreover, consumers may acquire, transfer, or use, without limitation or restriction, foods covered by this order which have a zero point value at the time of the acquisition, transfer, or use, respectively."

2. Section 10.1 (h) is added to read as follows:

(h) The limitations or restrictions on acquisitions, transfers, or use of foods covered by this order do not apply to such foods which have a zero point value at the time of the acquisition, transfer, or use, respectively, except where the provisions of the limitation or restriction are stated to apply to foods covered by this order which have a zero point value.

3. Section 11.2a is added to read as follows:

SEC. 11.2a *Foods which have a zero point value may be transferred without points.* (a) No points need be given up for a "transfer" of foods covered by this order which have a zero point value at the time of the transfer.

¹ 8 F.R. 13128, 13394, 13980, 14399, 14523, 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, 2408.

This amendment shall become effective May 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. 9820, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 8 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 11th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6794; Filed, May 11, 1944;
4:31 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 306,¹ Incl. Amdt. 20, Correction]

CERTAIN PACKED FOOD PRODUCTS

The collation to Maximum Price Regulation No. 306, including Amendment 20 which was issued December 16, 1943, is corrected in the following respects:

In the list of vegetables in Group I in § 1341.585 (a) the phrase "(packed from fresh stock)" is added after the item "Pickles" so that the listing will read "Pickles (packed from fresh stock)", and the item "Fresh cucumbers" is deleted therefrom.

The correction to Maximum Price Regulation No. 306, including Amendment 20, shall become effective as of December 22, 1943.

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

Issued this 12th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6830; Filed, May 12, 1944;
11:43 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 469,² Amdt. 6]

LIVE HOGS

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.*

Maximum Price Regulation No. 469 is amended in the following respects:

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

(a) The ceiling price for any live hog sold depends on the weight of the hog and on the location of the scales upon which the hog is weighed for sale. All hogs sold must be weighed at a terminal

market, interior market, or buying station.

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

(b) Second, refer to Appendix A (Section 13) for the ceiling price of live hogs weighing not more than 240 pounds each. For the ceiling price of live hogs weighing more than 240 pounds each, refer to the prices listed in Appendix A (Section 13) and subtract 75 cents per hundredweight from such prices.

(1) The ceiling prices for live hogs weighing not more than 240 pounds each which are weighed at a terminal market for sale are found in Schedule I of Appendix A (Section 13). The ceiling prices for live hogs weighing more than 240 pounds each which are weighed at a terminal market for sale shall be the prices listed in Schedule I of Appendix A (Section 13) minus 75 cents per hundredweight.

(2) The ceiling prices for live hogs weighing not more than 240 pounds each which are weighed at an interior market for sale are found in Schedule II of Appendix A (Section 13). The ceiling prices for live hogs weighing more than 240 pounds each which are weighed at an interior market for sale shall be the prices listed in Schedule II of Appendix A (Section 13) minus 75 cents per hundredweight.

(3) The ceiling prices for live hogs weighing not more than 240 pounds each which are weighed at a buying station for sale are found in Schedule III of Appendix A (Section 13). The ceiling prices for live hogs weighing more than 240 pounds each which are weighed at a buying station for sale shall be the prices listed in Schedule III of Appendix A (Section 13) minus 75 cents per hundredweight.

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

(d) The person weighing each live hog or lot of live hogs sold shall write on the invoice of such sale or the receipt evidencing such sale (1) the weight and number of hogs weighing not more than 240 pounds each, (2) the weight and number of hogs weighing more than 240 pounds each, (3) his name, and (4) the place and date of weighing.

4. Section 8 (b) is redesignated section 8 (c).

5. A new section 8 (b) is added to read as follows:

(b) On and after May 15, 1944, in place of the records required to be kept by paragraph (a) of this section, every person who sells, or in the course of trade or business buys or receives live hogs, and every agent of such a person for sale or purchase shall make and preserve for so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of each such sale or purchase, showing (1) the date, (2) the name and address of the buyer and the seller, (3) the place at which the live hogs sold were weighed, (4) the weight and number of hogs

weighing not more than 240 pounds each, and the price charged or received or paid therefor, and (5) the weight and number of hogs weighing more than 240 pounds each and the price charged or received or paid therefor.

6. Section 12 (a) is amended to read as follows:

(a) Every person selling live hogs shall furnish the buyer with an invoice or accept from the buyer a receipt, or both, showing (1) the name and address of the buyer and seller, (2) the place at which the hogs sold were weighed, (3) the weight and number of hogs sold weighing not more than 240 pounds each, (4) the weight and number of hogs sold weighing more than 240 pounds each, and (5) the price charged or received therefor, separately stated for hogs weighing not more than 240 pounds each, and for hogs weighing more than 240 pounds each, including all allowances and payments for all services rendered in connection with the sale.

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

(b) The invoice shall be delivered to the buyer or the receipt shall be delivered to the seller on the day of weighing of the hogs sold or on the day of delivery of the hogs to the buyer, whichever day is later; and no invoice shall be delivered to the buyer or receipt delivered to the seller until the person weighing the hogs has endorsed on the invoice or receipt (1) the weight and number of hogs weighing not more than 240 pounds each, (2) the weight and number of hogs weighing more than 240 pounds each, (3) his name, and (4) the place and date of weighing.

8. The table headings of Schedules I, II and III of section 13 are amended to read respectively as follows:

Schedule I.—Ceiling prices for live hogs weighing not more than 240 pounds each which are weighed at terminal markets for sale.

Schedule II.—Ceiling prices for live hogs weighing not more than 240 pounds each which are weighed at interior markets for sale.

Schedule III.—Ceiling prices for live hogs weighing not more than 240 pounds each which are weighed at buying stations for sale.

This amendment shall become effective May 15, 1944.

NOTE: The record-keeping and reporting 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 12th day of May 1944.

CHESTER BOWLES,
Administrator.

Approved: May 8, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-6833; Filed, May 12, 1944;
11:44 a. m.]

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

¹ 8 F.R. 16896, 17224, 17295, 17482; 9 F.R. 287, 96, 1710, 2237.

² 8 F.R. 12562, 12741, 13847; 9 F.R. 694, 1522, 2654.

1445—Live Stock

PART 1439—UNPROCESSED AGRICULTURAL
COMMODITIES[MPR 496,¹ Amdt. 3]

VEGETABLE SEEDS

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. 496 is amended in the following respects:

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

(4) A commercial grower is a person who:

(i) Contracts with a farmer-producer to grow vegetable seeds for him or who grows vegetable seeds in his own farming operations; and

(ii) Cleans, hand picks, purifies, tests in a laboratory and sacks vegetable seeds; and

(iii) Labels the same pursuant to all applicable State or Federal seed laws;

(iv) Sells peas, beans and sweet corn seeds to processors.

A person shall not be deemed to be a commercial grower with respect to a particular lot of seeds, if with respect to such lot he qualifies hereunder as a wholesaler or retailer.

2. The first sentence in section 4 (a) (6) is amended to read as follows:

(6) "Wholesaler" means, with respect to any particular lot, a person who (including a commercial grower):

(i) Sells beet, cabbage, carrot, cauliflower, Swiss chard, cucumber, lettuce, mangel, onion, rutabaga and turnip seeds to processors in any quantity; or

(ii) Sells vegetable seeds to retailers in any quantity; or

(iii) Sells vegetable seeds to planters in the following quantities:

3. Section 4 (a) (7) is amended to read as follows:

(7) "Retailer" means, with respect to any particular lot a person who sells vegetable seeds to planters in quantities less than that required for a sale by a wholesaler.

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

(10) Whenever a provision in this regulation permits the addition of premiums for particular varieties of a kind of vegetable seeds, such provision is hereby amended to permit the addition of premiums determined in like manner for special strains.

5. Section 4 (c) is added to read as follows:

(c) Notwithstanding any other provision of this regulation, from the effective date of this amendment to June 30, 1944, the maximum price of any person who does not meet the terms of the definition of a commercial grower for a sale of bean seeds and sweet corn seeds to a processor shall be the wholesaler's

maximum price, and the maximum price of such processor in reselling the same to planters shall be the wholesaler's maximum price.

6. Section 5 (d) is amended to read as follows:

(d) For beet, carrot, onion, rutabaga and turnip:

(1) The maximum prices for the sale or delivery of the varieties of beet, carrot, onion, rutabaga and turnip seeds which are specified in a memorandum from E. J. Murphy, Chief, Grain Products Branch of the Food Distribution Administration to Commercial Vegetable Seed Growers, and dated October 30, 1943, by a farmer-producer (except as provided in subparagraphs (2) and (3) hereof) shall be the prices as specified in said memorandum on or prior to the date of the issuance of this regulation which commercial seed growers are required to pay farmer seed growers per pound for such varieties of vegetable seeds in order to be eligible to sell or deliver the same to the Federal Surplus Commodities Corporation, plus transportation charges from the farm where grown to the buyer's receiving point by a usual route and method of transportation.

(2) When carrot seeds are produced by a farmer-producer in the State of California from roots furnished by him, the maximum prices for the sale or delivery of such seeds by such farmer-producer shall be as follows:

Variety:	Maximum price per pound
Nantes.....	\$0.57
Other.....	.52

plus transportation charges from the farm where grown to the buyer's receiving point by a usual route and method of transportation.

(3) For other varieties of each kind of vegetable seed mentioned in subparagraph (1) of this paragraph, the farmer-producer shall determine his maximum price by adding to or subtracting from the maximum price for the variety most nearly similar thereto for which a maximum price is established under said subparagraph (1) the premium or discount, as the case may be, in dollars and cents normal to the trade during the period January 1 to May 31, 1943, for the variety to be priced in relation to said most nearly similar variety; and the resultant figure shall be his maximum price for the variety in question.

7. The figure 10.00 in column 3 of the table in section 5 (f) (1) is amended to read 18.00.

This amendment shall become effective May 17, 1944.

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

Issued this 12th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: May 5, 1944.

MARVIN JONES.

War Food Administrator.

[F. R. Doc. 44-6834; Filed, May 12, 1944;
11:44 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 133]

INSECTICIDE SPRAYER

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

Section 6.43 (b) (1) of Revised Supplementary Regulation No. 14 is amended to read as set forth below:

(b) (1) For sales by the Gulf Oil Corporation, Gulf Building, Pittsburgh, Pennsylvania, the maximum prices for sales of the insecticide sprayer are those set forth below:

(1) For sales of the insecticide sprayer at retail the maximum price is \$.55 per unit.

(2) For sales of the insecticide sprayer only, or as part of the sale of assorted specialties in the quantities listed below:

	Per dozen
For sales to retailers in less than 1/2 gross lots.....	\$4.82
For sales to retailers in lots of 1/2 gross to one gross.....	4.58
For sales to retailers in lots of over one gross and less than two gross....	4.34
For sales to retailers in lots of over two gross and less than three gross.....	4.10
For sales to retailers in lots of three gross and over.....	3.86
For sales to jobbers, minimum sale of one gross.....	3.86

This Amendment No. 133 shall become effective on the 17th day of May 1944.

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

Issued this 12th day of May 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6835; Filed, May 12, 1944;
11:45 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

AMENDMENT TO REGULATIONS AND APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R.S. 4405, 4417a, 4426, 4481, 4488, 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 404, 474, 481, 489, 367), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendments to the regulations and approval of equipment are prescribed:

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 153—BOATS, RAFTS AND LIFESAVING APPLIANCES; REGULATIONS DURING EMERGENCY

SIGNALING MIRRORS

Section 153.6 (u) is deleted and the following substituted in its stead:

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

¹ 8 F.R. 16210; 9 F.R. 1716, 3094.

§ 153.6 *Additional equipment for lifeboats on self-propelled ocean and coastwise vessels.* * * *

(u) *Signaling mirrors.* Two stainless steel or other suitably polished mirrors which shall be wrapped and kept in a waterproof container plainly marked "Signaling Mirrors." All signaling mirrors supplied as new or replacement equipment shall be of an approved type.

Section 153.7 (i) is deleted and the following substituted in its stead:

§ 153.7 *Additional equipment for life rafts approved prior to March 15, 1943, for ocean and coastwise vessels.* * * *

(i) *Signaling mirrors.* Two stainless steel or other suitably polished mirrors which shall be wrapped and kept in a waterproof container plainly marked "Signaling Mirrors." All signaling mirrors supplied as new or replacement equipment shall be of an approved type.

ITEMS OF EQUIPMENT APPROVED

DISENGAGING APPARATUS FOR LIFEBOATS

Rottmer Type releasing gear, Assembly "A" (Arrangement and Assembly Dwg. No. S82-1-23, dated 5 April 1944) (Maximum working load of 6,200 pounds per hook, 12,400 pounds per set), submitted by the Imperial Lifeboat & Davit Co., Inc., Athens, New York.

EMERGENCY FISHING KIT

Emergency fishing kit, Model No. 10, submitted by the Peerless Furniture Co., 819 Seventh St. NW., Washington, D. C.

LIFEBOAT

24' x 9' x 3'6½" metallic motor-propelled semi-enclosed lifeboat (Willy's lifeboat) (458 cu. ft. capacity, gross) (Construction Plan No. 4), submitted by the Pennsylvania Aircraft Syndicate Ltd., Wilford Building, Philadelphia 4, Pa.

LIFE FLOAT

20- and 25-person rectangular metal life floats, Type D (Dwg. No. 1738, revised 18 April 1944), manufactured by L. A. Young Spring and Wire Corp., 900 High Street, Oakland, Calif.

LIFE PRESERVER LIGHT

Life preserver light, Type A-2050-P (Dwg. No. A-2050-P, dated 10 January 1944), submitted by the Delta Electric Company, Marion, Indiana.

R. R. WAESCHE,
Vice Admiral, USCG,
Commandant.

MAY 12, 1944.

[F. R. Doc. 44-6796; Filed, May 12, 1944; 9:50 a. m.]

Chapter III—War Shipping Administration

[G. O. 37, Supp. 1]

PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

VALUES AND RATES OF CHARTER HIRE

Section 302.103 *Vessels built during and after 1935* is amended as follows:

In the table appearing in subparagraph (1) of paragraph (b), the words "14.6-15 knots (both inclusive)" are stricken out, and the following words in-

serted in lieu thereof: "14.6-15.9 knots (both inclusive)".

In the table appearing in subparagraph (2) of paragraph (c) the words "But the aggregate monthly hire shall not exceed:" are stricken out, and the following words inserted in lieu thereof: "But the aggregate monthly service rate shall not exceed:".

Section 302.104 *Vessels built during the period 1914-1934* is amended as follows:

In the table appearing in subparagraph (2) of paragraph (c) the words "But the aggregate monthly hire shall not exceed:" are stricken out, and the following words inserted in lieu thereof: "But the aggregate monthly service rate shall not exceed:".

Section 302.105 *Vessels built during or after 1935* is amended as follows:

In the table appearing in subparagraph (2) of paragraph (c) the words "But the aggregate monthly hire shall not exceed:" are stricken out, and the following words inserted in lieu thereof: "But the aggregate monthly service rate shall not exceed:".

Section 302.106 *Vessels built during the period 1914-1934* is amended as follows:

In paragraph (a), third sentence, the words "in the United States" are stricken out.

In the table appearing in subparagraph (2) of paragraph (c) the words "But the aggregate monthly hire shall not exceed:" are stricken out, and the following words inserted in lieu thereof: "But the aggregate monthly service rate shall not exceed:".

Section 302.107 *Values and rates* is amended as follows:

In the table appearing in subparagraph (2) of paragraph (c) the words "But the aggregate monthly hire shall not exceed:" are stricken out, and the following words inserted in lieu thereof: "But the aggregate monthly service rate shall not exceed:".

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

[SEAL]

E. S. LAND,
Administrator.

MAY 11, 1944.

[F. R. Doc. 44-6797; Filed, May 12, 1944; 10:11 a. m.]

[G. O. 41, Supp. 1]

PART 304—LABOR

EMPLOYMENT CARDS FOR ISSUANCE TO SEAMEN EMPLOYED OR TO BE EMPLOYED ON PANAMANIAN FLAG VESSELS OWNED BY OR UNDER CHARTER TO THE WAR SHIPPING ADMINISTRATION

Section 304.62 *United States Coast Guard to issue* is amended by striking out the period at the end thereof, inserting in lieu thereof, a comma, and adding the following:

Provided, however, That alien seamen, Masters and officers who are citizens, subjects, or nationals of allied nations specified in General Order 5, Supplement 2, Revised, dated July 31, 1943 (§ 304.8), and Supplements and amend-

ments thereto, who have not served on Panamanian flag vessels prior to the dates specified for the various nationalities shall not be issued employment cards without a letter of clearance from the Recruitment and Manning Organization and satisfactory evidence of a Consular release.

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

[SEAL]

E. S. LAND,
Administrator.

MAY 11, 1944.

This foregoing Supplement 1 to General Order 41, concurred in this 12th day of May 1944.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 44-6798; Filed, May 12, 1944; 10:11 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

[Emergency Order M-5]

PART 187—FREIGHT RATE TARIFFS, SCHEDULES, AND CLASSIFICATIONS

EMERGENCY SUBSTITUTION OF RAIL FOR TRUCK SERVICE

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 8th day of May, A. D. 1944.

The Commission having under consideration the urgent need in the present war emergency to conserve the existing motor vehicle facilities for the transportation of property, and

It appearing, that the substitution of rail service for the motor vehicle service of motor common carriers in some areas or between some points will contribute to the conservation and a more efficient utilization of the transportation facilities of the nation and will prevent and alleviate traffic congestion: *It is ordered, That:*

§ 187.102 *Emergency substitution of rail for truck service*—(a) *Publication of tariff rule on short notice.* Upon the certification by the Director of the Office of Defense Transportation that the substitution of rail transportation for that of motor common carriers in any particular area, between any points, or from or to any points will not adversely affect the transportation of freight by railroad and will aid in conserving motor carrier transportation facilities, motor common carriers are hereby authorized to published in their freight tariffs, filed with this Commission, effective on not less than one-day's notice, a rule reading substantially as follows:

Unless the shipper specifies motor carrier service in the bill of lading, the rates and charges in this tariff, as amended, will apply for the through service whenever any originating, intermediate, or delivering motor carrier, party hereto, substitutes at its option rail service for its own road-haul motor

vehicle service between or from and to the following points:

Motor carrier	Between	And
Motor carrier	From	To

This tariff rule is filed pursuant to Emergency Order No. M-5 of the Interstate Commerce Commission and Certificate No. _____¹ of the Director of the Office of Defense Transportation.

(b) *Cancellation or modification of rule on short notice.* The tariff rule provided in the preceding paragraph shall be canceled or modified coincident with the withdrawal in whole or in part by the Director of the Office of Defense Transportation of the certificate referred to in the preceding paragraph, and that the cancellation or modification of the tariff rule is hereby authorized to be made effective on not less than one day's notice.

(c) *Payment of rail tariff rates.* When rail service is substituted for truck service under the rule provided in the foregoing paragraph, motor common carriers shall pay the railroads the railroad tariff rates for the rail service.

(d) *Bills of lading.* The freight shall be tendered to the railroads by the motor common carriers on railroad bills of lading.

(e) *Limitations on substitution of service.* Rail service may be substituted for motor carrier service only between points between which the substituting motor carrier or carriers are authorized to transport and between which they continue to provide road-haul motor vehicle service.

(f) *Liability of carriers.* Nothing in this order shall be construed as relieving motor common carriers from their responsibility to the owner of the property as provided by law.

(g) *Effective period.* This order shall become effective May 25, 1944, and shall remain in effect until December 31, 1944, unless otherwise ordered. (49 Stat. 560-561; 56 Stat. 176; 49 U.S.C. 304, 317)

It is further ordered, That copies of this order be served on all common carriers of property by motor vehicle subject to part II of the Interstate Commerce Act; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-6776; Filed, May 11, 1944;
11:50 a. m.]

[1st Rev. S. O. 201]

PART 95—CAR SERVICE

USE OF REFRIGERATOR CARS FOR TRANSPORTING ICE

At a session of the Interstate Commerce Commission, Division 3, held at its

¹ Publisher of tariff to insert correct Certificate number.

office in Washington, D. C., on the 11th day of May, A. D. 1944.

It appearing that the transportation of ice in refrigerator cars delays the movement of such cars and causes undue damage thereto, thereby impeding the use of such cars acutely needed for the transportation of perishable freight; in the opinion of the Commission an emergency exists requiring immediate action to prevent a shortage of refrigerator cars: *It is ordered,* That:

§ 95.338 *Refrigerator cars; use for transporting ice.* (a) (1) No common carrier by railroad subject to the Interstate Commerce Act shall furnish an RS, RA, RAM or RSM type refrigerator car for loading with ice or shall accept for transportation or move any RS, RA, RAM or RSM type refrigerator car loaded with ice except as provided in paragraph (a) (2).

(2) *Exception.* Refrigerator cars may be furnished for loading with ice and refrigerator cars may be transported or moved when loaded with ice; *Provided,* That prior to such loading and transportation, the permission of the owners of such car or cars has been obtained for the use of such car or cars to ship ice therein.

(b) *Application.* The provisions of this order shall apply to intrastate transportation as well as interstate transportation.

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

(d) *Announcement of suspension.* Each of such railroads or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, announcing the suspension of any of the provisions therein.

(e) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by Charles W. Taylor, Manager, Refrigerator Car Section, Car Service Division, Association of American Railroads, 59 East Van Buren Street, Chicago, Illinois, as Agent of the Interstate Commerce Commission and Charles W. Taylor is hereby appointed as Agent of the Interstate Commerce Commission, subject to the direction of the Director of the Bureau of Service, and authorized to issue permits for the movement of ice in refrigerator cars, to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective at 12:01 a. m., May 15, 1944, and shall supersede Service Order No. 201 on the effective date hereof; that a copy of this order and direction shall be served upon each State Commission; 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. 44-6823; Filed, May 12, 1944;
11:23 a. m.]

[S. O. 170-A]

PART 97—ROUTING OF TRAFFIC

REROUTING OF FREIGHT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 11th day of May, A. D. 1944.

Upon further consideration of Service Order No. 170 (8 F.R. 17488) of December 27, 1943, and good cause appearing therefor: *It is ordered,* That:

Service Order No. 170 (8 F.R. 17488) of December 27, 1943, 49 CFR § 97.9, requiring rerouting of empty and loaded freight cars to relieve congestion and to increase the supply of cars on the Baltimore and Ohio Railroad in the vicinity of Baltimore, Md., be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 54 Stat. 911; 49 U.S.C. 1 (10)-(17))

It is further ordered, That this order shall become effective immediately; that copies of this order and direction shall be served upon the Reading Company, The Baltimore and Ohio Railroad Company, and the Western Maryland Railway Company, and 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. 44-6822; Filed, May 12, 1944;
11:23 a. m.]

TITLE 50—WILDLIFE

Chapter IV—Office of the Coordinator of Fisheries

[Order 1925, Amdt. 1]

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

SALMON CANNING INDUSTRY IN ALASKA

Section 401.1, *salmon canning industry in the Territory of Alaska*, of Order No. 1925 of the Secretary of the Interior, dated March 1, 1944 (9 F.R. 2495), is hereby amended by making the following changes and additions in Schedule A, Salmon Cannery Operating Schedule, 1944 in paragraph (c) of the order, all changes in labor quotas and salmon canning licenses therein having been ap-

proved by the War Manpower Commission in a telegram dated April 28, 1944, to the Area Coordinator for Alaska:

West Coast District: The name "Hydaburg Canning Company" is amended to read "Hydaburg Cooperative Association."

Western District: The name "Pyramid Packing Company" is amended to read "Pyramid Fisheries Inc."

Eastern District: Pacific American Fisheries, Inc., Petersburg, to operate in consolidation with Oscar Nicholson (same plant).

Prince William Sound District: Dayville Packing Company to operate 1 line at Valdez, Alaska. War Manpower Commission labor quota: 47 residents; 0 non-residents.

Cook Inlet District: The name "Nakiska Bay Packing Company" is amended to read "Nikishka Bay Packing Company."

The name "Reilly & Wilman's Cannery" is amended to read "Trading Bay Packers."

Pacific American Fisheries, Inc. to operate in consolidation with Snug Harbor Packing Company (same plant).

Mitchell & Keck Packing Company, McKenzie Point, to operate 1 line. War Manpower Commission labor quota: 6 residents; 0 non-residents.

Polar Sea Foods Company, Ninilchik, Alaska, to operate 1 line. War Manpower Commission labor quota: 10 residents; 0 non-residents.

Chignik District: Pacific American Fisheries, Inc. to operate in consolidation with the Chignik Packing Company and Alaska Packers Association.

Port Moller District: Fidalgo Island Packing Company to operate in consolidation with the Peninsula Packing Company and Pacific American Fisheries, Inc. The cannery authorized to operate in this consolidation is the floating cannery "La Merced" of the Peninsula Packing Company.

Issued this 8th day of May 1944.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 44-6785; Filed, May 11, 1944;
2:55 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Public Land Order 228]

COLORADO

ORDER REVOKING WITHDRAWAL OF PUBLIC LANDS

Revocation of Executive Order No. 5894 of July 26, 1932, withdrawing public lands.

By virtue of the authority contained in section 1 of the act of June 25, 1910, c. 421, 36 Stat. 847 (43 U.S.C. 141), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 5894 of July 26, 1932, withdrawing public lands in Colorado, pending a resurvey, and heretofore partially revoked, is hereby revoked as to the remainder of the lands affected thereby.

This order shall become effective upon the date of the official filing of the plats of resurvey of the lands involved.

MICHAEL W. STRAUS,
Acting Secretary of the Interior.

May 6, 1944.

[F. R. Doc. 44-6788; Filed, May 11, 1944;
2:55 p. m.]

No. 96—7

UTAH

MODIFICATION OF GRAZING DISTRICTS

Under and pursuant to the provisions of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1263), as amended June 26, 1936 (49 Stat. 1976, 43 U.S.C. 315 et seq.), and subject to the limitations and conditions therein contained, Utah Grazing Districts Nos. 3, 4, and 5 are modified as follows:

The following-described lands are excluded from Grazing District No. 3 and added to Grazing District No. 4:

UTAH

SALT LAKE MERIDIAN

T. 29 S., R. 6 W.,
Sec. 18, that part south of Beaver River;
Secs. 19, 30, 31, and 32.
T. 30 S., R. 6 W.,
Secs. 5 to 9, secs. 16 to 21, and secs. 28 to 33, inclusive.
T. 29 S., R. 7 W.,
Secs. 13, 21, 22, 23, and 24, those parts south of Beaver River;
Secs. 25, 26, and 27;
Secs. 28, 29, and 30, those parts south of Beaver River;
Secs. 31 to 36, inclusive.
T. 30 S., R. 7 W.,
T. 29 S., R. 8 W.,
Secs. 25 to 31, those parts south of Beaver River;
Sec. 32;
Secs. 33 to 36, those parts south of Beaver River.
T. 30 S., R. 8 W., unsurveyed,
Secs. 1 to 6, inclusive;
Sec. 7, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Secs. 8 to 16, inclusive;
Sec. 17, NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 20, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 21, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, and NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Secs. 22 to 27, inclusive;
Sec. 28, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 33, E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$;
Secs. 34, 35, and 36.
T. 29 S., R. 9 W.,
Sec. 36, that part south of Beaver River.
T. 30 S., R. 9 W.,
Sec. 1, E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and those parts of lot 3 and SE $\frac{1}{4}$ NW $\frac{1}{4}$ east of Beaver River;
Sec. 12, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 29 S., R. 18 W.,
Sec. 6, lots 5, 6, 7, E $\frac{1}{2}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 7;
Sec. 8, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Secs. 17 to 20, and secs. 29 to 32, inclusive.
T. 30 S., R. 18 W.,
Sec. 4, lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Secs. 5 to 8, inclusive;
Sec. 9, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 15, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$;
Secs. 16 to 21, inclusive;
Sec. 22, W $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 27, W $\frac{1}{2}$ W $\frac{1}{2}$;
Secs. 28 to 33, inclusive;
Sec. 34, W $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$.
T. 26 S., R. 19 W.,
Sec. 19, lots 2, 3, 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 20, S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$;
Sec. 21, SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 22, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 26, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 27, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and SE $\frac{1}{4}$;
Secs. 28 to 34, inclusive;
Sec. 35, W $\frac{1}{2}$ W $\frac{1}{2}$.
T. 27 S., R. 19 W.,
Secs. 3 to 10, inclusive;
Sec. 14, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
Secs. 15 to 22, inclusive;
Sec. 23, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and SE $\frac{1}{4}$;
Secs. 26 to 35, inclusive;
Sec. 36, W $\frac{1}{2}$ W $\frac{1}{2}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 28 S., R. 19 W.,

Sec. 1, W $\frac{1}{2}$;
Secs. 2 to 11, inclusive;
Sec. 12, W $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 13, W $\frac{1}{2}$ W $\frac{1}{2}$;
Secs. 14 to 23, inclusive;
Sec. 25, W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Secs. 26 to 35, inclusive;
Sec. 36, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and SE $\frac{1}{4}$.

Tps. 29 and 30 S., R. 19 W.

T. 26 S., R. 20 W.,

Secs. 23 to 26, inclusive;

Secs. 35 and 36.

Tps. 27 to 30 S., R. 20 W.

The following-described lands are excluded from Grazing District No. 3 and added to Grazing District No. 5:

Tps. 22 and 23 S., R. 1 W.

T. 24 S., R. 1 W.,

Secs. 1 to 18, secs. 20 to 29, and

Secs. 32 to 36, inclusive.

T. 25 S., R. 1 W.,

Secs. 1 to 4, inclusive;

Sec. 8, E $\frac{1}{2}$;

Secs. 9 to 16, inclusive;

Secs. 22 to 27, inclusive;

Secs. 35 and 36.

T. 26 S., R. 1 W.,

Secs. 1, 2, 11, 12, 13, and 14;

Sec. 22, E $\frac{1}{2}$;

Secs. 23 to 27, inclusive;

Sec. 33, E $\frac{1}{2}$;

Secs. 34, 35, and 36.

T. 21 S., R. 2 W.,

Sec. 22;

Sec. 23, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$,

NW $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 25, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$,

NW $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 26;

Sec. 27, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,

E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;

Sec. 33, E $\frac{1}{2}$ E $\frac{1}{2}$;

Secs. 34, 35, and 36.

T. 22 S., R. 2 W.,

Secs. 1 and 2;

Sec. 3, lots 1, 2, and 8;

Secs. 11 to 14, inclusive;

Sec. 15, SE $\frac{1}{4}$;

Secs. 22 to 27, inclusive;

Sec. 28, S $\frac{1}{2}$;

Secs. 32 to 36, inclusive.

T. 23 S., R. 2 W.,

Secs. 1 to 5, inclusive;

Sec. 7, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;

Secs. 8 to 36, inclusive.

T. 24 S., R. 2 W.,

Secs. 1 to 21, inclusive;

Secs. 29 and 30.

T. 27 S., R. 2 $\frac{1}{2}$ W.,

Sec. 32.

T. 28 S., R. 2 $\frac{1}{2}$ W.,

Sec. 4, W $\frac{1}{2}$;

Secs. 5, 8, and 9;

Sec. 15, W $\frac{1}{2}$;

Secs. 16, 17, 20, and 21;

Sec. 22, W $\frac{1}{2}$;

Sec. 27, W $\frac{1}{2}$;

Secs. 28, 29, 32, 33, and 34.

T. 29 S., R. 2 $\frac{1}{2}$ W.,

Secs. 2 to 5, inclusive;

Secs. 8, 9, 10, 16, 17, 20, 21, 28, and 29;

Secs. 32 to 36, inclusive.

T. 30 S., R. 2 $\frac{1}{2}$ W.,

Secs. 1 to 5, secs. 8 to 17, and secs. 20 to 29,

inclusive.

T. 23 S., R. 3 W.,

Sec. 13, NE $\frac{1}{4}$ and S $\frac{1}{2}$;

Sec. 23, E $\frac{1}{2}$;

Secs. 24, 25, 26, 34, 35, and 36.

T. 24 S., R. 3 W.,

Secs. 1, 2, and 3;

Sec. 9, NE $\frac{1}{4}$ and S $\frac{1}{2}$;

Secs. 10 to 16, inclusive;

Sec. 17, E $\frac{1}{2}$;

Sec. 19, SE $\frac{1}{4}$;

Secs. 20 to 36, inclusive.

T. 25 S., R. 3 W.,

Secs. 2 to 11, inclusive;

Sec. 14, W $\frac{1}{2}$;

Secs. 15 to 22, and secs. 27 to 34, inclusive.

T. 26 S., R. 3 W.,
Secs. 4 to 9, secs. 16 to 21, and secs. 29 and 30.

T. 27 S., R. 3 W.,
T. 28 S., R. 3 W.,
Secs. 1 to 17, inclusive;
Sec. 18, N $\frac{1}{2}$ and SE $\frac{1}{4}$;
Sec. 19, E $\frac{1}{2}$;
Secs. 20 to 29, and secs. 32 to 36, inclusive.

T. 29 S., R. 3 W.,
Secs. 1 to 5, and secs. 7 to 36, inclusive.

T. 30 S., R. 3 W.,
T. 31 S., R. 3 W.,
Secs. 3 to 9, and secs. 16 to 19, inclusive.

T. 24 S., R. 4 W.,
Sec. 35, S $\frac{1}{2}$;
Sec. 36.

T. 25 S., R. 4 W.,
Secs. 1 and 2;
Sec. 3, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, and S $\frac{1}{2}$;
Sec. 9, SE $\frac{1}{4}$;
Secs. 10 to 16, inclusive;
Sec. 20, SE $\frac{1}{4}$;
Secs. 21 to 36, inclusive.

T. 26 S., R. 4 W.,
T. 27 S., R. 4 W.,
Secs. 1 and 2;
Secs. 11 to 14, and secs. 23 to 26, inclusive;
Secs. 35 and 36.

T. 29 S., R. 4 W.,
Sec. 36.

T. 30 S., R. 4 W.,
Secs. 1 and 2;
Secs. 10 to 15, and secs. 22 to 27, inclusive;
Secs. 34, 35, and 36.

T. 31 S., R. 4 W.,
Secs. 1 to 33, inclusive.

T. 22 S., R. 1 E.,
Sec. 6.

T. 24 S., R. 1 E.,
Sec. 19;
Secs. 30 to 36, inclusive.

T. 25 S., R. 1 E.,
Secs. 1 to 12, inclusive;
Sec. 13, N $\frac{1}{2}$;
Sec. 14, N $\frac{1}{2}$;
Sec. 15, N $\frac{1}{2}$;
Secs. 16 to 20, inclusive;
Sec. 21, W $\frac{1}{2}$;
Sec. 28, W $\frac{1}{2}$;
Secs. 29 to 32, inclusive.

T. 26 S., R. 1 E.,
Sec. 4, W $\frac{1}{2}$;
Secs. 5 to 8, inclusive;
Sec. 9, W $\frac{1}{2}$;
Sec. 16, W $\frac{1}{2}$;
Secs. 17 to 20, inclusive;
Sec. 21, W $\frac{1}{2}$;
Secs. 28 to 34, inclusive.

ABE FORTAS,

Acting Secretary of the Interior.

MAY 2, 1944.

[F. R. Doc. 44-6787; Filed, May 11, 1944;
2:55 p. m.]

DEPARTMENT OF COMMERCE.

Office of the Secretary.

[Order No. 307]

TRAINING OF PILOTS, ETC.

REVOCATION OF APPOINTMENT ORDER

MAY 11, 1944.

Department Order No. 258 of January 21, 1943, "Placing R. McLean Stewart, Executive Director of Training, in charge of training of civilian pilots and technicians and mechanics, and pilots for

the armed forces," is revoked, effective as of May 15, 1944.

[SEAL]

JESSE H. JONES,
Secretary of Commerce.

[F. R. Doc. 44-6819; Filed, May 12, 1944;
11:22 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S.O. 199-A]

REROUTING OF TRAFFIC AT VINCENNES, IND.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 11th day of May, A. D. 1944.

Upon further consideration of Service Order No. 199 (9 F.R. 4251) of April 18, 1944, and good cause appearing therefore; *It is ordered, That:*

Service Order No. 199 (9 F.R. 4251) of April 18, 1944, directing The New York Central Railroad Company to reroute traffic over its line because of damage to bridge abutments caused by flood conditions at Vincennes, Indiana, be, and it is hereby, vacated and set aside. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

It is further ordered, That this order shall become effective immediately; that copies of this order and direction shall be served upon The New York Central Railroad Company and 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 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. 44-6820; Filed, May 12, 1944;
11:23 a. m.]

[S. O. 201, Gen. Permit 4]

LOADING AND TRANSPORTATION OF ICE

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.338, 9 F.R. 4480) of Service Order No. 201 of April 25, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 201 insofar as it applies to the loading and transportation of ice in a refrigerator car; *Provided*, That prior to such transportation the permission of the owners of such car has been obtained for the use of such car to ship ice.

This general permit shall become effective at 12:01 p. m., May 10, 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 10th day of May 1944.

V. C. CLINGER,
Director.
Bureau of Service.

[F. R. Doc. 44-6821; Filed, May 12, 1944;
11:23 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3536]

KAMEJIRO UYEDA

In re: Estate of Kamejiro Uyeda, deceased; File: D-39-1394; E. T. sec. 10058 (H-164).

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Robert K. Murakami, Administrator, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

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

Nationals and Last Known Address

Masa Uyeda, Japan.

Irma Chiyoko Nishizawa, Japan.

And determining that—

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

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

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

All right, title, interest and claim of any kind or character whatsoever of Masa Uyeda and Irma Chiyoko Nishizawa, and each of them, in and to the Estate of Kamejiro Uyeda, deceased,

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

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such

property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

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

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

Dated: April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6736; Filed, May 11, 1944;
10:59 a. m.]

[Vesting Order 3541]

ELISE GOEHRKE

In re: Estate of Elise Goehrke, deceased; File D-28-2592; E. T. sec. 4438.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Livingston Platt, as executor, acting under the judicial supervision of the Surrogate's Court, Richmond County, New York;

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

Nationals and Last Known Address

Kurt Melcher, Germany.
Otto Goehrke, Germany.
Kurt Goehrke, Jr., Germany.
Otto Goehrke, Germany.

And determining that—

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

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

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

All right, title, interest and claim of any kind or character whatsoever of Kurt Melcher, Otto Goehrke, Kurt Goehrke, Jr. and Otto Goehrke, and each of them, in and to the Estate of Elise Goehrke, deceased,

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

Such property and any or all of the proceeds thereof, shall be held in an

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

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

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

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6737; Filed, May 11, 1944;
10:59 a. m.]

[Vesting Order 3542]

ANNA C. GRAF

In re: Trust under will of Anna C. Graf, deceased; File D-28-2560; E. T. sec. 4478.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Emil Hamburg, 15 Sharon Way, Yonkers, Westchester County, State of New York, as Executor and Trustee of the Last Will and Testament of Anna C. Graf, deceased, acting under the judicial supervision of the Surrogate's Court, Queens County, State of New York; and

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

Nationals and Last Known Address

William Graf, Germany.
Henrich Graf, Germany.
Karl Graf, Germany.
Karoline Doether, Germany.

And determining that—

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

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

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

All right, title, interest and claim of any kind or character whatsoever of William Graf, Henrich Graf, Karl Graf and Karoline

Doether, and of each of them, in and to the trust estate created under the Last Will and Testament of Anna C. Graf, deceased,

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

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

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

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

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6738; Filed, May 11, 1944;
10:59 a. m.]

[Vesting Order 3543]

LINA HARDER

In re: Trust under will of Lina Harder, deceased; File No. F-28-968; E. T. sec. 167.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Maxim Birnkrant, 1501 Broadway, New York City, Trustee, acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for the county of Queens; and

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

National and Last Known Address

Marion Caroline Recknagel (nee Harder), Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

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

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

All right, title, interest, and claim of any kind or character whatsoever of Marion Caroline Recknagel (nee Harder), in and to the Trust created under the Last Will and Testament of Lina Harder, deceased,

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

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

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

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

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6739; Filed, May 11, 1944;
10:59 a. m.]

[Vesting Order 3544]

CHRISTIAN LIECKE

In re: Trust under the will of Christian Liedtke, deceased; File D-23-3780; E. T. sec. 3718.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Henry T. Gullmann, 1201 Chestnut Street, Philadelphia, Pennsylvania, and Charles Fred Miller, 1201 Chestnut Street, Philadelphia, Pennsylvania, Substituted Trustees, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

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

Nationals and Last Known Address

Reinhold Liedtke, Germany.
Marie Mix, Germany.
Auguste Abrams, Germany.
Justine Jordan, Germany.
Wilhelmine Sonntag, Germany.
Otto Krause, Germany.
Antonie Zuchowski, Germany.
Friedrich Liedtke, Germany.
Wilhelmine Liedtke, Germany.

Anna Loehnert, Germany.
Ernst Liedtke, Germany.
Anna Dunitza, Germany.
Gertrud Dunitza, Germany.
Walter Dunitza, Germany.
Wilhelm Liedtke, Germany.
Walter Liedtke, Germany.
Martha Klimmeck, Germany.
Johanna Sorge, Germany.
Charlotte Liedtke, Germany.
Hermann Liedtke, Germany.
Karl Liedtke, Germany.
Ernst Fuchs, Germany.
Gert-Georg Fuchs, Germany.
Frieda Fuchs, Germany.
Liselotte Fuchs, Germany.
Harry Fuchs, Germany.
Helga Fuchs, Germany.
Ingeborg Fuchs, Germany.
Anna Charrass, Germany.
Bernhard Janowski, Germany.
Bernhard Janowski, Germany.
Marie Janowski, Germany.
Martha Janowski, Germany.
Albert Janowski, Germany.
Erich Janowski, Germany.
Pauline Schulz, Germany.
Marie Zimmerman, Germany.
Kathe Poerschke, Germany.
Helga Poerschke, Germany.
Heinrich Schidlowski, Germany.
Rudolf Schidlowski, Germany.
Irmtraut Schidlowski, Germany.
Berta Preuss, Germany.
Hermann Friese, Germany.
Auguste Borkowski, Germany.
Wilhelm Friese, Germany.
Gustav Friese, Germany.
August Friese, Germany.
Frieda Baumgarth, Germany.
Friedrich Friese, Germany.

Children and issue of deceased children, names unknown, of Mrs. Martin Liedtke (Henriette Liedtke), deceased, Germany.

Children and issue of deceased children, names unknown, of Friedrich Liedtke (Friedrich Liedtke), deceased, Germany.

Children and issue of deceased children, names unknown, of Gottfried Liedtke (Gottfried Liedtke), deceased, Germany.

Children and issue of deceased children, names unknown, of Wilhelmine Botticher (Wilhelmine Boettcher), deceased, Germany.

Children and issue of deceased children, names unknown, of Auguste Janowski (August Yanowsky), deceased, Germany.

Children and issue of deceased children, names unknown, of Luise Spitzki (Louisa Spitzke), deceased, Germany.

And determining that—

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

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

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

All right, title, interest, and claim of any kind or character whatsoever of Reinhold Liedtke, Marie Mix, Auguste Abrams, Justine Jordan, Wilhelmine Sonntag, Otto Krause, Antonie Zuchowski, Friedrich Liedtke, Wilhelmine Liedtke, Anna Loehnert, Ernst Liedtke, Anna Dunitza, Gertrud Dunitza, Walter Dunitza, Wilhelm Liedtke, Walter Liedtke, Martha Klimmeck, Johanna Sorge, Charlotte Liedtke, Hermann Liedtke, Karl Liedtke, Ernst Fuchs, Gert-Georg Fuchs, Frieda Fuchs, Liselotte Fuchs, Harry Fuchs, Helga Fuchs, Ingeborg Fuchs, Anna Charrass, Bernhard Janowski, Bernhard Janowski, Maria Janowski, Martha Janowski, Albert

Janowski, Erich Janowski, Pauline Schulz, Marie Zimmerman, Kathe Poerschke, Helga Poerschke, Heinrich Schidlowski, Rudolf Schidlowski, Irmtraut Schidlowski, Berta Preuss, Hermann Friese, Auguste Borkowski, Wilhelm Friese, Gustav Friese, August Friese, Frieda Baumgarth, Friedrich Friese, children and issue of deceased children, names unknown, of Mrs. Martin Liedtke (Henriette Liedtke), deceased; children and issue of deceased children, names unknown, of Friedrich Liedtke (Friedrich Liedtke), deceased; children and issue of deceased children, names unknown, of Gottfried Liedtke (Gottfried Liedtke), deceased; children and issue of deceased children, names unknown, of Wilhelmine Botticher (Wilhelmine Boettcher), deceased; children and issue of deceased children, names unknown, of Auguste Janowski (August Yanowsky), deceased; children and issue of deceased children, names unknown, of Luise Spitzki (Louisa Spitzke), deceased, and each of them, in and to the trust estate created under the Last Will and Testament of Christian Liedtke, deceased,

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

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

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

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

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6740; Filed, May 11, 1944;
10:59 a. m.]

[Vesting Order 3545]

FRIEDRIKE SUSANNE METZGER

In re: Estate of Friederike Susanne Metzger, also known as Friederike Susanne Sattes, deceased; File D-66-1070; E. T. sec. 7358.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as depositary, acting under the judicial supervision of the Surrogate's Court, Bronx County, State of New York;

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

Nationals and Last Known Address

Frieda Hirsch, Germany.
Charlotte Metzger, Germany.

And determining that—

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

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

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

All right, title, interest and claim of any kind or character whatsoever of Frieda Hirsch and Charlotte Metzger, and of each of them, in and to the Estate of Friederike Susanne Metzger, also known as Friederike Susanne Sattes, deceased,

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

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

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

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

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6741; Filed, May 11, 1944;
10:59 a. m.]

[Vesting Order 3546]

WILLIAM NOETZEL

In re: Estate of William Noetzel, deceased; File No. D-28-2311; E.T. sec. 3404.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the

process of administration by William J. Topken, as substituted-administrator, acting under the judicial supervision of the Surrogate's Court, Hudson County, New Jersey; and

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

Nationals and Last Known Address

Margarete Noetzel, Germany.
Emma Noetzel, Germany.
Toni Noetzel, Germany.
Otto Noetzel, Germany.
Helene Walter, nee Noetzel, Germany.
Ida Fritschke, nee Noetzel, Germany.
Minna Weber, nee Noetzel, Germany.

And determining that—

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

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

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

All right, title, interest and claim of any kind or character whatsoever of Margarete Noetzel, Emma Noetzel, Otto Noetzel, Toni Noetzel, Helen Walter, nee Noetzel, Ida Fritschke, nee Noetzel, and Minna Weber, nee Noetzel, and each of them, in and to the estate of William Noetzel, deceased,

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

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

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

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

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6742; Filed, May 11, 1944;
11:00 a. m.]

[Vesting Order 3547]

BLANCHE JACOBS OSBORNE

In re: Trust under the will of Blanche Jacobs Osborne, deceased; File No. D-28-3835; E. T. sec. 4174.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Herbert H. Maass, as trustee acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national, of a designated enemy country, Germany, namely, Kurt Riegele, whose last known address is Germany;

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

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

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

All right, title, interest, and claim of any kind or character whatsoever of Kurt Riegele, in and to the trust created under the will of Blanche Jacobs Osborne, deceased,

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

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

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

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

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6743; Filed, May 11, 1944;
11:00 a. m.]

[Vesting Order 3548]

CHARLES N. POLASKY

In re: Estate of Charles N. Polasky, deceased; File D-34-110; E. T. sec. 3603.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and

pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Emil Heller and John Polachek, as Co-Executors, acting under the judicial supervision of the Prerogative Court of New Jersey, Trenton, New Jersey;

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

Nationals and Last Known Address

Amanda Polgar, now known as Amanda Polgar Sandorne, Hungary.

Paul Pollacsek, also known as Pal Pollacsek, Hungary.

Gizella Roth, Hungary.

And determining that—

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

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

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

All right, title, interest and claim of any kind or character whatsoever of Amanda Polgar, now known as Amanda Polgar Sandorne, Paul Pollacsek, also known as Pal Pollacsek and Gizella Roth, and each of them, in and to the estate of Charles N. Polasky, deceased,

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

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

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

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

Dated: May 2, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6744; Filed, May 11, 1944;
11:00 a. m.]

[Vesting Order 3549]

ADOLF JOSEF PROSKE

In re: Estate of Adolf Josef Proske, deceased; File F-28-6603; E. T. sec. 5269.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by William J. Topken, as Administrator, acting under the judicial supervision of the Hudson County Orphans' Court, Jersey City, New Jersey;

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

Nationals and Last Known Address

Valentin Waletzko, domiciliary administrator of Adolf Josef Proske, deceased, Germany.

The heirs, next of kin and distributees, whose names are unknown, of Adolf Josef Proske, deceased, Germany.

And determining that—

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

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

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

All right, title, interest and claim of any kind or character whatsoever of Valentin Waletzko, domiciliary administrator of Adolf Josef Proske, deceased, and the heirs, next of kin and distributees, whose names are unknown, of Adolf Josef Proske, deceased, and each of them, in and to the estate of Adolf Josef Proske, deceased,

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

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

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

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

Dated: May 2, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6745; Filed, May 11, 1944;
11:00 a. m.]

[Vesting Order 3550]

CHARLES M. ROLKER

In re: Trust under the will of Charles M. Rolker, deceased; File No. D-28-6559; E. T. sec. 4610.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Chase National Bank of the City of New York, as trustee, acting under the judicial supervision of the Surrogate's Court, New York County, New York; and

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

National and Last Known Address

Calista Marie Pabst, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

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

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

All right, title, interest and claim of any kind or character whatsoever of Calista Marie Pabst in and to the trust created under the will of Charles M. Rolker, deceased,

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

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together

with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

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

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6746; Filed, May 11, 1944;
11:01 a. m.]

[Vesting Order 3551]

ROBERT W. WILLIAMS, ET AL. VS. JEROME
N. C. BONAPARTE, ET AL.

In re: Robert W. Williams, et al. vs.
Jerome N. C. Bonaparte, et al.; File
D-19-233; E. T. sec. 7067.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Baltimore National Bank, Baltimore, and Light Streets, Baltimore, Maryland, Trustee, acting under the judicial supervision of the Circuit Court of Baltimore City, Maryland;

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

National and Last Known Address

Eiler de Moltke Huitfeldt, Rumania.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Rumania;

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

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

All right, title, interest, and claim of any kind or character whatsoever of Eiler de Moltke Huitfeldt in and to the trust estate created by Decree of the Circuit Court of Baltimore City, Maryland, dated July 21, 1928, in proceedings entitled "Robert W. Williams, et al. vs. Jerome N. C. Bonaparte, et al.,"—Docket 68A, Folio 30,

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

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

made or such compensation should be paid.

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

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

Dated: May 2, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6747; Filed, May 11, 1944;
11:01 a. m.]

[Vesting Order 3578]

HEINRICH BACK

In re: Estate of Heinrich Back, deceased; File No. D-28-7502; E. T. sec. 7749.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by H. Bissell Carey, Jr., administrator, d. b. n., acting under the judicial supervision of the Court of Probate, District of Hartford, State of Connecticut;

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

Nationals and Last Known Address

The heirs-at-law, next of kin, legatees, devisees, legal representatives and assigns of Margaret Back, late of Bad Durkheim, Germany, deceased, Bad Durkheim, Germany.

Johanna Back, Bad Durkheim, Germany.
Anna Herrfurth, Bad Durkheim, Germany.

And determining that—

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

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

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

All right, title, interest and claim of any kind or character whatsoever of the heirs-at-law, next of kin, legatees, devisees, legal representatives and assigns of Margaret Back, late of Bad Durkheim, Germany, deceased, Johanna Back and Anna Herrfurth, and each of them, in and to the estate of Heinrich Back, late of Bad Durkheim, Germany, deceased,

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

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

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

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

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6748; Filed, May 11, 1944;
11:02 a. m.]

[Vesting Order 3579]

ERNST BECKER

In re: Mortgage Participation Certificate No. 64880 in Mortgage F-1087 issued by Bond and Mortgage Guarantee Company under Guarantee No. 185,908, to Ernst Becker, in the amount of \$6,838.39, File F-28-2070; E.T. sec. 885.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Manufacturer's Trust Company, 55 Broad Street, New York City, Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, Kings County, New York;

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

National and Last Known Address

Ernst Becker, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

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

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

All right, title, interest and claim of any kind or character whatsoever of Ernst Becker, in and to the Mortgage Participation Certificate

cate No. 64880 in Mortgage F-1087, in the amount of \$6,838.39, issued by Bond and Mortgage Guarantee Company under Guarantee No. 185,908,

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

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

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

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

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6749; Filed, May 11, 1944;
11:02 a. m.]

[Vesting Order 3580]

DOROTHEA DAHNKE

In re: Estate of Dorothea Dahnke, deceased; File D-28-2159; E. T. sec. 2694.

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

Finding that—

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

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

Nationals and Last Known Address

Johann Dahnke, or his wife and children, Germany.

And determining that—

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

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

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

All right, title, interest, and claim of any kind or character whatsoever of Johann Dahnke, or his wife and children, and each of them, in and to the estate of Dorothea Dahnke, deceased,

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

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

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

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

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6750; Filed, May 11, 1944;
11:02 a. m.]

[Vesting Order 3581]

ALBERT A. EGGEING

In re: Estate of Albert A. Eggeling, also called Albert Eggeling and Alb. Eggeling, deceased; File D-28-3969; E. T. sec. 9121.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Phil C. Katz, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the City and County of San Francisco;

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

Nationals and Last Known Address

Lilly Timmermann, Germany.
Helene Noltemeyer, Germany.
Martha Wilhelm, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States re-

quires that such persons be treated as nationals of a designated enemy country, Germany; and

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

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

All right, title, interest, and claim of any kind or character whatsoever of Lilly Timmermann, Helene Noltemeyer, Martha Wilhelm, and each of them, in and to the estate of Albert A. Eggeling, also called Albert Eggeling and Alb. Eggeling, deceased,

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

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

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

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

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6751; Filed, May 11, 1944;
11:02 a. m.]

[Vesting Order 3582]

CLARA FLEHMIG

In re: Estate of Clara Flehmig, deceased; File F-28-9721; E. T. sec. 5966.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Ben H. Brown, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

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

National and Last Known Address

Helene Agnes Emmy Hofman, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

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

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

All right, title, interest, and claim of any kind or character whatsoever of Helene Agnes Emmy Hofman, in and to the estate of Clara Flehmig, deceased,

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

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

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

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

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6752; Filed, May 11, 1944;
11:03 a. m.]

[Vesting Order 3583]

RIICHIRO FURUYA

In re: Estate of Riichiro Furuya, deceased; File: F-39-50; E. T. sec. 9551 (H-116).

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

Finding that—

(1) The property and interests hereinafter described in subparagraph (a) are property which is in the process of administration by Yaeo Furuya, Administratrix, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

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

Nationals and Last Known Address

George Furuya, Japan.
Satoshi Furuya, Japan.
Tomoe Furuya, Japan.
Kiyoshi Furuya, Japan.
Sachie Furuya, Japan.

(3) The property and interests described in subparagraph (b) are property within the United States owned by nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

George Furuya, Japan.
Satoshi Furuya, Japan.
Tomoe Furuya, Japan.
Kiyoshi Furuya, Japan.
Sachie Furuya, Japan.

And determining that—

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

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

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

(a) All right, title, interest and claim of any kind or character whatsoever of George Furuya, Satoshi Furuya, Tomoe Furuya, Kiyoshi Furuya and Sachie Furuya, and each of them, in and to the Estate of Riichiro Furuya, deceased,

(b) An undivided five-sevenths interest in two parcels of land near Aala Street at Kaliu, Honolulu, T. H., being Lot One (1), area 6,082 square feet and Lot Two (2), area 24 square feet; together with easements for right of way to be used in common with others over Lot Three (3) and Lot Four (4) as shown on Map 2, Land Court Application No. 731 and being all of the land described in Transfer Certificate of Title No. 28,414;

Together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, subject to recorded liens and encumbrances and other rights of record,

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

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

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

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6753; Filed, May 11, 1944;
11:03 a. m.]

[Vesting Order 3584]

SATOSHI FURUYA, ET AL.

In re: Guardianship Estate of Satoshi Furuya, Tomoe Furuya, Kiyoshi Furuya and Sachie Furuya, minors; File: D-66-1484; E. T. sec. 9550 (H-117).

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Robert K. Murakami, Guardian, acting under the judicial supervision of the Circuit Court of the First Judicial Circuit, Territory of Hawaii;

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

Nationals and Last Known Address

Satoshi Furuya, Japan.
Tomoe Furuya, Japan.
Kiyoshi Furuya, Japan.
Sachie Furuya, Japan.

And determining that—

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

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

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

All right, title, interest and claim of any kind or character whatsoever of Satoshi Furuya, Tomoe Furuya, Kiyoshi Furuya and Sachie Furuya, and each of them, in and to the Guardianship Estate of Satoshi Furuya, Tomoe Furuya, Kiyoshi Furuya and Sachie Furuya, Minors, in the possession of Robert K. Murakami, Guardian,

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

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian

dian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

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

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6754; Filed, May 11, 1944;
11:03 a. m.]

[Vesting Order 3585]

IDA GOTTGRETU

In re: Trust under the will of Ida Gottgretu, deceased; File D-28-2617; E. T. sec. 4385.

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

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by the Bank of New York, as trustee, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

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

Nationals and Last Known Address

Hugo Obst, Jr., Germany.

The descendants of Hugo Obst, Jr., whose names are unknown, Germany.

And determining that—

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

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

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

All right, title, interest and claim of any kind or character whatsoever of Hugo Obst, Jr. and his descendants, whose names are unknown, and each of them, in and to the trust created under the will of Ida Gottgretu, deceased,

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

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

made or such compensation should be paid.

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

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

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6755; Filed, May 11, 1944;
11:03 a. m.]

[Vesting Order 3586]

HENRY HARNISCHFEGER

In re: Trust under the will of Henry Harnischfeger, deceased; File D-28-1941; E. T. sec. 1849.

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

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by Marie E. Harnischfeger, 2635 North Terrace Avenue, Milwaukee, Wisconsin, Walter Harnischfeger, 4400 West National Avenue, Milwaukee, Wisconsin, and Rene von Schleinitz, 2411 North Terrace Avenue, Milwaukee, Wisconsin, Trustees (First Wisconsin Trust Company, 735 North Water Street, Milwaukee, Wisconsin, Agent), acting under the judicial supervision of the County Court of Milwaukee County, State of Wisconsin;

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

Nationals and Last Known Address

Heinrich Harnischfeger, Germany.

Person or persons, names unknown, surviving issue of said Heinrich Harnischfeger, Germany.

Adam Harnischfeger, Germany.

Person or persons, names unknown, surviving issue of said Adam Harnischfeger, Germany.

Josephine Schoeppner, Germany.

Person or persons, names unknown, surviving issue of said Josephine Schoeppner, Germany.

Margarethe Betz, Germany.

Person or persons, names unknown, surviving issue of said Margarethe Betz, Germany.

Joseph Zoeller, Germany.

Person or persons, names unknown, surviving issue of said Joseph Zoeller, Germany.

Anna Liese Zoeller, Germany.

Person or persons, names unknown, surviving issue of said Anna Liese Zoeller, Germany.

Johanna Zoeller, Germany.

Person or persons, names unknown, surviving issue of said Johanna Zoeller, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the

national interest of the United States requires that such person be treated as nationals of a designated enemy country, Germany; and

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

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

All right, title, interest and claim of any kind or character whatsoever of Heinrich Harnischfeger, Adam Harnischfeger, Josephine Schoeppner, Margarethe Betz, Joseph Zoeller, Anna Liese Zoeller, and Johanna Zoeller, and person or persons, names unknown, surviving issue of Heinrich Harnischfeger, Adam Harnischfeger, Josephine Schoeppner, Margarethe Betz, Joseph Zoeller, Anna Liese Zoeller and Johanna Zoeller, and each of them, in and to the trust created by the will of Henry Harnischfeger, deceased,

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

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

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

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

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6756; Filed, May 11, 1944;
11:03 a. m.]

[Vesting Order 3587]

GEORGE HEIN

In re: Estate of George Hein, deceased; File D-28-8483; E. T. sec. 9903.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Herman E. Hein, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Marin;

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

Nationals and Last Known Address

Julie Hein, Germany.
Carl Hein, Germany.

And determining that—

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

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

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

All right, title, interest, and claim of any kind or character whatsoever of Julie Hein and Carl Hein, and each of them, in and to the estate of George Hein, deceased,

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

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

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

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

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6757; Filed, May 11, 1944;
11:03 a. m.]

[Vesting Order 3588]

ADELE HERMANN

In re: Estate of Adele Hermann, also known as Adele Herman, deceased; File D-28-7605; E. T. sec. 8017.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the

process of administration by Karl Herman, also known as Karl Herrmann, Administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

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

Nationals and Last Known Address

Otto Hermann, Germany.
Rheinhard Hermann, Germany.
Matthias Hermann, Germany.
Philip Hermann, Germany.
Wilhelm Kiefer, Germany.
Mrs. Shular, sister of Adele Hermann, deceased, Germany.
Mrs. Menner, sister of Adele Hermann, deceased, Germany.

And determining that—

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

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

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

All right, title, interest, and claim of any kind or character whatsoever of Otto Hermann; Rheinhard Hermann, Matthias Hermann, Philip Hermann, Wilhelm Kiefer, Mrs. Shular, sister of Adele Hermann, deceased, and Mrs. Menner, sister of Adele Hermann, deceased, and each of them, in and to the estate of Adele Hermann, also known as Adele Herman, deceased.

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

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

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

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

Dated: May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6758; Filed, May 11, 1944;
11:04 a. m.]

[Vesting Order 3589]

HELENE KERN

In re: Estate of Helene Kern, deceased; File D-28-8211; E. T. sec. 9225.

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

Finding that—

(1) The property and interest hereinafter described are property which is in the process of administration by the Bank of America National Trust & Savings Association, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Alameda;

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

Nationals and Last Known Address

Herman Harms, Germany.
Christoph Harms, Germany.
Adolf Harms, Germany.
Helene Harms Lubestad, Germany.
Erma Wolff, Germany.
Sophy Kern, Germany.

And determining that—

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

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

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

All right, title, interest, and claim of any kind or character whatsoever of Herman Harms, Christoph Harms, Adolf Harms, Helene Harms Lubestad, Erma Wolff, and Sophy Kern, and each of them, in and to the estate of Helene Kern, deceased,

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

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

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

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of said Executive order.

Dated: May 3, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6759; Filed, May 11, 1944;
11:04 a. m.]

[Vesting Order 3590]

EMIL KLEIN

In re: Mortgage Participation Certificate No. N 105925 in Mortgage F 1241 issued by Bond and Mortgage Guarantee Company under Guarantee No. 210,425 to Emil Klein, in the amount of \$11,154.24; File F-28-2763; E. T. sec. 4962.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Manufacturers Trust Company, 55 Broad Street, New York City, Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, County of Kings, New York;

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

National and Last Known Address

Emil Klein, Adolf Hitler Strasse #30 Hanau A/M, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

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

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

All right, title, interest and claim of any kind or character whatsoever of Emil Klein, in and to the Mortgage Participation Certificate No. N 105925 in Mortgage F 1241 in the amount of \$11,154.24 issued by Bond and Mortgage Guarantee Company under Guarantee No. 210,425,

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

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

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

Dated: May 3, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6760; Filed, May 11, 1944;
11:04 a. m.]

[Vesting Order 3591]

GEORGE H. KOCH

In re: Estate of George H. Koch, deceased; File D-28-2550; E. T. sec. 4989.

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

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Clerk of the Bergen County Orphans' Court, New Jersey, as depository, acting under the judicial supervision of the Bergen County Orphans' Court, New Jersey;

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

City of Alsfeld, Hesse, Darmstadt, Germany.

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

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

All right, title, interest and claim of any kind or character whatsoever of the City of Alsfeld in and to the Estate of George H. Koch, deceased,

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

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

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

may be allowed by the Alien Property Custodian.

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

Dated: May 3, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6761; Filed, May 11, 1944;
11:04 a. m.]

[Vesting Order 221, Amdt.]

MARTHA CLARA VON STULPNAGEL

In re: Real property in Bellows Falls, Vermont, and a checking account in the Boston Safe Deposit and Trust Company, Boston, Massachusetts, owned by Martha Clara von Stulpnagel.

Vesting Order Number 221, dated October 9, 1942, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That last known address of Martha Clara von Stulpnagel is Potsdam, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Martha Clara von Stulpnagel is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The undivided one-fourth interest in and to that certain real property situated in the Village of Bellows Falls, Town of Rockingham, County of Windham, State of Vermont, particularly described as follows: A certain piece or parcel of land situated on the westerly side of the square in said Village of Bellows Falls and bounded easterly on said square forty-nine and two hundredths feet; northerly by other lands one hundred sixty-two and three-tenths feet; and westerly by other lands forty-nine and five-tenths feet; and southerly by other lands one hundred fifty-seven and twenty-hundredths feet, be all said measurements more or less or howsoever otherwise bounded, the same being shown upon a "Plan of property, Harriet H. Bingham estate and others, owners. Formerly Pettis property, Bellows Falls, Vt. Surveyed by G. V. White, Lawrence, Mass., May 4, 1907", and

b. That certain checking account maintained with the Boston Safe Deposit and Trust Company, Boston, Massachusetts, which is due and owing to and held for and in the name of, Martha Clara von Stulpnagel, and any and all security rights in and to any and all collateral for all or part of such account, and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that

such person be treated as a national of a designated enemy country (Germany):

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-b hereof,

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

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

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

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

Executed at Washington, D. C., on May 6, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6762; Filed, May 11, 1944;
11:01 a. m.]

[Vesting Order 398, Amdt.]

JOSEPH FERIGO

In re: Assets of the business enterprise owned by Joseph Ferigo.

Vesting Order Number 398, as amended, dated January 15, 1944, is hereby further amended as follows and not otherwise:

By deleting the words "New York County Register's" where such words appear in subparagraph (c) (i) of Exhibit A attached to and by reference made a part of said vesting order, and substituting therefor the words "Bronx County Register's".

All other provisions of said Vesting Order Number 398 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the

authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on May 6, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6763; Filed, May 11, 1944;
11:01 a. m.]

[Vesting Order 1982, Amdt.]

HANNA DESEBROCK

In re: Real property situated in Travis County, Texas, and a bank account owned by Hanna Desebrock.

Vesting Order Number 1982, dated August 12, 1943, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Hanna Desebrock is Mittleweg 120, Hamburg, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Hanna Desebrock is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:
a. Real property situated in Travis County, Texas, particularly described as Lots Seven (7), Eight (8), and Nine (9) of Block Eighteen (18), Christian and Fellman Addition, in the City of Austin, Texas, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property;

b. Real property situated in Travis County, Texas, particularly described as Lots Eight (8) and Nine (9), Block Nineteen (19), Christian and Fellman Addition, in the City of Austin, Texas, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

c. All right, title, interest and claim of any name or nature whatsoever of Hanna Desebrock, and of every other national of a designated enemy country, in and to any and all obligations contingent or otherwise and whether or not matured owing to her by American National Bank, Austin, Texas, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations and including particularly the account in said bank which is due and owing to and held for Hanna Desebrock in the name of Mrs. Hanna Desebrock, by Frederick G. von Rosenberg, Agent.

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a and 3-b hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraphs 3-a and 3-b hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-c hereof,

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

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

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

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

Executed at Washington, D. C., on May 6, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6764; Filed, May 11, 1944;
11:01 a. m.]

[Vesting Order 3143, Amdt.]

MARIE H. MEYRAN

Whereas pursuant to Vesting Order Number 3143 of February 15, 1944, the Alien Property Custodian purported to vest all right, title, interest and claim of any kind or character whatsoever of "Liese-Lotte Herrose" in and to the Estate of Marie H. Meyran, deceased; and Whereas the name "Liese-Lotte Herrose" appears in such vesting order as "Liese-Lotte,"

Now, therefore, Vesting Order Number 3143 is hereby amended by substituting the name "Liese-Lotte Herrose" for "Liese-Lotte" in such vesting order.

All other provisions of said Vesting Order Number 3143 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on May 6, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-6765; Filed, May 11, 1944;
11:01 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supplementary Order ODT 20A-113]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN AREA OF KANKAKEE, BRADLEY, AND BOURBONNAIS, ILL.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Kankakee, Bradley, and Bourbonnais, Illinois, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pur-

suant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Danville, Illinois, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A113" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Danville, Illinois.

8. This order shall become effective May 19, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 12th day of May 1944.

J. M. JOHNSON,

Director,

Office of Defense Transportation.

APPENDIX 1

Red Top Cab Company, 181 N. 5th Street,
Kankakee, Ill.

Yellow Cab Company, 133 E. Merchant
Street, Kankakee, Ill.

[F. R. Doc. 44-6803; Filed, May 12, 1944;
10:36 a. m.]

[Special Order ODT B-9, Amdt. 3]

CERTAIN COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN CHICAGO,
ILL., AND NEW YORK, N. Y.

Upon further consideration of the application for authority to coordinate motor vehicle service in the transportation of passengers and amendments thereof, filed with this Office by All American Bus Lines, Inc., Chicago, Illinois, and Northern Trails, Inc., Chicago, Illinois, pursuant to § 501.49 of General Order ODT 11, as amended, (7 F.R. 4389 and 11099; 8 F.R. 12028); *It is hereby ordered*, That:

1. Special Order ODT B-9, as amended (7 F.R. 5926; 8 F.R. 1160 and 11000) be, and it hereby is, amended by deleting the

words May 15, 1944, where they appear in paragraph 3 thereof and substituting therefor the words September 1, 1944.

This amendment shall become effective on May 12, 1944.

Issued at Washington, D. C., this 12th day of May 1944.

J. M. JOHNSON,

Director,

Office of Defense Transportation.

[F. R. Doc. 44-6802; Filed, May 12, 1944;
10:36 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

[Indianapolis Order G-2 Under MPR 154]

ICE IN HANCOCK AND SHELBY COUNTIES,
IND.

Order No. C-2 under § 1393.8 (e) of Maximum Price Regulation No. 154. Temporary order and opinion adjusting maximum prices for ice sold in Hancock and Shelby Counties, in the State of Indiana.

For the reasons set forth in this order and opinion made pursuant to the provisions of § 1393.8 (e) of Maximum Price Regulation No. 154, and by virtue of the authority delegated to the District Director of the Indianapolis District Office of Price Administration, by the Regional Administrator, Region III, under Delegation Order No. 1-A, Revised, *It is hereby ordered*, That the prices of ice sold in Shelby County and Hancock County, Indiana, be adjusted in accordance with the schedule hereinafter filed and for the reasons hereinafter stated.

Notice has come to this office that the Greenfield Ice Company, heretofore manufacturing artificial ice in the City of Greenfield, Indiana, and making distribution in Hancock County, has definitely decided to cease operations and will not manufacture ice during the year 1944. The manager has stated that he could not afford to manufacture ice at a price of 60¢ per hundred pounds, which is the highest ceiling price for ice that has been granted by the Indianapolis District Office. It appears that an effort has been made to obtain ice from other sources. Two persons, heretofore employed by the Greenfield Ice Company in the delivery of ice manufactured by it, have equipment for ice delivery, if the ice can be procured so that they may operate on the same margin of profit that they secured in delivering it for the Greenfield Ice Company.

One of the parties proposes to secure his supply of ice from the Irvington Ice & Fuel Company, Indianapolis, and the other from the DePez Ice Manufacturing Company at Shelbyville. Neither of the suppliers has sufficient capacity to meet all the needs of Greenfield. The DePez Ice Manufacturing Company at Shelbyville has petitioned for a price increase. The prices requested are 60¢ per hundred pounds on cash sales to domestic consumers; 55¢ per hundred pounds on coupon sales to domestic consumers; and 50¢ per hundred pounds on sales to commercial establishments.

¹ Filed as part of the original document.

Certain data has been furnished this office which indicates that the cost figures submitted by the DePrez Ice Company will probably justify the granting of a price adjustment, but sufficient information is not yet at hand to make a final determination of the question, and additional time is required to obtain such information.

This office now has under consideration adjustment in the prices of ice in several cities in the State of Indiana, and contemplates the issuance of an area order covering said cities, but has not yet obtained sufficient data and information from which to issue such final order.

The season for the requirement of ice is at hand and a critical local shortage now exists in Hancock and Shelby Counties, in the State of Indiana, and an emergency exists for the granting of temporary relief to said counties until proper maximum prices can be determined. It is therefore believed to be indispensably necessary, to meet the wants of the users of ice in such territory, that an emergency temporary order should be issued immediately, without delay.

It is therefore ordered, By the Office of Price Administration, Indianapolis District, that the maximum prices at which ice may be sold in Hancock and Shelby Counties shall be as follows:

Cents per hundred pounds

Delivered cash sales to domestic consumers.....	60
Delivered coupon sales to domestic consumers.....	55
Cash or coupon sales to establishments such as stores or restaurants.....	50

and that sales in quantities less than 100 pounds shall bear a price proportionate to the 100-pound prices put into effect by this order, or based on prices now in effect, whichever is the higher, and adjusted upward to the next nearest cent.

It is further ordered, That this temporary order shall be effective until June 1, 1944, unless revoked or modified before that time.

It is the opinion of this office that the prices fixed in this temporary order are justified and that the solution here suggested is equitable and in line with the requirements of Executive Order 9328, and that the effect of such order will not result in an inflationary trend, nor tend to create a shortage or need for increase of prices in any other locality.

This order shall become effective immediately.

The above order may be revoked or rescinded at any time.

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

Issued May 1, 1944.

JAMES D. STRICKLAND,
District Director.

[F. R. Doc. 44-6658; Filed, May 9, 1944; 2:52 p. m.]

[Memphis Order G-1 Under MPR 165]

CUSTOM RE-SAWING, SURFACING AND KILN-DRYING OF LUMBER IN MEMPHIS AND SHELBY COUNTY, TENN.

Order No. G-1 issued under Maximum Price Regulation 165. Services. Adjustment of maximum prices for custom re-sawing, surfacing and kiln-drying of lumber in Memphis and Shelby County, Tennessee.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the District Director of the Memphis District Office of the Office of Price Administration by Regional Delegation Order No. 41, issued April 17, 1944, and by § 1499.114 (d) of MPR 165, It is hereby ordered:

(a) Regardless of any contract, agreement, or other obligation, no person shall sell or offer to sell and deliver any or all of the services of custom re-sawing, surfacing and kiln-drying in the Memphis-Shelby County Area at a price higher than the maximum prices permitted by

this order. Neither shall any person agree, offer, solicit or attempt to sell any custom re-sawing, surfacing and kiln-drying services within the above named area at prices higher than those permitted under this order. The price limitations of this order shall not be evaded by direct or indirect methods, by means of or in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to services in connection with custom re-sawing, surfacing and kiln-drying, alone or in conjunction with any other commodity, or by way of or in connection with any commission, service, transportation, or other charge or discount, premium, or privilege, tying agreement, trade understanding, or any change in any business or trade practice. Lower prices may be charged, demanded, or offered.

(1) The maximum prices for re-sawing, surfacing, and kiln-drying established in the Memphis-Shelby County Area under this order are as follows:

PRICES FOR KILN-DRYING LUMBER—CUSTOM WORK ONLY

	5/8 per M'	3/4 per M'	4/4 per M'	5/4 per M'	6/4 per M'	8/4 per M'	10/4 per M'	12/4 per M'	16/4 per M'
1. Cottonwood, Elm, Locust, Magnolia, Poplar, Soft Maple, Willow...	\$5.00	\$5.50	\$6.00	\$7.00	\$7.50	\$8.50	\$10.00	\$12.00	\$15.00
2. Ash, Basswood, Beech, Birch, Qtd. Black Gum, Butternut, Cherry, Chestnut, Cypress, Hackberry, Plain and Qtd. Sap Gum, Sycamore, Tupelo.....	5.50	6.00	7.00	8.00	9.00	10.00	12.00	14.00	16.00
3. Mahogany, Red Gum.....	6.50	7.00	7.50	8.50	10.00	11.00	15.00	17.00	19.00
4. Cedar, Hickory, Hard Maple, Plain Oak, Walnut.....	6.00	7.00	8.00	9.00	11.00	13.00	17.00	21.00	-----
5. Quartered Oak.....	7.00	8.00	8.50	10.00	12.00	16.00	21.00	26.00	-----
	4/4 & 5/4 per M'	6/4 & 8/4 per M'							
Resaw one cut.....	\$4.00	\$3.50							
Resaw two cuts.....	7.00	6.50							
S18 or S28.....	3.50	3.00							
S48, Shipal, Centermatch 6" and Wider.....	5.00	5.00							

(vi) The above prices include unloading and reloading.

(vii) Minimum charge on millwork—\$2.50.

(b) Except as otherwise provided herein, all transactions subject to this order shall remain subject to all provisions of Maximum Price Regulation 165, together with all amendments, supplementary regulations and orders which have been heretofore or may be hereafter issued, and all definitions set forth in such regulations or orders shall be applicable herein, unless otherwise provided.

(c) The prices set by this order shall be the maximum prices governing all sales in the Memphis-Shelby County area. The Memphis-Shelby County Area is defined as all parts of Shelby County, Tennessee, and including the City of Memphis, in Shelby County, Tennessee.

(d) Under this order, "custom re-sawing, surfacing and kiln-drying" means only the operations specifically included under section (a) (1) performed, as a service for others, upon lumber in which the person performing these services has no financial interest.

(e) This order may be revoked, amended, or corrected at any time.

(f) This order shall become effective at 12:01 a. m. on May 3, 1944.

The following provisions and restrictions are applicable hereto:

(i) Lumber must be reasonably air dried. Any excess of moisture content over 25 per cent which necessitates additional drying time may be charged at a sufficiently higher rate to cover the added cost of drying.

(ii) The mills shall be insurers of customers' lumber while in their kilns. In case of loss by fire each customer shall receive his pro rata of amount collected.

(iii) Mills shall exercise due care in kiln-drying.

(iv) All lumber shall be kiln-dried to not over six percent (6%) moisture content, unless otherwise specified. The company shall guarantee this percentage of moisture content when lumber is taken from the kiln, but shall not be responsible for the dryness upon reaching destination.

(v) Millwork prices apply on carload lots, average run of widths and lengths. Extra narrow or short stock and less than carload lots, 50¢ per M extra. All prices include both unloading and reloading of cars.

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

Issued this the 1st day of May 1944.

ROBERT C. HUNTING,
Acting District Director.

[F. R. Doc. 44-6657; Filed, May 9, 1944;
2:45 p. m.]

[Region VI Order G-5 Under RMPR 122,
Amdt. 4]

SOLID FUELS IN TWIN CITIES AREA

Correction

In F.R. Doc. 44-5718, appearing at page 4496 of the issue for Thursday, April 27, 1944, the following changes should be made in the table appearing on page 4496:

The first line of item II 5 should read: "5. Screenings 1 1/4" and not exceeding 2" x 0:"

For item II 5 B, the price under column 7 should be "8.10."

Item VII 3 should read: "3. Stove, 2" x 1 1/4"."

Item VII 5 should read: "5. Screenings 1 1/4" and not exceeding 2" x 0:"

For item XIII A 1, the price under column 1 should be "10.95".

The introductory paragraph of item XIV A should read: "A. Linton-Sullivan subdistrict, 4th vein, in Consolidated Price Group D (including Price Group No. 13):"

[Atlanta Order G-1 Under MPR 376,
Revocation]

SWEET POTATOES IN NORTH GEORGIA AREA

Revocation of Order No. G-1 under Maximum Price Regulation No. 376, as amended. Certain fresh fruits and vegetables. Adjustment of maximum prices for the sale of sweet potatoes at retail in the North Georgia District Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Atlanta District Office of Region IV by the Emergency Price Control Act of 1942, as amended, Executive Order 9250, Executive Order 9328, section 4 (c) of Maximum Price Regulation No. 376, as amended, and Regional Delegation Order No. 34, this revocation is hereby issued.

(1) *Revocation of Order No. G-1 under Maximum Price Regulation No. 376, as amended; certain fresh fruits and vegetables.* Order No. G-1 under Maximum Price Regulation No. 376, as amended, is hereby revoked subject to the provisions of Supplementary Order No. 40. This revocation, however, of Order No. G-1 under Maximum Price Regulation No. 376, as amended, shall not have the effect of releasing or extinguishing any penalty or liability incurred under such order or any cause of action or right of action arising out of the failure of anyone subject to that order to comply with the provisions of that order. The order shall be treated as remaining in force for the purpose of allowing or sustaining any proper suit, action, prosecu-

tion, or proceeding with respect to any penalty or liability incurred by any person under said order and for the purpose of allowing any person to institute a suit or action based on any cause of action arising, prior to this revocation, out of failure of any person subject to that order to comply with the provisions and requirements of the order.

(2) *Effective date.* This revocation shall become effective on and after May 2, 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 2d day of May 1944.

E. A. THORNWELL,
District Director.

[F. R. Doc. 44-6720; Filed, May 10, 1944;
12:48 p. m.]

[Region II Order G-1 Under MPR 423]

POULTRY SOLD IN GROUP 1 AND GROUP 2 STORES IN NEW YORK REGION

Correction

In F.R. Doc. 44-5968, appearing at page 4552 of the issue for Saturday, April 29, 1944, the table under section 3 should be changed as follows:

The percentage for item (a) (4) under the Group 1 column should be "21", and under the Group 2 column, the percentage for item (c) (2) should be "33".

[Region I Order G-16 Under 18 (c), MPR 280,
MPR 329, Corr. to Amdt. 7]

FLUID MILK IN MASSACHUSETTS

Correction to Amendment No. 7 to Order G-16 under section 18 (c) of 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 (formerly General Order 16).

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment No. 7 to Order G-16 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation No. 280 and § 1351.408 of Maximum Price Regulation No. 329. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of November 4, 1943.

J. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of November 5, 1943, at 12:01 a. m.

(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 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6647; Filed, May 9, 1944;
2:46 p. m.]

[Region I Order G-16 Under 18 (c), MPR 280,
MPR 329, Corr. to Amdt. 8]

FLUID MILK IN MASSACHUSETTS

Correction to Amendment 8 to Order G-16 under section 18 (c) of 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 (formerly General Order 16).

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment 8 to General Order No. 16 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329. Approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of November 13, 1943

F. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of November 14, 1943, at 12:01 a. m.

(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 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6648; Filed, May 9, 1944;
2:46 p. m.]

[Region I Order G-16 Under 18 (c), MPR 280,
MPR 329, Corr. to Amdt. 9]

FLUID MILK IN MASSACHUSETTS

Correction to Amendment No. 9 to Order G-16 under section 18 (c) of 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.

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment No. 9 to Order G-16 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation No. 280 and § 1351.408 of Maximum Price Regulation No. 329. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of December 4, 1943.

F. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of December 6, 1943 at 12:01 a. m.

(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 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6649; Filed, May 9, 1944;
2:46 p. m.]

[Region I Order G-16 Under SR 15, MPR 280, and MPR 329, Corr. to Amdt. 10]

FLUID MILK IN MASSACHUSETTS

Correction to Amendment No. 10 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.

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment No. 10 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. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of December 11, 1943.

F. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of December 12, 1943 at 12:01 a. m.

(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 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6650; Filed, May 9, 1944; 2:47 p. m.]

[Region I Order G-16 (as Corrected) Under SR 15, MPR 280, and MPR 329, Corr. to Amdt. 10]

FLUID MILK IN MASSACHUSETTS

Correction to Amendment No. 10 to Order G-16 (as corrected) 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.

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment No. 10 to Order G-16 (as corrected) 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. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of December 13, 1943.

GEORGE ST. LOUIS,
Acting Regional Director,
Food Distribution Administration.

This correction shall become effective as of December 13, 1943 at 12:01 a. m.

No. 96—9

(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 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6651; Filed, May 9, 1944; 2:47 p. m.]

[Region I Order G-16 Under SR 15, MPR 280, and MPR 329, Corr. to Amdt. 11]

FLUID MILK IN MASSACHUSETTS

Correction to Amendment No. 11 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.

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment No. 11 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. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of December 18, 1943.

F. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of December 19, 1943 at 12:01 a. m.

(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 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6661; Filed, May 9, 1944; 2:47 p. m.]

[Region I Order G-19 Under 18 (c), MPR 280, and MPR 329, Corr. to Amdt. 7]

FLUID MILK IN NEW HAMPSHIRE

Correction to Amendment No. 7 to Order No. G-19 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329 (formerly General Order 19).

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment 7 to Order No. G-19 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280 and § 1351.408 of Maximum Price Regulation 329. The approval of the Regional Director, Food

Distribution Administration, is added to read as follows:

Approved as of December 16, 1943.

F. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of December 19, 1943, at 12:01 a. m.

(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 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6662; Filed, May 9, 1944; 2:45 p. m.]

[Region I Order G-19 Under SR 15, MPR 280, and MPR 329, Corr. to Amdt. 8]

FLUID MILK IN NEW HAMPSHIRE

Correction to Amendment No. 8 to Order No. G-19 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 (formerly General Order 19).

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment 8 to Order No. G-19 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. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of December 29, 1943.

F. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of January 1, 1944 at 12:01 a. m.

(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 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6663; Filed, May 9, 1944; 2:47 p. m.]

[Region I Order G-20 Under 18 (c), MPR 280, and MPR 329, Corr. to Amdt. 3]

FLUID MILK IN RHODE ISLAND

Correction to Amendment 3 to Order Number G-20 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, § 1351.408 of Maximum Price Regulation 329. Fluid milk in the State of Rhode Island.

Through inadvertence the approval of the Regional Director, Food Distribution Administration, was omitted from Amendment 3 to Order Number G-20 under section 18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280 and § 1351.408 of Maximum Price Regulation 329. The approval of the Regional Director, Food Distribution Administration, is added to read as follows:

Approved as of November 23, 1943.

F. D. CRONIN,
Regional Director,
Food Distribution Administration.

This correction shall become effective as of November 24, 1943 at 12:01 a. m.

(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 5th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-6665; Filed, May 9, 1944;
2:46 p. m.]

[Region II Order G-1 Under RMPR 269,
Amdt. 1]

POULTRY, EXCEPT DUCKS, IN NEW YORK
REGION

Correction

In F. R. Doc. 44-5969, appearing on page 4553 of the issue for Saturday, April 29, 1944, the following changes should be made:

In the table for section 3 (a) (2) the maximum base price opposite raw poultry fat, Drawn, should be "54.0".

In the table for section 3 (c) (2) the price for Government inspected raw poultry fat, Drawn, should be "58.8".

SURPLUS WAR PROPERTY ADMINISTRATION.

[Reg. 1]

DISPOSAL OF SURPLUS WAR PROPERTY BY FEDERAL AGENCIES

ESTABLISHMENT OF FORMS AND PROCEDURES

Scope of regulation. This first regulation is designed primarily to advise Federal agencies which possess or control property which is in excess of their needs as to the forms and procedures to be followed in declaring such property surplus and as to the relative duties and responsibilities of such agencies and of the disposal agencies with respect to property so declared surplus. It does not deal in detail with the methods and policies to be followed by the disposal agencies, either in redistributing the property to other Federal agencies or in disposing of it elsewhere, nor with the financial and accounting responsibilities of the disposal agencies.

This regulation by its terms is applicable to all Federal agencies and to all property possessed or controlled by them which they determine to be surplus. However, because of the urgency and magnitude of the problems involved in

the disposition of surplus war property of the War and Navy Departments and the Maritime Commission, including termination inventories, this regulation is primarily directed at those problems and is being made effective at this time because of the urgent need for action with respect thereto. This regulation is therefore being made effective at the present time with respect only to surplus war property of the War and Navy Departments and of the Maritime Commission.

Other owning agencies will continue practices heretofore existing under Executive Order No. 9235 with respect to the declaration and disposition of surplus property, until such time as this regulation shall be made effective with respect to them. Because of the large number of agencies and the wide variety of types of property involved, the Surplus War Property Administration may vary or supplement this regulation in making it effective in the future with respect to surplus war property of agencies other than the War and Navy Departments and the Maritime Commission.

This regulation shall become effective with respect to surplus war property of the War and Navy Departments and of the United States Maritime Commission on May 15, 1944.

Definitions. As used in regulations of the Surplus War Property Administration, unless otherwise therein stated,

(a) "Agency" means any executive department, independent establishment, agency, commission, board, bureau, division, administration, office, service, independent regulatory commission or board of the Federal Government, and any corporation owned or controlled by the Federal Government.

(b) "Surplus war property" means any property, real or personal, including but not limited to plants, facilities, equipment, machines, accessories, parts, assemblies, products, commodities materials, and supplies in the possession of or controlled by any agency, whether new or used, in use or in storage, which are in excess of the needs of such agency or are not required for the performance of the duties and functions of such agency and which are determined, subject to the authority of the Office of War Mobilization, to be surplus by such agency.

(c) "Owning agency" means the agency having possession or control of surplus war property at the time when it is determined to be surplus by such agency.

(d) "Disposal agency" means the agency to which, by this regulation or by other action of the Surplus War Property Administration, surplus war property of a specified class is assigned for disposition.

(e) "Administration" means the Surplus War Property Administration established by Executive Order No. 9425 dated February 19, 1944.

(f) "Continental United States, its territories and possessions" shall include Alaska, Hawaii, Puerto Rico, the Philippine Islands, the Virgin Islands and the Panama Canal Zone.

I. Designation of disposal agencies—

A. *Procurement Division, Treasury Department.* There is hereby assigned to the Procurement Division of the Treasury Department for disposition all surplus war property of the classes set forth under its name in Exhibit I to this regulation. Such classes of property are herein called consumer goods and are the only classes of property which the Administration deems it feasible so to assign.

B. *Reconstruction Finance Corporation.* There is hereby assigned to the Reconstruction Finance Corporation for disposition all surplus war property of the following classes:

(1) All industrial real property of every character other than that disposed of under part IC, IE or IF hereof, including buildings and fixtures.

(2) Such personal property, including machinery and other equipment, materials, and products finished or in process as are reported as surplus to Reconstruction Finance Corporation by the owning agency as an integral whole in conjunction with the plant or other real property where they are located, and as should in the judgment of Reconstruction Finance Corporation be disposed of as a unit. If not so disposed of, such personal property is hereby assigned to the disposal agency otherwise appropriate hereunder.

(3) The classes set forth under its name in Exhibit I to this regulation.

The foregoing classes of property are herein called capital and producers' goods. In disposition, Reconstruction Finance Corporation may act directly or through any of its subsidiary corporations, created pursuant to section 5d (3) of the Reconstruction Finance Act, as amended, designated by it. Except as above stated, the Administration does not deem it feasible to assign property for disposition to a subsidiary of Reconstruction Finance Corporation.

C. *United States Maritime Commission and Navy Department.* There is hereby assigned to the Maritime Commission for disposition all surplus war property of the following classes:

(1) Shipyards, repair yards, marine terminals and similar marine real property including buildings and fixtures. If, however, the Maritime Commission shall determine that any such property should not be disposed of for the purpose of making it available for use in connection with building, repair, or operation of ships, such property shall constitute industrial real property and be assigned to Reconstruction Finance Corporation.

(2) Such personal property, including machinery and other equipment, materials and products finished or in process as are reported as surplus to the Maritime Commission by the owning agency as an integral whole in conjunction with the maritime real property where they are located, and as should in the judgment of the Maritime Commission be disposed of as a unit for maritime use. If not so disposed of, such personal property is hereby assigned to the disposal agency otherwise appropriate hereunder.

(3) The classes set forth under its name in Exhibit I to this regulation, except as set forth in the next succeeding paragraph.

The foregoing classes of property are herein called ships and maritime property. The Administration does not deem it feasible to assign to the Maritime Commission, and therefore assigns to the Navy Department, for disposition (a) ships under the cognizance of the Navy Department which fall into the categories of combat ships or naval auxiliaries, other than those based on commercial designs or susceptible of commercial usage, and (b) such property of classes set forth under the name of the Maritime Commission in Exhibit I to this regulation as appertain to or forms an integral part of a ship disposed of by the Navy Department.

D. War Food Administration. There is hereby assigned to the War Food Administration for disposition all surplus war property of the classes set forth under its name in Exhibit I to this regulation. Such classes of property are herein called food and are the only classes of property which the Administration deems it feasible so to assign.

E. National Housing Agency. There is hereby assigned to the National Housing Agency for disposition all surplus war property of the class of housing property (including such community facilities financed through the Federal Works Agency as are located on the sites of housing projects) other than that under the control and jurisdiction of the War Department or the Navy Department.

F. Federal Works Agency. There is hereby assigned to the Federal Works Agency for disposition all surplus war property of the class of community facilities financed through such Agency, other than those located on the sites of housing projects.

G. Foreign Economic Administration. There is hereby assigned to the Foreign Economic Administration for disposition all surplus war property, of whatsoever nature, located outside the continental United States, its territories and possessions.

H. Property unassigned. Surplus war property not covered by the foregoing assignments, including in particular real property not covered by parts IB, IC, IE and IF, will be assigned by subsequent regulation. Pending such regulations owning agencies are authorized to exercise existing powers of disposition, keeping the Administration currently advised of their plans, policies and procedures with respect to such disposition.

I. Exceptions. There is excepted from the foregoing assignments all surplus war property of which, by part III of this regulation or by other regulation or policy statement of the Administration, owning agencies are authorized to make disposition.

J. Transfers. By arrangements authorized or approved by the Administration, property initially assigned to one disposal agency hereunder may be reassigned to another for disposition.

II. Procedures for reporting surpluses—A. Property to be reported. Ex-

cept as to unassigned property and surplus war property of which, by part III of this regulation or by other regulation or policy statement of the Administration, owning agencies are authorized to make disposition, all property of any agency which is determined by such agency to be surplus, as provided in Executive Order No. 9425, shall be reported as herein set forth.

B. When reports filed. All such surplus war property will be reported as herein set forth immediately upon the determination by the owning agency that such property is surplus.

C. Where reports filed—(1) Real property. (a) All surplus real property assigned in part I of this regulation, including plants, buildings and fixtures, will be reported to the disposal agency designated in part I for the disposition thereof. Reports to the Maritime Commission will be reported to the appropriate office of that agency listed in Exhibit II to this regulation. Reports to any other disposal agency for real property, including Reconstruction Finance Corporation, will be sent to its central office in Washington, D. C.

(b) In reporting as surplus real property, or properties comprising both realty and personalty which, in the judgment of the owning agency, can best be disposed of as an integral whole, the owning agency shall submit for each unit a completely itemized and descriptive inventory docket within which the personal property involved shall be fully described and listed in conformity with the major groups (two digits) of the Standard Commodity Classification set forth in Exhibit I to this regulation. Brief preliminary reports, presenting the major characteristics of such properties, should be submitted as far in advance of their actually becoming surplus as is possible.

(c) Whenever a property unit comprising both real and personal property has been reported pursuant to paragraph (b) above, and the disposal agency for the real property determines that any of the personal property can best be disposed of separately, such disposal agency will report such personal property to the disposal agency designated therefor under part I.

(2) **Personal property—(a) Where reports filed.** With the exception of personal property included in reports of real estate under paragraph 1 (b) above, all surplus personal property will be reported to the appropriate office of the disposal agency designated therefor in part I, for the region in which the property is located; Exhibit II to this regulation lists all such offices and the regions covered by them; *Provided, however,* That where it proves impracticable to make a sufficiently complete segregation of the various classes of property involved in termination inventories or supply property of the Army or Navy to permit the reporting of each such class to the proper disposal agency, this regulation shall be deemed to be complied with if termination inventory property is reported to the appropriate regional office of Reconstruction Finance Corporation and supply property to the appropriate

regional office of the Procurement Division of the Treasury Department, where any necessary segregation and forwarding to another disposal agency will take place; all such reports shall nevertheless comply with the requirements of paragraph 2 (b) below. Pending further regulations, reports of surpluses located abroad shall be made to the central office of the Foreign Economic Administration in Washington, D. C., or elsewhere as agreed upon by that administration and the owning agency.

(b) **Forms.** All reports of surplus war property which is personal property shall, except as set forth in part II C (1) (b), be made on Forms SWPA-1 and SWPA-1 (a) set forth in Exhibit III to this regulation. Such forms shall be used in the manner set forth in the instructions forming a part of such Exhibit.

III. Responsibilities of owning agencies—A. Maintenance of inventories. Owning agencies are urged to establish as promptly as practicable and maintain currently their inventory records in accordance with the Standard Commodity Classification described in Exhibit I.

B. Determination of surplus. Each owning agency will determine what property in its possession or control is surplus, until and unless the Office of War Mobilization shall exercise the applicable authority referred to in Executive Order No. 9425. Particularly during the current phase of the war, owning agencies are urged to exercise the utmost diligence in ascertaining the existence of surpluses and declaring them promptly for disposition. Accordingly, it shall be the responsibility of each owning agency to hold only such property as may be essential for the prosecution of its programs. Through agency procedures inventories shall be reduced to these required levels by declaring as surplus all unneeded items not hereby authorized to be sold by the owning agency.

C. Sales by owning agencies. To the extent that surplus war property coming within the scope of this regulation is involved therein, owning agencies are authorized to dispose, or authorize contractors to dispose, of property without declaring it as surplus, in the following situations, to the full extent that such disposition is provided for or permitted by law:

(1) **Termination inventories.** Termination inventories may be disposed of during the course of the termination proceedings, in accordance with the policies set forth in the Administration's letter to the major procuring agencies and Statement of Policies to be Followed by Government Agencies in the Sale of Contract Termination Inventories, both dated April 21, 1944.

(2) **Nominal quantities.** Owning agencies may sell single items or groups of items, when the cost of all substantially similar items which are surplus at any one location does not exceed \$1,000.

(3) **Scrap and salvage.** Pending the issuance of specific regulations governing scrap sales of property other than termination inventories, property which

is damaged beyond economical repair, and waste, scrap, salvage and other comparable items, may be sold by owning agencies. Such sales shall be made in conformity with the policies and procedures set forth in part IV of the Administration's Statement of Policies to be Followed by Government Agencies in the Sale of Contract Termination Inventories, dated April 21, 1944, where applicable, or in conformity with established salvage procedures or manuals of the owning agencies, if such procedures or manuals have been filed with the Administration. Sales of scrap by owning agencies shall be reported to the appropriate regional office of Reconstruction Finance Corporation (whether or not such scrap constitutes termination inventory) in such manner and at such times as that corporation shall direct. That corporation shall promptly advise the Administration of any situation in which scrap sales in any area are at such unsatisfactory price levels that sales should be stopped. That corporation shall likewise, at the earliest possible moment, provide a system of local or regional consultants upon whom the representatives of the owning agencies can call for advice and assistance on questions concerning the scrapping of property and the marketing of scrap.

(4) *Property located outside the United States*—(a) *In active theaters of operation.* Military and naval commanders in active theaters of operation may sell or otherwise dispose of any surplus property within their control.

(b) *General.* Owning agencies, pending further regulations, may sell surplus property in localities outside the continental United States, its territories and possessions where the Foreign Economic Administration has no local representative, and in localities in the territories and possessions of the United States where the appropriate disposal agency has no local representative.

(5) *Advance clearance.* Where special circumstances, such as danger of deterioration or sanitary or other hazard, make immediate sales by owning agencies desirable without surplus declaration, advance clearance may be obtained from the Administration or such agency as it may designate for the purpose.

D. *Reports to disposal agencies*—(1) *Regional basis of reporting.* Owning agencies will establish and maintain such organizations and procedures as are necessary to enable them to make reports of surplus property to the disposal agencies on a regional basis, in accordance with the procedures established in part II of this regulation.

(2) *Withdrawal of property reported.* After reporting property to a disposal agency, the owning agency will hold the property subject to disposition instructions from the disposal agency. When property has been reported as surplus, the disposal agency shall thereupon have the exclusive right and obligation to make disposition thereof for the United States. Where unforeseen circumstances arise, however, the owning agency may, with the consent of the disposal agency, withdraw such property for its own use

or other disposition prior to its disposition by the disposal agency.

(3) *Limitations on power of disposal.* Owning agencies will accompany each report of surplus with a statement clearly indicating what, if any, legal restrictions exist as to their power to dispose of the property in question. In the absence of any such statement, disposal agencies shall conclusively assume that they have unrestricted power to dispose of the property for the United States, subject to the applicable regulations of the Administration.

E. *Storage, packing and shipping*—(1) *Future policy.* The Administration recognizes the desirability of having a single responsibility for both the sale and the storage, packing and shipping of each class of surplus property. Manpower and facilities shortages prevent this from being effected at the present time. Every effort will be made, however, to provide for the requisite transfer from owning to disposal agencies as soon as these conditions permit, and certainly at some stage between the ending of the first phase of the war and conclusion of the war.

(2) *Present operations.* (a) The owning agency will provide storage for property reported to the disposal agency pending removal or disposal by the disposal agency. At the request of the disposal agency the owning agency will permit reasonable inspection of the property. Upon receipt of shipping instructions from the disposal agency, the owning agency will prepare the property for shipment and will ship in accordance with such instructions.

(b) Pending further regulations, accountability for surplus property will pass to the Procurement Division of the Treasury Department, as to property assigned to it under part I of this regulation, to the same extent and in the same manner as has heretofore been the case under Executive Order 9235, but accountability for all other surplus property will remain in the owning agency until the property is delivered upon the order of the disposal agency.

IV. *Responsibility of disposal agencies*—A. *Disposal.* Disposal agencies shall have the exclusive right and obligation to make disposition, subject to the regulations of the Administration, of all property declared to them as surplus. They shall conclusively assume, unless otherwise notified by the owning agency, that property declared as surplus by an owning agency is property of the United States and that they have unrestricted power to dispose thereof for the United States, subject to the applicable regulations of the Administration. The exclusive responsibilities of disposal agencies shall include determining methods of sale, identity of purchasers and price, execution of all necessary documents in connection with disposal, including any necessary documents of title, and the collection and proper treatment of all proceeds. The military agencies, if they so request in conjunction with the report of surplus, will be consulted prior to the sale of any tactical equipment reported by them.

B. *Inventories.* Disposal agencies will establish and maintain, in each region in which they receive reports of surplus, inventories of all surplus war property reported to them. Such inventories will be maintained in accordance with the Standard Commodity Classification described in Exhibit I.

C. *Storage, packing and shipping.* Disposal agencies will proceed as promptly as is practicable so to organize their activities and personnel as to carry out the policy set forth in part III E (1) of this regulation.

V. *Interagency cooperation.* While there shall be strict adherence to the basic principle of Executive Order No. 9425 that there shall be a single disposal agency for each class of property, disposal agencies will make use, to the extent practicable, of facilities of other agencies which can assist them in their task, and will in turn, through the organization of regional consultants and coordinating and advisory committees and otherwise, render all possible assistance to owning agencies in connection with dispositions made by or under the authority of the owning agencies. Conversely other agencies will make available to the disposal agencies all assistance and facilities which the disposal agencies may reasonably request.

VI. *Sales policies.* All sales of surplus war property, whether made by disposal agencies or by or under the authority of owning agencies, will be made in accordance with the policies, regulations or directions of the Administration or, with its authority, of the disposal agencies. In the absence of specific directions, such as those heretofore issued with respect to sales of termination inventories, sales may be made in such manner as the selling agency shall deem advisable, adhering to the primary principle that a reasonable test of the market, having due regard for the nature, condition, quantity and location of the property, is a necessary prerequisite to any sale.

VII. *Accounting procedures.* Pending specific regulations on the subject, accounting and fiscal procedures and practices of the disposal agencies shall be conducted by the disposal agencies in such manner as they deem appropriate in order to conform to existing laws and regulations.

VIII. *Redistribution within Government.* Disposal agencies will so organize their activities that information as to the availability of surplus war property will at all times be readily obtainable by all agencies. Information as to stocks will be interchanged between offices of the disposal agencies in order that large quantities of scarce items reported in one region may be made available to other regions for distribution, where appropriate. Pending the issuance of more specific instructions, both the procuring agencies and the disposal agencies will take all practical steps to assure as full utilization within Government of available surplus property as is consistent with (a) the nature of the item, (b) timely procurement by the procuring

agencies, and (c) prompt disposal by the disposal agencies.

W. L. CLAYTON,
Administrator.

MAY 8, 1944.

[F. R. Doc. 44-6784; Filed, May 11, 1944;
1:57 p. m.]

WAR FOOD ADMINISTRATION.

Commodity Credit Corporation.

DAIRY PRODUCERS

OFFER TO MAKE PRODUCTION PAYMENTS

In an effort to maintain and increase the production of Eligible Dairy Products, the War Food Administration through Commodity Credit Corporation (herein called "Commodity"), a corporate agency of the United States, pursuant to announcement heretofore made, hereby offers to make dairy production payments to eligible producers for the period beginning May 1, 1944 and ending March 31, 1945, all in the manner and subject to the terms and conditions specified in this offer, such payments being intended to offset increases, since September 1942, in the cost of milk production.

1. *Eligible producers.* Payments under this offer shall be available, upon compliance with the terms and conditions specified herein, to the following (herein called "eligible producers"): (a) Dairy farmers who sell eligible dairy products during the term of this offer; and (b) distributors and processors of eligible dairy products in respect of eligible dairy products produced from their own herds during the term of this offer.

2. *Eligible dairy products.* The term "eligible dairy products", as used herein, shall mean whole milk, butterfat, butter, and cream produced in any of the 48 States of the United States or the District of Columbia by the eligible producer who applies for payment hereunder in respect thereof, but shall not include goat's milk or goat's milk products.

3. *Rates of payment.* The rate of the payment hereunder shall be that specified in Schedule A, attached hereto and by this reference made a part hereof, as applicable to the period covered by such payment for the area in which the farm on which such eligible dairy products were produced is located.

4. *Measure of payment.* Payments in respect of eligible dairy products, pursuant hereto, shall be based upon the quantity of whole milk or butterfat: (1) Produced by eligible producers and sold by them; or (2) in the case of eligible producers who are distributors or processors handling also dairy products produced by others, produced from their own herds, during the period covered by the application for payment. For the purpose of any such payment for the period covered by the application for payment: (a) The quantity of whole milk shall be rounded to the nearest hundredweight; (b) the quantity of butter shall be converted to pounds of butterfat on the basis of eight-tenths (0.8) pound of butterfat per pound of butter; (c) the quan-

tity of cream sold (or in the case of eligible producers who are processors or distributors, earmarked) for consumption as cream shall be converted to pounds of butterfat on the basis of four-tenths (0.4) pound of butterfat per quart of cream; (d) the quantity of butterfat shall be rounded to the nearest pound; and (e) the quantity of milk sold by liquid measure shall be converted to pounds of whole milk on the basis of 2.15 pounds per quart. To the extent that eligible producers deliver whole milk and do not recover their skim milk, payments hereunder shall be made on the basis of the applicable whole milk rates regardless of the basis on which they are paid for their product. To the extent that eligible producers deliver cream or butter, or deliver milk as whole milk and recover their skim milk, payments hereunder shall be made at the applicable butterfat rate.

5. *Prerequisites to payment.* This offer shall be deemed to be accepted by, and payments hereunder will be made to, eligible producers who: (a) File applications for payment, in such form as shall be approved by Commodity, with the County AAA Committee in the county in which the eligible dairy products covered thereby were produced not later than sixty (60) calendar days after the last calendar day of the payment period for which the application for payment is submitted and during which the eligible dairy products, for which the application for payment is submitted, were produced (the respective payment periods shall be designated by the Agricultural Adjustment Administration), and (b) supply, with such applications for payment, evidence satisfactory to such County AAA Committee with respect to their eligibility, compliance with this offer, and the proper amounts of such payments. Milk statements or sale receipts issued by cooperatives, dairies, creameries, and others, showing the amount of whole milk or butterfat purchased, the date of purchase, and the names of the seller and buyer will be considered satisfactory evidence of sales. If an eligible producer is unable to furnish satisfactory extrinsic written evidence of sale, his personal certification of the amount sold, number of cows milked, amount and type of feed used, and customers served, may, in the discretion of the County AAA Committee, and subject to such rules as Commodity prescribes, be accepted as sufficient if such certification is consistent with the County AAA Committee's knowledge of the eligible producer's business and is made in accordance with rules as prescribed by Commodity. In the event an eligible producer is also a distributor only of eligible dairy products produced by him, sales of eligible dairy products in the course of such distribution may be totaled for the purpose of recording on the application for payment.

6. *Payment.* Payment hereunder, on the basis of each such application for payment which has been approved by the applicable County AAA Committee, shall, unless Commodity prescribes a different method of payment, be made by such County AAA Committee by a non-

interest-bearing draft drawn on Commodity and payable at any Federal Reserve Bank or branch thereof. If the amount of payment to which the eligible producer would otherwise be entitled, as computed by the County AAA Committee, is less than one dollar (\$1.00), no payment shall be made. Such draft shall be made payable to the person shown in the corresponding application for payment to be the eligible producer, except in the case of death, incompetency, or disappearance of such person. Each draft shall be given a serial number and shall be prepared in duplicate. The original thereof shall be delivered to the eligible producer and the copy retained in the County AAA office. The making of any payment on the basis of an approved application for payment filed hereunder shall not constitute final acceptance of the validity or amount of the claim represented thereby. In the event of a subsequent finding that any such claim is invalid, defective, or incorrectly computed, Commodity shall have the right to require restitution of any such payment or any part thereof, such right being in addition to any and all other rights of Commodity in the premises.

7. *Assignment and set-off.* Payments due or to become due hereunder shall not be assignable in whole or in part. Payments hereunder shall be subject to set-offs for indebtedness of the eligible producer to United States of America or any agency or corporation thereof recorded on any County AAA office debt register and this offer is expressly made subject to such provision for set-offs.

8. *Death, incompetency, or disappearance.* In case of death, incompetency, or disappearance of an eligible producer, application for any payment hereunder may be made by any person who, under the regulations contained in Agricultural Adjustment Administration Form ACP-122, would be entitled to payment. In any such case, the person filing the application shall execute Agricultural Adjustment Administration Form ACP-103 and file such executed form, attached to the application for payment hereunder, with the County AAA Committee.

9. *Lost, stolen, or destroyed drafts.* In the event any executed draft shall be lost, stolen, or destroyed the fact of such loss, theft, or destruction shall be reported immediately to the office of the applicable County AAA Committee and, in such event, the issuance of a duplicate draft shall be subject to such conditions as Commodity shall, from time to time, prescribe.

10. *Right to declare applications for payment invalid.* Commodity, acting through the applicable County AAA Committee, or otherwise, shall have the right to declare invalid, in whole or in part, any application for payment hereunder in the event the applicant does not qualify as an eligible producer hereunder or such application for payment is not in conformity with this offer.

11. *Instructions and interpretations.* Commodity shall have the right to supplement or clarify any provision or provisions of this offer or alter any procedure contained herein at any time by

the issuance of instructions or interpretations in connection therewith.

12. *Revocation or amendment.* Commodity may amend or revoke this offer at any time, but no such amendment or revocation shall be applicable to eligible dairy products produced prior to the effective time of such amendment or revocation.

[SEAL]

COMMODITY CREDIT
CORPORATION,
LEE MARSHALL,
Vice President.

Attest:

M. L. BRENNER,
Assistant Secretary.

SCHEDULE A—DAIRY PRODUCTION PAYMENT SCHEDULE

State	Counties	Rate per cwt— milk delivered	
		May through August	September through March
		Cents	Cents
Alabama.....	Baldwin, Mobile	65	90
	All other counties.	45	70
Arizona.....	All counties.....	45	70
Arkansas.....	do.....	45	70
California.....	Imperial, Los Angeles, Orange, Riverside, San Bernardino, Santa Diego, Santa Barbara, Ventura.	55	80
	All other counties.	45	70
Colorado.....	All counties.....	45	70
Connecticut.....	do.....	55	80
Delaware.....	do.....	45	70
District of Columbia.....	do.....	45	70
Florida.....	All counties.....	65	90
Georgia.....	do.....	65	90
Idaho.....	Bennewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, Shoshone.	45	70
	All other counties.	35	60
Illinois.....	All counties.....	35	60
Indiana.....	do.....	35	60
Iowa.....	do.....	35	60
Kansas.....	do.....	35	60
Kentucky.....	do.....	35	60
Louisiana.....	do.....	45	70
Maine.....	do.....	45	70
Maryland.....	do.....	45	70
Massachusetts.....	do.....	55	80
Michigan.....	do.....	35	60
Minnesota.....	do.....	35	60
Mississippi.....	do.....	45	70
Missouri.....	do.....	35	60
Montana.....	do.....	35	60
Nebraska.....	do.....	35	60
Nevada.....	do.....	45	70
New Hampshire.....	do.....	45	70
New Jersey.....	do.....	55	80
New Mexico.....	do.....	45	70
New York.....	do.....	45	70
North Carolina.....	do.....	65	90
North Dakota.....	do.....	35	60
Ohio.....	do.....	35	60
Oklahoma.....	do.....	45	70
Oregon.....	do.....	45	70
Pennsylvania.....	do.....	45	70
Rhode Island.....	do.....	55	80
South Carolina.....	do.....	65	90
South Dakota.....	All counties.....	35	60

SCHEDULE A—DAIRY PRODUCTION PAYMENT SCHEDULE
—CONTINUED

State	Counties	Rate per cwt— milk delivered	
		May through August	September through March
		Cents	Cents
Tennessee.....	Fayette, Shelby	45	70
	All other counties.	35	60
Texas.....	All counties.....	45	70
Utah.....	do.....	45	70
Vermont.....	do.....	45	70
Virginia.....	do.....	45	70
Washington.....	do.....	45	70
West Virginia.....	do.....	45	70
Wisconsin.....	do.....	35	60
Wyoming.....	do.....	35	60

The rate of payment on butterfat deliveries is the same for all sections of the country. In May through August it will be 6 cents a pound. In September, October, November, December, January, February, and March it will be 10 cents a pound.

[F. R. Doc. 44-6728; Filed, May 10, 1944; 3:19 p. m.]

WAR SHIPPING ADMINISTRATION.

"KETCHIKAN"

NOTICE OF DEPOSIT OF JUST COMPENSATION FOR REQUISITIONED VESSEL

Notice is hereby given that the sum of \$15,352.00 was deposited with the Treasurer of the United States on May 5, 1944, pursuant to the provisions of section 902 of the Merchant Marine Act, 1936, as amended (57 Stat. 45), and Executive Order 9054, February 7, 1942 (7 F.R. 837), as just compensation for title to the vessel "Ketchikan" Official Number 204442, which was requisitioned by the United States of America, represented by the War Shipping Administrator on December 17, 1942.

By order of the War Shipping Administrator.

A. J. WILLIAMS,
Secretary.

MAY 11, 1944.

[F. R. Doc. 44-6799; Filed, May 12, 1944; 10:11 a. m.]

"PAUL L."

DETERMINATION OF VESSEL OWNERSHIP

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the Act approved March 24, 1943 (Public Law 17, 78th Congress).

Whereas on August 14, 1942, title to the vessel "Paul L." (225418), (including

all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the Act approved March 24, 1943 (Public Law 17, 78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

[SEAL]

E. S. LAND,
Administrator.

MAY 11, 1944.

[F. R. Doc. 44-6800; Filed, May 12, 1944; 10:11 a. m.]