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Washington, Tuesday, May 30, 1944

The President

Regulations

CONTENTS

EXECUTIVE ORDER 9444

INSPECTION OF INCOME, EXCESS-PROFITS, DECLARED VALUE EXCESS-PROFITS, AND CAPITAL STOCK TAX RETURNS BY THE SPECIAL COMMITTEE ON UN-AMERICAN ACTIVITIES, HOUSE OF REPRESENTATIVES

By virtue of the authority vested in me by provisions of law enumerated in Executive Order No. 9281¹ issued December 9, 1942, relating to the inspection of certain income, excess-profits, declared value excess-profits, and capital stock tax returns by the Special Committee on Un-American Activities, House of Representatives, or any duly authorized subcommittee thereof, for the purpose of carrying out the provisions of House Resolution 420 (Seventy-seventh Congress, second session), passed March 11, 1942, it is hereby ordered that the returns described in such Executive Order shall be open to inspection by the Special Committee on Un-American Activities, House of Representatives, or any duly authorized subcommittee thereof, for the purpose of carrying out the provisions of House Resolution 65, passed February 10, 1943 (Seventy-eighth Congress, first session); such inspection to be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in Treasury Decision 5200,² as amended by Treasury decision approved by me this date.

This order shall be published in the FEDERAL REGISTER.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE
May 25, 1944.

[F. R. Doc. 44-7608; Filed, May 26, 1944; 4:51 p. m.]

¹ 7 F.R. 10355.
² 7 F.R. 10424.

TITLE 7—AGRICULTURE

Chapter IX—War Food Administration
(Marketing Agreements and Orders)

PART 961—MILK IN PHILADELPHIA, PENNSYLVANIA, MARKETING AREA

TRANSFERS OF MILK

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U. S. C. 1940 ed. 601 et seq.) and of the order, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area, it is hereby found and determined that certain provisions of § 961.3 (c) (4) of such order are provisions which obstruct and do not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is, therefore, ordered, That effective as of 12:01 a. m., May 1, 1944, and continuing during the months of May and June 1944, the following provisions of § 961.3 (c) (4) of the order, as amended, regulating and handling of milk in the Philadelphia, Pennsylvania, marketing area, are hereby suspended: "If less than 20 percent of the milk received at the latter plant is moved therefrom as fluid milk"; "more than 20 percent of the milk received is"; and "except that any of this milk in excess of the amount of fluid milk moved from the latter plant during the month shall be allocated to Class II milk".

(E.O. 9322, 8 F.R. 3807, E.O. 9334, 8 F.R. 5423)

Issued at Washington, D. C. this 26th day of May 1944.

THOMAS J. FLAVIN,
Assistant to the War
Food Administrator.

[F. R. Doc. 44-7644; Filed, May 27, 1944; 11:20 a. m.]

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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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PART 968—MILK IN THE WICHITA, KANSAS, MARKETING AREA

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AUTHORITY: §§ 968.1 to 968.13, inclusive, issued under 48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U.S.C. 601 et seq.

Findings and Determinations

Findings up the basis of the hearing record. Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act"), and the rules of practice and procedure covering the formulation of marketing agreements and milk orders (7 CFR, 1941 Supp., 900.1-900.17; 7 F.R. 3350; 8 F.R. 2815) a public hearing was held upon a proposed marketing agreement and upon a proposed order regulating the handling of milk in the Wichita, Kansas, marketing area. Upon the basis of the evidence introduced in such hearing and the record thereof, it is hereby found that:

(1) The issuance of this order regulating the handling of milk in the said marketing area, and all of the terms and conditions of this order, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the said order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in the said tentatively approved marketing agreement, upon which a hearing has been held; and

(4) The handling of all milk sold or disposed of in the marketing area, as defined herein, is in the current of interstate commerce, or directly burdens, obstructs, or affects interstate commerce in milk and its products.

Additional findings. (1) It is hereby found and proclaimed in connection with the execution of a marketing agreement and the issuance of an

order regulating the handling of milk in the said marketing area, that the purchasing power of such milk during the pre-war period August 1909-July 1914 cannot be satisfactorily determined from available statistics of the Department of Agriculture, but that the purchasing power of such milk for the post-war period August 1919-July 1929 can be satisfactorily determined from available statistics of the Department of Agriculture; and the post-war period August 1919-July 1929 is the base period to be used in connection with the said marketing agreement and this order in determining the purchasing power of such milk.

(2) It is hereby found that the necessary expenses of the market administrator for the maintenance and functioning of such agency will amount to approximately \$12,000 per year; and the pro-rata share of such expenses to be paid by each handler is hereby approved in the maximum amount of 4 cents per hundredweight on all milk received from producers and produced by such handler during each delivery period.

Determinations. It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping milk covered by this order) of at least 50 percent of the volume of milk which is marketed within the said marketing area refused or failed to sign the tentatively approved marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign such tentatively approved marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order is the only practical means pursuant to the declared policy of the act to advance the interests of the producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of approval of the order and who, during the month of January 1944 (which month is hereby determined to be a representative period), were engaged in the production of milk for sale in the said marketing area.

Order Relative to Handling

It is hereby ordered. That such handling of milk in the Wichita, Kansas, marketing area as is in the current of interstate commerce or as directly burdens, obstructs, or affects interstate commerce shall from the effective date hereof be in compliance with the terms and conditions of this order.

§ 968.1 *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States who is or who may

hereafter be authorized to exercise the powers and perform the duties, pursuant to the act, of the War Food Administrator of the United States.

(c) "Wichita, Kansas, marketing area," hereinafter referred to as the "marketing area" means all the territory within the corporate limits of the city of Wichita, Kansas, and the territory within Delano, Kechi, Minneha, Riverside, Waco, and Wichita Townships and the city of Eastborough, all in Sedgwick County, Kansas.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Producer" means any person, irrespective of whether such person is also a handler who, in conformity with the applicable health regulations of the city of Wichita, Kansas, produces milk which is received at the plant of a handler from which milk is disposed of as Class I milk or as Class II milk in the marketing area. This definition shall include any person who produces milk which a cooperative association causes to be delivered to a plant from which no milk is disposed of in the marketing area.

(f) "Handler" means any person who, on his own behalf or on behalf of others, disposes of as Class I or Class II milk in the marketing area all, or a portion of the milk purchased or received by him from (1) producers, (2) his own production, and (3) other handlers. This definition shall include a cooperative association with respect to milk which it causes to be delivered from a producer to a plant from which no milk is disposed of as Class I milk or as Class II milk in the marketing area.

(g) "Market administrator" means the person designated pursuant to § 968.2 as the agency for the administration hereof.

(h) "Delivery period" means the then current marketing period from the first to, and including, the last day of each month.

(i) "Cooperative association" means any cooperative association of producers which the War Food Administrator determines (1) to have its entire activities under the control of its members, and (2) to have and to be exercising full authority in the sale of milk of its members.

§ 968.2 *Market administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the War Food Administrator. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion, of the War Food Administrator.

(b) *Powers.* The market administrator shall: (1) administer the terms and provisions hereof; and (2) report to the War Food Administrator complaints of violation of the provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties execute and deliver to the War Food Administrator a bond, conditioned upon the faithful performance of his duties, in the amount and with surety thereon

satisfactory to the War Food Administrator;

(2) Pay out of the funds provided by § 968.11 hereof the cost of his bond, his own compensation, and all other expenses necessarily incurred by him in the maintenance and functioning of his office;

(3) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the War Food Administrator may designate;

(4) Publicly disclose to handlers and producers, unless otherwise directed by the War Food Administrator, the name of any person who within 10 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to § 968.5 or (ii) made payments pursuant to § 968.8; and

(5) Promptly verify the information contained in the reports submitted by handlers.

§ 968.3 *Classification of milk*—(a) *Basis of classification.* All milk and milk products purchased or received by each handler, including milk of a producer which a cooperative association causes to be delivered to a plant from which no milk is disposed of as Class I milk or Class II milk in the marketing area, shall be reported by the handler in the classes set forth in (b) of this section: *Provided,* That (i) milk sold or disposed of by a handler as fluid milk to a nonhandler who distributes fluid milk or cream shall be classified as Class I milk, and cream sold or disposed of by a handler as cream to such nonhandler shall be classified as Class II milk; (ii) milk or cream sold or disposed of by a handler to a nonhandler who does not distribute fluid milk or cream shall be classified as Class III milk subject to verification by the market administrator; (iii) milk sold or disposed of as fluid milk by a handler who purchases or receives milk from producers to another handler shall be classified as Class I milk: *Provided,* That if such milk, except milk sold or disposed of by such handler to another handler who purchases or receives no milk from producers, is reported by the receiving handler or by the disposing handler as having been utilized as Class II milk or Class III milk, such milk shall be classified accordingly, subject to verification by the market administrator; (iv) cream sold or disposed of as fluid cream by a handler who purchases or receives milk from producers to another handler shall be classified as Class II milk: *Provided,* That if such cream, sold or disposed of by such handler to another handler who purchases or receives no milk from producers, is reported by the receiving handler or by the disposing handler as having been utilized as Class III milk, such cream shall be classified accordingly, subject to verification by the market administrator; and (v) milk or cream sold or disposed of by a handler who receives no milk from producers to another handler who receives milk from producers shall be classified in the lowest use classification of the purchasing handler.

(b) *Classes of utilization.* Subject to the conditions set forth in (a) of this section the classes of utilization shall be as follows:

(1) Class I milk shall be all milk and skim milk disposed of in the form of milk and buttermilk or in the form of flavored milk drinks containing more than 1 percent butterfat and all milk not specifically accounted for as Class II milk or Class III milk.

(2) Class II milk shall be all milk used to produce cream (for consumption as cream, including any cream product in fluid form which contains 6 percent or more butterfat), creamed cottage cheese, aerated cream, eggnog, and flavored milk drinks containing not more than 1 percent butterfat.

(3) Class III milk shall be all milk specifically accounted for (i) as used to produce a milk product other than those specified in Class II milk and (ii) as actual plant shrinkage but not to exceed 3 percent of the total receipts of milk from producers.

(c) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification as required in (b) of this section, of any milk received by a handler from producers, the burden rests upon the handler who receives the milk from producers to account for the milk and to prove to the market administrator that such milk should not be classified as Class I milk.

(d) *Computation of milk in each class.* For each delivery period each handler shall compute, in the manner and on forms prescribed by the market administrator, the amount of milk in each class as defined in (b) of this section, as follows:

(1) Determine the total pounds of milk received as follows: add together the total pounds of milk received from (i) producers, (ii) own farm production, (iii) other handlers, and (iv) other sources.

(2) Determine the total pounds of butterfat received as follows: (i) Multiply by its average butterfat test the weight of the milk received from (a) producers, (b) own farm production, (c) other handlers, and (d) other sources, (ii) add together the resulting amounts.

(3) Determine the total pounds of milk in Class I as follows: (i) Convert to pounds the quantity of Class I milk on the basis of 2.15 pounds per quart, (ii) multiply the result by the average butterfat test of such milk, and (iii) if the quantity of butterfat so computed when added to the pounds of butterfat in Class II milk and Class III milk, computed pursuant to (4) (ii) and (5) (iv) of this paragraph is less than the total pounds of butterfat received computed in accordance with (2) of this paragraph, an amount equal to the difference shall be divided by 3.8 percent and added to the quantity of milk determined pursuant to (i) of this subparagraph.

(4) Determine the total pounds of milk in Class II as follows: (i) multiply the actual weight of each of the several products of Class II milk by its average butterfat test, (ii) add together the resulting amounts, and (iii) divide the result

obtained in (ii) of this subparagraph by 3.8 percent.

(5) Determine the total pounds of milk in Class III as follows: (i) Multiply the actual weight of each of the several products of Class III by its average butterfat test, (ii) add together the resulting amounts, (iii) subtract from the total pounds of butterfat computed pursuant to (2) of this paragraph the total pounds of butterfat in Class I milk, computed pursuant to (3) (ii) of this paragraph, the total pounds of butterfat in Class II milk, computed pursuant to (4) (ii) of this paragraph and the total pounds of butterfat computed pursuant to (ii) of this subparagraph which resulting quantity shall be allowed as plant shrinkage for the purposes of this paragraph (but in no event shall such plant shrinkage allowance exceed 3 percent of the total receipts of butterfat from producers by the handler), (iv) add together the results obtained in (ii) and (iii) of this subparagraph, and (v) divide the results obtained in (iv) of this subparagraph by 3.8 percent.

(6) Determine the classification of milk received from producers as follows:

(i) Subtract from the total pounds of milk in each class the pounds of milk which were received from other handlers and used in such class.

(ii) Subtract from the remaining pounds of milk in each class the pounds of milk which were received from sources other than producers, own farm production, and other handlers in series beginning with the lowest class.

(iii) Subtract pro rata from the remaining pounds of milk in each class the total pounds of milk which were received from the handler's own farm production.

(e) *Reconciliation of utilization of milk by classes with receipts of milk from producers.* In the event of a difference between the total quantity of milk used in the several classes as computed pursuant to (d) (6) of this section and the quantity of milk received from producers, except for excess milk or milk equivalent of butterfat pursuant to § 968.6 (d), such difference shall be reconciled as follows:

(1) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) (6) of this section, is less than the receipts of milk from producers, the market administrator shall increase the total pounds of milk in Class III for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler.

(2) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) (6) of this section, is greater than the receipts of milk from producers, the market administrator shall decrease the total pounds of milk in Class III for such handler by an amount equal to the difference between the receipts from producers and the total utilization of milk by classes for such handler.

§ 968.4 *Minimum prices*—(a) *Class prices.* Each handler shall pay producers at the time and in the manner set

forth in § 968.8 for milk purchased or received from them, not less than the following prices:

(1) Class I milk: \$3.65 per hundred-weight.

(2) Class II milk: \$3.40 per hundred-weight.

(3) Class III milk: The price per hundredweight shall be the highest price paid during each delivery period for ungraded milk containing 3.8 percent butterfat by any of the following: De Coursey Cream Company at its plants at Wichita or Anthony, Kansas; the Central Kansas Cooperative Creamery Association at its plant at Hillsboro, Kansas; or the Arkansas City Cooperative Milk Association at its plant at Arkansas City, Kansas.

§ 968.5 *Reports of handlers*—(a) *Periodic reports.* On or before the 5th day after the end of each delivery period each handler who purchased or received milk from sources other than his own production or other handlers shall, with respect to milk or dairy products which were purchased, received, or produced by such handler during such delivery period, report to the market administrator in the detail and form prescribed by the market administrator, as follows:

(1) The receipts at each plant of milk from each producer, the butterfat content, and the number of days on which milk was received from each producer;

(2) The receipts from such handler's own farm production and the butterfat content;

(3) The receipts of milk, cream, and milk products from handlers who purchase or receive milk from producers and the butterfat content;

(4) The receipts of milk, cream, and milk products from any other source and the butterfat content;

(5) The respective quantities of milk and milk products and the butterfat content which were sold, distributed, or used, including sales to other handlers for the purpose of classification pursuant to § 968.3; and

(6) Such other information with respect to the use of the milk as the market administrator may request.

(b) *Reports of payments to producers.* On or before the 20th day after the end of each delivery period, upon the request of the market administrator, each handler who purchased or received milk from producers shall submit to the market administrator his producer pay roll for such delivery period which shall show for each producer: (1) his total deliveries of base milk and total deliveries of milk in excess of base milk, (2) the average butterfat content of his milk, and (3) the net amount of such handler's payments to such producer with the prices, deductions, and charges involved.

(c) *Reports of handlers whose sole source of supply is from such handler's own farm production or from other handlers.* Handlers whose sole source of supply is from such handler's own farm production or from other handlers shall make reports to the market administrator at such time and in such manner as the market administrator may require.

(d) *Verification of reports and payments.* The market administrator shall verify all reports and payments of each handler by audit of such handler's records and of the records of any other handler or person upon whose disposition of milk the classification depends. Each handler shall keep adequate records of receipts and utilization of milk and milk products and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

(1) Verify the receipts and disposition of all milk and milk products, and in case of errors or omissions, ascertain the correct figures;

(2) Weigh, sample, and test for butterfat content the milk purchased or received from producers and any product of milk upon which classification depends; and

(3) Verify the payments to producers prescribed in § 968.8.

§ 968.6 *Application of provisions.* (a) The provisions of §§ 968.3, 968.7, 968.8, 968.9, 968.10, and 968.11 shall not apply to a handler whose sole source of supply is from such handler's own farm production or from other handlers.

(b) If a handler who purchases or receives milk from producers, purchases or receives milk or cream in bulk from another handler who purchases or receives no milk from producers and sells or disposes of such milk or cream for other than Class III purposes, the market administrator, in determining the net pool obligation of the handler, pursuant to § 968.7 (a) shall add an amount equal to the difference between (1) the value of such milk or cream according to its utilization by the handler and (2) the value at the Class III price.

(c) If a handler has sold or disposed of milk or cream which was received from sources other than producers, his own farm production, or other handlers as Class I or Class II milk within the marketing area to persons other than a handler who purchases or receives milk from producers, the market administrator, in determining the net pool obligation of the handler, pursuant to § 968.7, shall add an amount equal to the difference between (1) the value of such milk according to its utilization by the handler and (2) the value at the Class III price.

(d) If a handler has purchased or received milk or butterfat from sources determined as other than producer, own farm production, or other handlers, the market administrator, in determining the net pool obligation of the handler pursuant to § 968.7, shall consider such milk or the milk equivalent of such butterfat as Class III milk. If the receiving handler sells or disposes of such milk or butterfat for other than Class III purposes, the market administrator shall add an amount equal to the differences between (1) the value of such milk or butterfat according to its utilization by the handler and (2) the value at the Class III price.

(e) The provisions of (b), (c), and (d) above shall not apply if the handler can

prove to the market administrator that such milk or butterfat was used only to the extent that milk of producers was not available.

(f) If a handler, after subtracting receipts from his own farm production, receipts from other handlers, and receipts from sources determined as other than producers, own farm production, or other handlers, has disposed of milk or butterfat in excess of the milk or butterfat which, on the basis of his reports, has been credited to his producers as having been delivered by them, the market administrator, in determining the net pool obligation of the handler, pursuant to § 968.7, shall add an amount equal to the value of such milk or butterfat according to its utilization by the handler.

§ 968.7 *Determination of uniform price to producers*—(a) *Net pool obligations of handlers*. The net pool obligation of each handler for milk received from producers during each delivery period shall be a sum of money computed for such delivery period by the market administrator as follows: multiply the pounds of milk in each class computed pursuant to § 968.3 (d) by the class price pursuant to § 968.4 (a), add together the resulting values, and add the value of any payments required to be made pursuant to § 968.6.

(b) *Computation and announcement of the uniform price*. For each delivery period the market administrator shall compute and announce the uniform price per hundred weight of milk as follows:

(1) Combine into one total the net pool obligations of all handlers computed pursuant to (a) of this section who made the reports prescribed by § 968.5 and who made the payments prescribed by § 968.8;

(2) Add an amount equal to one-half of the cash balance in the producer-settlement fund less the amount due handlers pursuant to § 968.8 (g);

(3) Subtract not less than 4 cents nor more than 5 cents per hundredweight of milk for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payments by handlers.

(4) Compute the total quantity of milk which represents the delivered bases of producers and which is included in the computation made pursuant to (a) of this section.

(5) Compute the total value of the milk which is in excess of the delivered bases of producers determined pursuant to (4) of this paragraph and which is included in the computation pursuant to (a) of this section, by multiplying such quantity of milk by the Class III price.

(6) Compute the total value of the milk represented by the delivered bases of producers by subtracting the value obtained in (5) of this paragraph from the value obtained in (1) of this paragraph.

(7) Divide the result obtained in (6) of this paragraph by the quantity of milk represented by the delivered bases of producers as determined in (4) of this paragraph. This result shall be known as the uniform price per hun-

dredweight for such delivery period for base milk of producers containing a 3.8 percent butterfat.

(8) On or before the 8th day after the end of each delivery period notify all handlers and make public announcement of these computations, of the uniform price per hundredweight of base milk, computed pursuant to this paragraph, and of the Class I, Class II, and Class III prices computed pursuant to § 968.4.

§ 968.8 *Payments for milk*—(a) *Time and method of payment*. On or before the 10th day after the end of each delivery period each handler shall make payment, after deducting the amount of the payment made pursuant to (b) of this section, subject to the butterfat differential set forth in (c) of this section, for milk purchased or received from producers by such handler during each delivery period as follows:

(1) To each producer, except as set forth in subparagraph (3) of this paragraph, not less than the uniform price per hundredweight computed pursuant to § 968.7 (b) for that quantity of milk received from each producer not in excess of such producer's base;

(2) To each producer, except as set forth in subparagraph (3) of this paragraph, not less than the Class III price for that quantity of milk received from such producer in excess of such producer's base; and

(3) To a cooperative association for milk which it caused to be delivered to a handler from producers and for which such cooperative association collects payments, a total amount equal to not less than the sum of the individual payments otherwise payable to such producers under subparagraphs (1) and (2) of this paragraph.

(b) *Half delivery period payments*. On or before the 25th day of each delivery period, each handler shall make payment to each producer for the approximate value of the milk of such producer which, during the first 15 days of such delivery period, was received by such handler.

(c) *Butterfat differential*. If, during the delivery period, any handler has purchased or received from any producer milk having an average butterfat content other than 3.8 percent, such handler in making the payments prescribed in (a) of this section, shall add to the prices per hundredweight for such producers for each one-tenth of 1 percent of average butterfat content in milk above 3.8 percent not less than, or shall subtract from such prices for such producer for each one-tenth of 1 percent of average butterfat content in milk below 3.8 percent not more than, an amount computed as follows: to the average price of 92-score butter at wholesale in the Chicago market as reported by the United States Department of Agriculture (or such other Federal agency as may hereafter be authorized to perform this price reporting function) for the delivery period during which such milk was received, add 20 percent and divide the resulting sum by 10.

(d) *Producer-settlement fund*. The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to (e) and (g) of this section and out of which he shall make all payments to handlers pursuant to (f) and (g) of this section: *Provided*, That the market administrator shall offset any such payment due to any handler against payments due from such handler. Immediately after computing the uniform price for each delivery period, the market administrator shall compute the amount by which each handler's net pool obligation, including the payments to producers which are required to be made pursuant to § 968.6 is greater or less than the sum obtained by multiplying the hundredweight of milk of producers by the appropriate prices required to be paid producers by handlers pursuant to (a) of this section and adding together the resulting amounts, and shall enter such amount on each handler's account as such handler's pool debit or credit, as the case may be, and render such handler a transcript of his account.

(e) *Payments to the producer-settlement fund*. On or before the 10th day after the end of each delivery period, each handler shall pay to the market administrator for payment to producers through the producer-settlement fund, the amount by which the net pool obligation of such handler including the payments required to be made pursuant to § 968.6 is greater than the sum required to be paid producers by such handler pursuant to (a) (1) and (2) of this section.

(f) *Payment out of the producer-settlement fund*. (1) On or before the 10th day after the end of each delivery period, the market administrator shall pay to each handler for payment to producers the amount by which the sum required to be paid producers by such handler pursuant to (a) (1) and (2) of this section is greater than the net pool obligation of such handler, including the payments required to be made pursuant to § 968.6.

(2) If the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 10th day after the end of the delivery period, has not received the balance of such reduced payment from the market administrator, shall be deemed to be in violation of (a) of this section if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

(g) *Adjustment of errors in payments*. Whenever verification by the market administrator of reports or payments of any handler discloses errors in payments to the producer-settlement fund made pursuant to (d) of this section the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days of such

billing, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler pursuant to (f) of this section, the market administrator shall, within 5 days, make payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer discloses payment to such producer of an amount which is less than is required by this section, the handler shall make up such payment to the producer not later than the time of making payment to producers next following the disclosure.

§ 968.9 *Base rating*—(a) *Determination of base*. The base of each producer, who is not also a handler, shall be a quantity of milk for each delivery period calculated by the market administrator in the following manner: Multiply the applicable figure computed pursuant to (b) of this section by the number of days for which such producer's milk was delivered during the delivery period: *Provided*, That, if during any delivery period the total milk not in excess of base, delivered by all producers does not equal 105 percent of Class I and Class II sales for the delivery period, the market administrator shall add thereto as emergency base, in the case of each producer who delivered milk in excess of his base the percent of his excess milk which is the percent of his total excess milk needed to bring total base deliveries up to approximately 110 percent of Class I and Class II sales.

(b) *Determination of daily base*. (1) Effective for the calendar quarter ending June 30, 1944, the daily base of each producer shall be the daily base of such producer on record in the office of the market administrator under the Amended License for Milk No. 44, Wichita, Kansas, Sales Area, issued by the Secretary of Agriculture, August 14, 1935. If no such base is on record for any producer who is not also a handler, the market administrator shall determine a base for such producer in the manner provided in (3) of this paragraph.

(2) For each calendar quarter subsequent to June 30, 1944, the daily base of each producer shall be an amount calculated by the market administrator as follows: (i) Divide the total milk, not in excess of his base, delivered by each producer during the next preceding calendar quarter by the number of days in that quarter and (ii) if the total of the figures so calculated for all producers is not equal to 110 percent of the total sales of Class I and Class II milk by all handlers during that quarter, add to the figure for each producer an equal amount sufficient to bring the total to 110 percent of the total sales of Class I and Class II milk.

(3) In the case of a producer who resumes delivery after not having marketed milk to a handler for a period of more than 30 consecutive days or for whom there is no base on record in the office of the market administrator, a base shall be allotted in the following manner: for each delivery period from the

date upon which such producer first markets milk to a handler until the conclusion of one full calendar quarter, the market administrator shall multiply such producer's daily average deliveries of milk by the percentage that base deliveries were to total deliveries to the market during the delivery period by all base holding producers on the market. After the conclusion of one full calendar quarter, the market administrator shall determine a base for such producer in accordance with (2) of this paragraph.

(4) In the case of a producer who is also a handler and who disposes of all of his delivery routes to another handler who is not a producer, the market administrator shall determine the daily average of the total sales of Class I milk and Class II milk by such producer during the preceding 8 months. The figure thus determined shall be such producer's base from the date of such determination until the end of the calendar quarter next following. Thereafter the base of such producer shall be determined in accordance with (2) of this paragraph.

(c) *Base rules*. (1) Any producer who ceases to deliver milk to a handler for a period of more than 30 consecutive days shall forfeit his base. In the event such producer thereafter commences to deliver milk to a handler he shall be allotted a daily base computed in the manner provided in (b) (3) of this section.

(2) A landlord who rents on a share basis shall be entitled to the entire daily base to the exclusion of the tenant if the landlord owns the entire herd. A tenant who rents on a share basis shall be entitled to the entire daily base to the exclusion of the landlord if the tenant owns the entire herd. If the cattle are jointly owned by the tenant and landlord, the daily base shall be divided between the joint owners according to ownership of the cattle when such share basis is terminated.

(3) A producer, whether landlord or tenant, may retain his base when moving his entire herd of cows from one farm to another: *Provided*, That at the beginning of a tenant and landlord relationship the base of each landlord and tenant may be combined and may be divided when such relationship is terminated.

(4) Base may be transferred only under the following conditions: (i) In case of the death of a producer, his base may be transferred to a surviving member or members of his family who carry on the dairy operations, and (ii) on the retirement of a producer, his base may be transferred to an immediate member of his family who carries on the dairy operations.

(5) Any producer desiring to earn a new base may do so by notifying the market administrator that he is relinquishing his base at the beginning of the delivery period next following. In such case all milk delivered by such producer during the next 2 full calendar months shall be considered as milk in excess of base. At the end of 2 months a new base shall be allotted by the market administrator computed in the manner provided in (b) (3) of this section.

§ 968.10 *Marketing service*—(a) *Deduction for marketing service*. Except as set forth in (b) of this section each handler shall deduct 4 cents per hundredweight from the payments made to each producer pursuant to § 968.8 (a) (1) and (a) (2) with respect to all milk of such producer purchased or received by such handler during the delivery period, and shall pay such deductions to the market administrator for market information to, and for the verification of weights, sampling, and testing of milk received from, said producers. The market administrator may contract with a cooperative association or cooperative associations for the furnishing of the whole or any part of such services.

(b) *Producers' cooperative associations*. In the case of producers for whom a cooperative association, which the War Food Administrator determines to be qualified under the provisions of the act of Congress of February 18, 1922, is performing the services set forth in (a) of this section, each handler shall make the deductions from the payments to be made pursuant to § 968.8 (a) (1) and (a) (2), which are authorized by such producers, and, on or before the 10th day after the end of each delivery period, pay over such deductions to the associations of which such producers are members.

§ 968.11 *Expense of administration*. As his prorata share of the expense of the administration hereof, each handler who purchased or received milk from producers, with respect to all milk received from producers during the delivery period, shall pay to the market administrator, on or before the 10th day after the end of such delivery period, an amount not exceeding 4 cents per hundredweight, which amount shall be determined by the market administrator subject to review by the War Food Administrator.

§ 968.12 *Effective time, suspension, or termination*—(a) *Effective time*. The provisions hereof, or any amendment hereto, shall become effective at such time as the War Food Administrator may declare and shall continue in force until suspended, or terminated, pursuant to (b) of this section.

(b) *Suspension or termination*. Any or all of the provisions hereof, or any amendment hereto, may be suspended or terminated as to any or all handlers after such reasonable notice as the War Food Administrator shall give and shall, in any event, terminate whenever the provisions of the act cease to be in effect.

(c) *Continuing power and duty of the market administrator*. (1) If, upon the suspension or termination of any of all provisions hereof there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the War Food Administrator so directs, be performed by such other per-

son, persons, or agency as the War Food Administrator may designate.

(2) The market administrator, or such other person as the War Food Administrator may designate, shall (i) continue in such capacity until removed, (ii) from time to time account for all receipts and disbursements and when so directed by the War Food Administrator deliver all funds on hand, together with the books and records of the market administrator, or such person, to such person as the War Food Administrator shall direct, and (iii) if so directed by the War Food Administrator execute assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof the market administrator, or such person as the War Food Administrator may designate, shall, if so directed by the War Food Administrator, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 968.13 *Agents.* The War Food Administrator may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

Issued at Washington, D. C., this 25th day of May, 1944, to be effective on and after the 1st day of June 1944.

MARVIN JONES,
War Food Administrator.

Approved May 27, 1944.

FRED M. VINSON,
Director of Economic
Stabilization.

[F. R. Doc. 44-7741; Filed, May 29, 1944;
11:24 a. m.]

[WFO 79-42, Amdt. 2]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN FALL RIVER-NEW BEDFORD-TAUNTON, MASS., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-42 (8 F.R. 13966, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Fall River-New Bedford-Taunton, Massachusetts, milk sales area, is hereby further amended by deleting therefrom

the numeral "20" in § 1401.73 (1) (2) and inserting, in lieu thereof, the numeral "15."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-42, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-42, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 26th day of May 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-7602; Filed, May 26, 1944;
2:20 p. m.]

[WFO 79-122, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN HOUSTON, TEX., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-122 (9 F.R. 641, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Houston, Texas, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.155 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-122, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-122, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 26th day of May 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-7603; Filed, May 26, 1944;
2:20 p. m.]

[WFO 79-127, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN GALVESTON, TEX., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated Septem-

ber 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-127 (9 F.R. 647, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts and cream in the Galveston, Texas, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.162 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-127, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-127, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 26th day of May 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-7604; Filed, May 26, 1944;
2:20 p. m.]

[WFO 79-134, Amdt. 1]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CORPUS CHRISTI, TEX., SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-134 (9 F.R. 1078, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Corpus Christi, Texas, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.160 (n) (2) and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-134, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-134, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 26th day of May 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-7605; Filed, May 26, 1944;
2:20 p. m.]

[WFO 8, Amdt. 8]

PART 1401—DAIRY PRODUCTS

FROZEN DAIRY FOODS AND MIX

War Food Order No. 8, as amended, 9 F.R. 4319, 4735 (formerly designated as Food Distribution Order No. 8, as originally issued by the Secretary of Agriculture on January 19, 1943, 8 F.R. 953, and as amended, 8 F.R. 12163), is further amended as follows:

1. By deleting § 1401.31 (b) (1) and § 1401.31 (b) (2) therefrom and inserting, in lieu thereof, the following:

(b) *Restrictions on production of frozen dairy foods and mix.* (1) During the allocation period commencing June 1, 1944, as specified in War Food Order No. 8-1, 9 F.R. 4319 (formerly designated as Food Distribution Order No. 8-1, as issued by the Director on February 1, 1943, 8 F.R. 1330), no processor may utilize in the production of frozen dairy foods or mix more than 85 per centum of the total milk solids used by the respective processor in the production of such products, respectively, during the corresponding portion of the base period, exclusive of all such products processed for, or sold to, a governmental agency by such processor during such corresponding portion of the base period. During the allocation period commencing July 1, 1944, no processor may utilize in the production of frozen dairy foods or mix more than 75 per centum of the total milk solids used by the respective processor in the production of such products, respectively, during the corresponding portion of the base period, exclusive of all such products processed for, or sold to, a governmental agency by such processor during such corresponding portion of the base period. During each allocation period commencing after July 31, 1944, specified by the Director in said War Food Order No. 8-1, or hereafter specified by the Director, no processor may utilize in the production of frozen dairy foods or mix more than 65 per centum of the total milk solids used by the respective processor in the production of such products, respectively, during the corresponding portion of the base period, exclusive of all such products processed for, or sold to, a governmental agency by such processor during such corresponding portion of the base period. The milk solids used in frozen dairy foods or mix manufactured for, or delivered to, or for the account of, a governmental agency, shall be excluded from the amount of milk solids to which the aforesaid percentages are applicable.

(2) During the months of June and July 1944 the maximum total milk solids content of frozen dairy foods manufactured, sold, or delivered by any person shall be 24 per centum (by weight). After July 31, 1944, the maximum total milk solids content of frozen dairy foods manufactured, sold, or delivered by any person, shall be 22 per centum (by weight).

This amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944.

With respect to violations, rights accrued, or liabilities incurred prior to the effective time of this amendment, the provisions of War Food Order No. 8, as

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amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

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

Issued this 27th day of May 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44-7740; Filed, May 29, 1944;
11:23 a. m.]

Chapter XI—War Food Administration
(Distribution Orders)

[WFO 79-73, Amdt. 5]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SAN DIEGO, CALIF.,
SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-73 (8 F.R. 14367, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the San Diego, California, milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.85 (1) (2) and inserting, in lieu thereof, the numeral "15."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-73, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-73, as amended, shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 25th day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-7549; Filed, May 25, 1944;
4:56 p. m.]

[WFO 79-75, Amdt. 5]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN LOS ANGELES,
CALIF., METROPOLITAN SALES AREA

Pursuant to War Food Order No. 79 (8 F.R. 12426, 9 F.R. 4319), dated September 7, 1943, as amended, and to effectuate the purposes thereof, War Food Order No. 79-75 (8 F.R. 14370, 9 F.R. 4319), as amended, relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Los Angeles, California, metropolitan milk sales area, is hereby further amended by deleting therefrom the numeral "20" in § 1401.87 (1) (2) and inserting, in lieu thereof, the numeral "15."

The provisions of this amendment shall become effective at 12:01 a. m.,

e. w. t., June 1, 1944. With respect to violations of said War Food Order No. 79-75, as amended, rights accrued, or liabilities incurred thereunder, prior to the effective time of this amendment, said War Food Order No. 79-75, as amended shall continue in full force and effect for the purpose of sustaining any suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283, 9 F.R. 4319)

Issued this 25th day of May 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-7550; Filed, May 25, 1944;
4:56 p. m.]

[WFO 75, Amdt. 15]

PART 1410—LIVESTOCK AND MEATS

REMOVAL OF RESTRICTIONS UPON FARMERS

War Food Order No. 75, as amended (8 F.R. 11119, 9 F.R. 4319, 4973), § 1410.15, is further amended as follows:

1. By amending (a) (9) to read as follows:

(9) The term "Class 3 slaughterer" means any farmer who slaughters livestock.

2. By deleting (b) (2) and substituting in lieu thereof the following:

(2) Any farmer may, without a license or a permit, slaughter livestock owned by him and deliver the meat derived therefrom.

This order shall become effective at 12:01 a. m., e. w. t., May 25, 1944.

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

(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 25th day of May 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-7548; Filed, May 25, 1944;
4:56 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and
Naturalization Service

Subchapter A—Administrative Organization

Subchapter B—Immigration Regulations

AMENDMENTS OF VARIOUS PROVISIONS OF
IMMIGRATION REGULATIONS

MAY 16, 1944.

The following amendments to Title 8, Chapter I, Code of Federal Regulations are hereby prescribed:

Section 90.3 (a) (4) is amended by deleting the word "advance".

Section 105.3 is amended by adding the following paragraph:

§ 105.3 *Aliens not subject to head tax.*

(o) *Imported laborers.* Aliens who are native-born residents of foreign countries within the Western Hemisphere being imported for temporary employment and who are admissible under §§ 115.2 and 132.5.

Section 110.29 is amended by deleting from paragraph (a) the words "to maintain their specific status or".

Section 110.52 is amended by adding the following sentence: "Application should be made on Form I-212, when available, and should be sent direct to the Central Office of the Service."

Section 130.7 is amended to read as follows:

§ 130.7 *Alien excluded for removable cause; reopening of case.* Where an alien is excluded merely because of non-possession of a visa, or for any cause which can readily be removed or overcome, the case may be reopened within a period of six months from the date of original exclusion without the alien being required to obtain the permission to reapply for admission prescribed in § 110.51. For statistical purposes, the case of an alien excluded for removable causes shall be considered as a completed case at the time of exclusion and any case reopened within six months shall be considered as a new case. (Sec. 17, 39 Stat. 887; 8 U.S.C. 153)

Part 132 is amended by adding the following new section:

§ 132.5 *Aliens imported to perform labor during wartime.* (a) Any alien who applies for temporary admission into the United States under Title II of Public Law 229 of February 14, 1944 (58 Stat. 11), shall establish to the satisfaction of the examining immigrant inspector:

(1) That he is seeking admission as one of a specific group of workers who are being imported by the War Manpower Commission for employment in the continental United States with industries and services essential to the preservation, marketing, or distribution of agricultural products, including the timber and lumber industries; he shall present an alien laborer's identification card (Form I-100) identifying him as such; such card shall be prepared either prior to embarkation or at the port of entry;

(2) That he is a native-born resident of a foreign country within the Western Hemisphere and that he is not an enemy alien, by the furnishing of a birth certificate or other acceptable evidence;

(3) That he is in all respects admissible under the provisions of the immigration laws except:

(i) The provisions of section 3 of the Immigration Act of February 5, 1917, relating to contract laborers, the requirements of literacy, and the payment of passage by corporations, foreign governments, or others;

(ii) The provisions of section 3 of the Immigration Act of February 5, 1917, and section 1 of the act of March 4, 1929, requiring permission of the Attorney

General to reapply for admission in the case of any alien previously arrested and deported or excluded and deported solely because of illegal entry or absence of required documents, if such deportation has not occurred on more than one occasion, and such alien establishes that he is otherwise entitled to temporary admission as a worker under the provisions of this section;

(iii) The requirement of section 2 of the Immigration Act of February 5, 1917, relative to the payment of head tax;

(iv) The prohibitions contained in sections 5 and 6 of the Immigration Act of February 5, 1917;

(v) The provisions of the laws and regulations relating to documents required of aliens entering the United States; and

(vi) The provisions of Title III of the Alien Registration Act of 1940 relating to the registration of aliens.

(4) That if admitted he will comply with the conditions of such admission.

(b) An alien found admissible under the provisions of this section shall be fingerprinted as provided in § 115.3 relating to agricultural workers.

(c) Any such alien shall be admitted, without any requirement of bond, for the period of the validity of his contract entered into pursuant to an agreement between the government of the United States and the government of the country of which he is a native-born resident, but not exceeding one year, on condition that he maintain the status of a worker under the terms of the contract, and depart from the United States at the expiration of his admission or any extension thereof: *Provided, however,* That regardless of the period for which an alien is admitted under this section or any extension thereof, such periods shall automatically terminate thirty days after cessation of all hostilities between the United States and her enemies in the present war.

(d) An alien admitted under the provisions of this section who fails to maintain the status under which he was admitted or who fails to depart from the United States in accordance with the conditions of his admission, shall be deemed to be unlawfully in the United States and shall be taken into custody and deported in accordance with the applicable provisions of Part 150 of this chapter. (Ninth proviso, sec. 3, 39 Stat. 875, 8 U.S.C. 136 (q); 58 Stat. 11)

EARL G. HARRISON,
Commissioner.

Approved:

FRANCIS BIDDLE,
Attorney General.

[F. R. Doc. 44-7692; Filed, May 27, 1944;
1:01 p. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 270—GENERAL RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1940

MISCELLANEOUS AMENDMENTS

Rescission of rules governing temporary exemptions for certain investment

companies and rule relating to written statement permitted for dividend payments by management companies during 1941; and amendments to rules relating to solicitation of proxies and confidential treatment of names and addresses of dealers of registered investment companies' securities.

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Investment Company Act of 1940, particularly section 38 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary to carry out the provisions of the act, hereby takes the following action:

I. Sections 270.6c-1, 270.6c-2, 270.6c-4, 270.6c-5, 270.6c-6, 270.6c-7, and 270.19-2 (Rules N-6C-1, N-6C-2, N-6C-4, N-6C-5, N-6C-6, N-6C-7 and N-19-2) are rescinded as of this date.

II. Section 270.20a-1 (Rule N-20A-1) is amended by deleting paragraph (c) thereof and by substituting the words "Subject to paragraph (b)" for the words "Subject to paragraphs (b) and (c)" in paragraph (a) thereof.

III. Section 270.45a-1 (Rule N-45A-1) is amended by substituting the word "Chairman" for the words "Director of the Investment Company Division" in paragraph (b) thereof.

Effective May 27, 1944.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-7743; Filed, May 29, 1944;
9:45 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51063]

PART 6—AIR COMMERCE REGULATIONS

REDESIGNATION OF AIRPORTS OF ENTRY

MAY 25, 1944.

The following-named airports are hereby redesignated as airports of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U. S. C. title 49, sec. 179 (b)), for a period of one year from the dates shown opposite their names:

Name, Location, and Date of Redesignation
John G. Hinde Airport, Sandusky, Ohio,
June 1, 1944.
Havre Municipal Airport, Havre, Montana,
June 2, 1944.
Watertown Municipal Airport, Watertown,
N. Y., June 2, 1944.

The list of temporary airports of entry in § 6.13, Customs Regulations of 1943 (19 CFR 6.13), is hereby amended by changing the dates of the designations opposite the names of these airports as indicated herein.

(Sec. 7 (b), 44 Stat. 572; 49 U.S.C. 177 (b))

[SEAL] JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-7635; Filed, May 27, 1944;
10:49 a. m.]

[T. D. 51062]

PART 13—SUGARS, SIRUPS, AND MOLASSES;
PETROLEUM PRODUCTS; WOOL AND HAIR

INVOICES AND GRADES OF WOOL

Section 13.12 (6), Customs Regulations of 1943 (19 CFR 13.12 (6)), is hereby amended by adding after the comma following the word "wool" the following: "the type number by which it is bought and sold in the country of origin and".

(Pars. 1101-1104; sec. 1, 46 Stat. 646, 647, sec. 33 (a), 52 Stat. 1090; 19 U.S.C. 1001)

Section 13.16, Customs Regulations of 1943 (19 CFR 13.16), is hereby amended by deleting the last three sentences thereof.

(Pars. 1101-1104; sec. 1, 46 Stat. 646, 647, sec. 33 (a), 52 Stat. 1090; 19 U.S.C. 1001)

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

Approved: May 24, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-7634; Filed, May 27, 1944;
10:49 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue
Subchapter E—Administrative Provisions Common
to Various Taxes

[T. D. 5375]

PART 458—INSPECTION OF RETURNS

INCOME, EXCESS-PROFITS, DECLARED VALUE
EXCESS-PROFITS, AND CAPITAL STOCK TAXES

Regulations governing the inspection of income, excess-profits, declared value excess-profits, and capital stock tax returns by the Special Committee on Un-American Activities, House of Representatives.

Treasury Decision 5200, approved December 9, 1942, is hereby amended by changing the period at the end of the first sentence thereof to a comma, and inserting immediately thereafter the following: "and the provisions of House Resolution 65 (Seventy-eighth Congress, first session), passed February 10, 1943."

H. MORGENTHAU, Jr.,
Secretary of the Treasury.

Approved: May 25, 1944.

FRANKLIN D. ROOSEVELT,
The White House.

[F. R. Doc. 44-7609; Filed, May 26, 1944;
4:51 p. m.]

TITLE 29—LABOR

Chapter VI—National War Labor Board

[General Order 4, Amdt.]

PART 803—GENERAL ORDERS

EXEMPTION OF CERTAIN EMPLOYERS FROM
WAGE ADJUSTMENTS

§ 803.4 General Order No. 4 * * *
(d) * * *

The National War Labor Board, under this paragraph, has approved the follow-

ing exceptions to the exemption provided for in paragraph (a) of this order:

19. All employers engaged in the manufacture of jewelry in Region II of the National War Labor Board, embracing the State of New York and the northern counties of New Jersey (Sussex, Passaic, Bergen, Warren, Morris, Essex, Hudson, Union, Middlesex, Somerset, Monmouth, Hunterdon) (approved May 10, 1944).

20. The jewelry industry in Albuquerque, New Mexico (approved May 10, 1944).

21. Logging and sawmilling operations in the lumber industry in Region IX of the National War Labor Board, embracing the states of Colorado, New Mexico, Montana, Wyoming, Utah and Idaho (approved, May 10, 1944).

22. Pattern makers in the metropolitan areas of Portland, Oregon, and Seattle and Spokane, Washington (approved, April 27, 1944).

23. Machine shop workers in the metropolitan areas of Portland, Seattle, Spokane, Bellingham, Everett and the Willamette Valley in Region XII of the National War Labor Board (approved, April 27, 1944).

24. Truck drivers, shoe repair, radio repair, and watch repair shops, radio broadcasting stations, dry cleaning establishments, restaurants, wholesale and retail distribution establishments, and clerical workers in Region XII of the National War Labor Board, embracing the states of Washington and Oregon (approved, April 27, 1944).

25. Hotels in Region XII of the National War Labor Board, embracing the states of Washington and Oregon (approved, May 16, 1944).

(E.O. 9250, 7 F.R. 7871)

THEODORE W. KHEEL,
Executive Director.

[F. R. Doc. 44-7620; Filed, May 27, 1944;
9:31 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[No. 246]

MEMORANDUM FOR RETIREMENT SECTION,
ACCOUNTING DIVISION

DISCONTINUANCE OF FORM

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

Discontinuance of DSS Form 28, entitled "Memorandum For Retirement Section, Accounting Division," effective immediately upon the filing hereof with the Division of the Federal Register.

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

LEWIS B. HERSHEY,
Director.

MAY 25, 1944.

[F. R. Doc. 44-7703; Filed, May 27, 1944;
4:19 p. m.]

[No. 247]

REPORT ON OCCUPATIONAL DEFERMENT OF
FEDERAL GOVERNMENT EMPLOYEES, ETC.

DISCONTINUANCE OF FORMS

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

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

Discontinuance of DSS Form 38, entitled "Report On Occupational Deferment Of Federal Government Employees," effective immediately upon the filing hereof with the Division of the Federal Register.

Discontinuance of DSS Form 111, entitled "Inventory Report," effective immediately upon the filing hereof with the Division of the Federal Register.

Discontinuance of DSS Form 140A, entitled "Accumulative Report of Classification, etc.," effective immediately upon the filing hereof with the Division of the Federal Register.

Discontinuance of DSS Form 327, entitled "Employment Registration," effective immediately upon the filing hereof with the Division of the Federal Register.

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

LEWIS B. HERSHEY,
Director.

MAY 25, 1944.

[F. R. Doc. 44-7704; Filed, May 27, 1944;
4:19 p. m.]

[No. 248]

TWO YEAR WORK PROGRAM C. P. S. CAMPS

DISCONTINUANCE OF FORM

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

Discontinuance of DSS Form 360, entitled "Two Year Work Program C. P. S. Camps," effective immediately upon the filing hereof with the Division of the Federal Register.

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

LEWIS B. HERSHEY,
Director.

MAY 25, 1944.

[F. R. Doc. 44-7705; Filed, May 27, 1944;
4:19 p. m.]

[No. 249]

NOTICE OF SELECTION

DISCONTINUANCE OF FORM

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

Discontinuance of DSS Form 148, entitled "Notice of Selection," effective immediately upon the filing hereof with the Division of the Federal Register.

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

LEWIS B. HERSHEY,
Director.

MAY 25, 1944.

[F. R. Doc. 44-7706; Filed, May 27, 1944;
4:19 p. m.]

¹ 7 F.R. 10424.

² 8 F.R. 3067, 3286, 4805, 12967; 9 F.R. 2537.

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

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

PART 921—ALUMINUM AND MAGNESIUM
[Supplementary Order M-1-g, as Amended
May 27, 1944]

**ALUMINUM PIGMENT AND ALUMINUM
COMPOSITION**

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

§ 921.9 *Supplementary Order M-1-g*—(a) *Definitions.* For the purpose of this order.

(1) "Aluminum pigment" means any material containing aluminum which is manufactured, acquired, or disposed of for use, or which is used in making paint, ink, or other coatings, or liquid welding compound.

(2) "Aluminum composition" means any paint, ink, or other coating, or liquid welding compound, in the making of which aluminum pigment is used.

(3) "Producer" means the department of Aluminum Company of America, Reynolds Metals Company, Metals Disintegrating Company, Aluminum Bronze Powder Company, Premier Bronze Powder Works, Malone Bronze Powder Works, Inc., U. S. Bronze Powder Works, Inc., Magna Manufacturing Company, which produces aluminum pigment, and any other person who may be so designated by the War Production Board.

(4) "Distributor" means any person engaged in the business of purchasing aluminum pigment or aluminum composition and re-selling it without further processing it.

(b) *Restrictions upon delivery of aluminum pigment by a producer.* No producer shall deliver any aluminum pigment except pursuant to an order endorsed with a CMP allotment number in the S-2955 series or V-9 and the form of certification provided in either CMP Regulation No. 1 or 7 or in Order P-43. Such an order is an authorized controlled material order under CMP Regulations. Persons seeking to obtain aluminum pigment from a producer should apply to the War Production Board, Aluminum and Magnesium Division, on Form WPB-2360 (formerly Form CMP-13), except that where aluminum pigment is to be acquired for research, developmental or experimental activities under Order P-43, no application is necessary. A producer may refuse to accept an order for less than 100 lbs.

(c) *Deliveries of aluminum pigment and aluminum composition by any per-*

son other than a producer. No person other than a producer shall, without the specific authorization in writing of the War Production Board, deliver to any other person any aluminum composition or aluminum pigment except to fill an order rated AA-5 or higher. However, during the period beginning May 15, 1944, and ending June 30, 1944, delivery by a person other than a producer may be made to any distributor even if the order placed by the distributor is unrated or rated lower than AA-5; and a distributor may at any time deliver to a consumer on unrated orders or orders rated lower than AA-5 if the aluminum composition or aluminum pigment being delivered was in the inventory of the distributor on March 15, 1944.

(d) *Other restrictions on delivery.* Notwithstanding the provisions of paragraphs (b) or (c), no person shall deliver aluminum pigment or aluminum composition if he knows or has reason to believe it is to be used in a manner forbidden by paragraph (e) of this order.

(e) *Restrictions on consumer of aluminum pigment and aluminum composition.* No person (except (1) a distributor purchasing aluminum pigment or aluminum composition during the period beginning May 15, 1944, and ending June 30, 1944, (2) a consumer purchasing this material from a distributor which was or which the distributor states was in his inventory on March 15, 1944, or (3) a person purchasing directly from a producer on an authorized controlled material order as described in paragraph (b) above) shall purchase aluminum pigment or aluminum composition except on a purchase order rated AA-5 or higher. In addition, no person shall use aluminum pigment or aluminum composition in manufacturing, maintenance, repair or construction operations, without the specific authorization in writing of the War Production Board, except as follows:

(1) In the manufacture, maintenance or repair of products and equipment when they are being produced for or used by the Army or the Navy of the United States, the Maritime Commission or the War Shipping Administration, or when they are combat end products being produced for any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(2) On ship engine rooms and equipment and for repair and maintenance thereof.

(3) On trainer, civilian and commercial aircraft.

(4) For sealing of bituminous coated surfaces, unless he knows or has reason to believe that the bituminous coated surface was put on since January 1, 1944.

(5) For interior use in industrial and utility plants and for industrial and utility company equipment and for use in boiler rooms of institutions and commercial establishments, but in each case only where excessive moisture, fumes or temperatures prevail.

(6) For surfaces in the interior of dairies, milk bottling plants, food processing plants, cold storage plants and walk-in refrigerators. The term "dairy" means the portion of a structure in which milk is cooled or pasteurized.

(7) For outdoor storage tanks used for petroleum products and volatile chemicals.

(8) On hospital equipment.

(9) On caskets and casket hardware.

(10) For bridges, highway guard rails and steel transmission towers, but in each case only where already painted with aluminum.

(11) For movable farm equipment and farm implements.

(12) On railway signal equipment and railway signal towers.

(13) For research, developmental or experimental activities.

(14) For underwater protection of steel and iron.

(15) Vehicle license plates.

(16) For automotive busses, trucks and trailers, and for automotive repair parts.

(17) For coating electric light reflectors.

(18) For coating the exterior and interior of new cans and of new can and jar closures, if made of black plate or chemically treated steel.

Notwithstanding the other provisions of paragraph (e), any person may use for any purpose any aluminum composition which he purchases from a distributor and which was or was stated by the distributor to have been in the distributor's inventory on March 15, 1944; and a printing shop may, in addition, in printing and lithographing, use any aluminum composition in its possession on May 15, 1944. An individual acting in his private capacity and not engaged in work for which he is compensated, may use for his own needs any aluminum paint or aluminum composition.

(f) *Applications for authorization.* A person who seeks authorization to use aluminum pigment or aluminum composition for a purpose other than one specified in paragraph (e) of this order, shall apply by letter to the War Production Board, Aluminum and Magnesium Division, Washington 25, D. C., Ref: M-1-g, setting forth:

(1) The pounds of aluminum pigment or the gallons of aluminum composition for which authorization to use is requested;

(2) Type of equipment or surface to be painted;

(3) Reason why aluminum composition is required and why the use of other material is impracticable;

(4) Rating which applicant is entitled to apply to his purchase order; and

(5) Person from whom it is to be acquired.

Special consideration will be given to requests for authorization to use aluminum pigment or composition for indus-

trial purposes where it can be shown that its use is materially more advantageous than less critical material. The War Production Board will not grant authorizations to use aluminum pigment or composition on hydrants, lamp posts, household equipment, or in dwellings, offices, apartments, churches, or institutions, whether for internal or external use.

(g) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Aluminum and Magnesium Division, Washington 25, D. C., Ref: M-1-g.

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

(i) *Violations.* Any person who 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.

Issued this 27th day of May 1944.

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

[F. R. Doc. 44-7643; Filed, May 27, 1944;
11:18 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-197, as Amended May 27, 1944]

STEEL SHIPPING DRUMS

§ 3270.15 *Limitation Order L-197—*
(a) *Definitions.* For the purpose of this order:

(1) "Drum" means any single-walled cylindrical or bilged container with a capacity of 132 gallons or less (including but not limited to buckets, kits and pails) constructed wholly of steel. It does not include cans as defined in Order M-81, high or low pressure gas steel cylinders, storage tanks, or any container not usable commercially for transporting commodities.

(2) "Used drum" means any drum which has been used for shipping, storage or intra-plant transfer of products. The affixing of ends or other parts to used drums shall not cause them to be regarded as new drums.

(3) "New drum" means any drum which is not a used drum and includes rejects or seconds.

(4) "Reject or second" means any newly manufactured drum which cannot be used for the purpose for which it was intended due to some defect in it.

(5) "Industrial order" means any purchase order for or contract to buy a commodity except one placed by, or to be shipped directly to the Army, Navy, Aircraft Resources Control Office, Maritime

Commission or War Shipping Administration, or one placed by any United States Government Agency when operating under Lend-Lease.

(6) "Class of Commodity" means any one of the numbered items listed in Schedule A.

Restriction on New Drums

(b) *Restriction against manufacture, sale or delivery.* No person shall manufacture, sell or deliver any new drums which he has reason to believe will be accepted or used in violation of the terms of this order.

(c) *Restriction against acceptance or use.* No person shall accept delivery of or use a new drum for packing any commodity listed in Schedule B to fill an industrial order. Where a specific commodity is listed in Schedule B, the provisions of this paragraph apply even though the general class under which the commodity may be included has a quota under Schedule A.

(d) *Quota restrictions.* (1) No person shall, during any calendar quarter, unless specifically authorized by the War Production Board in accordance with paragraph (d) (2):

(i) Use a greater tonnage of new drums for the packing of any class of commodities listed in Schedule A for industrial orders than 95% of the tonnage of new drums he used for that class of commodities for industrial orders in the corresponding quarter of 1943;

(ii) No person shall, in any calendar quarter, use more new drums for purposes other than packing commodities (such as drums to be used entirely within the plant or installed as integral parts of other equipment) than he used for the same purpose in the corresponding quarter of 1943.

(2) Application for authorization to exceed the quota established in paragraph (d) (1) shall be made by filing Form WPB 3770 in quadruplicate. Such applications will be considered only on the basis of essential need for, and the supply of new drums, and the availability of used or substitute containers.

(3) As an alternative to basing his packing quota for any quarter upon the usage of new drums in the corresponding quarter of 1943 as provided in paragraph (d) (1), a person may determine his packing quota for any class of commodities for any quarter by taking 23¼% of his total usage of new drums for packing that class of commodities for industrial orders during 1943. A person may not change his method of computing his packing quotas in the course of any calendar year.

(4) Where a commodity is listed in Schedule A with a quota based on previous packing in fibre drums during 1943, any person who packed the commodity in fibre drums during 1943 may in any calendar year pack in new steel drums the designated percentage of the quantity of that commodity that he packed in fibre drums in 1943 in addition to his packing quota for that commodity provided for in paragraph (d) (1).

(5) No person shall use any part of a quota given to him to pack one class of commodities to pack another class of commodities.

(6) Any person who has any part of his packing quota for a class of commodities left over from one calendar quarter may use it to pack that class of commodities in the next calendar quarter. He may also borrow up to 25% of the next quarter's quota for that purpose.

(7) The quota restrictions in this order shall apply to all new drums used for packing commodities for industrial orders beginning with May 15, 1944. For the period from May 15, 1944 to July 1, 1944, a person's quota based on usage of steel drums under paragraph (d) (1) shall be one-half of what his quota would have been for the second quarter of 1944 under the terms of this order. For the period from May 15, 1944 to December 31, 1944, a person's quota based on usage of fibre drums under paragraph (d) (4) shall be five-eighths of what it would have been for the calendar year of 1944 under the terms of this order. All authorizations issued prior to May 27, 1944, shall be null and void after May 27, 1944, when the quota restrictions go into effect.

(e) *Inventory restrictions.* No person shall, at any time, accept delivery of any new drum which will increase his total inventory of that type or size of drum to more than his requirements for the following sixty-day period or will increase his total inventory of all types and sizes of drums to more than one and one-half carloads, whichever is the greater. This restriction does not apply to the Army, Navy, Aircraft Resources Control Office, Maritime Commission or War Shipping Administration.

Restrictions on Used Drums

(f) *Prohibition on use.* No person shall pack in used drums for industrial orders a commodity which is listed in Schedule B without an asterisk. Any other commodity not appearing on Schedule B or listed there with an asterisk may be packed in used drums without limitation.

(g) *Prohibition on sale or delivery.* No person shall sell or deliver any used drum which he knows or has reason to believe will be accepted or used in violation of the terms of this order.

(h) *Restrictions.* (1) No person shall sell or deliver any empty drum which was packed with an edible product the last time it was used, and which is capable of being reused for the same purpose, if he knows or has reason to believe that it will be used for packing inedible products.

(2) No person shall sell or deliver any empty drums which were packed with a naval store product the last time it was used, and which is capable of being reused for the same purpose, if he knows or has reason to believe that it will be used for packing anything other than naval store products. Naval store products as used in this paragraph means those materials which are directly de-

rived from the oleo-resinous secretions of various species of coniferous trees; the term includes resins and liquid terpenes, both crude and refined, special materials derived from these and such related products as tall oil and pine tars.

(i) *Exceptions.* Nothing in this order shall apply to the use of used drums (1) for storage purposes by any person having less than five drums in use for all purposes or (2) constructed wholly of lighter than 23 gauge steel having a capacity of 25 gallons or more.

(j) *Exception for packing molasses.* Notwithstanding the fact that molasses appears without an asterisk on Schedule B, packers of molasses may pack it in used steel drums owned by a farmer and packed on his order for his use for ensilage. The packer may rely upon a signed statement by the purchaser that he is a farmer, that he owns the steel drum which is to be filled and that the molasses is for his own use for ensilage. If he has knowledge of these facts, he may waive the signed statement.

Preference Ratings

(k) *Use of preference ratings.* No preference rating shall be applied to obtain delivery of new drums except a rating which has been specifically assigned for drums by the Army, Navy, Aircraft Resources Control Office, Maritime Commission, War Shipping Administration or to other persons pursuant to the authorization by the Maritime Commission under Form WPB 646 (formerly PD-300) for direct or ultimate delivery to them of drums either filled or empty.

(l) *Cancellation of ratings previously assigned.* Any order for new drums for which a rating of AA-3 or lower has been assigned before May 27, 1944 shall be considered an unrated order whether it was placed before or after May 27, 1944.

(m) *Certificate.* No person shall sell or deliver any new drums unless he receives a purchaser's certificate, signed manually or as provided in Priorities Regulation No. 7. This certificate shall be in substantially the form attached hereto as Exhibit A. Attention is called to the fact that this certificate, once filed by a purchaser with a supplier, covers all future deliveries from that supplier to that purchaser.

Miscellaneous Provisions

(n) *Reports.* Any person affected by this order shall file such reports and questionnaires as the War Production Board may request from time to time, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(o) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB 3770 in quadruplicate.

(p) *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.

(q) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Containers Division, Washington 25, D. C., Ref: L-197.

(r) *Approval by Bureau of the Budget.* The use of Form WPB 3770 has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 27th day of May 1944.

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

EXHIBIT A—PURCHASER'S CERTIFICATE

The following certificate is to be delivered to each person from whom purchases of new drums are made. Such certificate shall cover all purchases, present and future.

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order L-197 of the War Production Board, and that all purchases from you of steel drums, and the use of the same by the undersigned, will be in compliance with the order, as amended from time to time.

(Legal name of purchaser)

By -----
(Authorized official)

(Title of official)

(Address of purchaser)

SCHEDULE A

As provided in paragraph (d) a person may use new steel drums for each class of commodities listed below only to the extent of his packing quota for that class of commodities. Drum usage for one class of commodities may not be included in computing a person's packing quota for another class of commodities. Where no quota appears in Column 2 a person's quota for packing any class of commodities for industrial orders is 95% of his industrial usage of new steel drums in 1943. Quotas appearing in Column (2) are based on the quantity of the commodities which a person packed in the type of containers designated in the base year shown, and is in addition to the packing quota specified in paragraph (d) (1).

1.	2.
Commodity class and number	Quota based on previous use of other types of containers
CHEMICAL PRODUCTS	
1. Acids—dry.....	
2. Additives, oil and gasoline.....	
3. Alcohol & Solvents, including but not limited to: Specially denatured alcohol (except Item 2 in Schedule B) and chlorinated solvents.....	
4. Aluminum chloride, anhydrous.....	
5. Anti-freeze.....	
6. Brake fluid.....	
7. Calcium carbide.....	
8. Catalysts, phosphoric acid type.....	
9. Caulking compounds and sealers, including but not limited to: glazing material, putty and fillers.....	
10. Caustic soda, including caustic potash.....	

1.	2.
Commodity class and number	Quota based on previous use of other types of containers
CHEMICAL PRODUCTS—continued	
11. Cements, and adhesives.....	
12. Coal tar solvents.....	
13. Disinfectants and germicides.....	
14. Dyestuffs, dry.....	
15. Dyestuffs, vat.....	
16. Explosives.....	
17. Fire extinguisher: liquid and powder.....	
18. Insecticides and fungicides.....	
19. Intermediates, organic compounds not elsewhere listed, including Amines, Ethers, Ketones, Esters, Aromatics, alcohols, aldehydes and acids.....	
20. Leather auxiliaries and processing compounds.....	
21. Medicinals, human.....	
22. Medicinals, animal.....	
23. Naval stores, including but not limited to dipentene, pine oil, turpentine, except rosin.....	60% of quantity packed in fibre drums in 1943.
24. Paints, enamels and lacquers in clear, pigmented, semi-paste, paste or liquid form, including lead oxides in oil, colors in oil and oil stain, floor wax.....	
25. Peroxygen chemicals including chlorates, perchlorates, permanganates, solid peroxides.....	
26. Petroleum solvents (as defined in M-150).....	
27. Pitch or tar, including mineral filled, cut-backs, emulsions and road oils.....	75% of quantity packed in fibre drums in 1943.
28. Plastic molding compounds.....	
29. Plasticizers, other than rubber.....	
30. Printing ink.....	
31. Rosin.....	100% of quantity packed in fibre drums in 1943.
32. Rubber cements.....	
33. Rubber processing chemicals, including but not limited to plasticizers.....	
34. Rust preventatives.....	
35. Synthetic resins.....	100% of quantity packed in fibre drums in 1943.
36. Sodium and zinc hydrosulphate.....	
37. Sulphides, including but not limited to Sodium, potassium and carbon bisulphide.....	
38. Textile auxiliaries and processing compounds.....	
39. Varnish and varnish stain.....	100% of quantity packed in fibre drums in 1943.
40. Vitamins.....	
41. Zinc chloride.....	
99. Other chemicals not in Schedule B.	
FOODS	
101. Greases, animal and vegetable.....	
102. Oils, animal, fish, marine animal, vegetable and vitamin oils or any blend thereof.....	
199. Other food products not in Schedule B.	
PETROLEUM PRODUCTS (AS DEFINED IN M-201 OR FDO-19)	
201. Asphalt, including mineral filled, cut-backs, emulsions and road oils.....	75% of quantity packed in fibre drums in 1943.
202. Fuel oil, kerosene, motor fuel, naphtha, solvents, insecticide base.....	
203. Lubricating greases.....	50% of quantity packed in fibre drums in 1943.
204. Lubricating oil.....	
205. Microcrystalline wax.....	
206. Petrolatum, USP grades.....	
299. Other petroleum products not in Schedule B.	
MISCELLANEOUS PRODUCT	
301. Abrasives.....	
302. Metallic powders and pastes.....	
303. Refractories.....	
304. Other miscellaneous products not in Schedule B.	

SCHEDULE B

As provided by paragraphs (c) and (f), commodities listed below without an asterisk may not be packed in any steel drum, and commodities listed below with an asterisk

may not be packed in new drums or in re-drum or seconds, but may be packed in used drums.

1. Acid, succinic
2. *Alcohol, specially denatured (except anhydrous grades and the following formulas: #13A, #19, #20, #32, and #42)
3. Aluminum sulphate
4. Ammonia alum
5. Ammonium bicarbonate
6. Ammonium chloride
7. Ammonium nitrate, dry
8. Ammonium phosphates
9. Balsam copaiba
10. Bath salts
11. Bird seed
12. Boiler compounds, dry
13. Borax
14. Boric acid
15. Calcimine
16. Calcium carbonate
17. Calcium chloride
18. Calcium hydroxide
19. Calcium oxide
20. Calcium phosphates
21. Casein paints, dry
22. Cement paint, dry
23. Charcoal
24. Citric acid
25. Colors, inorganic dry
26. *Compounds, solid and semi-solid with a melting point of 65 degrees F. or above, used in cooking, including but not limited to mixtures of lard and hydrogenated oils.
27. Copper oxide
28. Copper sulphate, basic
29. Dairy products
30. Fatty acids (having a melting point of higher than 42 degrees C.)
31. Flour
32. Food products, cold pack and frozen
33. *Formaldehyde
34. Fruit juices
35. Fruits-brine
36. Fruits and peels, glace
37. Furniture polish
38. *Fuse powder, black, sporting powder, "A" blasting powder, and all other potassium nitrate black powder.
39. Gelatin
40. Glue, dry (animal and vegetable)
41. Hexamethylenetetramine
42. *Hydrogenated oils with a melting point of 65 degrees F. or above, including but not limited to shortening.
43. *Indigo paste
44. Jellies, jams and preserves
45. Kraut
46. *Lanolin and wool grease
47. *Lard
48. Lime
49. Linseed oil meal
50. Lithopone
51. Magnesium chloride 6H₂O
52. Magnesium oxide
53. Meats
54. Molasses
55. Oil, crude petroleum
56. Olives
57. Paints, dry powder, including but not limited to those bound with glue, soya protein casein and cement
58. Paints, paste, water type, except resin or oil emulsion type (the vehicle of this type of product shall contain at least 5% water)
59. Paradichlorobenzene
60. Paste, wall paper
61. Patching plaster
62. Pectin
63. *Petrolatum (except USP grades)
64. Pickles
65. *Pine tar
66. Potash alum
67. Potassium bicarbonate
68. Potassium carbonate
69. Sand

70. Scouring cakes and powder
71. Shellac
72. Silicate of soda, dry ortho silicate, meta silicate, sesqui or mixture thereof
73. Soap, dry
74. Soda alum
75. Soda ash
76. Sodium aluminate
77. Sodium bicarbonate
78. Sodium bisulfate
79. Sodium chloride
80. *Sodium lactate
81. Sodium metaborate
82. Sodium nitrate
83. Sodium nitrite
84. Sodium perborate
85. Sodium phosphates
86. Sodium sesquicarbonate
87. Starches, dry
88. Sweeping compounds
89. Syrup, corn
90. *Syrup, mixed and unmixed (except corn syrup)
91. *Tallow
92. Vegetables—brine
93. Vinegar
94. Water
95. Wax, except floor wax and microcrystalline wax
96. Zeolite

[F. R. Doc. 44-7640; Filed, May 27, 1944; 11:18 a. m.]

PART 3270—CONTAINERS

[Limitation Order L-197, Direction 1, Revocation]

STEEL SHIPPING DRUMS

Section 3270.15 *Direction 1 to Limitation Order L-197*, issued February 24, 1944 is hereby revoked. This revocation does not affect any liabilities incurred under the direction. The direction is superseded by Limitation Order L-197 as issued simultaneously with this revocation.

Issued this 27th day of May 1944.

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

[F. R. Doc. 44-7641; Filed, May 27, 1944; 11:18 a. m.]

PART 3281—PULP AND PAPER

[Limitation Order L-120, Schedule XVI]

SPECIALTY PAPER AND BOARD

§ 3281.32 *Schedule XVI to Limitation Order L-120*—(a) *Definitions*. For the purpose of this schedule, including the appendix.

(1) The term "specialty paper and board" means and is limited to the kinds of paper and board commonly described and distributed in the paper trade by the names used as captions in the appendix below.

(2) A "grade" means one-particular quality within a kind of paper or board such grade having the essential properties peculiar to such kind and common to all grades within such kind, but distinguished from other such grades by a difference in the degree to which one or several of those common properties are emphasized. However, a difference in the degree to which any common property is emphasized, due only to a dif-

ference in ash content, in sizing, in the quantity of adhesive in the coating formula, or in the dyes used in the paper or board or coating shall not be considered as resulting in a different grade.

(3) "Color" means any hue of the spectrum, including but not limited to ivory, india and green-white tints, and black, but not including white.

(4) The term "basis weight" means the weight in pounds per 500 sheets in the size indicated under the appropriate caption, or the equivalent weight of 500 sheets in any other size figured proportionately to the size specified.

(5) The term "thickness" means the thickness of a sheet of paper or board expressed either in terms of plies or by caliper in terms of thousandths of an inch measured by the Cady Micrometer.

(6) An "item" means a quantity of paper or board all of which is of the same size, grain, basis weight or thickness, finish, color and grade.

(7) The term "standard" as applied to grade, color, basis weight or thickness, and size means, with respect to each manufacturer, a grade, color, basis weight or thickness, and size selected or specified under A of the appropriate caption in the appendix below.

(8) The term "special" as applied to grade, color, basis weight or thickness, and size means, with respect to each manufacturer, any grade, color, basis weight or thickness, or size that is not standard.

(9) The term "special making order" means a single order placed by a single buyer for manufacture at one time for use by one printer, converter or consumer.

(10) The term "manufacture" includes all making and finishing operations prior to packaging or packing, including pasting whether by a primary manufacturer or otherwise.

(11) The terms "SU" and "WO" and similar terms as applied to tag stock refer to converter tag grades recognized by the trade as standard under A (1) of such caption by these terms, and, in conjunction with numbers indicating the thickness, also indicate certain technical standards and tolerances for weight, thickness and tear which apply thereto.

(12) The term "Converter Tag Board" means and is limited to those grades commonly sold to tag manufacturers and coating mills under the names and technical standards generally recognized by the "Tag Converting" industry.

(13) The term "Dealer Tag Board" means any grade of tag board other than converter tag board grades, commonly sold and distributed in the paper trade to others than tag manufacturers.

(b) *Identification of the paper or board subject to this schedule*. It shall be the duty of each person who manufactures paper or board to determine in the first instance, but subject to review and official classification by the War Production Board at any time thereafter, under which caption, if any, of the appendix belongs each kind of paper and board manufactured by him. There shall be taken into account in

such determination, and in any review and reclassification by the War Production Board the designation by which the manufacturer heretofore identified or distributed the paper or board in question, the common designation in the paper trade of similar papers or boards selling within the same general price range as the paper or board in question, and the common designation in the paper trade of papers or boards possessing the same general physical characteristics, manufactured by the same general processes, or commonly distributed and used for the same general uses as the paper or board in question. If a manufacturer is uncertain as to the proper caption under which to classify a particular kind of paper or board, or whether a particular kind of paper or board is such a paper or board at all or belongs under any caption of the appendix to this schedule, he may apply to the War Production Board, in writing, for an official classification of such paper or board, submitting with his application representative samples of the grade or grades in which he manufactures such paper or board, a full explanation of the processes by which he manufactures the same, the designation by which he has heretofore identified or distributed the same, the general uses for which it is intended, the general price range within which it is sold, and the types of paper or board with which it chiefly competes, and a full explanation of the reasons for his uncertainty. The War Production Board may on its own motion review a manufacturer's classification and substitute therefore an official classification. In any event, an official classification by the War Production Board by telegram or notice in writing sent to the manufacturer shall, unless and until the War Production Board shall amend or revise the same by telegram or notice in writing sent to the manufacturer, be conclusive.

(c) *Selection of grades for regular manufacture.* Each person who manufactures any kind of paper or board shall select such "grade" or "grades" (if selection is indicated under the appropriate caption), not to exceed the number specified in A (1) of the appropriate caption of the appendix below, as he may desire to adopt for regular manufacture, and shall forthwith notify the War Production Board of such selection on Form WPB-1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board, in writing, the original selection shall remain binding.

(d) *Selection of colors for regular manufacture.* If by the terms of A (2) under the appropriate caption of the appendix below a manufacturer is permitted with respect to a particular grade of a kind of paper or board to select a number of colors and such selection is indicated, each person desiring to manufacture such grade in colors shall immediately select therefor such particular colors, not to exceed the number indicated in A (2) of the appropriate caption, as he may desire to adopt for regular manu-

facture, and shall immediately notify the War Production Board of such selection on Form WPB-1295 (formerly PD-589). The manufacturer may thereafter apply to the War Production Board for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing, the original selection shall remain binding.

(e) *General limitations.* No person shall manufacture any kind of specialty paper and board in any grade, color, basis weight or thickness, or size other than those specified or selected as standard under A of the appropriate caption of the appendix (if such standards are specified or selected under A of the appropriate caption) or contrary to any other provision under the appropriate caption. This general rule, is, however, subject to the following exceptions:

(1) Tolerances and variations are permitted to the extent provided in paragraph (f).

(2) Cutting and slitting to various sizes are permitted to the extent provided in paragraph (g).

(3) Special provision is made for "jobs" and "seconds" in paragraph (h).

(4) Special provision is made for export orders in paragraph (i).

(5) Exceptions are made for "special making orders" under B in certain captions of the appendix. However, regardless of these exceptions where special making orders are so permitted under any caption, the basis weight or thickness must not exceed the greatest standard basis weight or thickness permitted under A of such caption unless specific exception is made therefor under B.

(6) Specialty paper and board in process of manufacture on May 27, 1944, may be completed otherwise than by pasting.

(f) *Tolerances and variations.* The prohibitions and restrictions of this revised schedule are subject to the normal tolerances customary in the manufacture of the kind of paper or board under each caption of the appendix (with such exceptions as may be noted under the caption), and to the normal variations in quantity manufactured customarily acceptable in the paper trade for such kind. Nothing in this schedule shall restrict the remaking, because of faulty manufacture or excessive under-run, of all or any part of a "special making order" accepted in good faith for manufacture in accordance with the terms of this revised schedule.

(g) *Cutting and slitting.* Nothing in this revised schedule shall restrict the cutting of any sheet size to sizes of which the parent size is a multiple, *Provided*, The parent size is manufactured in accordance with the provisions of this schedule, nor restrict the slitting to fractional width rolls of any parent roll size manufactured in accordance with the provisions of this schedule on an order for rolls; however, a special sheet size may not be cut from a standard or special roll size except in a quantity and under the conditions, if any, applying to a "special size" under B of the appropriate caption in the appendix below.

(h) *Jobs and seconds.* Nothing in this schedule shall restrict the sale of

"job lots" or "seconds" resulting from faulty manufacture or overruns customarily unacceptable to the buyer, which occur during a bona fide attempt to manufacture paper and board according to the terms of this schedule, provided that the manufacturer clearly informs the purchaser that such paper or board is a "job lot" or "seconds" and so indicates on each package.

(i) *Exception for export.* Regardless of the foregoing provisions of this schedule and of the provisions of Limitation Order L-120, a person may manufacture for export (but may not without permission in writing from the War Production Board sell in the domestic market) any kind of specialty paper or board in any size, basis weight or thickness required, regardless of quantity: *Provided*, All other provisions of this schedule are complied with and (if the basis weight or thickness is greater than permitted) such person has received permission in writing from the War Production Board to manufacture the particular order in question in such basis weight or thickness.

(j) *Records and reports—(1) Standard samples.* Each person who manufactures any kind of specialty paper or board shall keep, readily available for inspection by the War Production Board, representative samples of each standard grade and each standard color of such grade selected by him under A (1) and A (2) of the appropriate caption.

(2) *Special making orders.* On and after May 27, 1944, each person who manufactures any "special making order" permitted under B of the appropriate caption of the appendix below shall require from the buyer a statement to the effect that such order is purchased for use by one printer or converter or consumer, shall keep such statement, together with a complete record of such order, readily available for inspection by the War Production Board and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(3) *Export orders.* On and after May 27, 1944, each person who manufactures specialty paper or board for export shall require from the buyer a statement on his purchase order to the effect that such paper or board is purchased for export, shall keep such statement, together with a complete record of the order against which such paper or board is manufactured, readily available for inspection by the War Production Board, and shall submit reports of such orders to the War Production Board as it may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

NOTE: The reporting requirements of this schedule have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 27th day of May 1944.

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

APPENDIX—SCHEDULE XVI TO L-120

CONVERTER TAG BOARDS

A. Grades, colors, weights and sizes for regular manufacture.

NOTE: "Converter Tag Board" grades may be sold by the manufacturer only to fill individual orders, each placed by a single buyer for use by a tag manufacturer, or for use by a coating mill in manufacturing coated tag board for a tag manufacturer.

(1) *Standard grades.* With respect to each manufacturer, any grade or grades manufactured subsequent to August 1, 1943 as a "converter tag board" grade according to established manufacturing standards, such grade or grades to be selected as standard for regular manufacture and the War Production Board advised thereof as provided in paragraph (c) of the foregoing schedule.

(2) *Standard colors.* No restrictions.

(3) *Standard thicknesses.* WO Grade: Caliper .013 only; SU grade: Calipers .006, .008, .010, .013; and, if for manufacturing tags for use exclusively on cotton bales or for wet strength overseas shipping tags for the Armed Forces or for use in automatic tag marking machines, caliper .015, provided that before the sale thereof the manufacturer shall require from the buyer a statement that the order is for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

Other grades. With respect to each manufacturer and each standard grade of such manufacturer, any thickness made subsequent to August 1, 1943 in such standard grade is standard for such grade and such manufacturer. Each manufacturer shall report his standard thickness or thicknesses for each of his standard grades concurrently with his selection of his standard grades.

(4) *Standard sizes.* Any sheet size or roll width is a standard size if manufactured at one time in a quantity of at least 5,000 pounds of an item.

(5) 20% tolerance on Elmendorf tear specifications instead of the usual 10% is permitted for "SU" and "WO" grades.

B. *Exceptions for special making orders to be sold under the provisions of the note under A of this caption—*(1) *Special grades.* A special grade of converter tag board may be manufactured by any manufacturer in a quantity of at least 10,000 pounds of a thickness and at least 5,000 pounds of each item, provided that such grade and such thickness is a standard grade and thickness for any other manufacturer.

(2) *Special thickness.* A special thickness may be manufactured only as provided for in exception (1) above.

(3) *Special sizes.* None permitted.

DEALER TAG BOARDS

(Excluding Rope, Jute or Special Fiber Content)

A. *Grades, colors, basis weights or thicknesses, and sizes for regular manufacture—*

(1) *Standard grades.* Chemical wood pulp: Not more than one; Groundwood content (minimum 25% groundwood): Not more than two; selected according to paragraph (c) of the foregoing schedule.

(2) *Standard colors.* White, natural, and six colors, selected according to paragraph (d) of the foregoing schedule.

(3) *Standard basis weights* (per 500 sheets 24" x 36"). Chemical wood pulp: 100, 125 and 150; groundwood content: 100, 125, 150 and 175.

(4) *Standard sizes* (in inches). Sheets: 24 x 36, 22½ x 28½; Rolls: None permitted as standard.

B. *Exceptions for "special making orders" as defined in (a) (9) of the foregoing schedule—*(1) *Specific grades.* None permitted.

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(2) *Special colors.* A special color may be manufactured to fill a special making order in a standard grade and basis weight in a quantity of at least 10,000 pounds and in at least 5,000 pounds of each item.

(3) *Special basis weights.* None permitted.

(4) *A special size may be manufactured to fill a special making order in a quantity of at least 5,000 pounds of an item (either sheet or roll):*

(a) In a standard grade, standard color and standard basis weight, or

(b) In a special color in the quantities provided for under exception (2) above.

FILE FOLDER STOCK

A. *Grades, colors, basis weights or thicknesses, and sizes for regular manufacture—*

(1) *Standard grades.* Not more than 3 selected according to paragraph (c) of the foregoing schedule.

(2) *Standard colors.* Natural only.

(3) *Standard thicknesses.* Calipers .008 and .0095.

(4) *Standard sizes.* Any sheet size or roll width is a standard size if manufactured at one time in a quantity of at least 5000 pounds of an item.

B. *Exceptions for special making orders as defined in (a) (9) of the foregoing schedule—*(1) *Special grades.* A special grade may be manufactured to fill a special making order in a quantity of at least 20,000 pounds in caliper .011, provided the chemical woodpulp fibre content does not exceed 50%.

(2) *Special colors.* None permitted.

(3) *Special thicknesses.*

(a) Caliper .011 may be manufactured only in a special grade as provided for under exception (1) above.

(b) Caliper .017 may be manufactured to fill a special making order in any standard grade, *Provided, That:*

(i) The quantity is at least 20,000 pounds in one standard grade and color and at least 5000 pounds of each item, and

(ii) The stock is for use in making file folders to each of which is attached a metal or riveted celluloid index tab, and before the sale thereof the manufacturer of file folder stock shall require from the buyer a statement that the order is exclusively for such use. The manufacturer shall keep such statement, together with a complete record of the order, readily available for inspection by the War Production Board.

[F. R. Doc. 44-7642; Filed, May 27, 1944; 11:18 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-550]

THE VISCOL COMPANY

The Viscol Company, a corporation located in Stamford, Connecticut, is engaged in the business of packing and selling saddle soap, leather dressings and waterproofing for leather shoes. It is a subsidiary of another corporation which manufactures the product and purchases the cans in which the product is packed, which cans it turns over to The Viscol Company at cost.

During the period between January 1 and June 30, 1943, having a packing quota of 315,863 cans, The Viscol Company accepted delivery of 221,633 cans in excess of said quota, and during the calendar year of 1943, having a packing quota of 631,727 cans, it accepted delivery of 502,798 cans and used 695,560 cans in excess of said quota. These acts were in violation of Conservation Order M-81.

The Viscol Company had full knowledge of the provisions of Conservation Order M-81 and the violations resulted from the company's gross negligence.

These violations of Conservation Order M-81 have diverted scarce materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.550 *Suspension Order No. S-550.* (a) During the balance of the year 1944, The Viscol Company, its successors and assigns, shall reduce its purchases, receipts and use of cans, as defined in Conservation Order M-81, so that its total purchases, receipts or use of such cans during the calendar year 1944 shall not exceed seventy-five per cent of its quota for the year 1944, for cans used for packing shoe polish, leather dressings and saddle soap, as specified by Conservation Order M-81.

(b) Nothing contained in this order shall be deemed to relieve The Viscol Company, its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on May 27, 1944, and shall expire on December 31, 1944.

Issued this 20th day of May 1944.

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

[F. R. Doc. 44-7701; Filed, May 27, 1944; 4:14 p. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-270, as Amended May 27, 1944]

AUTOMOTIVE MAINTENANCE EQUIPMENT

Section 3292.56 *Limitation Order L-270* is hereby amended to read as follows:

§ 3292.56 *Limitation Order L-270—*(a) *What the order does.* This order explains what is meant by "Automotive Maintenance Equipment", how much and what kinds of such equipment may be made, and how it may be sold.

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

(1) "Producer" means any person who manufactures any automotive maintenance equipment, whether for his own account or for the account of others.

(2) "Manufacture" means to fabricate or assemble any item of automotive maintenance equipment.

(3) "Automotive maintenance equipment" means the items listed in Schedules A, B, C or D to this order.

(4) "Automotive vehicles" means passenger automobiles, light, medium and heavy motor trucks, truck tractors, truck trailers, passenger carriers and off-the-highway motor vehicles.

(5) "Item" means any product listed in Schedules A, B, C or D to this order and includes all sizes and types in such listing.

(6) "Repair part" means any part or component of any item of automotive maintenance equipment not consumed or used up in ordinary operation of the automotive maintenance equipment.

(7) "Military order" means any contract or purchase order calling for delivery to or for the account of the Army or Navy of the United States, United States Maritime Commission or the War Shipping Administration.

Provisions Relating to Production

(c) *General policy.* In processing applications for priorities assistance on Form CMP-4B, the War Production Board will be guided by the policy that the total production will not exceed the approved WPB program for the products to which this order applies and that the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant or in any other plant located in the same area.

(d) *Restrictions on production of individual items—(1) No production of Schedule A items.* Except to fill military orders, no producer shall manufacture any item listed in Schedule A.

(2) *Limitation on production of Schedule B items.* Except to fill military orders, no producer shall manufacture in any calendar quarter any item listed in Schedule B in excess of fifty (50) percent of the number of the like item manufactured by him in the corresponding calendar quarter in 1941.

(i) *Provision for minimum factory runs.* In the event that the limitation imposed by this paragraph (d) (2) should result in restricting production to less than his minimum practical factory run of any item listed in Schedule B, a producer may, notwithstanding the provisions of paragraph (d) (2), manufacture a minimum practical factory run: *Provided,* That the total number of any such item manufactured by him in any two consecutive calendar quarters shall not exceed fifty (50) percent of the total number of the like item manufactured by him in the two corresponding calendar quarters of 1941.

(3) *Limitation on production of Schedule C items.* Except to fill military orders, no producer shall manufacture in any calendar quarter any item listed in Schedule C in excess of one hundred (100) percent of the number of the like item manufactured by him in the corresponding calendar quarter of 1941.

(4) *Limitation on production of Schedule D items.* Except to fill military orders, no producer shall manufacture in any calendar quarter any item listed in Schedule D in excess of one hundred (100) percent of the number of the like item manufactured by him in the corresponding calendar quarter of 1941, unless a quarterly quota in excess of one hundred (100) percent of the corresponding quarter of 1941 production has been assigned to the producer under the following procedure:

(i) *Special Quotas on Schedule D items.* A request for assignment of a special quota for production of any item listed in Schedule D, in excess of one hundred (100) percent of the number of

the like item manufactured by him in the corresponding quarter of 1941, may be made by a producer who can increase production within the limitations of paragraph (c).

Such a producer may file an application in writing with the Automotive Division of the War Production Board, Washington 25, D. C., Ref: L-270, for permission to increase production at such plant by giving complete explanation of the circumstances justifying such increase. Thereupon the War Production Board may authorize an increase in the production of the item at such plant in such quantities and upon such conditions as it shall find requisite in the public interest. Such authority will be issued either in the form of individual letters or by published directions supplemental to this order.

The War Production Board may likewise direct an increase in the production of items on Schedule D in conformity with paragraph (c), in such quantities and upon such conditions as it shall find requisite in the public interest.

(e) *Limitation on production of repair parts.* Except to fill military orders, no producers shall manufacture in any calendar quarter a dollar volume of repair parts for automotive maintenance equipment in excess of ten (10) percent of the total dollar volume of automotive maintenance equipment manufactured by him in the corresponding calendar quarter of 1941.

Provisions Relating to Critical Materials

(f) *Use of aluminum and steel.¹* No producer shall use any aluminum, steel or other critical materials in the manufacture of automotive maintenance equipment where the use of less critical materials is practicable, and when so used such aluminum, steel or other critical materials shall be reduced to the minimum quantity and grade necessary for the proper operation of the automotive maintenance equipment.

(g) *Use of copper.¹* No producer shall use any copper products or copper base alloy products in the manufacture of automotive maintenance equipment other than in the following: (i) conductors of electrical current, (ii) bearings, bushings, thrust washers and similar parts which require oil, grease or water lubrication, (iii) valve seats, tubes, and similar parts where condensation or corrosion make substitutions of less critical materials impracticable: *Provided,* That any copper products or copper base alloy products so used shall be reduced to the minimum practical gauge, size and grade necessary for the proper operation of the automotive maintenance equipment.

Provisions Relating to Distribution

(h) *Sales by producers only on rated orders.* No producer shall sell, transfer or deliver, on consignment or otherwise,

¹ See latest quarterly copy of publication entitled, *Material Substitution and Supply List.* Conservation Division, War Production Board.

any item on Schedules A, B, C or D, except pursuant to orders bearing preference ratings of AA-5 or higher;

(1) Assigned on Forms WPB-541 (PD-1A), on Form WPB-542 (PD-3A), on Form WPB-547 (PD-1X), or on Canadian Form PB-1010.

(2) Assigned on export licenses or requisitions approved by Foreign Economic Administration.

(3) Assigned on Form CMP-4B, on CMP-4A, on Canadian Forms PB-1005, on PB-1006, or on PB-1007 and used only for the procurement of items on Schedules A, B, C or D to be physically incorporated in other end-products. The use of preference ratings assigned on these forms is prohibited for the procurement of any items on Schedules A, B, C or D for resale as such.

(i) *Sales of stationary crankshaft regrinders only on WPB-1319 ratings.* On and after June 1, 1944, notwithstanding the provisions of paragraph (h), no producer shall sell, transfer or deliver, on consignment or otherwise, any stationary crankshaft regrinders, except to fill military orders or pursuant to ratings assigned on Form WPB-1319.

(1) Application should be made by the user on Form WPB-1319, in accordance with the instructions for its use, which is obtainable at all field offices of the War Production Board.

(j) *No ratings required for repair parts.* No preference ratings are required for the purchase of repair parts for automotive maintenance equipment.

Miscellaneous Provisions

(k) *Quarterly reports by producers on Form WPB-3614.* Each producer of automotive maintenance equipment shall execute and file with the Automotive Division of the War Production Board within fifteen days after the close of each calendar quarter a report, (on Form WPB-3614), of the number of units of each item listed in Schedules A, B, C or D produced by him in such calendar quarter. The reporting provision of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(l) *Appeals.* Any appeal from the provisions of this order may be made by filing Form WPB-1477 in triplicate with the Field Office of the War Production Board for the District in which is located the plant or branch of the appellant to which the appeal relates.

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

(n) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War

Production Board, as amended from time to time.

(o) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington 25, D. C., Reference: L-270.

Issued this 27th day of May 1944.

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

SCHEDULE A

See paragraph (d) (1) of this order.

Alignment gauges (except as listed in Schedule B)
Battery chargers; floor, stand and wall type (except as listed in Schedule C)
Battery chargers: trickle type (except industrial installation)
Battery testers (except as listed in Schedule C)
Body and fender tools: hand, pneumatic, hydraulic or electric operated
Brake testing machines: automotive vehicle type
Car washers: pressure or nozzle type
Car washing machinery
Chassis dynamometers
Chuck gauges: any type of air pressure measuring gauge which is attached in any manner to a flexible air line to be used for inflating tires
Combustion analyzers: automotive vehicle type
Distributor setting machines (except as listed in Schedule B)
Electrical testing equipment: automotive vehicle type (except as listed in Schedules B or C)
Engine flushing machines: internal
Engine reconditioning equipment (except as listed in Schedules B, C, or D)
Engine repair stands (except as listed in Schedule C)
Frame straightening equipment (except heavy duty—as listed in Schedule C)
Frame straightening racks
Front end equipment (except as listed in Schedules B or C)
Gasoline mileage testers
Headlight testers: automotive vehicle type
Jacks: bumper or wheel rim
Jacks: pit, lift or vibrating; mechanical or hydraulic (except as listed in Schedule C)
Jacks: portable or tool box type (less than 3-tons lifting capacity, measured by load raising ability through the entire jacking range from minimum to maximum height)
Jacks: shop, wheel type; mechanical or hydraulic (except as listed in Schedules B or C)
Lifts: automotive vehicle type (except heavy duty as listed in Schedule C)
Motor analyzing equipment (except as listed in Schedules B or C)
Spark plug cleaners: pedestal or stand type
Spark plug testers
Tire air hose reels
Tire air pressure gauges (except as listed in Schedules B or C)
Tire air service equipment: tower, pedestal or wall type (except as listed in Schedules B, C or D)
Tire pumps (except as listed in Schedules C or D)
Tire scuff checking devices (except as listed in Schedule B)
Tow bars
Wheel balancers: automotive vehicle type
Wheel spinners

SCHEDULE B

See paragraph (d) (2) of this order.

Alignment gauges: portable (including only caster, camber, king-pin, toe-in, tracking, turning radius, or combinations thereof)

Alignment gauges: stationary, drive-over type
Battery jumpers
Bearing oil leak detectors
Brake bleeders
Brake fillers
Brake lining appliers: hand type
Brake shoe gauges
Cylinder leakage testers: automotive vehicle testing type
Degreasing flushers: transmission or differential
Distributor setting machines: bench model
Front end machines: light duty; to include all gauges, tools and parts necessary and to be of capacity sufficient for checking and correcting to manufacturers' specifications all angles of steering geometry on all automotive vehicles of 1½ tons and less capacity.
Fuel pump testers: automotive vehicle testing type
Master air gauges: tire air gauge testers
Piston expanding machines
Speedometer testing machines
Transmission jacks
Wheel straightening equipment
Wrecking cranes: truck mounted type

SCHEDULE C

See paragraph (d) (3) of this order.

Air chucks
Air pressure gauges: pencil type or truck service type
Armature growlers: automotive vehicle testing type
Battery chargers: fast type (battery leads not to exceed 7 feet each; AC lead not to extend beyond charger case)
Battery chargers: wall type (six or more battery capacity)
Battery testers (prong type)
Brake drum gauges
Brake drum grinding attachments
Brake drum lathes
Brake lining grinders: portable or spindle mounted
Brake relining machines.
Cam angle meters
Circuit testers: automotive vehicle testing type
Cleaners: steam vapor (self-firing or generating)
Clutch pressure plate grinders
Clutch rebuilding equipment
Coil testers: automotive vehicle testing type
Compression gauges: automotive vehicle testing type
Condenser testers: automotive vehicle testing type
Connecting rod aligners
Crankshaft regrinders: portable
Cylinder head resurfacers
Cylinder hones
Cylinder reboring bars
Cylinder ridge reamers
Engine repair stands: engine revolving type
Frame straightening machines: heavy duty; to include all gauges, tools and parts necessary and to be of capacity sufficient for removing all lateral and vertical beads from the frames of all automotive vehicles.
Front end machines: heavy duty; to include all gauges, tools and parts accessory and to be of capacity sufficient for checking and correcting to manufacturers' specifications all angles of steering geometry on all conventional axle automotive vehicles.
Generator test benches: automotive vehicle testing type
Jacket: pit or lift (not less than 5-tons lifting capacity)
Horses or trestles: automotive shop type
Lifts: automotive vehicle twin post type (capacity not less than 10-tons)
Magneto rechargers
Magneto testers
Main bearing boring machines
Motor block test heads: automotive vehicle testing type

Piston pin bushing hones: portable
Piston regrinders
Piston ring compressors
Piston ring groove cleaning tools
Spark plug cleaners: bench type
Spring testers
Timing lights: automotive vehicle testing type
Tire pumps: hand or foot operated
Tire valve service tools
Vacuum gauges: automotive vehicle testing type
Valve refacers
Valve seat grinders
Valve seat insert tools
Valve spring compressors
Wheel removing dollies: automotive vehicle type

SCHEDULE D

See paragraph (d) (4) of this order.

Bushing grinders
Connecting rod boring attachments
Connecting rod boring machines
Connecting rod rebabbiting jigs
Crankshaft regrinders: stationary
Cylinder sleeve pullers
Jacks: curb wheel type (less than two tons capacity)
Jacks: shop wheel type (four and ten tons capacity)
Shell bearing boring machines
Spark plug pumps

INTERPRETATION 1: obsolete.

[F. R. Doc. 44-7639; Filed, May 27, 1944; 11:18 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L-270, Interpretations 2 and 3, Revocation]

Interpretations 2 and 3 of Limitation Order L-270 are hereby revoked.

Issued this 27th day of May 1944.

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

[F. R. Doc. 44-7700; Filed, May 27, 1944; 4:14 p. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Conservation Order L-89, as Amended May 29, 1944]

ELEVATORS AND ESCALATORS

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

§ 1226.32 *General Conservation Order L-89—(a) Definitions.* For the purpose of this order:

(1) "Elevator" means any hoisting or lowering mechanism, equipped with a car or platform which moves in guides in a substantially vertical direction; including electric, hydraulic and hydro-electric elevators, electric dumbwaiters, home lifts and elevettes; but excluding mine material hoists, man lifts, platform

lifts and portable elevators. The term shall also mean inclinators, and electrically operated elevating devices appurtenant to stationary stairways.

(2) "Escalator" means a moving inclined continuous stairway or runway used for raising or lowering persons.

(3) "Order" means any commitment or other arrangement for the ultimate delivery of an elevator, escalator, or parts or accessories therefor within the United States or Canada.

(4) "Export order" means any commitment or other arrangement for the ultimate delivery of an elevator, or elevator or escalator parts or accessories therefor, outside the United States or Canada.

[NOTE: Subparagraphs (5) and (6), formerly (4) and (5), redesignated May 29, 1944.]

(5) "Approved order" means (i) any order for a new elevator bearing a preference rating of AA-5 or higher authorized on Form WPB-617 (formerly PD-200), except an order for a new elevator to replace the existing one or to install in an existing shaft, (ii) any order for parts or equipment for an elevator or escalator bearing a rating of AA-5 or higher involving less than \$500, exclusive of installation labor costs, except an order for spare or maintenance parts not required for immediate use if, by its fulfillment, the parts inventory of the purchaser is increased beyond \$50 for each elevator operated by him or if his total purchase of such parts would thereby exceed \$100 for each elevator in any calendar year, or (iii) an order for repair or maintenance parts in whatever amount may be the minimum necessary when there has been an actual breakdown, or suspension of operations of an elevator or escalator is imminent because of the necessity for repair and the repair parts are not otherwise available from the purchaser's inventory. No order shall be subdivided for the purpose of coming within subdivision (ii) of this subparagraph. The term "any order" includes a group of orders for equipment for one or more elevators or escalators where all of the equipment is customarily purchased as part of a single order.

(6) "Maintenance" means the minimum upkeep necessary to continued operation of an elevator or escalator in sound working condition, and "repair" means the restoration of an elevator or escalator to sound working condition when rendered unsafe or unfit for service by wear and tear, damage, failure of parts or the like.

(b) Restrictions on accepting orders or export orders. (1) No person shall manufacture an escalator or accept an order for delivery of an escalator.

(2) The following restrictions apply to acceptance of an order or an export order for a new elevator or for elevator or escalator parts or accessories. (i) No person shall accept an order, except an approved

order, without authorization in writing from the War Production Board. Application for authorization shall be filed by the purchaser with the War Production Board on Form WPB-1236 in accordance with instructions contained on the Form. The War Production Board may grant an application filed with it on such conditions, if any, as it may prescribe. (ii) No person shall accept an export order without approval by the Foreign Economic Administration of an application for a license to export the items covered by such order to which a rating has been assigned by the Foreign Economic Administration in accordance with authority delegated to it by the War Production Board. Applications for export licenses shall be filed with the Foreign Economic Administration and shall include a description of the elevators or elevator parts or accessories.

(c) Restrictions on use of materials. No non-ferrous metals or stainless steel shall be used in the manufacture of car enclosures, facias, hanger covers, car doors or gates, hoistway doors, car or landing thresholds or face plates of operating or signal fixtures; or in the manufacture of parts therefor.

(d) Exemptions. (1) The restrictions of paragraphs (b) and (c) of this order shall not apply to any elevator or elevator parts, equipment or accessories, to be installed and used aboard any ships owned or operated by the Army, Navy, Maritime Commission or War Shipping Administration.

(2) The restrictions of paragraph (b) shall not apply to an order placed by a manufacturer or dealer for elevator or escalator parts, equipment or accessories to be delivered for further manufacture or for resale for maintenance and repair purposes.

(e) Miscellaneous provisions.—(1) Records and reports. All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales. All persons affected by this order shall execute and file with the War Production Board, such reports and questionnaires as the War Production Board shall from time to time require. Specific reports and questionnaires will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(2) 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. Where the limitations imposed by other L, M or R orders are applicable to the subject matter of this order, the most restrictive limitation shall apply.

(3) 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.

(4) Appeals. Any appeal from the provisions of this order shall be made by filing Form WPB-1477 (formerly PD-500) or by letter, in triplicate, referring to the provisions appealed from and stating fully the grounds for the appeal. The appeal shall be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(5) Communications. All reports required to be filed hereunder, and all communications, concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C. Ref: L-89.

Issued this 29th day of May 1944.

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

[F. R. Doc. 44-7733; Filed, May 29, 1944;
11:22 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Conservation Order L-89, Interpretation 1, as Amended May 29, 1944]

The following amended interpretation is issued with respect to General Conservation Order L-89.

Paragraph (b) (2) provides that no person shall accept an order (except an approved order) unless the order has been authorized on Form WPB-1236 (this restriction not applying to acceptance of orders exempted under paragraph (d)). An "approved order" (as defined in paragraph (a) (5) (iii)), includes an order for repair or maintenance parts for an elevator or escalator where suspension of operations is imminent because of the necessity for repair and the repair parts are not otherwise available from the purchaser's inventory. A suspension of operations may be considered imminent if the condition of the cables of an elevator or the steps or hand rails of an escalator or of any other parts of an elevator or escalator would make definitely dangerous its continued operation without making the repairs; and such condition may be assumed where the cables, steps, hand rails, or other parts have been condemned pursuant to a state law or municipal ordinance requiring suspension of operations unless their repair or replacement is made within the period (normally 30 to 90 days) specified on the inspector's report. However, a possible future breakdown cannot be considered as meaning that suspension of operations is imminent.

Issued this 29th day of May 1944.

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

[F. R. Doc. 44-7734; Filed, May 29, 1944;
11:22 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Conservation Order L-89, Interpretation 2, as Amended May 29, 1944]

ELEVATORS AND ESCALATORS; ORDERS FOR MATERIAL AND LABOR EXCEEDING \$500

The following amended interpretation is issued with respect to General Conservation Order L-89.

Some question has arisen as to whether an order rated as AA-5 or higher pursuant to CMP Regulation 5 or 5A is an "approved order" as defined in paragraph (a) (5) (1) of Order L-89 if material alone cost less than \$500 but material and labor installation together exceed \$500. An order for material costing less than \$500, other than material to be incorporated in a minor capital addition or capitalized under CMP Regulation 5 or 5A, is an approved order, as defined in Order L-89, even though the cost of both material and labor exceeds \$500 and even though installation is made by the seller of the material as a normal business practice under a single fee for both material and labor. However, an MRO order for material costing less than \$500, which will be incorporated in a minor capital addition or capitalized under CMP Regulation 5 or 5A, is not an approved order, as defined in Order L-89, if the material and labor together amount to more than \$500 and the installation is made by the seller of the material as a normal business practice under a single fee. (See Interpretations 8 and 11 to CMP Regulation 5.)

Issued this 29th day of May 1944.

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

[F. R. Doc. 44-7735; Filed, May 29, 1944; 11:22 a. m.]

PART 3270—CONTAINERS

[Conservation Order M-221, as Amended May 29, 1944]

TEXTILE BAGS

Section 3270.23 Conservation Order M-221 as amended is now amended to read as follows:

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

§ 3270.23 Conservation Order M-221—(a) *Definitions.* For the purposes of this order:

(1) "Textile bag" means any hand or machine sewed bag made for commercially packing, storing or shipping some commodity and manufactured of cotton, burlap or other textile fabric including open mesh fabrics woven from cotton and twisted paper yarns, but excepting shopping bags, carry-out bags, and combination textile-paper bags (bags made of textile laminated with paper).

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

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

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

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

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

(7) "Commercial emptier" means any person who in the preceding three months acquired in his business and emptied 400 filled textile bags.

(8) "Export" means any shipment from the United States (the 48 states, the District of Columbia, the territories, the island possessions of the United States and the Panama Canal Zone).

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

General Restrictions for All Persons

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

(c) *Sampling bag-contents.* No person shall sample the contents of any new or used textile bag except by opening the closure or by inserting a probe or trier without damage to the fabric.

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

(e) *Size changing.* No dealer, user, or commercial emptier shall change the size of any burlap bag, or convert it into a sheet, sewed burlap or bale covering while it has a commercial use as a bag, with or without mending.

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

(g) *Sale of used raw sugar bags.* No dealer, user or commercial emptier shall sell or deliver any jute (gunny) sugar

bags of the type used for packing Puerto Rican or Cuban raw sugar to any person for any use other than packing raw sugar. For the purposes of this paragraph, the bags referred to shall be limited to bags which have been used for packing raw sugar and which are still usable as raw sugar bags, with or without such mending as is commercially practical.

(h) *Export of empty bags.* No permission from the War Production Board is necessary to export empty new or used textile bags. The War Production Board has assigned an export quota to the Foreign Economic Administration and no person may export such bags to any destination other than Canada unless authorized by the Foreign Economic Administration. Applications for export licenses should be sent to the Foreign Economic Administration, Bureau of Supplies, Requirements & Supply Branch, Washington 25, D. C. General information and instructions for export are contained in the Comprehensive Export Schedule issued by the Foreign Economic Administration.

Additional Restrictions for Bag Makers

(i) *Prohibited practices.* No bag maker shall overstretch the raw edge or selvage edge of any new cotton textile bag or manufacture any bag in a manner that wastes material, as for example, with a false seam that enables the bag to be packed with a lesser amount of any of the commodities listed in paragraph (j) than its normal capacity.

(j) *Bag sizes for certain commodities—*

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

Bag designed for packing commodity specified	Bag size (net weight capacity unless otherwise specified)
(1)	(2)
Beans.....	2-5-10-25-50-100 lbs.
Cement (standard portland).....	94 lbs.
Flour (milled wheat) ¹	2-5-10-25-50-100 lbs.
Meal.....	2-5-10-25-50-100 lbs.
Plaster (gypsum).....	2-5-10-25-50-100 lbs. (gross weight).
Potatoes ²	2-5-10-15-25-50-100 lbs.
Processed feed (mixed, mill).....	2-5-10-25-50-100 lbs.
Rice.....	2-3-5-10-15-25-50-100 lbs.
Salt.....	2-4-10-25-50-60-100 lbs.
Seeds.....	2-5-10-25-50-100 lbs. 1, 2 bu. ³
Starch (corn).....	2-5-10-25-50-100 lbs.
Sugar (refined cane, beet).....	2-5-10-25-50-100 lbs.

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

² These restrictions do not apply to open mesh bags used for packing potatoes.

³ Additional sizes are permitted as follows: 3/4 bu. of hybrid seed corn; 3 bu. for cotton seed.

(2) *Exception for export.* The size restrictions for paragraph (j) (1) above shall not apply to the manufacture of bags to be exported empty or filled.

Additional Restrictions for Commercial Emptiers

(k) *Emptying bags.* No commercial emptier shall remove the contents of any textile bag except by opening the closure, unless the contents have become so caked or solidified that salvage of the bag is not practicable.

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

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

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

Additional Restrictions for Users

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

(n) *Bags to be fully packed.* No user shall use a bag, for packing any number of pounds of any of the commodities listed in paragraph (j), that is larger than the bag customarily used by the trade for packing that number of pounds of that commodity.

(o) *Restrictions on use of new Calcutta wheat bags.* During 1944 and each succeeding calendar year, new Calcutta wheat bags shall be used only for packing wheat or small grains and only in the states of Arizona, California, Idaho, Montana, Oregon, Utah and Washington.

(p) *Products permitted for new burlap bags.* No user shall use any new textile bag made of burlap for packing any products other than the following: agricultural products; fertilizer; meat; mohair; petroleum waxes; stearic acid (cakes or slabs); edible or inedible tankage; wool, or wool products.

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

Agricultural products; chemicals; cement; coins; currency; fertilizer; glue; gypsum; malt; meat; abrasives; paste; plaster; samples; sand; securities; shell fish; small parts; edible or inedible tankage; tire chains; or such other uses as may be authorized by the War Production Board in writing. Applications for such authorizations should be made on Form WPB-1319, which is to be filed in accordance with the instructions for its use. Applications will be considered only on the basis of the essential need for new cotton bags, the availability of the supply, and the availability of used cotton bags or substitute containers. The application form and the instructions may be obtained at all War Production Board offices.

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

(s) *Use of wool bags.* Wool bags shall be used only for packing or wrapping wool or wool products. A "wool bag" is any new or used textile bag, made of burlap between 5½ and 7½ feet in length, ordinarily used to package wool. Such bag shall not be considered a wool bag when no longer capable of carrying any of the following: fleece wools, grease wools, pulled wools, scoured wools, noils, wool wastes or mohair.

General Exceptions

(t) *Bags for certain Government agencies.* The restrictions of this order shall not apply (1) to the manufacture of textile bags manufactured to meet the packaging specifications of, and for delivery to or for the account of, the persons listed below or (2) to the purchase, acceptance, use, or export of textile bags by those persons: The Army, Navy, United States Post Office, Federal Reserve System, United States Treasury Department (for Lend-Lease requirements and for coin, currency, and securities requirements), War Shipping Administration, Maritime Commission, any person pursuant to authorization by the Maritime Commission under Form WPB-646 (formerly PD-300), or any agency procuring for delivery pursuant to the Act of Congress of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

Miscellaneous Provisions

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

(v) *Appeals.* Appeals from Order M-221 shall be filed by addressing a letter to the War Production Board, Containers Division, Washington (25), D. C., Ref: M-221.

The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the reasons why denial of the appeal would result in undue and excessive hardship, and such other statistical and narrative information as may be pertinent.

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

(x) *Budget approval.* The reporting requirements set forth in paragraph (q) of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

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

(z) *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 person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

Issued this 29th day of May 1944.

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

[F. R. Doc. 44-7736; Filed, May 29, 1944;
11:22 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-317, as Amended May 29, 1944]

COTTON TEXTILE DISTRIBUTION

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

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

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

¹ Limitation Order L-99 relates to cotton textile production.

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

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

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

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

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

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

(v) "User" means any person other than a producer, intermediate processor or processor, who purchases cotton textiles for his own use in the United States in any business, industry, profession or occupation.

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

(a) Accept rated orders for cotton textiles in preference to any other contracts, orders or uses even though he has not in the past accepted or filled orders for that particular cotton textile, and also to fill them in accordance with the rules of Priorities Regulation No. 1 (In the case of yarn, this requirement applies only to sale yarn defined in the introduction to the Cotton Yarns, Cordage and Twine Distribution Schedule);

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

(c) Apply the inventory restrictions of this order.

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

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

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

(c) *Compulsory use of ratings assigned in schedules or by Form WPB-2842.* No intermediate processor, processor or merchant (except a retailer) shall purchase or accept delivery of a cotton textile for a purpose for which a rating for that cotton textile is assigned to him in a Preference Rating Schedule, unless he uses that rating or a rating assigned on Form WPB-2842. No retailer or user shall purchase or accept delivery of a cotton textile for a purpose for which a rating for that cotton textile is assigned to him in a Preference Rating Schedule, with any rating except one assigned to him either in that Preference Rating Schedule or on Form WPB-2842. The provisions of this paragraph do not apply to purchases for delivery or ultimate delivery to, or for incorporation into any product for direct or ultimate delivery to, the United States Army, Navy, Maritime Commission or War Shipping Administration, nor do they prohibit the use of an AAA rating.

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

(d) *How ratings for cotton textiles are to be applied or extended.* Preference ratings shall be applied and extended as provided in Priorities Regulation 3. The standard certification described in Priorities Regulation 7 may be used in applying or extending the rating, but the provisions of subparagraph (1) or (2) below must also be complied with.

[The following subparagraph (1) shall be in effect through June 30, 1944, only.]

(1) *Cotton textiles for export.* In the case of products which are to be exported (or to replace in inventory the exported product) in the form of cotton textiles

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

or in the form of clothing manufactured for the United States Treasury Procurement Division from piece goods purchased by that Division for the Foreign Economic Administration (except where that product or clothing is for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration), the purchaser shall place upon the purchase order an appropriate notation (with the blanks properly filled in), substantially as follows:

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

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

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

or

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

or

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

When the above is complied with, the requirements of M-328 are met and it is unnecessary to use any other notation.

[The following subparagraph (1) shall be in effect beginning July 1, 1944.]

(1) *Cotton textiles for export.* In the case of products which are to be exported (or to replace in inventory the exported product) in the form of cotton textiles or in the form of clothing manufactured for the United States Treasury Procurement Division from piece goods purchased by that Division for the Foreign Economic Administration (except where that product or clothing is for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration), the purchaser shall place upon the purchase order a notation substantially as follows:

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

In addition, in the case of exports to Canada, the following notation must be added:

The preference rating was applied in connection with the Canadian Cotton Administrator's serial number -----.

In the case of exports in connection with licenses or release certificates issued by or under the authority of the Foreign Economic Administration or in connection with purchases by the United States Treasury Procurement Division for the Foreign Economic Administration, each purchaser shall deliver to his vendor a copy validated by the issuing agency of the following, whichever is appropriate:

The quadruplicate copy of the export license on FEA form 119.

The quintuplicate copy of the export license on FEA form 166.

The quadruplicate copy of the release certificate.

One of the copies of the Treasury Procurement contract.

When the above is complied with, the requirements of M-328 are met and it is unnecessary to use any other notation.

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

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

or

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

When the above is complied with, the requirements of M-328 are met and it is unnecessary to use any other notation.

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

(2) No person shall use any preference rating which was assigned, applied or extended for knitted or woven fabrics, in

order to obtain cotton yarns defined in paragraph (a) (1) (ii). If he does not own or control spinning machinery, he may use the rating to obtain cotton yarns for incorporation into products for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration. If he does own or control spinning machinery, upon his showing on Form WPB-2842 the extent to which it is insufficient or unsuitable to produce cotton yarns required for incorporation into products for direct or ultimate delivery to the United States Army, Navy, Maritime Commission or War Shipping Administration, the War Production Board may authorize him to use that rating to obtain a specific quantity of cotton yarns for that purpose.

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

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

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

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

(4) The requirements of the Distribution Schedules supersede all authorizations, issued before May 29, 1944, on appeal from this order, from Limitation Order L-99 or from Supplementary Limitation Order L-99-a.

NOTE: Paragraphs (g) to (o), formerly (f) (4) and (g) to (n), redesignated May 29, 1944.

(g) *Advance orders.* No person shall be required to accept any rated order for cotton textiles calling for delivery more than 90 days after the receipt of the order, except from the United States Army, Navy, Maritime Commission or War Shipping Administration.

(h) *Special conditions.* No producer, intermediate processor, processor, merchant or user shall sell, deliver, buy, ac-

cept or use a cotton textile or any product containing a cotton textile or assign, apply or extend a preference rating contrary to the provisions in Column III of a Preference Rating Schedule, in Column VI of a Distribution Schedule of this order, or in any written direction of the War Production Board.

(i) *Exports.* No person shall purchase for export without a preference rating any cotton textiles, except woven or braided fabrics 12" or less wide, remnants (pieces shorter than ten yards) and rags (pieces shorter than two yards commonly sold by the pound).

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

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

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

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

(m) *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.

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

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

Issued this 29th day of May 1944.

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

AA-1—PREFERENCE RATING SCHEDULE

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

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

AA-2X—PREFERENCE RATING SCHEDULE

(Schedule amended May 29, 1944.)

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

Group	Column I	Column II	Column III
4	Processor.	Bagging fabrics, leno. Bagging fabrics, other special. Drill. Jean. Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C. Cord, filler. Twine, sewing.	New textile bags as defined in Conservation Order M-221, and for a use there permitted. Paper lined bags. Multi-wall paper bags. Spiral tube shipping containers. Barrel covers.
5	Merchant.	Cord, filler. Twine, sewing.	New textile bags as defined in Conservation Order M-221, and for a use there permitted. Paper lined bags. Multi-wall paper bags. Spiral tube shipping containers. Barrel covers.
6	Merchant. User.	Cord, filler. Thread. Twine (other than seine).	For sewing new textile bags as defined in Conservation Order M-221, paper lined bags, multi-wall paper bags and spiral tube shipping containers.
7	Processor.	Flannel, canton. Print cloth of less than 80 sley. Sheetings: Class A. Class C. Soft-filled, for napping.	Buffing wheels or buffs.
8	Intermediate processor. Processor.	Drill. Jean. Print cloth of less than 80 sley. Sheeting: Class C. Twill.	Coated abrasive products.
9	Processor.	Yarn, carded. Yarn, combed.	Transmission belts, tapes and ropes. Polishing, grinding and rouging belts. Harvester webbing. Shuttle strap belt.
10	Processor.	Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C. Special, not listed in column IV of Limitation Order L-99. Special pipe covering fabrics: 38" 54 x 20 4.38. 37" 72 x 20 4.50. Tobacco cloth.	Magnesia, asbestos, fibre glass and other pipe covering.
11	Intermediate processor. Processor.	Covert. Denim. Drill. Moleskin. Print cloth. Sateen. Sheetings: Class A. Class B. Suede. Twill. Tobacco cloth. Thread, sewing.	Safety equipment specifically designed and used to furnish protection against specific occupational hazards (other than weather), as defined and limited in Limitation Order L-114.
12	Intermediate processor. Processor.	Drill. Felt, table, double napped. Flannel, canton. Flannel, outing. Meads cloth. Moleskin. Print cloth. Sheetings: Class C. Soft-filled for napping. Tobacco cloth. Twill. Velveteen.	Surgical dressings such as bandage, gauze, tape, plasters, etc.

AA-2X—PREFERENCE RATING SCHEDULE—Continued

Group	Column I	Column II	Column III
13	Intermediate processor. Processor.	Drill. Flannel. Netting, knitted. Print cloth. Sateen. Sheeting: Class C. Twill.	Rubber gloves as defined and limited in Rubber Order R-1, as amended December 4, 1943, Schedule A, Code 18.
14	Intermediate processor. Processor.	Drill. Jean. Osnaburg. Print cloth of less than 80 sley. Sateen. Sheetings: Class A. Class C. Twill. Yarn, carded.	Rubber hose and tubing for safety and industrial purposes (including mine and shiphold ventilating tubing and fire hose). Rubber packing and gaskets, and other mechanical rubber products, as defined and limited in Rubber Order R-1, as amended December 4, 1943, Schedule A, Code Nos. 11 and 12. Fabric packings and gaskets.
15	Processor. User.	Osnaburg. Print cloth of less than 80 sley. Sheetings: Class A. Class B. Class C.	Chafar fabrics, flippers, bead wraps, liner and wrapper fabrics used in the manufacture of tires and other rubber products.
16	Intermediate processor. Processor.	Drill. Lawn. Osnaburg. Print cloth. Sheeting: Class C. Tubing, industrial. Window shade cloth.	Cloth and non-selvage tape, of the following kinds, for industrial uses only: Carton tape. Corrugated or fibreboard box stay tape. Varnished cambric tape. Varnished cambric cloth for use in Rubber Industry. Holland cloth for use in Rubber Industry. Separator cloth. Insulating tape. Cable wrapping tape. Friction tape. Pressure sensitive tape. This rating for the cotton textiles in Column II for use in the manufacture of gummed cloth tape, and sealing, supporting and identifying tape is cancelled, and all applications or extensions as to deliveries not made by May 29, 1944, are cancelled.
17	Intermediate processor. Processor.	Sheeting: Class B.	Varnished cambric to be used only for camelbacks (see Group 16 for list of other fabrics which may be purchased with this rating for varnished cambric irrespective of use).
18	Processor.	Yarn, carded.	Insulating materials: Selvage tape. Insulating webbing and sleeving.
19	Intermediate processor. Processor.	Drill. Lawn. Print cloth. Sheetings: Class A. Class B. Class C. Twill.	Fabric reinforced laminated plastics.
20	Merchant. User.	Drill. Flannel, canton Jean. Lawn. Print cloth of less than 80 sley. Sheetings: Class B. Class C. Soft-filled for napping. Tobacco cloth. Twill.	Filter and wrapping cloths used in the manufacture of chemicals and chemical products.
21	User.	Cord, solid braided.	Signal or control cords for use by common carriers.
22	Processor.	Yarn, carded. Yarn, combed.	Paper makers' blankets. Woven felts for industrial purposes.
23	Processor.	Yarn, carded. Yarn, combed.	Card clothing fabric.
24	Processor.	Print cloth of less than 80 sley. Yarn, carded.	Blasting caps and fuses.
25	Intermediate processor. Processor. Merchant. User.	Bagging, leno. Drill. Flannel. Osnaburg. Print cloth of less than 80 sley. Sheetings: Bed. Class A. Class B. Class C. Ticking, woven stripe. Tobacco cloth. Twill. Twine (other than seine). Yarn, carded.	Agricultural and food processing uses: Farm equipment: Horse collars and pads. Back bands. Fly nets. Horse and cow blankets. Dairy products equipment. Crop cultivation and harvesting uses. Meat packers supplies. Glass cloth and incubator crinoline for poultry raising and other farm uses. Filter cloths required in the production of sugar, honey, and vegetable oils.

AA-2X—PREFERENCE RATING SCHEDULE—Continued

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

AA-4—PREFERENCE RATING SCHEDULE

(Schedule amended May 29, 1944.)

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

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

AA-4—PREFERENCE RATING SCHEDULE—Continued

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

AA-5—PREFERENCE RATING SCHEDULE

(Schedule amended May 29, 1944.)

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

Group	Column I	Column II	Column III
39	User.	Bedspreads, crinkle. Blankets (including crib). Diapers. Flannelette. Pillow cases. Sheetings: Bed and pillow case. Class A. Class B. Class C. Sheets: Bed. Crib. Towelings: Huck. Terry. Towels: Huck. Terry. Washcloths, terry.	Hospital use.
40	Intermediate processor. Processor.	Print cloth of less than 80 sley. Tobacco cloth. Window shade cloth.	Book binding cloths.
41	Intermediate processor. Processor.	Drill. Lawn. Print cloth of less than 80 sley. Sateen. Sheetings: Bed. Class C. Tobacco cloth. Twill.	Artificial leather for replacement and maintenance uses. For manufacture into coated fabrics either for export or for sale to manufacturers of: Book covers. Baby carriages. Bicycle and motorcycle seats. Instrument cases. Infants' waterproof panties. Sanitary garments. Crib sheets and mattresses. Allergic mattress covers and pillow cases. Bathinets. Water repellent sheeting or sheets. Play pen pads. High chair pads. N. b. This rating is assigned only to intermediate processors and processors of coated fabrics and is not assigned to the manufacturers of the end products to obtain coated fabrics. This rating for the cotton textiles in Column II for use in the manufacture of shoes, and all applications or extensions as to deliveries not made by May 29, 1944, are cancelled.
42	Processor. Merchant. User.	Cover cloth. Drill. Feed ribbons. Felt, table, double napped. Net, laundry. Sateen. Sheeting, laundry.	Laundry and dry cleaning operating supplies.
43	Intermediate processor. Processor.	Print cloth of less than 80 sley. Seconds, shorts and remnants of print cloth 80 sley and higher.	Laundry and dry cleaning tags.

DISTRIBUTION SCHEDULE—COTTON YARNS,
CORDAGE AND TWINE

(Schedule amended May 29, 1944. The changes and the percentage obligations in

Columns III, IV, V, and VI are to be calculated from the first of each calendar quarter beginning April 1, 1944.)

Column I indicates the corresponding item

numbers of the various cotton textiles in this schedule as each appears on Form WPB-658-E (3/17/44).

Column II shows the cotton textiles covered by this schedule. The calendar quarter in 1943 in which a producer delivered to purchasers the largest percentage of his yarn production is his base period. Each producer must make available for distribution in accordance with this schedule in each calendar quarter the same percentage of his current calendar quarterly yarn production as he sold in his base period and also all the yarn produced from spindles which he acquired since January 1, 1943, unless other disposition is permitted in writing by the War Production Board. This yarn is called "sale yarn".

Column III shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against rated export orders for cotton textiles. Only deliveries on purchase orders given in conformity with the procedures described in paragraph (d) (1) (Cotton textiles for export) may be credited toward this obligation. Exports by or for the United States Army, Navy, Maritime Commission or War Shipping Administration may not be credited toward this obligation.

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

Column V shows the percentage of the producer's current calendar quarterly production beyond which he need not accept rated orders. Priorities Regulation 1 applies up to that percentage. If receipt of an order which is rated higher than a previously accepted rated order would result in having more rated orders than the Column V percentage, then the lowest rated order shall be displaced and it may be filled only from that percentage applicable to a subsequent quarter.

The provisions and explanations stated in Column VI, unless otherwise specified, apply to the producer, intermediate processor, processor, merchant and user and govern the particular cotton textiles, no matter when produced, converted or ordered, and also products containing those textiles. However, the restrictions in Column VI relating to exports do not apply where the export license or release certificate was issued before April 27, 1944.

DISTRIBUTION SCHEDULE—COTTON YARNS, CORDAGE AND TWINE—Continued

Reference No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		<i>Carded cotton sale yarn</i>				
1	16 thru 18.....	Single machine knitting.....	2	55	70	These yarns, if of counts finer than 24s, may not be delivered by the producer for export in the form of yarns.
2	1 thru 3, 22, 27, 28..	Single (other than machine knitting): 20s and coarser.....	See Col-t VI	80	100	The Column III obligation for these yarns is up to and including 8s—15% 9s to 14s inclusive—10%, 15s to 20s 8%
3	4, 5, 29.....	Finer than 20s.....	8	60	80	These yarns, if 2 ply weaving and of counts finer than 20s, may not be delivered by the producer for export in the form of yarns.
4	6 thru 13, 19, 22, 27, 28, 29.....	Ply yarn.....	3	75	90	
5	14, 15, 21, 23, 25, 26.....	Other ply yarn.....		75	90	
6	20.....	Mop yarn.....			100	
7	51 thru 56.....	Single and ply machine knitting: 70s and coarser.....	5	40	55	These yarns, if of counts finer than 100s, may not be delivered by the producer for export in the form of yarns.
8	57 thru 60.....	Finer than 70s.....	7	7	100	
		Single (other than machine knitting): 40s and coarser.....			90	
9	30 thru 32, 62.....	Finer than 40s and coarser than 71s.....		90	100	
10	33 thru 35, 62.....	71s and finer.....		30	50	
11	36 thru 39, 62.....	Ply yarn (other than machine knitting and thread yarn): 40s and coarser.....		65	85	
12	40 thru 42, 50, 62.....	Finer than 40s and coarser than 71s.....		50	100	
13	43 thru 45, 50, 62.....	71's and finer.....		65	80	
14	46 thru 50, 62.....	Thread yarn, combed.....		35	60	
15	61.....	Seine twine and cable cords (including fish net twine, trot lines, staging twines, etc.).....		80	100	
16	74, 75.....	Twines, other than seine twine and cable cords.....		60	80	
17	76 thru 78.....					

DISTRIBUTION SCHEDULE—FINE COTTON GOODS

(Schedule amended May 29, 1944. The changes and the percentage obligations in Columns III, IV, V, and VI are to be calculated from the first of each calendar quarter beginning April 1, 1944.)

Column I indicates the corresponding item numbers of the various cotton textiles in this schedule as each appears on Form WPB-658-C (3/17/44).

Column II shows the cotton textiles covered by this schedule.

Column III shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against rated export orders for cotton textiles. Only deliveries on purchase orders given in conformity with the procedures described in paragraph (d) (1) (Cotton textiles for export) may be credited toward this obligation. Export by or for the United States Army, Navy, Maritime Commission or War Shipping Administration may not be credited toward this obligation. In calculating the export obligation the producer shall eliminate his production of cotton textiles wider than 42½". However, if he receives a rated export order for these goods he must treat it as a rated order, and the delivery shall be credited toward his export obligation relating to narrower goods within the same Reference Number.

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

Column V shows the percentage of the producer's current calendar quarterly production beyond which he need not accept rated orders. Priorities Regulation 1 applies up to that percentage. If receipt of an order which is rated higher than a previously accepted rated order would result in having more rated orders than the Column V percentage, then the lowest rated order shall be displaced and it may be filled only from that percentage applicable to a subsequent quarter.

The provisions and explanations stated in Column VI, unless otherwise specified, apply to the producer, intermediate processor, processor, merchant and user and govern the particular cotton textiles, no matter when produced, converted or ordered, and also products containing those textiles. Piece goods referred to in Column VI includes seconds, shorts and remnants but not rags.

DISTRIBUTION SCHEDULE—FINE COTTON GOODS—Continued

Reference No.	Column I	Column II	Column III	Column IV	Column V	Column VI
		<i>Combed cotton sale yarn</i>				
18	10, 11.....	Combed broadcloths, 37" 128 x 68 and 37" 136 x 60.	40	100	100	
19	12.....	All other combed broadcloths.....	40	50	100	
20	13.....	Dimities.....	7½	7½	100	
21	16, 17.....	Fancy handkerchief fabrics.....			100	
22	18 thru 27.....	Lawns (combed, part-combed and carded).	7½	40	70	
23	28 thru 31.....	Marquisettes.....	7½	7½	100	
24	33.....	Oxfords.....	20	50	100	
25	34.....	Piques.....			100	
26	35.....	Pongees.....			100	
27	37, 38.....	Combed poplins.....	40	75	100	
28	40.....	Combed and part-combed sateens.....	2½	30	50	
29	41, 42.....	Carded sateens (average yarns finer than 35s).	2½	2½	100	
30	43.....	Combed sheeting including bed sheeting and pillowcases.			100	
31	44.....	Shirtings (jacquard gray-dobby and colored yarn).	35	35	100	
32	53, 56.....	Albert and carded twills.....	2½	15	50	
33	54.....	Combed gabardines.....	2½	30	50	
34	55.....	All other combed twills.....	2½	80	100	
35	57.....	Tracing cloth.....		30	100	
36	58.....	Typewriter ribbon cloth.....		80	100	
37	59.....	Voiles.....	7½	7½	100	
38	60, 61.....	Combinations cotton and rayon fabrics—50% or more cotton.	10	10	100	
39	62.....	All other combed, part combed and fine carded fabrics (yarn finer than 35s).	20	20	100	
40	1 thru 9, 14, 15, 32, 36, 39, 45, 46 thru 49, 50, thru 52.	Airplane fabrics and balloon cloth, combed ducks, escape boat cloth, insect netting, marquisette (PQD-260), wind resistant poplins—Type II (PQD-1A), wind resistant sateens, 9 oz. (PQD-245-D); twills (combed), Army 6.0 oz. shirting twill (6-311), Army 8.2 oz. uniform twill (6-201-b), Navy twills.		75	100	Except for seconds, shorts, remnants and rags, these cotton textiles, as piece goods, may not be delivered by the producer for export.

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

(Schedule amended May 29, 1944. The changes and the percentage obligations in Columns III, IV, V, and VI are to be calculated from the first of each calendar quarter beginning April 1, 1944.)

Column I indicates the corresponding item numbers of the various cotton textiles in this schedule as each appears on Form 658-B (3/17/44).

Column II shows the cotton textiles covered by this schedule.

Column III shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him against rated export orders for cotton textiles. Only deliveries on purchase orders given in conformity with the procedures described in paragraph (d) (1) (Cotton textiles for export) may be credited toward this obligation. Export by or for the United States Army, Navy, Maritime Commission or War Shipping Administration may not be credited toward this obligation.

Column IV shows the minimum percentage of the producer's current calendar quarterly production which must be delivered by him

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

Column V shows the percentage of the producer's current calendar quarterly production beyond which he need not accept rated orders. Priorities Regulation 1 applies up to that percentage. If receipt of an order which is rated higher than a previously accepted rated order would result in having more rated orders than the Column V percentage, then the lowest rated order shall be displaced and it may be filed only from that percentage applicable to a subsequent quarter.

The provisions and explanations stated in Column VI, unless otherwise specified, apply to the producer, intermediate processor, processor, merchant and user and govern the particular cotton textiles, no matter when produced, converted or ordered, and also products containing those textiles. Piece goods referred to in Column VI includes seconds, shorts and remnants but not rags.

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

Reference No.	Column 1	Column II	Column III	Column IV	Column V	Column VI
		<i>Sheeting and allied coarse and medium yarn fabrics (approx. 6s to 27s)</i>				
41	1 through 8.....	Osnaburgs.....	5	100	100	
42	9.....	Leno bag fabrics.....		100	100	
43	10.....	Special bag fabrics.....		100	100	
44	11.....	Bale coverings (for cotton, cloth, etc.) Class B sheetings:			100	
45	22.....	40" 48 x 40 3.75 yd.....		100	100	These cotton textiles, as piece goods, (other than prison made 31" 5.00 yd.) may not be delivered by the producer for export except to Canada (1, 2)
46	23.....	37" 48 x 44 4.00 yd.....		100	100	
47	26.....	36" 48 x 44 4.11 yd.....		100	100	
48	25.....	31" 48 x 44 5.00 yd.....		100	100	
49	28.....	32" 38 to 40 x 38 to 40 6.25 yd.....		100	100	
50	24.....	40" 44 x 40 4.25 yd.....	40	100	100	Shipment to Canada may not be counted as exports for the purpose of complying with the Column III obligations. ^{1 2}
51	14 thru 21, 26 thru 29.....	All class A, and all other class B sheetings (except 36" 4.11 yd. and 32" 6.25 yd.)	15	100	100	
52	30.....	Class C sheetings: 40" 56 x 48 4.30 yd.....		100	100	Effective July 1, 1944, these cotton textiles, as piece goods, may be delivered by the producer only on ratings assigned in Group 16 of the AA-2X Preference Rating Schedule.
53	30 thru 35, 37 thru 39, 41, 43.....	All other Class C constructions, under 42".....	25	80	100	
54	40, 42, 45.....	Class C constructions 42" and wider.	15	50	100	
55	44, 45.....	Bandoleer and Navy mattress cover fabrics, Bed sheetings 42" and wider (including made up sheets and pillow cases).		75	100	
56	47.....	Muslin, sley of more than 64.....	12½	65	100	The Column III obligations may be met by delivery, as selected by the producer, of 12½% of the aggregate production of Reference Nos. 56 and 57.
57	46, 48, 49.....	All other bed sheetings.....	12½	20	50	
58	50.....	Pillow tubings.....			100	
59	50.....	Industrial tubings.....		100	100	
60	51.....	Carded poplins (sheeting yarns).....	10	35	50	
61	52.....	Army 8.5 oz. herringbone twill (Army Spec. No. 6-261).....			75	
62	53 thru 60.....	Other three leaf herringbone twills, all drills and jeans.....	15	80	100	Jeans, as piece goods, may not be delivered by the producer for export.
63	61.....	Three leaf pocketing twills 39" 2.58 or 3.00 yd. (sheeting yarns).....	10	10	100	
64	62.....	Three leaf silesia twills (sheeting yarns).....		75	100	
65	63 thru 69.....	Four leaf twill fabrics.....	15	80	100	
66	70.....	Warp and filling sateens (sheeting yarns): Narrow (under 42").....	10	20	50	
67	71.....	Wide (42" and wider).....		75	100	
68	72.....	Gabardines (carded).....	10	10	50	
69	73.....	Birdseye Diaper cloth.....		100	100	May not be used for industrial purposes.
		<i>Print cloth yarn fabrics (approx. 28's to 42's)</i>				
70	74.....	Print cloth yarn fabrics of window shade quality-all counts.....		30	60	
71	75, 81, 82.....	Plain print cloths, 80 sley and higher.....		100	100	These cotton textiles, as piece goods, may not be delivered by the producer for export.
72	76.....	39" 68x72 4.75 yd. and prorata widths.....		100	100	
73	76.....	39" 68x64 4.85 yd. and prorata widths.....	12½	25	50	
74	77, 79.....	38½" 64x56 5.50 yd. and prorata widths 36" and wider.....	12½	50	65	
75	79.....	Pro rata widths to 5.50 yd. under 36".....		100	100	These cotton textiles, as piece goods, may be delivered by the producer only on ratings assigned under Groups 4 and 25 of the AA-2X Preference Rating Schedule.

¹ In the case of osnaburgs (Reference No. 41) and Class A and B sheetings (Reference Nos. 45 to 51 inclusive), seconds, shorts and remnants may not be delivered against unrated orders. Rags, to the extent that rated orders are not offered, may be delivered against unrated orders.

² The provisions relating to Reference Nos. 45 to 49, inclusive, shall not prevent delivery for export where the order was accepted before April 8, 1944, in conformity with this order as amended February 21, 1944, for delivery before July 1, 1944. Those contracts shall be filled despite the presentation of higher rated orders for domestic use.

³ This export provision relating to Reference No. 50 shall not prevent the filling of any order for domestic use accepted before April 8, 1944, in conformity with this order as amended February 21, 1944, for delivery before July 1, 1944.

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

Reference No.	Column I	Column II	Column III	Column IV	Column V	Column VI	
		<i>Print cloth, yarn fabrics (approx. 28s to 42s)—Continued.</i>					
76	78, 79	38 1/2" 64 x 60 5.35 yd. and pro rata widths.		75	100	These cotton textiles, as piece goods, may not be delivered by the producer for export.	
77	80	38 1/2" 60 x 48 6.25 yd.	15	15	50		
78	81	All other plain print cloths less than 80 sley under 36".	10	35	50		
79	83	All other plain print cloths less than 80 sley—36" and wider.	15	25	50		
80	84	Pajamas checks.	10	60	100	May not be used for industrial purposes.	
81	85	Gauze diaper cloth.		100	100		
82	86	All other fancy print cloths.	15	15	50	May be delivered only for sanitary napkins and milk filters.	
83	87, 88	Bandage cloths (99 to 72 threads per sq. inch).	10	90	100		
84	89	Tobacco and cheesecloths: All widths, 20 x 12 constructions.		90	100		
85	90	All widths, 17 to 18 sley, 12 to 14 pick.		100	100		
86	91	All other constructions.	7 1/2	60	100	Except for prison made goods, these cotton textiles, as piece goods, may not be delivered by the producer for export.	
87	92 thru 95	Carded broadcloth, plain and fancy.	12 1/2	25	50		
88	96	Carded poplins (print cloth warp yarns) plain and fancy.	12 1/2	25	50		
89	97	Three leaf twills, print cloth yarns.	10	25	50		
		<i>Colored yarn fabrics</i>					
		Denims, pin stripes, pin checks, hickory stripes, etc.					
90	98 thru 106	3.00 yd. and heavier (basis 28")	10	100	100		
91	103, 104	Lighter than 3.00 yd. (basis 28")	30	30	100		
92	107 thru 110	Cottonades and suiting coverts.	20	90	100		
93	111	Whitepords and bedford cords.	10	90	100		
94	112	Ginghams	30	30	100		
95	113, 114	Seersuckers.	30	30	100		
96	115, 116	All other cotton suitings.	30	30	100		
97	117, 118	Cotton and rayon suitings (50% or more cotton).	25	25	100		
98	119 thru 121	Shirting coverts.	15	75	100		
99	122	Chambrays (36" 3.00 yd.)		100	100		
100	123	All other chambrays.	25	25	100		
101	124	Bed tickings.	20	20	100		
		<i>Towels, toweling and dishcloths, washcloths and bathmats</i>					
102	125	Turkish and terry woven.	7 1/2	37 1/2	50	At least 65% must be delivered by the producer for the manufacture of work gloves.	
103	126	Huck.	2 1/2	20	50		
104	126	Damask and Jacquard woven (other than terry).	2 1/2	2 1/2	50		
105	127	Dish towels and other twill and plain woven towels (including all cotton, part linen and part rayon).	2 1/2	2 1/2	50		
106	128	Dishcloths.			100		
		<i>Napped fabrics</i>					
107	129	Outing flannels.	25	35	50		
108	130, 131	Work shirt flannels.	10	70	90		
109	132	Canton flannels.		90	100		
110	134	Interlining flannels.			100		
111	135	Moleskins and suedes.	20	100	100		
112	133, 136	All other napped fabrics except blankets.	10	75	90		
		<i>Soft filled sheetings for napping:</i>					
113	12	Under 42"	25	35	50	Neither gun patch flannel nor gun patches may be delivered for export.	
114	13	42" and wider.	25	35	50		
115	137	Blankets and blanketing, crib.			50		
116	138 thru 140	Blankets and blanketing, other than crib.	2 1/2	2 1/2	50		
		<i>Other woven cotton fabrics and specialties</i>					
117	153	Corduroys, men's wear weights 36"—12 to 13 oz. Thicksets.	7 1/2	100	100		
118	152, 154	All other corduroys.	7 1/2	7 1/2	100		
119	143, 144	Bedspread fabrics—woven style.			100		
120	147	Flag bunting.		80	100		
121	148 thru 151	Drapery, upholstery, tapestry, luggage and automobile seat cover fabrics.			100		
122	155, 156	Velvets, velveteens, plushes and other pile fabrics.	10	10	65		
123	157	Table damask.			100		
124	145, 146, 158	All other corded fabrics except ducks and tire fabrics.	20	20	100		

PART 3294—IRON AND STEEL PRODUCTION [General Preference Order M-17, as Amended May 29, 1944]

FIG IRON

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

§ 3294.66 *General Preference Order M-17—(a) Definitions.* For the purposes of this order:

(1) "Pig iron" means iron produced by smelting iron ore in a blast furnace, and containing less than 6 percent silicon.

(2) "Producer" means any person producing pig iron.

(b) *Production and delivery of pig iron—(1) Pig iron for ballast purposes.*

No person shall accept delivery of any pig iron for ballast purposes from a producer or distributor of pig iron, except upon the specific approval in writing of the War Production Board. Any person wishing to secure approval to accept delivery of pig iron for such purpose may apply to the War Production Board by letter, giving:

- (i) Name of company.
- (ii) Address of company.
- (iii) Location where pig iron is to be installed as ballast.
- (iv) Amount and intended source of pig iron.
- (v) Reasons why other materials cannot be utilized.

(2) *Special instructions.* The War Production Board may from time to time issue special instructions with respect to production and delivery of pig iron.

(c) *Appeals.* Any appeal from this order or from any instruction issued hereunder shall be made by filing a letter referring to the particular provision appealed from and stating fully the grounds of the appeal. Consumers of pig iron who are unable to obtain their requirements from suppliers may communicate with the War Production Board.

(d) *Reports.* Effective January 1, 1944, consumers of pig iron are no longer required to file forms WPB-3172 and WPB-3173. However, each producer must continue to file monthly reports with the War Production Board on Form WPB-3174. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) *Communications.* All reports and all communications concerning this order or any instruction issued hereunder shall be addressed to the War Production Board, Washington 25, D. C., Ref. M-17.

(f) *Violations.* Any person who willfully violates any provision of this order or any instruction issued hereunder, or who in connection therewith wilfully conceals a material fact or furnishes

false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Applicability of other orders and regulations.* Transactions in pig iron are also subject to the provisions of all other orders and regulations of the War Production Board, except that whenever such provisions may be inconsistent with any instruction issued hereunder the provisions of such instruction shall be controlling.

Issued this 29th day of May 1944.

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

[F. R. Doc. 44-7738; Filed, May 29, 1944;
11:22 a. m.]

Subchapter D—Office of the Rubber Director

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 4600—RUBBER, SYNTHETIC RUBBER,
BALATA AND PRODUCTS THEREOF

[Rubber Order R-1, as Amended Jan. 12,
1944, Amdt. 3]

Rubber Order R-1 as amended January 12, 1944 is hereby amended by amending paragraph (n) of § 4600.01 (definition of balata) to read as follows:

"Balata" means any of the gums of recognized commercial grades having a gutta hydrocarbon base and a high resin content, procured from wild forest trees of the *Mimusops* genus and closely related genera generally found in South and Central America from the Amazon Valley north through Panama, and includes such gums whether in crude or refined (deresinated or partly deresinated) form; it does not mean or include scrap balata or reclaimed balata or any of the following grades: Coquirana, Chicken-Wire, Massarunduba and Peruvian F. A. Q. white balata.

Issued this 29th day of May 1944.

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

[F. R. Doc. 44-7739; Filed, May 29, 1944;
11:23 a. m.]

Chapter XI—Office of Price
Administration

PART 1300—PROCEDURE

[Rev. Procedural Reg. 1¹ Incl. Amdts. 1-7]

PROCEDURE FOR THE ISSUANCE, ADJUSTMENT,
AMENDMENT, PROTEST AND INTERPRETA-
TION OF MAXIMUM PRICE REGULATIONS

This compilation of Revised Procedural Regulation 1 includes Amendment 7, ef-

fective May 31, 1944. The text added or amended by Amendment 7 is underscored with the exception of redesignations and amended Form OPA 1 PR-2.

Pursuant to the authority of sections 201 (d) and 203 (a) of the Emergency Price Control Act of 1942, as amended (Pub. Laws 421, and 729, 77th Cong., E.O. 9250, 7 F.R. 7871) Procedural Regulation No. 1²—Procedure for the Issuance, Protest and Amendment of Maximum Price Regulations, is hereby revoked and the following rules are prescribed for the issuance, adjustment, amendment, protest and interpretation of maximum price regulations:

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61. Appendix B: Form OPA-IPR-2.

AUTHORITY: § 1300.1 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.

[Subparts redesignated as articles and §§ 1300.1 to 1300.61, inclusive, redesignated sections 1 to 61, respectively, by Am. 7, effective 5-31-44]

ARTICLE I—PURPOSE OF REVISED PROCEDURAL
REGULATION NO. 1

SECTION 1. *Purpose.* It is the purpose of this regulation to prescribe and explain the procedure used by the Office of Price Administration in making various kinds of price determinations.

(a) Article II deals with the procedure of the Office of Price Administration in issuing maximum price regulations.

(b) Article III deals with individual applications for adjustment of maximum price established by a maximum price regulation. An adjustment ordinarily affects the prices of one particular seller or group of sellers who apply for a change in the prices established for them by the provisions of a maximum price regulation. An adjustment can be granted only if the applicable maximum price regulation contains specific provision for the granting of an adjustment.

(c) Article IV deals with petitions for amendment. A petition for amendment is the appropriate document to file when a seller seeks a change of general applicability in the terms of a maximum price regulation itself.

(d) Article V deals with protests. A protest is the means provided by the Emergency Price Control Act of 1942 for making a formal claim that a maximum price regulation is in some respect invalid. Only if a protest has been filed and denied may the protestant file a complaint with the Emergency Court of Appeals to have the maximum price enjoined or set aside in whole or in part.

(e) Article VI explains the way in which interpretations are rendered by officers or employees of the Office of Price Administration.

¹ 7 F.R. 9861.

² 7 F.R. 971, 3663, 5776.

§ 1300.1

(f) Article VII contains miscellaneous provisions and definitions.

[Sec. 1 amended by Am. 7, effective 5-31-44]

ARTICLE II—ISSUANCE OF MAXIMUM PRICE REGULATIONS

SEC. 2. *Investigation prior to issuance.* A maximum price regulation may be issued by the Administrator after such studies and investigations as he deems necessary or proper. Before issuing a maximum price regulation the Administrator shall, so far as is practicable, advise and consult with representative members of the industry which will be affected by such regulation.

SEC. 3. *Price hearing prior to issuance.* Whenever the Administrator deems it necessary or proper that a price hearing be held prior to the issuance of a maximum price regulation, he may provide for such hearing in accordance with sections 4 and 5 of this revised procedural regulation.

SEC. 4. *Notice of pre-issuance hearing.* Notice of any price hearing ordered prior to the issuance of a maximum price regulation shall be given by publication of such notice in the FEDERAL REGISTER, and may be supplemented by notice given in any other appropriate manner. The notice shall state the time and place of the price hearing and shall contain an appropriate indication of the purposes of such hearing.

SEC. 5. *Conduct of pre-issuance hearing.* A price hearing held prior to the issuance of a maximum price regulation shall be conducted in such manner, consistent with the need for expeditious action, as will permit the fullest possible presentation of evidence by such persons as are, in the judgment of the Administrator, best qualified to provide information with respect to matters considered at the hearing or most likely to be seriously affected by action which may be taken as a result of the hearing.

SEC. 6. *Statement of considerations.* Every maximum price regulation shall be accompanied by a statement of the considerations involved in its issuance. Such statement may include economic data and other facts of which the Administrator has taken official notice and facts found by the Administrator as a result of action taken under section 202 (a) of the act.

SEC. 7. *Notice of provisions of a maximum price regulation.* Notice of the provisions of a maximum price regulation shall be given by filing such regulation with the Division of the Federal Register. As soon as possible after the filing of such regulation, the Administrator shall make copies thereof available to the press.

SEC. 8. *Effective date.* A maximum price regulation shall become effective 5 days after the date of its issuance and a temporary maximum price regulation shall become effective from the date of its issuance, unless an earlier or later date is specified therein.

[Sec. 8 amended by Am. 7, effective 5-31-44]

ARTICLE III—APPLICATIONS FOR ADJUSTMENT

SEC. 9. *Right to apply for adjustment.* Unless otherwise provided, any person

subject to a maximum price regulation who seeks adjustment under an adjustment provision thereof, shall make application therefor pursuant to the provisions of this Revised Procedural Regulation No. 1.

[Sec. 9 amended by Am. 7, effective 5-31-44]

SEC. 10. *Place of filing.* All applications may be filed with a district, state or regional office of the Office of Price Administration or with the Office of Price Administration, Washington, D. C., without regard to whether such office is authorized to consider such applications. If the office with which the application is filed is not so authorized it will forward such application to the authorized office and shall notify the applicant by mail of such forwarding. If an adjustment provision in a maximum price regulation indicates which office of the Office of Price Administration is authorized to consider applications for adjustment, action on applications will be expedited if it is filed with the nearest office authorized to consider it.

SEC. 11. *Authorized office.* When used in this Article II the authorized office shall be the Office of Price Administration, Washington, D. C. and, when the Regional Administrator of a regional office or the State or District Director of a district office of the Office of Price Administration is authorized to act upon an application for adjustment, shall include such regional or district office, as the case may be.

[Sec. 11 amended by Am. 7, effective 5-31-44]

SEC. 12. *Form of application.* Applications for adjustment shall be filed upon such forms as the Administrator, or the Regional Administrator or State or District Director of the authorized office, as the case may be, shall from time to time prescribe. If no form has been designated for applications for the particular type of adjustment sought, the application shall set forth the following:

(a) Name and post office address of the applicant, the nature of his business, and the manner in which he is subject to the price regulation in question.

(b) A designation of the provision for adjustment pursuant to which the application is filed.

(c) The information, if any, required by the terms of the applicable adjustment provision.

(d) A clear and concise statement of the facts upon which applicant relies to qualify him for adjustment under the applicable adjustment provision, to the extent that such facts are not furnished under (c) above.

(e) A statement of the specific adjustment or other relief sought.

Applications for adjustment and all accompanying documents shall be filed in duplicate.

[Sec. 12 amended by Am. 7, effective 5-31-44]

SEC. 13. *Applications must be signed.* Any application for adjustment filed pur-

suant to the provisions of this Revised Procedural Regulation No. 1 shall be signed either by the applicant personally, or if a partnership by a partner, or if a corporation or association by a duly authorized officer thereof.

[Sec. 13 added by Am. 7, effective 5-31-44. Former section 13 revoked by Am. 3, 8 F.R. 6173, effective 5-17-43]

SEC. 14. *Joint applications—Consolidation.* (a) Two or more persons may file a joint application for adjustment where at least one ground is common to all persons joining therein. A joint application shall be signed by each applicant in accordance with section 13 and shall be filed and determined in accordance with the rules governing the filing and determination of applications filed by one person. Whenever the authorized office deems it necessary or appropriate for the disposition of joint applications, it may treat joint applications separately, and, in any event, may require the filing of relevant materials by each individual applicant.

(b) Whenever the authorized office deems it necessary or appropriate for the disposition of the applications filed by more than one person, it may consolidate the applications.

[Sec. 14 amended by Am. 3, 8 F.R. 6173, effective 5-17-43 and Am. 7, effective 5-31-44]

SEC. 15. *Investigation of application.* Upon receipt of an application for adjustment, the authorized office or any office designated by the authorized office may make such investigation of the facts involved in the application, hold such conferences, and request the filing of such supplementary information as may be necessary to the proper disposition of the application.

SEC. 16. *Action by the authorized office on applications for adjustment.* Within a reasonable time after the authorized office receives an application for adjustment, the Administrator, or the authorized Regional Administrator or State or District Director, as the case may be, may either

[Above sentence amended by Am. 7, effective 5-31-44]

(a) Dismiss any application for adjustment which fails substantially to comply with this Revised Procedural Regulation No. 1; or

(b) Grant or deny in whole or in part, any application for adjustment which is properly pending before it. The applicant shall be informed in writing of the action so taken; or

(c) In cases of unusual difficulty or importance, refer the application for action either to the Regional Office for the region in which the authorized office is located; or if the authorized office is itself a regional office, to the Administrator. An office so referring an application shall inform the applicant of such action.

SEC. 17. Requests for review. (a) Any applicant whose application for adjustment has been denied in whole or in part by a State or District Director of a district office of the Office of Price Administration may, within 60 days after the date on which notice of denial was mailed to him, file with such office a request for review by the Regional Administrator for the region in which such office is located. Where no form has otherwise been provided, a request for review shall be filed on Form OPA-1PR-2 set out in section 61, Appendix B. This form may be obtained from any field office of the Office of Price Administration or may be copied by the applicant from Appendix B.

(b) Requests for review shall be deemed filed on the date received by the state or district office, *Provided*, That requests for review properly addressed to the appropriate district office, bearing a post-mark dated within 60 days after the date on which the order of denial was mailed, but received after the expiration thereof, shall be deemed to have been filed on the date of the post-mark.

[Sec. 17 amended by Am. 2, 8 F.R. 3533, effective 3-20-43; Am. 3, 8 F.R. 6173, effective 5-17-43; and Am. 7, effective 5-31-44]

SEC. 18. Action on review. After due consideration the Regional Administrator shall grant or deny in whole or in part, any application for adjustment as to which a proper request for review has been filed. The applicant shall be informed in writing of the action so taken.

SEC. 19. Protest of denial of application. Any applicant whose application for adjustment has been denied in whole or in part by the Administrator or, either in the first instance or upon request for review, by any Regional Administrator may, within 60 days after issuance of an order of denial, file a protest against such order in accordance with the provisions of this Revised Procedural Regulation No. 1. For the purpose of Article V (Protests) such an order of denial shall be considered a maximum price regulation. In no event, however, may a protest be based upon grounds not raised in the application for adjustment.

[Secs. 18 and 19 amended by Am. 7, effective 5-31-44]

ARTICLE IV—PETITION FOR AMENDMENT

SEC. 20. Right to file a petition. (a) A petition for amendment may be filed at any time by any person subject to or affected by a provision of a maximum price regulation. A petition for amendment shall propose an amendment of general applicability and shall be granted or denied solely on the merits of the amendment proposed. The denial of a petition for amendment is not subject to protest or judicial review under the act.

(b) Any governmental agency exercising regulatory authority over prices

which are subject to a maximum price regulation may file a petition for amendment of either general or specific applicability based upon findings made by such agency after public hearing.

SEC. 21. Time and place for filing petitions; form and contents. A petition for amendment shall be filed with the Secretary, Office of Price Administration, Washington, D. C. Five copies of the petition and of all accompanying documents and briefs shall be filed. Each copy shall be printed, typewritten, mimeographed, or prepared by a similar process, and shall be plainly legible. Copies shall be double spaced, except that quotations shall be single spaced and indented. Every petition shall contain, upon the first page thereof, the number and the date of issuance of the maximum price regulation to which the petition relates, and shall be designated "Petition for Amendment;" shall state the name and address of the petitioner, shall specify the manner in which the petitioner is subject to or affected by the provision of the maximum price regulation involved, and shall include a specific statement of the particular amendment desired and the facts which make that amendment necessary or appropriate. The petition shall be accompanied by statements setting forth the evidence upon which the petitioner relies in his petition.

[Sec. 21 amended by Am. 3, 8 F.R. 6173, effective 5-17-43 and Am. 4, 8 F.R. 11806, effective 8-24-43]

SEC. 22. Joint petitions for amendment. Two or more persons may file a joint petition for amendment. Joint petitions shall be filed and determined in accordance with the rules governing the filing and determination of petitions filed by one person. A joint petition may be filed only where at least one ground is common to all persons joining it. Whenever the Administrator deems it to be necessary or appropriate for the disposition of joint petitions, he may treat such joint petitions as several and, in any event, he may require the filing of relevant material by each individual petitioner.

SEC. 23. Action by the Administrator on petition. In the consideration of any petition for amendment the Administrator may afford to the petitioner and to other persons likely to have information bearing upon such proposed amendment, or likely to be affected thereby, an opportunity to present evidence or argument in support of, or in opposition to, such proposed amendment. Whenever necessary or appropriate for the full and expeditious determination of common questions raised by two or more petitions for amendment, the Administrator may consolidate such petitions.

ARTICLE V—PROTESTS

SEC. 24. Right to protest. Any person subject to any provision of a maximum price regulation may file a protest against such provision in the manner set forth below. A person is, for the purposes of this revised procedural regulation, subject to a provision of a maximum price regulation only if such provision prohibits or requires action by

him, *Provided, however*, That a producer of an agricultural commodity shall be considered to be subject to a maximum price regulation for the purpose of asserting any right created by section 3 (c) of the Emergency Price Control Act of 1942 or section 3 of the Act of October 2, 1942 (Pub. Law 729, 77th Cong.) for the benefit of producers of such an agricultural commodity. Any protest filed by a person not subject to the provision protested, or otherwise not in accordance with this revised procedural regulation, may be dismissed by the Administrator.

SEC. 25. Action by representative. Any action which by this revised procedural regulation is required of, or permitted to be taken by, a protestant may, unless otherwise expressly stated (as in section 29 (g)) be taken on his behalf by any person whom the protestant has by written power of attorney authorized to represent him. Such power of attorney, signed by the protestant, shall be filed with the protest.

[Sec. 25 amended by Am. 7, effective 5-31-44]

SEC. 26. Time and place for filing protests. (a) Any protest against a provision of a maximum price regulation shall be filed with the Secretary, Office of Price Administration, Washington, D. C., within a period of sixty days after the date of issuance of such regulation, regardless of the effective date prescribed therein; *Provided, however*, That a protest based solely upon grounds arising after the date of issuance of a maximum price regulation may be filed at any time after such new grounds arise, *Provided, further*, That protests of any person having his principal place of business in a territory, may be filed with the director of the appropriate territorial office.

(b) Protests shall be deemed filed on the date received by the Secretary, Office of Price Administration, Washington, D. C., or by the director of the appropriate territorial office, as the case may be; *Provided*, That protests properly addressed to the Secretary or to the appropriate territorial director, as the case may be, bearing a post-mark dated within the applicable sixty day period specified above, but received after the expiration thereof, shall be deemed to have been filed on the date of the post-mark.

[Sec. 26 amended by Am. 2, 8 F.R. 3533, effective 3-20-43 and Am. 6, 9 F.R. 3075, effective 3-20-44]

SEC. 27. Form of protest. Every protest shall contain, upon the first page thereof, the number and the date of issuance of the maximum price regulation against a provision of which the protest is made and shall be clearly designated a "Protest". Five copies of the protest and of all accompanying documents and briefs shall be filed.

[Sec. 27 amended by Am. 7, effective 5-31-44]

SEC. 28. Assignment of docket number. Upon receipt of a protest it shall be assigned a docket number, of which the protestant shall be notified, and all further papers filed in the proceedings

shall contain on the first page thereof the docket number so assigned and the number and date of issuance of the maximum price regulation protested.

Sec. 29. *Contents of protest.* Every protest shall set forth the following:

(a) The name and the post office address of the protestant, the nature of his business, and the manner in which the protestant is subject to the provision of the maximum price regulation protested.

(b) The name and post office address of the person filing the protest on behalf of the protestant and the name and post office address of the person to whom all communications from the Office of Price Administration relating to the protest shall be sent.

(c) A clear and concise statement of all objections raised by the protestant against the provision or provisions protested, each such objection to be separately stated and numbered.

(d) A clear and concise statement of all facts alleged in support of the objections.

(e) A statement of the relief requested by the protestant including, if the protestant requests modification of a provision of the maximum price regulation, the specific changes which he seeks to have made in the provision.

(f) In cases where the protest is based upon grounds arising after the date of issuance of the maximum price regulation, a clear and concise statement of facts showing the time when such grounds arose.

(g) A statement signed and sworn to (or affirmed) before an officer authorized to take oaths either by the protestant personally or, if a partnership, by a partner or if a corporation or association, by a duly authorized officer, that the protest and the documents filed therewith are prepared in good faith and that the facts alleged are true to the best of his knowledge, information and belief. The protestant shall specify which of the facts are alleged and known to be true and which are alleged on information and belief.

Sec. 30. *Affidavits or other written evidence in support of protest.* Every protestant shall file, together with his protest, the following:

(a) Affidavits setting forth in full all the evidence, the presentation of which is subject to the control of the protestant, upon which the protestant relies in support of the facts alleged in the protest. Each such affidavit shall state the name, post office address, and occupation of the affiant; his business connection, if any, with the protestant; and whether the facts set forth in the affidavit are stated from personal knowledge or on information and belief. In every instance the affiant shall state in detail the sources of his information.

(b) A statement by the protestant in affidavit form setting forth in detail the nature and sources of any further evidence, not subject to his control, upon which he believes he can rely in support of the facts alleged in his protest.

(c) If necessary, a further statement by the protestant in affidavit form setting forth the nature and sources of any evidence which the protestant is unable to present solely because of the time limit

for the filing of protests and supporting material. Such further statement may contain a request for an opportunity to present such further evidence, which request shall state specifically the amount of time needed for preparation of such evidence. Any affidavits providing further evidence, pursuant to order, shall contain the information required by subparagraph (a) of this section 30.

Sec. 31. *Submission of brief by protestant.* The protestant may file with his protest and accompanying evidential material a brief in support of the objections set forth in the protest. Such brief shall be submitted as a separate document, distinct from the protest and evidential material.

Sec. 32. *Joint protests.* Two or more persons may file a joint protest. Joint protests shall be filed and determined in accordance with the rules governing the filing and determination of protests filed by one person. A joint protest shall be verified in accordance with section 29 (g) by each protestant. A joint protest may be filed only where at least one ground is common to all persons joining in it. Whenever the Administrator deems it to be necessary or appropriate for the disposition of joint protests, he may treat such joint protests as several, and, in any event, he may require the filing of relevant materials by each individual protestant.

Sec. 33. *Amendment of protest and presentation of supplemental evidence.*

(a) The protestant may amend his protest or his affidavits and briefs submitted therewith, or may add to such material within a period of sixty days after the issuance of the maximum price regulation against a provision of which the protest is filed, or, in the case of a protest based solely on grounds arising after the date of issuance of a maximum price regulation, within sixty days after the protestant has had or could reasonably have had notice of the existence of such grounds.

(b) After the time prescribed in paragraph (a) of this section a protestant may be granted permission to amend his protest or to present further evidence in connection therewith when, in the judgment of the Administrator, such permission will not unduly delay the completion of proceedings on the protest. No amendment which adds a new ground of protest will be permitted.

Sec. 34. *Protest and evidential material not conforming to this regulation.* In any case where a protest or accompanying evidential material does not conform, in a substantial respect, to this revised procedural regulation, the Administrator may dismiss such protest, or, in his discretion, may strike such evidential material from the record of the proceedings in connection with the protest.

Sec. 35. *Action by the Administrator on protest.* (a) Within a reasonable time after the filing of any protest in accordance with this revised procedural regulation, but in no event more than thirty days after such filing or ninety days after the issuance of the maximum price regulation against a provision of which the protest is filed, whichever occurs later, the Administrator shall:

(1) Grant or deny such protest in whole or in part.

(2) Notice such protest for oral hearing, to be held in accordance with the provisions of sections 39 to 47, inclusive, of this revised procedural regulation; or

(3) Provide an opportunity to present further evidence in connection with such protest. Within a reasonable time after the presentation of such further evidence, the Administrator may notice such protest for oral hearing in accordance with subparagraph (2) of this section, may include additional material in the record of the proceedings in connection with the protest in accordance with section 37 of this revised procedural regulation, or may take such other action as may be appropriate to the disposition of the protest.

(b) Notice of any such action taken by the Administrator shall promptly be served upon the protestant.

(c) Where the Administrator has ordered a hearing on a protest or has provided an opportunity for the presentation of further evidence in connection therewith, he shall, within a reasonable time after the completion of such hearing or the presentation of such evidence, grant or deny such protest in whole or in part.

Sec. 36. *Statements in support of maximum price regulation.* (a) Any person affected by the provisions of a maximum price regulation may at any time after the issuance of such regulation submit to the Administrator a statement in support of any such provision or provisions. Such statement shall include the name and post office address of such person, the nature of his business, and the manner in which such person is affected by the maximum price regulation in question, and may be accompanied by affidavits and other data. Each such supporting statement shall conform to the requirements of section 27 of this revised procedural regulation.

(b) In the event that a protest has been, or is subsequently, filed to a provision of a maximum price regulation in support of which a statement has been submitted, the Administrator may include such statement in the record of the proceedings taken in connection with such protest. If such supporting statement is incorporated into the record, and is not so incorporated at an oral hearing, copies of such supporting statement shall be served upon the protestant, and the protestant shall be given a reasonable opportunity to present evidence in rebuttal thereof.

Sec. 37. *Inclusion of material in the record by the Administrator.* The Administrator shall include in the record of the proceedings on the protest such evidence, in the form of affidavits or otherwise, as he deems appropriate in support of the provision against which the protest is filed. When such evidence is incorporated into the record, and is not so incorporated at an oral hearing, copies thereof shall be served upon the protestant, and the protestant shall be given a reasonable opportunity to present evidence in rebuttal thereof.

Sec. 38. *Consolidation of protests.* Whenever necessary or appropriate for the full and expeditious determination

of common questions raised by two or more protests the Administrator may consolidate such protests.

ORAL HEARINGS ON PROTESTS

SEC. 39. Requests for oral hearing. Any protestant may request an oral hearing. Such request shall be accompanied by a showing by the protestant as to why the filing of affidavits or other written evidence and briefs will not permit the fair and expeditious disposition of the protest. In the event that the Administrator orders an oral hearing in connection with a protest, notice shall be served on the protestant not less than five days prior to such hearing. The time and place of the hearing shall be stated in the notice. Any oral hearing ordered by the Administrator may be limited in such manner and to the extent that he deems appropriate.

SEC. 40. Conference prior to oral hearing. At any time prior to the commencement of the oral hearing, the Administrator may request the protestant to appear at a conference to consider: (a) the simplification of issues; (b) the possibility of obtaining stipulations of fact and of documents which will avoid unnecessary proof; and (c) such other matters as may expedite the conduct of the oral hearing. No transcript of such conference shall be kept, but the Administrator shall incorporate in the record of the proceedings any written stipulations or agreements made at, or as a result of, the conference. If the circumstances are such that an oral conference is impracticable, the Administrator may direct that such negotiations be conducted by correspondence.

SEC. 41. Continuance or adjournment of oral hearing. The oral hearing shall be held at the time and place specified by the notice of hearing but may be continued or adjourned to a later day or to a different place. Notice of such adjournment or continuance may be by announcement at the oral hearing.

SEC. 42. Conduct of the oral hearing. The oral hearing shall be conducted by the Administrator or such officer or employee of the Office of Price Administration (hereinafter referred to as the "presiding officer") as the Administrator may appoint or designate for that purpose.

[Sec. 42 amended by Am. 4, 8 F.R. 11806, effective 8-24-43]

SEC. 43. Filing of briefs. The presiding officer shall allow the protestant to file briefs or written arguments within such time as he shall designate.

SEC. 44. Subpoenas. (a) Applications for subpoenas, when made prior to the oral hearing, may be filed by the protestant with the Secretary. The Administrator may grant or deny the application or refer it to the presiding officer appointed or designated under section 42, who may thereafter grant or deny the application. Applications for subpoenas made during the oral hearing shall be submitted to the presiding officer, who may grant or deny such application.

(b) All applications for subpoenas shall specify the name of the witness and the nature of the facts to be proved by

him and, if calling for the production of documents, shall specify them with such particularity as will enable them to be identified for purposes of production.

(c) Service of a subpoena upon a person named therein shall be made by delivering a copy thereof to such person and by tendering to him the fees and mileage specified in section 202 (f) of the act. When the subpoena is issued at the instance of the Administrator fees and mileage need not be tendered.

SEC. 45. Witnesses. Witnesses summoned before the presiding officer at any protest hearing shall be paid the fees and mileage specified by section 202 (f) of the act. Witness fees and mileage shall be paid by the person at whose instance the witness appears.

SEC. 46. Contemptuous conduct. Contemptuous conduct at any oral hearing shall be ground for exclusion from the hearing. The refusal of a witness to answer any question which has been ruled to be proper shall, in the discretion of the presiding officer, be ground for the striking out of all testimony previously given by such witness on related matters.

SEC. 47. Stenographic report of oral hearing. A stenographic report of the oral hearing shall be made, a copy of which shall be available for inspection during business hours in the Office of the Secretary, Office of Price Administration, Washington, D. C.

OPINION AND RECONSIDERATION

SEC. 48. Opinion denying protest in whole or in part. In the event that the Administrator denies any protest in whole or in part, he shall inform the protestant of the grounds upon which such decision is based, and of any economic data and other facts of which the Administrator has taken official notice.

SEC. 49. Treatment of protest as petition for amendment or an application for adjustment or exception. Any protest filed against a provision of a maximum price regulation may, in the discretion of the Administrator, be treated not only as a protest but also as a petition for amendment of the regulation protested or as an application for adjustment or exception pursuant thereto, when the facts produced in connection with the protest justify such treatment.

SEC. 50. Petitions for reconsideration. An order denying a protest may include leave to file a petition for reconsideration within a specified period. If the order of denial does include leave to file a petition for reconsideration the filing of such a petition within the time provided shall automatically vacate the order of denial and reopen the protest proceeding.

[Sec. 50 added; former Sec. 50 revoked by Am. 7, effective 5-31-44]

ARTICLE VI—INTERPRETATIONS

SEC. 51. Interpretations. An interpretation rendered by an officer or employee of the Office of Price Administration with respect to any provision of the act or of any regulation, price schedule, order, requirement, or agreement thereunder, will be regarded by the Office of

Price Administration as official only if such interpretation was requested and issued in accordance with section 52 of this regulation. Action taken in reliance upon and in conformity with an official interpretation and prior to any revocation or modification thereof or to any superseding thereof by regulation, order or amendment, shall constitute action in good faith pursuant to the provision of the act, or of the regulation, price schedule, order, requirement or agreement to which such official interpretation relates. An official interpretation shall be applicable only with respect to the particular person to whom, and to the particular factual situation with respect to which, it is rendered, unless publicly announced as an interpretation of general application.

SEC. 52. Requirements governing interpretations—(a) Requests for interpretations; form and contents. Any person desiring an official interpretation of the Emergency Price Control Act of 1942 or any regulation, price schedule, order, requirement or agreement thereunder shall request it in writing from the nearest district office of the Office of Price Administration. Such request shall set forth in full the factual situation out of which the interpretative question arises and shall, so far as is practicable, state the names and post office addresses of the persons involved. If the inquirer has previously requested an interpretation on the same or substantially the same facts, his request shall so indicate and shall name the official or office to whom his previous request was addressed. If the interpretation will affect operations of establishments located in more than one state, the request shall name the states in which the establishments are located. No interpretation shall be requested or given with respect to any hypothetical situation or in response to any hypothetical question.

[Paragraph (a) amended by Am. 7, effective 5-31-44]

(b) *Interpretation to be written; authorized officials.* Official interpretations shall be given only in writing, signed by one of the following officers of the Office of Price Administration: The Price Administrator, the General Counsel, any Associate or Assistant General Counsel, any Regional Attorney, any Regional Price Attorney, any District Price Attorney, and any Division Counsel to a Price Division or Chief Counsel to a Price Branch in the Office of Price Administration, Washington, D. C., *Provided*, That interpretations of general application shall be announced only by the Price Administrator, the General Counsel, any Associate or Assistant General Counsel, or any Regional Attorney or any Regional Price Attorney.

[Paragraph (b) amended by Am. 1, 8 F.R. 3313, effective 3-16-43; Am. 4, 8 F.R. 11806, effective 8-24-43; and Am. 7, effective 5-31-44]

(c) *Revocation or modification of interpretation.* Any official interpretation, whether of general application or otherwise, may be revoked or modified by publicly announced statement by any official authorized to announce such interpretations of general application or by a statement or notice by the Price Administrator or General Counsel published in the FEDERAL REGISTER. An official interpretation addressed to a particular person may also be revoked or modified at any time by a statement in writing mailed to such person and signed by the General Counsel or any Associate or Assistant General Counsel.

An official interpretation addressed to a particular person by a Regional Attorney, a Regional Price Attorney, or a District Price Attorney may also be revoked or modified at any time by a statement in writing mailed to such person and signed by the Regional Attorney or by the attorney who issued it or his successor.

[Paragraph (c) amended by Am. 7, effective 5-31-44]

ARTICLE VII—MISCELLANEOUS PROVISIONS AND DEFINITIONS

SEC. 53. *Service of papers.* Notices, orders and other process and papers may be served personally or by leaving a copy thereof at the principal office or place of business of the person to be served; or by registered mail, or by telegraph. When service is made personally or by leaving a copy at the principal office or place of business, the verified return of the person serving or leaving the copy shall be proof of service. When service is by registered mail or telegraph the return post office receipt or telegraph receipt shall be proof of service.

SEC. 54. *Secretary; office hours.* The Office of the Secretary, Office of Price Administration, Washington, D. C., shall be open, on week days, from 9 a. m. until 5 p. m. and on Saturdays from 9 a. m. until 1 p. m. Any person desiring to file any papers, or to inspect any documents filed with the Secretary at any time other than the regular office hours stated, may file a written application with the Secretary requesting permission therefor.

SEC. 55. *Confidential information: Inspection of documents filed with the OPA.* General Order No. 55^a shall govern the disclosure of any information obtained under the Emergency Price Control Act of 1942, as amended. All protests and orders and opinions in connection therewith are open to inspection in the Office of the Secretary, upon such reasonable conditions as the Secretary may prescribe. Information submitted in a protest proceeding with a request for confidential treatment, and confidential material incorporated by the Administrator into a protest proceeding will be treated as confidential to the extent consistent with the proper conduct of the protest proceeding. In

the event of a complaint being filed in the Emergency Court of Appeals, such information and such material will be included in the transcript of the protest proceeding to the extent that it is material under the complaint. All letters denying petitions for amendment and all orders and opinions granting or denying in whole or in part any application for adjustment are open to inspection in the office which has issued such letter or orders and opinions, upon such reasonable conditions as may be prescribed by the Secretary or, if the issuing office is a regional or district office, by the Regional Administrator or State or District Director thereof. To the extent that this section provides for the disclosure of confidential information, it shall be deemed a determination by the Administrator, pursuant to section 202 (h) of the Emergency Price Control Act and section 2 of General Order No. 55, that the withholding of such information would be contrary to the interests of the national defense and security.

[Sec. 55 amended by Am. 7, effective 5-31-44]

SEC. 56. *Appearance of employees and former employees before the Office of Price Administration.* Appearance of Office of Price Administration employees and former employees in a representative capacity before the Office of Price Administration shall be governed by the provisions of Procedural Regulation No. 14.^a

[Sec. 56 amended by Am. 5, 9 F.R. 1594, effective 2-9-44]

SEC. 57. *Definitions.* As used in this revised procedural regulation, unless the context otherwise requires, the terms:

(a) "Act" means the Emergency Price Control Act of 1942, as amended by the Act of October 2, 1942 (Public Laws 421 and 729, 77th Cong., 2d Sess.).

(b) "Administrator" means the Price Administrator of the Office of Price Administration or such person as he may appoint or designate to carry out any of the duties delegated to him by the Act.

(c) "Federal Register" means the publication provided for by the Act of July 26, 1935 (49 Stat. 500), as amended.

(d) "Maximum price regulation" means any regulation or order establishing a maximum price or prices and shall include a "revised price schedule" or "temporary maximum price regulation" as defined below unless otherwise expressly specified.

(e) "Revised price schedule" means any price schedule establishing a maximum price or prices issued by the Administrator of the Office of Price Administration or the Administrator of the Office of Price Administration and Civilian Supply, prior to February 11, 1942, and effective pursuant to section 206 of the act.

(f) "Temporary maximum price regulation" means any temporary regulation or order, issued pursuant to section

2 (a) of the act, establishing as a maximum price or prices the price or prices prevailing with respect to any commodity or commodities within five days prior to the date of issuance of such temporary regulation or order.

(g) "Date of issuance" with respect to a maximum price regulation, means the date on which such maximum price regulation is filed with the Division of the Federal Register, except that, for the purposes of Article V (Protests) the "date of issuance" of an order of denial of an application for adjustment which has not been filed with the Division of the Federal Register shall be the date on which such order of denial was mailed to the applicant.

[Paragraph (g) amended by Am. 7, effective 5-31-44]

(h) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(i) "Protestant" means a person subject to any provision of a maximum price regulation of price schedule who files a protest in accordance with section 203 (a) of the act.

(j) "Price hearing" means any formal or informal opportunity to present evidence which may be ordered by the Administrator in connection with any action or proceedings related to price control.

SEC. 58. *Amendment of this regulation.* Any provision of this Revised Procedural Regulation may be amended or revoked by the Administrator at any time. Such amendment or revocation shall be published in the FEDERAL REGISTER and shall take effect upon the date of its publication, unless otherwise specified therein.

SEC. 59. *Effective date of Revised Procedural Regulation No. 1.* This Revised Procedural Regulation shall become effective 11:59 p. m., November 4, 1942. [Revised Procedural Regulation No. 1 originally issued November 2, 1942]

[Effective dates of amendments are shown in notes following the parts affected]

SEC. 60. [Revoked]

[Sec. 60 revoked by Am. 3, 8 F.R. 6173, effective 5-17-43]

SEC. 61. *Appendix B—Form OPA 1PR-2.*
REQUEST FOR REVIEW OF ORDER DENYING APPLICATION FOR ADJUSTMENT

....., an applicant for adjustment pursuant to section of Maximum Price Regulation No. and Revised Procedural Regulation No. 1 of the Office of Price Administration hereby requests to review an or-

(Regional Administrator of the appropriate Regional Office)
der of denial of such application for adjustment entered by the District Office and mailed to the applicant on, 194...

^a 9 F.R. 3820.

^a 9 F.R. 1594.

The applicant objects to such order of denial as follows:

(Applicant should state briefly and concisely, and separately number, his objections)

By _____
(Applicant)

(Title)

[Sec. 61 amended by Am. 7, effective 5-31-44]

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

Issued this 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7612; Filed, May 26, 1944; 5:01 p. m.]

PART 1421—IRON AND STEEL FOUNDRY PRODUCTS

[MPR 241, Incl. Amtds. 1-6]

MALLEABLE IRON CASTINGS

This compilation of Maximum Price Regulation 241 includes Amendment 6, effected May 31, 1944. The text added or amended by Amendment 6 is underscored. Redesignations are indicated by notes.

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of malleable iron castings by a specific maximum price regulation.

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.¹ In the judgment of the Price Administrator, the maximum prices established by this Maximum Price Regulation No. 241 are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. So far as practicable, the Price Administrator has advised and consulted with members of the industry which will be affected by this regulation.

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250 and in accordance with Procedural Regulation No. 1,² issued by the Office of Price Administration, Maximum Price Regulation No. 241 is hereby issued.

- Sec.
1421.101 Maximum prices for malleable iron castings.
1421.102 Applicability of the General Maximum Price Regulation.
1421.103 Less than maximum prices.
1421.104 Export sales.
1421.105 Federal and state taxes.

¹ 7 F.R. 8427.

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, 6173, 11806; 9 F.R. 1594, 3075.

- Sec.
1421.106 Adjustable pricing.
1421.107 Petitions and applications for amendment, adjustment or exception.
1421.108 Evasion.
1421.109 Enforcement.
1421.109a Licensing.
1421.110 Records and reports.
1421.111 Filing of prices and pricing methods.
1421.112 Transfers of business or stock in trade.
1421.113 Maximum prices for new sellers other than transferees.
1421.114 Definitions.
1421.115 Effective date.
1421.115a Effective dates of amendments.
1421.116 Appendix A: Maximum prices for malleable iron castings.
1521.117 [Revoked].
1421.118 [Revoked].
1421.119 Appendix D: Regional Offices and states and territories covered.

AUTHORITY: §§ 1421.101 to 1421.119, 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.

§ 1421.101 *Maximum prices for malleable iron castings.* (a) On and after October 21, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver malleable iron castings, and no person shall buy or receive malleable iron castings in the course of trade or business, at prices higher than the maximum prices set forth in Appendix A hereof, incorporated herein as § 1421.116; and no person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That (1) if the purchaser shall receive from the seller a written affirmation that to the best of his knowledge, information, and belief the price charged does not exceed the maximum price established by this Maximum Price Regulation No. 241, and if in such case the purchaser shall have no knowledge of the maximum price and no cause to doubt the accuracy of the affirmation, the purchaser shall be deemed to have complied with this section and (2) where the contract of sale has been entered into on or before October 20, 1942, the parties thereto may make and accept deliveries of the castings required or specified in such contract and the seller may render bills or invoices for such castings to the purchaser at the contract price, subject to adjustment of said price in accordance with the maximum prices established by this Maximum Price Regulation No. 241, within a period not to exceed 30 days after the billing or invoicing.

(b) The provisions of paragraph (a) of this section prohibiting purchasers from paying in excess of the maximum prices shall not be applicable to any war procurement agency or any contracting officer thereof, and any such contracting officer or any paying finance officer shall be relieved of any or every liability, civil or criminal, imposed by this Maximum Price Regulation No. 241 or by the Emergency Price Control Act of 1942, as amended.

(c) The provisions of this section shall not be applicable to sales or deliveries of malleable iron castings to a purchaser if prior to October 21, 1942 such castings have been received by a carrier other

than a carrier owned or controlled by the seller for shipment to such purchaser.

[NOTE: Supplementary Order No. 31 (7 F.R. 9894; 8 F.R. 1312, 3702) provides that: "Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price."]

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

§ 1421.102 *Applicability of General Maximum Price Regulation.* The provisions of this Maximum Price Regulation No. 241 supersede the provisions of the General Maximum Price Regulation⁴ with respect to sales and deliveries for which maximum prices are established by this regulation.

§ 1421.103 *Less than maximum prices.* Lower prices than those set forth in this Maximum Price Regulation No. 241 may be charged, demanded, paid or offered.

§ 1421.104 *Export sales.* The maximum price at which a person may export any malleable iron castings shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation⁵ issued by the Office of Price Administration.

§ 1421.105 *Federal and state taxes.* Any tax upon, or incident to, the sale, delivery, processing, or use of a malleable iron casting, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such castings:

(a) *As to a tax in effect between October 1 to October 15, 1941.* (1) If the seller paid such tax, or if the tax was paid by any prior vendor, irrespective of whether the amount thereof was separately stated and collected from the seller, but the seller did not customarily state and collect separately from the purchase price during the period from October 1 to October 15, 1941, inclusive, the amount of the tax paid by him or tax reimbursement collected from him by his vendor, the seller may not collect such amount in addition to the maximum price, and in such case shall include such amount in determining the maximum price under this Maximum Price Regulation No. 241.

(2) In all other cases, if, at the time the seller determines his maximum price, the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does state it separately, the seller may

⁴ 9 F.R. 1385.

⁵ Second Revision: 8 F.R. 4132, 5987, 7662, 9998, 15193; 9 F.R. 1036.

collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased, and in such case the seller shall not include such amount in determining the maximum price under this Maximum Price Regulation No. 241.

(b) *As to a tax or increase in a tax which becomes effective after October 15, 1941.* If the statute or ordinance imposing such tax or increase does not prohibit the seller from stating and collecting the tax or increase separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax or increase actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased.

§ 1421.106 *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.

[§ 1421.106 amended by Am. 4, 8 F.R. 12016, effective 9-4-43]

§ 1421.107 *Petitions and applications for amendment, adjustment or exception.* (a) Any seller of malleable iron castings may file an application for adjustment (OPA Form 341.3) of his maximum prices for any or all such castings: *Provided*, That he is prepared to show:

(1) That his maximum prices for such castings are below his costs of producing them, or are inadequate to maintain continued production of such castings, and
(2) That such castings are necessary to the war effort, and either

(3) That he has entered into or proposes to enter into Government contracts or subcontracts under such contracts for the sale of such castings, or

(4) That unless adjustment is granted applicant will cease or will not undertake production of such castings, and as a result the purchaser will be materially handicapped in its operations for one or more of the following reasons:

(i) Applicant possesses special knowledge and experience in the production of such castings,

(ii) No other foundry properly equipped to produce such castings is located within a convenient distance of the purchaser,

(iii) There is a general shortage in the type of facility possessed by applicant for the production of such castings,

(iv) The purchaser will be unable to procure such castings from another satisfactory source except at prices higher than those requested by applicant.

Such adjustments may be granted by the Administrator or by the Regional Administrator for the appropriate regional office of the Office of Price Administration, and shall be based upon a consideration of changes in applicant's costs of production, his over-all returns and such other circumstances as may be pertinent to the maintenance of an adequate supply of malleable iron castings needed for the war effort.

Applications for adjustment under this paragraph (a) shall be filed in accordance with the provisions of Revised Procedural Regulation No. 1 issued by the Office of Price Administration, except that they shall be filed in triplicate with the appropriate regional office of the Office of Price Administration. Such applications shall be submitted on Form 341.3. Copies of this form may be obtained from the Office of Price Administration, Washington, D. C., or from any of its field offices.

[Paragraph (a) amended by Am. 1, 7 F.R. 8941, effective 11-4-42 and Am. 5, 8 F.R. 13737, effective 10-11-43]

[Paragraph (b) revoked and former (c) redesignated (b) and amended by Am. 1, 7 F.R. 8941, effective 11-4-42]

(b) Any person seeking an amendment of any provision of this Maximum Price Regulation No. 241 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

(c) *Supplementary Order No. 9^a and Procedural Regulation No. 6⁷ not to apply.* Supplementary Order No. 9 issued by the Office of Price Administration dealing with applications for adjustment under Procedural Regulation No. 6 of maximum prices of sales pursuant to Government contracts or subcontracts shall not apply to applications for adjustment of maximum prices of malleable iron castings.

[Paragraph (c) added by Am. 5, 8 F.R. 13737, effective 10-11-43]

(d) [Revoked]

[Paragraph (d) revoked by Am. 1, 7 F.R. 8941, effective 11-4-42]

[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.]

§ 1421.108 *Evasion.* The price limitations set forth in this Maximum Price Regulation No. 241 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 malleable iron castings, 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; without limiting the generality of the foregoing, the price limitations set forth in Maximum Price Regulation No. 241 shall not be evaded by improper classification of any malleable iron castings, improper application of extras, splitting of orders into small quantities or exchange of patterns in order to increase prices, or by decreasing or discontinuance of cash discounts.

§ 1421.109 *Enforcement.* (a) Persons violating any provisions of this Maximum Price Regulation No. 241 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 241 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 district, state, field or regional office of the Office of Price Administration, or its principal office in Washington, D. C.

§ 1421.109a *Licensing.* The provisions of Licensing Order No. 1,^a 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.

[§ 1421.109a added by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

§ 1421.110 *Records and reports.* (a) Each person selling malleable iron castings shall preserve and keep for inspection by the Office of Price Administration for so long a period as the Emergency Price Control Act of 1942, as amended, remains in effect, all available records of prices, costs, pricing methods, delivery charges, allowances and discounts on all sales of malleable iron castings made by such seller during the period from October 1, 1941 to October 20, 1942, inclusive.

(b) Each person making a sale of malleable iron castings on or after October 21, 1942, shall keep for inspection by the Office of Price Administration for so long a period as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such sale, showing (1) the date thereof, (2) the name and address of the buyer and seller, (3) the list price or prices, if any, on the date of sale, (4) net price or prices after adjustment for discounts or other allowances, and (5) where the sale is made pursuant to a contract or agreement entered into on

^a Revised: 8 F.R. 6175.

⁷ 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.

⁸ 8 F.R. 13240.

or after October 21, 1942, and the total selling price exceeds fifty dollars, records substantiating the maximum prices if the castings are priced under paragraph (a) or (d) of Appendix A (§ 1421.116) or summary of the calculations made in computing the maximum prices if the castings are priced under paragraph (b) of Appendix A. The date specified in (1), (2), (3) and (4) of this paragraph (b) shall be kept for inspection by the Office of Price Administration for the same period by each person making a purchase of malleable iron castings in the course of trade or business.

[Paragraph (b) amended by Am. 2, 8 F.R. 325, effective 10-21-42]

(c) Each person making a purchase or sale of malleable iron castings in the course of trade or business shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section as the Office of Price Administration may from time to time require.

§ 1421.111 *Filing of prices and pricing methods.* (a) Each person selling malleable iron castings shall file with the appropriate Regional Office of the Office of Price Administration within thirty days after the effective date of this Maximum Price Regulation No. 241, three copies, duly certified as being true and correct copies, of his published price lists in effect between October 1 and October 15, 1941, inclusive, and a statement, duly signed and sworn to, submitted in triplicate, of his customary extras, discounts, and allowances in effect during such period; if such person had no such published price lists or no such customary extras, discounts and allowances, he shall file a sworn statement to that effect with the appropriate Regional Office. A list of the Regional Offices of the Office of Price Administration and the states and territories covered is set forth in Appendix D, incorporated herein as § 1421.119.

[NOTE. Revised Supplementary Order No. 23 (8 F.R. 6175) provides that no document filed pursuant to any price regulation or procedural regulation issued by the Office of Price Administration before May 17, 1943, need be sworn to or affirmed, except that protests and documents filed in support thereof shall continue to be sworn to or affirmed as provided in Revised Procedural Regulation No. 1.]

(b) Each person selling malleable iron castings shall file with the appropriate Regional Office of the Office of Price Administration within sixty days after the effective date of this Maximum Price Regulation No. 241, information, on and in the detail required by forms which will be made available to him, as to wage rates, overhead rates, cost of materials, profit margins and pricing methods in effect for such seller at each of his foundries between October 1 and October 15, 1941, inclusive, and for such other periods specified in such forms.

§ 1421.112 *Transfers of business or stock in trade.* If the business, assets or stock in trade of any person producing malleable iron castings are or have been sold or otherwise transferred after October 15, 1941, and the transferee carries on the business or continues to produce the

same type of malleable iron castings in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligations to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record and filing of price provisions, of this regulation.

§ 1421.113 *Maximum price for new sellers other than transferees.* Every person engaged in, or who proposes to engage in, the business of selling malleable iron castings who was not in such business at his present foundry at any time between October 1 to October 15, 1941, inclusive, and who is not a transferee as described in § 1421.112 shall apply to the Office of Price Administration, Washington, D. C., for a method, and shall adhere to the method so given, of determining maximum prices for malleable iron castings sold by him.

§ 1421.114 *Definitions.* (a) When used in this Maximum Price Regulation No. 241 the term:

(1) "Administrator" means the Price Administrator of the Office of Price Administration, Washington, D. C., or such person as he may appoint or designate to carry out any of his duties.

(2) "Appropriate Regional Office" means the Regional Office of the Office of Price Administration for the region in which the malleable iron foundry of the seller is located, or, if the seller owns and operates two or more malleable iron foundries, the Regional Office of the Office of Price Administration for the region in which the principal operating office of the seller is located.

[Subparagraph (2) amended by Am. 6, effective 5-31-44]

(3) "Export" or "export sale" means any sale of a malleable iron casting located within the continental United States by a seller in the continental United States to a purchaser outside thereof in which the casting sold is transported from the continental United States to a point outside thereof and includes any sale of the exported casting by an agent of the exporter or by a corporation owned or controlled by the exporter within a period of two years after the date of shipment of the casting from the continental United States: *Provided*, That it shall not include such a sale if the agent or subsidiary has processed, fabricated or otherwise substantially changed the form of the casting exported, or if the sale by the agent or subsidiary is through a regularly established retail outlet owned or operated by the agent or subsidiary.

(4) "Machinery service" means any operation in the processing, machining, welding, treating, finishing, testing, inspecting, adjusting, maintaining, repairing or rebuilding of a malleable iron

casting owned by another or of a product owned by another, which, as a result of such operation, becomes a malleable iron casting.

(5) (i) "Malleable iron castings" means all ferrous castings sold to railroads and other classes of purchasers having a definite ductility resulting from an annealing process and known as malleable iron, pearlitic malleable iron or by a trade name. The term includes such ferrous castings sold either with or without subsequent processing thereon, such as (without limitation), machining, galvanizing, plating and japanning, but does not include: (a) malleable iron castings sold in an assembly with other materials (except bolts, nuts, screws, rivets or other industrial fastenings), (b) malleable iron castings purchased from the seller on which the purchaser has performed subsequent processing and (c) malleable iron castings sold as another commodity by a regular manufacturer of such other commodity or by a purchaser from such manufacturer.

(ii) A seller of malleable iron castings is considered a regular manufacturer of another commodity when (a) he represents himself in the trade as a manufacturer of such other commodity through the issuance of catalogues, price lists or other advertising matter, circulated generally to the trade, in which such commodity is designated by name, (b) he owns the patterns used for the production of such other commodity, and (c) he customarily produces such other commodity for, and sells such commodity from, stock. A seller of malleable iron castings who believes that he is a regular manufacturer of another commodity, but who does not meet each of the requirements specified in the foregoing items (a), (b), and (c) may nevertheless be considered a regular manufacturer of another commodity if he is recognized in the trade as a source of supply of such other commodity and he applies to the Office of Price Administration for a determination, or the Office of Price Administration makes a determination without such application, that he is a regular manufacturer of such other commodity.

[Subparagraph (5) amended by Am. 3, 8 F.R. 4733, effective 4-15-43]

(6) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(7) "Pricing method" means the formula by which the seller computes a price for malleable iron castings, whether such formula is described to the purchaser or is merely the seller's device for computing costs of labor and materials, other costs, and margin, mark-up or profit.

(8) "Published price list" means a list or schedule of prices for a number of malleable iron castings in which such castings are designated either by weight

or quantity or both, or by name or pattern number, submitted by the seller to more than one purchaser or prospective purchaser of the types of castings represented in the list or schedule.

(9) [Revoked]

[Subparagraph (9) revoked by Am. 5, 8 F.R. 13737, effective 10-11-43]

(10) "Substantially the same" when used with reference to two or more malleable iron castings, means that they are substantially the same in design, specifications and weight, and that they are produced by the same type of pattern equipment.

(11) "Seller" shall include sellers of malleable iron castings who are producers and those who are not producers. For the purpose of determining maximum prices under paragraph (b) of § 1421.116 of this regulation, but for no other purpose, if a seller owns and operates a number of different foundries each such foundry shall be considered a separate seller.

(12) "Producer of malleable iron castings" and "producer" mean a person who is engaged in the business of casting the malleable iron and shall include such person whether or not he performs subsequent processing on such castings or causes subsequent processing to be performed on such castings by another, the producer retaining title to the castings.

(13) "Foundry" includes, in the case of a seller of malleable iron castings who is not a producer, a plant, establishment or place of business.

[Subparagraphs (11), (12) and (13) added by Am. 3, 8 F.R. 4733, effective 4-15-43]

(14) "Government contract" means any contract with the United States or any agency thereof or with the Government or any agency thereof of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States."

(15) "Subcontract" means any purchase order or agreement to perform all or any part of the work required under, or to make or furnish any commodity needed for the performance of, another Government contract or subcontract thereunder.

[Subparagraphs (14) and (15) added by Am. 5, 8 F.R. 13737, effective 10-11-43]

(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.

§ 1421.115 *Effective date.* This Maximum Price Regulation No. 241 (§§ 1421.101 to 1421.119, inclusive) shall become effective October 21, 1942. [MPR 241 originally issued October 16, 1942]

§ 1421.115a *Effective dates of amendments.* [Effective dates of amendments are shown in notes following the parts affected.]

§ 1421.116 *Appendix A: Maximum prices for malleable iron castings—*
(a) *Castings substantially the same as those which the seller contracted or agreed to sell between October 1 and*

October 15, 1941, inclusive, or as those for which prices were quoted in the seller's published price list during such period.

(1) The maximum price for each such casting shall be the highest net price at which the seller contracted or agreed to sell such casting between October 1 and October 15, 1941, inclusive, or, if there were no such contract or agreement of sale, the highest net price quoted for such casting between October 1 and October 15, 1941, inclusive, in the seller's published price list: *Provided*, That if the seller has contracted or agreed to sell or has quoted in his published price list such casting at a particular price to a specified purchaser between October 1 and October 15, 1941, inclusive, he may not exceed such price on sales or deliveries of such casting to the same purchaser. "Net price" means the contract or agreed or quoted price, as the case may be, adjusted for all applicable customary charges, discounts, quantity differentials or other allowances in effect for the seller between October 1 and October 15, 1941, inclusive.

[Paragraph (a) amended by Am. 5, 8 F.R. 13737, text designated (1) by Am. 6, effective 5-31-44]

(2) Notwithstanding any provision to the contrary contained in subparagraph (1) of this paragraph (a), the seller may, in computing his maximum price of a malleable iron casting under this paragraph (a), add to the maximum price which would otherwise be arrived at, an amount to compensate for the cost of overtime labor, such amount to be separately invoiced and computed in the manner set forth in paragraph (e) of this section.

[Subparagraph (2) added by Am. 6, effective 5-31-44]

(b) *Castings which are not substantially the same as those which the seller contracted or agreed to sell between October 1 and October 15, 1941, inclusive, or as those for which prices were quoted in the seller's published price lists during such period.* The maximum price for each such casting shall be computed by the seller on the following basis:

(1) *Pricing method.* (i) The seller shall employ the applicable pricing method which was in use at the foundry on October 15, 1941, and which has been or will be filed with the Office of Price Administration in accordance with § 1421.111 herein, employing each of the pricing factors reflected in such method at the levels prevailing at such time, except as specified in subparagraphs (3), (4) and (5) hereinbelow, including: labor rates (applied in accordance with subparagraph (2) below); materials costs (applied in accordance with subparagraph (3) below); overhead (burden) rates (applied in accordance with subparagraph (4) below); subcontracted machinery service costs (applied in accordance with subparagraph (5) below); mark-up, bargain or profit (applied in accordance with subparagraph (6) below); *Provided however*, That in the case of a seller of a malleable iron casting

who is not the producer thereof, such seller shall compute his maximum price for such casting by adding to the price at which he purchased such casting, not to exceed the maximum price of the casting under this regulation for the producer thereof, a mark-up, margin or profit determined in accordance with subparagraph (6) of this paragraph (b), and by adjusting this sum in accordance with the following subdivision (ii): *And provided further*, That the seller may, in computing his maximum price of a malleable iron casting under this paragraph, add to the maximum price of such casting which would otherwise be arrived at, an amount to compensate for the cost of overtime labor, such amount to be separately invoiced and computed in the manner set forth in paragraph (e) of this section.

[Subdivision (1) amended by Am. 3, 8 F.R. 4733, effective 4-15-43 and Am. 4, 8 F.R. 12016, effective 9-4-43]

(ii) The price arrived at by use of the pricing method shall be adjusted for all applicable customary charges, discounts, quantity differentials or other allowances in use at the particular foundry on October 15, 1941, inclusive.

[Subdivision (ii) amended by Am. 5, 8 F.R. 13737, effective 10-11-43]

(2) *Labor rates.* (i) Labor costs shall be based upon the labor rates prevailing in the foundry on October 15, 1941, for each classification of labor. If at such time average or piece rates were used, such average or piece rates must be applied, and, in computing such piece rates, the seller shall use the base hourly rates and method in effect for him on October 15, 1941.

(ii) [Revoked]

[Subdivision (ii) revoked by Am. 4, 8 F.R. 12016, effective 9-4-43]

(3) *Direct material costs.* The seller shall compute direct material costs on a basis no higher than the actual costs to him of such materials, not to exceed the applicable maximum prices thereof established by the Office of Price Administration, and, in determining whether items of material costs are direct or indirect, the seller shall employ the same classifications and criteria which he used on October 15, 1941.

(4) *Overhead (burden) rates.* The seller shall determine overhead or burden rates on the basis of labor, material and other costs, for the period from January 1 to June 30, 1942, adjusting, however, labor costs (both direct and indirect) actually incurred during such period according to the allowable labor rates as specified in subparagraph (2) of this paragraph (b). In computing and applying such overhead rates, and in determining whether items of costs are direct or indirect, the seller shall employ the identical method used on October 15, 1941, and, in particular, (i) if his method of computing overhead rates on October 15, 1941 was based in whole or in part on a normal rate of production expressed in terms of tonnage or other measure of production, he shall continue to use such method, and (ii) if his method of computing overhead rates on October 15, 1941, was based in whole

or in part on actual production expressed in terms of tonnage or other measure of production, he shall continue to use actual production factors determined by the amount of such production for the period from January 1 to June 30, 1942, inclusive.

(5) *Subcontracted machinery service costs.* To the extent that the pricing method includes or is based on prices paid for subcontracted machinery services, the seller shall use the actual prices paid or to be paid for such services, not in excess of the maximum prices established for such services by the Office of Price Administration, together with such additional charge, if any, as was in effect for such seller on October 15, 1941 for such subcontracted machinery services: *Provided*, That no overhead, mark-up margin or profit may be figured on such additional charge.

(6) *Mark-up, margin or profit.* The seller shall use the mark-up, margin or profit which he used at the foundry on October 15, 1941, for the same type or classification of castings and customers, and which has been or will be filed with the Office of Price Administration in accordance with § 1421.111.

(c) *Reports and recomputations of maximum prices of malleable iron castings priced in accordance with paragraph (b) of this section.* (1) Except as hereinafter provided, the seller is required to make one recomputation of the maximum price for a malleable iron casting priced under paragraph (b) of this section (but not under any other paragraph of this section) to determine whether his cost estimates are in accordance with his production experience (for example, the seller may have first estimated that five man-hours of molding time would be required in the production of the casting, whereas his production experience demonstrates that only four man-hours are necessary; in such a case the recomputed maximum price will be based on four man-hours of molding time rather than five). Overtime additions pursuant to paragraph (e) of this section shall not be deemed recomputations of maximum prices within the meaning of this paragraph. The recomputed maximum price shall be determined in accordance with the rates and pricing method set forth in paragraph (b) of this section and such price shall, subject to the provisions of § 1421.116 (b) (1) (ii) and § 1421.116 (e) of this regulation, thereafter be the maximum price for the casting. Only one recomputation shall be made and it shall be made by the seller in pricing the first order received after completion of the order for which the original maximum price was computed, except that the seller shall make a second recomputation if the first recomputation was made or required to be made before the seller produced one hundred molds of the casting which is being priced.

Where a second recomputation is required, it shall be made by the seller in pricing the first order received after completion of the order for which the first recomputation was made.

[Subparagraph (1) amended by Am. 6, effective 5-31-44]

(2) In any case in which a seller, in accordance with the preceding subparagraph (1) of this paragraph (c), recomputes a maximum price which is higher than the maximum price earlier estimated, he shall file a report with the appropriate Regional Office of the Office of Price Administration containing:

(i) Description of the malleable iron casting;

(ii) The maximum price prior to the price increase;

(iii) The new maximum price;

(iv) An explanation of the higher price (in terms of the pricing method and of the appropriate cost factors reflected in such pricing method): *Provided*, That if the price of the malleable iron casting previously has been reported pursuant to this subparagraph (2) without objection from the Office of Price Administration, the seller shall not be required to report subsequent sales or deliveries at the same or a lower price.

(d) *Maximum prices in lieu of those set forth in paragraph (b) for malleable iron castings which are not substantially the same as those which the seller contracted or agreed to sell between October 1 and October 15, 1941, inclusive, or as those for which prices were quoted in the seller's published price lists during such period.* Notwithstanding the provisions of paragraph (b) of this § 1421.116, where the seller contracted or agreed to sell a casting at any time before October 1, 1941, which is the same or substantially the same as the casting for which a maximum price is sought, and if such casting cannot be priced under paragraph (a) of this § 1421.116, he may if he so chooses, in lieu of determining the maximum price of such casting under paragraph (b) of this section, use as his maximum price for such casting the price at which he last contracted or agreed to sell the same or substantially the same casting before October 1, 1941, after adjusting such price in accordance with the applicable customary charges, discounts, quantity differentials and allowances in effect for him between October 1, 1941 and October 15, 1941: *Provided*, That the seller may, in computing his maximum price of a malleable iron casting under this paragraph, add to the maximum price of such casting which would otherwise be arrived at, an amount to compensate for the cost of overtime labor, such amount to be separately invoiced and computed in the manner set forth in paragraph (e) of this section: *And provided further*, That where the casting is sold or offered for sale on or after June 30, 1944, and the maximum price therefor is determined under this paragraph, the seller may not thereafter determine the maxi-

imum price for such casting under paragraph (b) of this section.

[Paragraph (d) added by Am. 2, 8 F.R. 325, effective 10-21-42 and amended by Am. 4, 8 F.R. 12016, effective 9-4-43; Am. 5, 8 F.R. 13737, effective 10-11-43; and Am. 6, effective 5-31-44]

(e) *Method of computing overtime addition permitted under paragraphs (a), (b) and (d) of this section.* The addition which may be made to compensate for the cost of overtime labor (both direct and indirect shop and clerical labor) incurred in producing malleable iron castings, as provided in paragraphs (a), (b) and (d) of this section, shall be computed¹⁰ as follows: The seller shall (1) elect to compute overtime on a calendar monthly or a calendar quarterly basis, and such election shall be final, i. e., the seller may not shift from a monthly to a quarterly basis if he has chosen a monthly basis, and vice versa (the calendar month or calendar quarter, whichever is selected, shall be referred to in this paragraph as the "period"), (2) determine the overtime premium (as used in this paragraph, the term "overtime premium" means the excess of total payments to labor incurred in producing malleable iron castings in a period above what would have been made

¹⁰ An example of the method of computing overtime labor costs in accordance with the requirements of § 1421.116 (e) is as follows: Assume that total overtime premium paid to labor involved in the production of malleable iron castings for the period immediately preceding the period in which the casting in question is priced amounts to \$1,000; that total gross sales of malleable iron castings invoiced during such preceding period were \$20,000; that the percentage increase of average straight time hourly earnings during such preceding period over average straight time hourly earnings during the payroll period immediately preceding October 15, 1941, was 10%; and that the maximum price of the casting established under paragraph (b) of § 1421.116 is \$200 without the inclusion of any overtime. Then:

(a) Total overtime premium per dollar of sales of malleable iron casting

\$1,000.00
20,000.00 = \$.05 per \$1 of sales

(b) Total overtime premium per dollar of sales of malleable iron casting reduced to reflect average straight time hourly earnings in the payroll period immediately preceding October 15, 1941.

\$0.05
110% = \$0.0455 per \$1 of sales

(c) Permissible overtime labor charge = \$200.00 × \$.0455 = \$9.10

(d) New maximum price of casting \$200.00 + \$9.10 = \$209.10

The \$9.10 charge must be shown separately on the invoice.

If the original maximum price of \$200.00 under paragraph (b) of § 1421.116 already included a charge of, say, \$4 for overtime labor cost, then:

(c) In the above example would be \$196 × \$.0455 = \$8.92

(d) In the above example would be \$196 + \$8.92 = \$204.92

[Footnote amended by Am. 6, effective 5-31-44]

for the same period if no overtime were paid) per dollar of sales of malleable iron castings for the period immediately preceding the period in which the casting in question is priced, by dividing the overtime premium during such preceding period by the total gross sales of malleable iron castings invoiced during such period, except that if the casting in question is priced within 15 days after the close of the preceding period, the next preceding period shall be used, (3) reduce such overtime premium per dollar of sales to reflect the percentage by which average straight time hourly earnings during such applicable preceding period exceed the average straight time hourly earnings during the payroll period (the time element in a "payroll period" may not be the same as that in a "period") immediately preceding October 15, 1941, and (4) apply the resultant rate in (3) to the maximum price of the casting which would otherwise be arrived at under paragraph (a), (b) or (d) of this section: *Provided however*, That before overtime labor cost, as specified in the foregoing, may be applied and added to the maximum price of a casting which would otherwise be arrived at under paragraph (b) of this section, such maximum price must be reduced to the extent that it already reflects any overtime labor costs.

[Paragraph (e) added by Am. 4, 8 F.R. 12016, effective 9-4-43; amended by Am. 6, effective 5-31-44]

§ 1421.117 [Revoked]

§ 1421.118 [Revoked]

[[§ 1421.117 and 1421.118 revoked by Am. 1, 7 F.R. 8941, effective 11-4-42]

§ 1421.119 *Appendix D.*

UNITED STATES OF AMERICA

OFFICE OF PRICE ADMINISTRATION

Regional Offices and States and Territories Covered

Region I. Boston Regional Office, 55 Tremont Street, Massachusetts, Maine, New Hampshire, Vermont, Rhode Island, and Connecticut.

Region II. New York Regional Office, Empire State Building, New York, New Jersey, Pennsylvania, Delaware, Maryland, and District of Columbia.

Region III. Cleveland Regional Office, 308 Union Commerce Building, Ohio, Michigan, Indiana, Kentucky and West Virginia.

Region IV. Atlanta Regional Office, Candler Building, Peachtree Street, Georgia, Alabama, Mississippi, Florida, Tennessee, North Carolina, South Carolina and Virginia.

Region V. Dallas Regional Office, Fidelity Union Building, Texas, Oklahoma, Louisiana, Missouri, Arkansas, and Kansas.

Region VI. Chicago Regional Office, 226 West Jackson Boulevard, Illinois, Wisconsin, Iowa, Minnesota, North Dakota, South Dakota, and Nebraska.

Region VII. Denver Regional Office, 506 Kittredge Building, Colorado, New Mexico, Utah, Idaho, Montana and Wyoming.

Region VIII. San Francisco Regional Office, 1355 Market Street, California, Nevada, Arizona, Oregon, and Washington.

Region IX. Territorial Office, Office of Price Administration, Washington, D. C., Alaska, Puerto Rico, Virgin Islands, Canal Zone, and Hawaii.

NOTE: All reporting and record-keeping requirements of this regulation have been

approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 26th day of May, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7611; Filed, May 26, 1944; 4:58 p. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS
[MPR 381, Amdt. 3]

STOCK SCREEN GOODS

Correction

In F.R. Doc. 44-6132, appearing at page 4608 of the issue for Tuesday, May 2, 1944, in the first column of Table 3, the first line of item "CC-2" should read: "CC-2 7/8" thick—4" stiles and top rail."

PART 1334—SUGAR, CONFECTIONERY, AND
SOFT DRINKS

[RPS 60, Amdt. 11]

DIRECT CONSUMPTION SUGARS

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

Section 1334.51 (c) is added to read as follows:

(c) Where the buyer is a United States Army or Navy procurement agency, sales to it by Atlantic Seaboard refiners shall be exempted from the exception in paragraph (a) (1) and the provisions of paragraph (a) (7) and the maximum prices for those sales shall be the dollar and cents maximum basis prices as set out for f. o. b. deliveries at the seller's refinery regardless of the amount of further transportation costs or the point to which the sugar may be moved.

This amendment shall become effective June 1, 1944.

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

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7684; Filed, May 27, 1944; 12:29 p. m.]

PART 1341—CANNED AND PRESERVED FRUITS
[MPR 197, Revocation]

CANNED FRUITS AND CANNED BERRIES AT
WHOLESALE AND RETAIL

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

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

¹ 7 F.R. 1320, 2132, 2510, 5664, 6787, 8928, 8949, 8948; 8 F.R. 5809, 6044, 6424, 9288, 10079.

² 7 F.R. 5989, 7403, 7738, 8944, 8948; 8 F.R. 13342.

Maximum Price Regulation No. 197 (§ 1341.151 through 1341.172) is hereby revoked subject to the provisions of Supplementary Order 40.*

This order shall become effective June 1, 1944.

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

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7682; Filed, May 27, 1944; 12:28 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW
MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING.

[MPR 129, Amdt. 20]

ENVELOPES, ETC.

Envelopes.
Paper cups and paper containers.
Sanitary closures and milk bottle caps.
Drinking straws.
Certain sulphate and certain sulphite papers.
Certain tissue papers.
Rope and jute papers.
Technical papers.
Gummed papers.
Tags, pin tickets and marking machine tickets.
Glazed and fancy papers.
Unprinted single weight crepe paper in folds.

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

Section 1347.21 is amended to read as follows:

§ 1347.21 *Petitions for amendment and applications for adjustment.* (a) Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1² issued by the Office of Price Administration.

(b) The Office of Price Administration may adjust the maximum prices established under this regulation for a seller of a commodity who shows in an application for adjustment:

(1) That such maximum price subjects him to substantial hardship, and that either

(2) Continuation of the seller's production of the commodity is required to meet a military or essential civilian need, or

(3) Loss of the seller's production of the commodity will force his customers to resort to higher priced sources of supply, and that no adequate substitute of the commodity is available to his customers at a price equal to or lower than the adjusted maximum price which he requests.

¹ 7 F.R. 3178, 3242, 3482, 3554, 4176, 4668, 5172, 5780, 5943, 7974, 8939, 8948, 9131, 9724, 10152, 10812; 8 F.R. 1389, 2237, 4635, 11809, 12559.

² 7 F.R. 9861; 8 F.R. 3313, 3533, 6173.

³ 8 F.R. 4325.

Applications for adjustment under this paragraph are to be filed in accordance with the provisions of Revised Procedural Regulation No. 1.

This amendment No. 20 to Maximum Price Regulation No. 129 shall become effective June 1, 1944.

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

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7686; Filed, May 27, 1944;
12:30 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 225,¹ Amdt. 12]

PRINTING AND PRINTED PAPER COMMODITIES

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

Maximum Price Regulation No. 225 is amended in the following respects:

1. Section 1347.469, paragraph (a) is amended to read as follows:

(a) The Office of Price Administration, any Regional Administrator or any District Director as may be authorized by order issued by the appropriate Regional Administrator may adjust the maximum price established by this Maximum Price Regulation No. 225 in the case of any seller or group of sellers whenever it can be established that a seller or group of sellers is unable to deliver or supply such commodity or service at the existing maximum price and that either:

(1) The supply of this commodity or service is required to meet military or essential civilian needs; or

(2) The loss of the supply of this commodity or service will force purchasers to resort to higher priced sources of supply, and that no adequate substitute for this commodity or service is available at a price equal to or lower than the requested maximum price.

Any Regional Administrator may at his discretion direct any District Director located within his region to perform any or all of the responsibilities delegated to such Regional Administrator under this § 1347.469.

2. Section 1347.469, paragraph (c) is amended to read as follows:

(c) Applications for adjustment shall be filed in accordance with subpart B of Revised Procedural Regulation No. 1² issued by the Office of Price Administration.

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

¹ 8 F.R. 4181, 7382, 10983, 12660, 15456.
² 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806; 9 F.R. 1594, 3075.

3. Section 1347.469, paragraph (d) is added to read as follows:

(d) No application for adjustment filed after June 1, 1944, under Procedural Regulation No. 6³ with respect to commodities and services covered by this regulation will be granted.

This amendment shall become effective June 1, 1944.

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

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7677; Filed, May 27, 1944;
12:27 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 450,¹ Amdt. 2]

WRITING PAPER AND CERTAIN OTHER FINE PAPERS

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

Maximum Price Regulation No. 450 is amended in the following respect:

1. Section 12 (a) is amended to read as follows:

(a) *When adjustments may be granted.* The Office of Price Administration may adjust the maximum price for any grade of paper covered by this regulation in any case in which it finds that the seller is unable to maintain his production of that grade at that price and that either:

(1) Continuance of the seller's production of that grade is required to meet a military or essential civilian need, or

(2) Loss of the seller's production of that grade will force his customers to resort to higher priced sources of supply, and that no adequate substitute for that grade is available to his customers at a price equal to or lower than the adjusted maximum price which he requests.

This amendment shall become effective June 1, 1944.

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

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7675; Filed, May 27, 1944;
12:26 p. m.]

¹ 8 F.R. 3096, 3849, 4347, 4486, 4724, 4848, 4978, 6047, 8962, 8511, 9025.

² 7 F.R. 5087, 5665; 8 F.R. 6173, 6174, 12024.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 451,¹ Amdt. 3]

BOOK PAPER

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

Maximum Price Regulation No. 451 is amended in the following respect:

1. Section 12 (a) is amended to read as follows:

(a) *When adjustments may be granted.* The Office of Price Administration may adjust the maximum price for any grade of paper covered by this regulation in any case in which it finds that the seller is unable to maintain his production of that grade at that price and that either:

(1) Continuance of the seller's production of that grade is required to meet a military or essential civilian need, or

(2) Loss of the seller's production of that grade will force his customers to resort to higher priced sources of supply, and that no adequate substitute for that grade is available to his customers at a price equal to or lower than the adjusted maximum price which he requests.

This amendment shall become effective June 1, 1944.

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

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7678; Filed, May 27, 1944;
12:27 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 285,² Amdt. 8]

IMPORTED FRESH BANANAS, SALES EXCEPT AT RETAIL

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

Section 1351.1254a (c) is added to read as follows:

The Regional Administrator in Region I, or such district director within Region I as he may in turn authorize, may adjust upward the maximum price of any wholesaler or group of wholesalers within his jurisdiction, not to exceed 35¢ per cwt., to cover the cost of hauling bananas from any point to such wholesalers' ripening rooms or other place of business, regardless of whether such hauling would otherwise constitute local hauling. However, no such adjustment shall be

¹ 8 F.R. 3096, 3849, 4347, 4486, 4724, 4848, 4978, 6047, 8962, 8511, 9025.

² 8 F.R. 3050, 10659, 16629; 9 F.R. 219, 1121, 3038, 4016.

made in any case or in any manner which will cause an increase in the price of bananas at retail.

This amendment shall become effective June 1, 1944.

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

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7681; Filed, May 27, 1944;
12:28 p. m.]

PART 1367—FERTILIZERS

[2d Rev. MPR 135,¹ Amdt. 2]

MIXED FERTILIZER, SUPERPHOSPHATE AND POTASH

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.*

A new paragraph is added to 2d Revised MPR 135 immediately preceding Schedule A in Article III to read as follows:

The provisions of Schedules O, P and Q shall not be applicable to sales and deliveries of superphosphate or triple superphosphate in the States covered by these schedules when such superphosphate or triple superphosphate has been produced east of the 100th meridian. The maximum cash prices for such superphosphate or triple superphosphate in these states shall be \$37.50 per ton for 20% superphosphate and \$58.00 per ton for 47% triple superphosphate for delivery in paper bags in carload lots f. o. b. buyer's nearest railway siding on direct shipments from production points or f. o. b. plant or warehouse in such states where the buyer will not accept direct shipment. For increases or decreases in available phosphoric acid in such superphosphate or triple superphosphate, there may be added or deducted \$1.00 per ton for each 1% of phosphoric acid over or under the 20% superphosphate or 47% triple superphosphate. On deliveries in bulk there shall be deducted from the prices as determined above \$3.00 per ton. Every person selling this material to purchasers in these states shall certify on the invoice that the material was produced east of the 100th meridian.

This amendment shall become effective June 1, 1944.

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7679; Filed, May 27, 1944;
12:28 p. m.]

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

¹ 9 F.R. 288.

PART 1386—SOAPS AND GLYCERINE

[MPR 390,¹ Amdt. 5]

HOUSEHOLD SOAPS AND CLEANSERS SOLD BY RETAIL FOOD STORES

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. 390 is amended in the following respects:

1. Section 3 is amended as follows:

a. Paragraph (c) is redesignated paragraph (d) and the following heading inserted prior to the first sentence thereof: "New size packs."

b. A new paragraph (c) is inserted as follows:

(c) *Reclassification of store groups.* Effective May 25, 1944, this regulation requires that the year 1943 be used for figuring your "annual gross sales" instead of the year 1942. If you find that as a result of that change, your store is now in a group different from the one it was in before, you must, after June 15, 1944, use the ceiling prices fixed for the group in which you are now classified.

2. Section 11 is amended to read as follows:

SEC. 11. *How you figure the annual gross sales of your store in most cases.* (a) To find your "annual gross sales," take your total sales for the calendar year 1943, including all sales whether of foods or not, as shown on your books (except sales made by restaurants operated in conjunction with your store). You can use your Federal Income Tax Return to get your gross sales for all or any part of the calendar year 1943 which is covered by such return. If you own more than one store, figure the sales for each store separately, treating each as a separate retailer.

(b) If you were not in operation during the entire year 1943, you must divide your total gross sales from the time you began operation up to May 25, 1944 by the number of weeks you were in operation. This will give you your weekly average gross sales. Multiply this figure by 52 and the result is your "annual gross sales."

3. The first sentence in section 13 (a) is amended to read as follows:

(a) If you open an "independent" retail food store on or after May 25, 1944, you may consider your store to be in Group 1 and figure your selling prices accordingly.

4. The first sentence in section 13 (b) is amended to read as follows:

(b) If you open a "chain" retail food store on or after May 25, 1944, you may consider your store to be in Group 3 and figure your selling prices accordingly.

¹ 8 F.R. 6428, 9847, 9380, 13499; 9 F.R. 4440.

5. The first sentence in section 16 (c) is amended to read as follows:

(c) *Adjustment provision for Group 3 or 4 stores.* On or before June 24, 1944, any retail food store in Group 3 or 4 which is subject to this regulation may apply to its appropriate state or district office of the Office of Price Administration for an adjustment of its established maximum price for any household soap or cleanser to the price established for such household soap or cleanser for Group 1 stores.

6. The first sentence in section 16 (d) is amended to read as follows:

(d) *Adjustment provision for Group 3 or 4 stores in Region VII.* On or before June 24, 1944, any retail food store in Region VII of the Office of Price Administration which is subject to this regulation as a Group 3 or 4 store may apply to the appropriate regional office or any district office so authorized by its regional office for an adjustment of its established maximum price for any listed household soap or cleanser to the price established for such household soap or cleanser for Group 2 stores.

7. Section 16 (e) is amended to read as follows:

(e) *Delegation of authority to make adjustments.* Any regional office of the Office of Price Administration, or such offices as may be authorized by order issued by the appropriate regional office, may act on all applications for adjustment under the provisions of this regulation, and may deny any application filed under paragraph (c) of this section or revoke any order granting adjustment under that paragraph if denial of such application would not cause the applicant a substantial financial hardship. Applications for adjustment are governed by Revised Procedural Regulation No. 1.

This amendment shall become effective as of May 25, 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 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7610; Filed, May 26, 1944;
4:58 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,¹ Amdt. 11]

FUEL OIL

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

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5707 (b) (1) is amended by adding thereto the following:

¹ 9 F.R. 2357, 3353, 4350, 4391, 4874, 5165, 5219, 5253.

"However, beginning June 1, 1944, a primary supplier within the limitation area may accept such a transfer only if he furnishes to the person making the transfer at the time or in advance of the transfer his permanent registration number assigned by the Washington Office, or if that number has not been received, the temporary registration number assigned by the Board."

2. Section 1394.5732 (e) is amended by changing the phrase "dealers and primary suppliers" to read "dealers, primary suppliers and those persons required to report pursuant to § 1394.5736," and by inserting between the parenthetical phrase "(summary of coupons)," and the word "and" the following: "\$1394.5736 (records to be kept by persons shipping fuel oil into the limitation area)."

3. Section 1394.5736 is added to read as follows:

§ 1394.5736 *Reports by persons shipping fuel oil into the limitation area.*

(a) Any person who (other than as a common or contract carrier) delivers fuel oil by direct shipment from a place in the continental United States without the limitation area to a person within the limitation area and any person who, at a place in the continental United States without the area, delivers fuel oil to a person for transportation (other than as a common or contract carrier) to a place within the area (if he is not required by § 1394.5731 to report such a transfer in a primary supplier monthly report (OPA Form R-1119 Revised)) shall, on or before the 25th day of each month, commencing on the 25th day of July, 1944, file a written report covering all such transfers of fuel oil which occurred during the preceding month. The report shall be forwarded to the Office of Price Administration, Control and Audit Section, Fuel Oil Rationing Branch, Washington 25, D. C., and shall contain:

(1) His firm name and business address and if he is a primary supplier, his primary supplier registration number;

(2) The period covered by the report;

(3) The firm name and business address (and primary supplier registration number, if any) of each person to whom such a delivery of fuel oil was made. If the fuel oil was delivered for the account of another person (whether within or without the limitation area), the report shall include, in addition, his name and business address (and primary supplier registration number, if any); and

(4) The total gallonage of the fuel oil so transferred to each such transferee.

(b) All records on the basis of which the report required by paragraph (a) of this section is prepared shall be retained at the place of business of the person reporting for a period of at least 2 years from the date of the transfer.

This amendment shall become effective on May 27, 1944.

NOTE: All reporting and record keeping requirements of this amendment to Revised Ration Order 11 have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942. (Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong., Pub.

Law 421, 77th Cong.; WPB Directive 1, 7 F.R. 562, Supp. Dir. 1-O, as amended, 8 F.R. 14199; E.O. 9125, 7 F.R. 2719)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7676; Filed, May 27, 1944;
12:26 p. m.]

PART 1404—RATIONING OF FOOTWEAR

[RO. 17,² Amdt. 61]

SHOES

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

Ration Order 17 is amended in the following respects:

1. Section 2.11 (a) (15) is amended to read as follows:

(15) Shoes constructed to be worn over another shoe, which are shipped from the factory before July 15, 1944.

2. Section 2.11 (a) (19) is added to read as follows:

(19) Shoes which contain no leather other than shearling.

3. The second sentence of section 2.11 (g) (2) is amended to read as follows: "Only one application may be made unless the District Office, in its discretion, otherwise permits and no application may be filed after June 30, 1944."

4. The second sentence of section 2.18 (a) is amended to read as follows: "Manufacturers shall mark on one shoe of each pair of women's plastic or fibre box toe safety shoes which is shipped from the factory after May 15, 1944, and on one shoe of each pair of the type specified in section 2.11 (a) (15) (unless it contains no leather other than shearling) which is shipped from the factory after July 14, 1944, the month and year in which the shoe is shipped.

The amendment shall become effective June 3, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-T, 8 F.R. 1727, 7440; E.O. 9125, 7 F.R. 2719)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7685; Filed, May 27, 1944;
12:30 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,² Amdt. 20]

SUGAR

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

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

¹ 8 F.R. 15839, 16605, 16996; 9 F.R. 92, 573, 764, 2232, 2656, 2947, 2829, 3340, 3944.

² 9 F.R. 1433, 1534, 2233.

Revised Ration Order 3 is amended in the following respects:

1. Section 1407.76 (b) (2), (3), and (4) are redesignated § 1407.76 (b) (3), (4), and (5), respectively.

2. Section 1407.76 (b) (2) is added to read as follows:

(2) That the consumers included in the application do not eat at a Group IV institutional user establishment;

This amendment shall become effective May 31, 1944.

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

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7680; Filed, May 27, 1944;
12:28 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,¹ Amdt. 31 to Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (b) (2) and (f) (1) are amended by deleting the word "lard."

This amendment shall become effective May 25, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 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, 9 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 25th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7540; Filed, May 25, 1944;
4:10 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 496,² Amdt. 4]

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.*

Section 12 is amended to read as follows:

SEC. 12. *Adjustable pricing.* (a) Any person may agree to sell at a price which

¹ 8 F.R. 16834, 16839, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2007, 2091, 2477, 2553, 2789, 2830.

² 8 F.R. 16210; 9 F.R. 1716, 3094.

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.

(b) Notwithstanding any other provision of this regulation, any commercial grower of vegetable seeds whose purchase price is frozen under section 5 of this regulation below the prevailing maximum purchase price of other commercial growers in the same producing area, and as a result of such freeze is unable to obtain an adequate acreage of vegetable seeds may, upon application to the Seeds and Rice Section of the Office of Price Administration, Washington, D. C., obtain permission to increase his maximum purchase price up to an amount not exceeding said prevailing maximum purchase price. Said application shall be filed in accordance with Revised Procedural Regulation No. 1, and shall state the producing area in question, the prevailing maximum purchase price therein, the applicant's maximum purchase price therein, the total acreage last contracted for by the applicant in said producing area, the total acreage he wishes to contract for, and that the applicant will absorb the amount by which he is permitted to increase his maximum purchase price.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9350, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

Approved: May 19, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-7683; Filed, May 27, 1944; 12:29 p. m.]

PART 1499—COMMODITIES AND SERVICES
[SR 15¹ to GMPR, Amdt. 25]

FACIAL TISSUE AND PAPER NAPKINS

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

¹ 7 F.R. 8959, 9819, 10584, 11006; 8 F.R. 1201, 6443, 8614, 9026, 11873, 13255, 13396, 13724, 15197, 16298, 16791, 17228.

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

Supplementary Regulation No. 15 to the General Maximum Price Regulation is amended in the following respects:

Section 1499.75 (a) (16) is added to read as follows:

(16) *Facial tissue and paper napkins.* The Office of Price Administration may adjust the maximum prices established under the General Maximum Price Regulation for any producer of facial tissue or paper napkins who shows in an application for adjustment:

(i) That such maximum price subjects him to substantial hardship, and that either

(ii) Continuance of the seller's production of facial tissue or paper napkins is required to meet a military or essential civilian need, or

(iii) Loss of the seller's production of facial tissue or paper napkins will force his customers to resort to higher priced sources of supply, and that no adequate substitute for the product is available to his customers at a price equal to or lower than the adjusted maximum price which he requests.

Applications for adjustment under this subparagraph are to be filed in accordance with the provisions of Revised Procedural Regulation No. 1.²

This amendment shall become effective June 1, 1944.

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

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7687; Filed, May 27, 1944; 12:30 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses,¹ Amdt. 20]

FRESNO, CALIF., ETC.

Items 27a, 55b, 63a, 74a, 78a, 114b, 120a, 126a, 139a, 292a, 324a, and 216a are added to Schedule A of the Rent Regulation for Hotels and Rooming Houses and items 191 and 257 in the said Schedule A are amended to read as follows:

Name of defense-rental area	State	County or counties in defense-rental area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(27a) Fresno.....	California.....	Fresno.....	Jan. 1, 1944	June 1, 1944	July 15, 1944
(55b) Fort Myers.....	Florida.....	Lee.....	Mar. 1, 1943	do.....	Do.
(63a) St. Augustine.....	do.....	St. Johns.....	do.....	do.....	Do.
(74a) Dublin.....	Georgia.....	Laurens.....	July 1, 1943	do.....	Do.
(78a) Thomasville.....	do.....	Thomas County and those portions of the towns of Pavo and Barwick in Brooks County and that portion of the town of Meigs in Mitchell County.	Mar. 1, 1943	do.....	Do.
(114b) Sioux City.....	Iowa.....	Woodbury.....	July 1, 1943	do.....	Do.
(120a) Pratt.....	Nebraska.....	Dakota.....	do.....	do.....	Do.
(126a) Owensboro.....	Kansas.....	Pratt.....	Mar. 1, 1943	do.....	Do.
(139a) Frederick.....	Kentucky.....	Daviess.....	do.....	do.....	Do.
(292a) Lenoir City.....	Maryland.....	Frederick.....	July 1, 1943	do.....	Do.
(324a) Matagorda Bay.....	Tennessee.....	Loudon.....	Mar. 1, 1943	do.....	Do.
	Texas.....	Calhoun, Jackson, and Matagorda.	Jan. 1, 1943	do.....	Do.
(191) Trenton.....	New Jersey.....	Warren.....	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	do.....	Hunterdon and Mercer County of Gullford other than High Point Township.	do.....	Nov. 1, 1942	Dec. 16, 1942
(216a) Greensboro ¹	North Carolina.....	County of Gullford other than High Point Township.	July 1, 1943	June 1, 1944	July 15, 1944
(257) Allentown-Bethlehem.	Pennsylvania.....	Lehigh and Northampton.	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942

¹ This regulation is applicable only to that portion of the defense-rental area set forth in the third column of this Schedule A.

This amendment shall become effective June 1, 1944.

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

(56 Stat. 23, 765)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7714; Filed, May 27, 1944; 4:47 p. m.]

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

² 9 F.R. 2165, 3231, 3421, 4194, 4541.

³ 7 F.R. 8961; 8 F.R. 3313, 3533, 6173.

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing, Incl. Amdts 1-23]

This compilation of Rent Regulation for Housing includes Amendment 23, effective June 1, 1944. The items added or amended by Amendment 23 are indicated by note.

§ 1388.1181 *Rent Regulation for Housing.* The Rent Regulation for Housing is annexed hereto and made a part hereof.

RENT REGULATION FOR HOUSING
CONTENTS

Sec.

1. Scope of this regulation.
2. Prohibition against higher than maximum rents.
3. Minimum services, furniture, furnishings and equipment.
4. Maximum rents.
5. Adjustments and other determinations.
6. Removal of tenant.
7. Registration.
8. Inspection.
9. Evasion.
10. Enforcement.
11. Procedure.
12. Petitions for amendment.
13. Definitions.
Schedule A.

AUTHORITY: § 1388.1181 issued under 56 Stat. 23, 765.

SECTION 1. *Scope of this regulation—*

(a) *Housing and defense-rental areas to which this regulation applies.* This regulation applies to all housing accommodations within each of the defense-rental areas and each of the portions of a defense-rental area (each of which is referred to hereinafter in this regulation as the "defense-rental area"), which are listed in Schedule A of this regulation, except as provided in paragraph (b) of this section.

In Schedule A, "the maximum rent date" and "the effective date of regulation" is given for each defense-rental area listed. More than one effective date is given for different portions of a defense-rental area where the same effective date is not applicable to the entire defense-rental area. Wherever the words "the maximum rent date" or the words "the effective date of regulation" are referred to in this regulation, the dates given in Schedule A for the particular defense-rental area or portion of the defense-rental area in which the housing accommodations are located shall apply. The effective date listed in Schedule A in each instance is the date rent regulation was effective in the particular defense-rental area or portion of the defense-rental area.

(b) *Housing to which this regulation does not apply.* This regulation does not apply to the following:

(1) *Farming tenants.* Housing accommodations situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon.

(2) *Service employees.* Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part.

(3) *Rooms in hotels, rooming houses, etc.* Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that regulation.

(4) *Structures in which more than 25 rooms are rented or offered for rent.* Entire structures or premises wherein more than 25 rooms are rented or offered for rent by any lessee, sublessee or other tenant of such entire structure or premises: *Provided,* That this regulation does apply to entire structures or premises wherein 25 or less rooms are rented or offered for rent by any lessee, sublessee or other tenant of such entire structure or premises, whether or not used by the lessee, sublessee or other tenant as a hotel or rooming house: *And provided further,* That this regulation does apply to an underlying lease of any entire structure or premises which was entered into after the maximum rent date and prior to the effective date of regulation, while such lease remains in force with no power in the tenant to cancel or otherwise terminate the lease.

(5) *Rented to National Housing Agency.* Housing accommodations rented to the United States acting by the National Housing Agency: *Provided, however,* That this regulation does apply to a sublease or other subrenting of such accommodations or any part thereof.

(6) *Resort housing.* Housing accommodations located in a resort community and customarily rented or occupied on a seasonal basis, which were not rented during any portion of the period beginning on November 1, 1943 and ending on February 29, 1944.

The exemption provided by this paragraph (b) (6) shall be effective only from June 1, 1944 to September 30, 1944, inclusive.

[Subparagraph (6) amended by Am. 17, 9 F.R. 2176, effective 2-24-44]

(c) *Effect of this regulation on leases and other rental agreements.* The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with this regulation.

(d) *Waiver of benefit void.* An agreement by the tenant to waive the benefit of any provision of this regulation is void. A tenant shall not be entitled by reason of this regulation to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of regulation.

SEC. 2. *Prohibition against higher than maximum rents—*(a) *General prohibition.* Regardless of any contract, agreement, lease, or other obligation heretofore or hereafter entered into, no person shall demand or receive any rent for use or occupancy on and after the effective date of regulation of any housing accommodations within the Defense-Rental Area higher than the maximum rents provided by this regulation; and no person shall offer, solicit, attempt, or agree to do any of the foregoing. Lower rents than those provided by this regulation may be demanded or received.

(b) *Exception in case of conversion of fuel oil heating units.* Notwithstanding any other provision of this regulation, where housing accommodations are heated with fuel oil the landlord of such accommodations may as hereinafter provided enter into an agreement with the tenant providing for payment by the tenant of part or all of the cost of changing the heating unit to use some fuel other than oil or of installing a new heating unit using some fuel other than oil. Prior to making such agreement the landlord shall in writing report the terms of the proposed agreement to the area rent office. The landlord may enter into the agreement either upon its approval by the Administrator or, unless the Administrator has disapproved the proposed agreement within five days after the filing of such report, upon the expiration of such 5-day period.

(c) *Lease with option to buy.* Where a lease of housing accommodations was entered into prior to the effective date of regulation (or prior to October 20, 1942 where the effective date of regulation is prior to that date) and the tenant as a part of such lease or in connection therewith was granted an option to buy the housing accommodations which were the subject of the lease, with the further provision that some or all of the payments made under the lease should be credited toward the purchase price in the event such option is exercised, the landlord, notwithstanding any other provision of this regulation, may be authorized to receive payment made by the tenant in accordance with the provisions of such lease and in excess of the maximum rent for such housing accommodations. Such authority may be secured only by a written request of the tenant to the area rent office and shall be granted by order of the Administrator if he finds that such payments in excess of the maximum rent will not be inconsistent with the purposes of the Act or this regulation and would not be likely to result in the circumvention or evasion thereof. After entry of such order the landlord shall be authorized to demand, receive and retain payments provided by the lease in excess of the maximum rent for periods commencing on or after the effective date of regulation. After entry of such order, the provisions of the lease may be enforced in accordance with law, notwithstanding any other provision of

this regulation: *Provided, however*, That if at the termination of the lease the tenant shall not exercise the option to buy, the landlord may thereafter remove or evict the tenant only in accordance with the provisions of section 6 of this regulation. Nothing in this paragraph shall be construed to authorize the landlord to demand or receive payments in excess of the maximum rent in the absence of an order of the Administrator as herein provided. Where a lease of housing accommodations has been entered into on or after the effective date of regulation (or on or after October 20, 1942 where the effective date of regulation is prior to that date), and the tenant as a part of such lease or in connection therewith has been granted an option to buy the housing accommodations which are the subject of the lease, the landlord, prior to the exercise by the tenant of the option to buy, shall not demand or receive payments in excess of the maximum rent, whether or not such lease allocates some portion or portions of the periodic payments therein provided as payments on or for the option to buy.

SEC. 3. Minimum services, furniture, furnishing and equipment. Except as set forth in section 5 (b), every landlord shall, as a minimum, provide with housing accommodations the same essential services, furniture, furnishings, and equipment as those provided on the date determining the maximum rent, and as to other services, furniture, furnishings and equipment not substantially less than those provided on such date: *Provided, however*, That where fuel oil is used to supply heat or hot water for housing accommodations, and the landlord provided heat or hot water on the date determining the maximum rent, the heat and hot water which the landlord is required to supply shall not be in excess of the amount which he can supply under any statute, regulation or order of the United States or any agency thereof which rations or limits the use of fuel oil.

SEC. 4. Maximum rents. Maximum rents (unless and until changed by the Administrator as provided in section 5) shall be:

(a) *Rented on maximum rent date.* For housing accommodations rented on the maximum rent date, the rent for such accommodations on that date.

(b) *Not rented on maximum rent date but rented during two months ending on that date.* For housing accommodations not rented on the maximum rent date, but rented at any time during the two months ending on that date, the last rent for such accommodations during the two-month period.

(c) *First rent after the maximum rent date but before effective date.* For housing accommodations not rented on the maximum rent date nor during the two months ending on that date, but rented prior to the effective date of regulation, the first rent for such accommodations after the maximum rent date. The Ad-

ministrator may order a decrease in the maximum rent as provided in section 5 (c).

(d) *Constructed or changed before effective date.* For (1) newly constructed housing accommodations without priority rating first rented after the maximum rent date and before the effective date of regulation, or (2) housing accommodations changed between those dates so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations changed between those dates from unfurnished to fully furnished, or from fully furnished to unfurnished, or (4) housing accommodations substantially changed between those dates by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, the first rent for such accommodations after such construction or change: *Provided, however*, That, where such first rent was fixed by a lease which was in force at the time of a major capital improvement, the maximum rent shall be the first rent after termination of such lease. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(e) *First rent after effective date.* For (1) newly constructed housing accommodations without priority rating first rented on or after the effective date of regulation, or (2) housing accommodations changed on or after such effective date so as to result in an increase or decrease of the number of dwelling units in such housing accommodations, or (3) housing accommodations not rented at any time during the two months ending on the maximum rent date nor between that date and the effective date, the first rent for such accommodations after the change or the effective date, as the case may be, but in no event more than the maximum rent provided for such accommodations by any order of the Administrator issued prior to September 22, 1942. Within 30 days after so renting the landlord shall register the accommodations as provided in section 7. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

If the landlord fails to file a registration statement within the time specified, the rent received for any rental period commencing on or after the date of the first renting or October 1, 1943, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under section 5 (c) (1). In such case, the order under section 5 (c) (1) shall be effective to decrease the maximum rent from the date of such first renting or from the beginning of the first rental period after October 1, 1943, whichever is the later. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the act for failure to file the registration statement required by section 7.

[Above paragraph added by Am. 9, 8 F.R. 13390, effective 10-1-43]

(f) *Priority-constructed housing.* For housing accommodations newly constructed with priority rating from the United States or any agency thereof for which the rent is approved by the United States or any agency thereof prior to the maximum rent date or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, the rent so approved, but in no event more than the rent on the maximum rent date, or, if the accommodations were not rented on that date, more than the first rent after that date: *Provided, however*, That if, prior to the maximum rent date or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, the landlord made a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and a higher rent is approved by such agency on or after March 29, 1944, because of such increased costs of construction, the maximum rent on and after the date of such approval shall be the rent so approved.

The provisions of this paragraph (f) shall apply to the approval of rents for such housing accommodations by the United States or any agency thereof in connection with the grant of an application for priority rating filed on any of the application forms of the Office of Production Management or the War Production Board, including the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941.

The provisions of this paragraph (f) shall not apply to housing accommodations resulting from the alteration or remodeling of an existing structure.

[Paragraph (f) amended by Am. 20, 9 F.R. 3422, effective 3-29-44; and Am. 21, 9 F.R. 4028, effective 4-15-44]

(g) *Housing owned and constructed by the government.* For housing accommodations constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State or any of its political subdivisions, and owned by any of the foregoing, the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date, as determined by the owner of such accommodations: *Provided, however*, That any corporation formed under the laws of a State shall not be considered an agency of the United States within the meaning of this paragraph. The Administrator may order a decrease in the maximum rent as provided in section 5 (c).

(h) *Housing subject to rent schedule of War or Navy Department.* For housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or

Navy Department, the rents established by such rent schedule.

[Paragraph (h) amended by Am. 8, 8 F.R. 12795, effective 9-20-43]

(i) *Rent established under former section 5 (e).* For housing accommodations with a maximum rent established, prior to March 1, 1943, under the first paragraph of section 5 (e) as that paragraph appeared in Maximum Rent Regulations issued prior to such date,² the rent on March 1, 1943, or, if the accommodations were not rented on that date, the last rent prior thereto, but in no event more than the maximum rent established under such first paragraph of section 5 (e). The Administrator may order a decrease in the maximum rent as provided in section 5 (c) (8).

(j) *Changed on or after July 1, 1943, from unfurnished to furnished.* For housing accommodations changed on or after July 1, 1943 from unfurnished to fully furnished, the first rent for such accommodations after such change. The Administrator may order a decrease in the maximum rent as provided in section 5 (c) (1).

Within 30 days after the accommodations are first rented fully furnished, the landlord shall register the accommodations as provided in section 7. If the landlord fails to file a registration statement within the time specified, the rent received from the time of such first renting shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order under section 5 (c) (1). In such case, the order under section 5 (c) (1) shall be effective to decrease the maximum rent from the time of such first renting. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the Act for failure to file the registration statement required by section 7.

[Paragraph (j) added by Am. 2, 8 F.R. 9020, effective 7-1-43]

SEC. 5. Adjustments and other determinations. In the circumstances enumerated in this section, the Administrator may issue an order changing the maximum rents otherwise allowable or the minimum services required.

In those cases involving a major capital improvement, an increase or decrease in the furniture, furnishings or equipment, an increase or decrease of services, an increase or decrease in the number of subtenants or other occupants, or a de-

²The first paragraph of section 5 (e) read as follows: "Where, at the expiration or other termination of an underlying lease or other rental agreement, housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant, the landlord may rent the entire premises for use by similar occupancy for a rent not in excess of the aggregate maximum rents of the separate dwelling units, or may rent the separate dwelling units for rents not in excess of the maximum rents applicable to such units."

terioration, the adjustment in the maximum rent shall be the amount the Administrator finds would have been on the maximum rent date, the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date determining the maximum rent was fixed in contemplation of and so as to reflect such change.

In all other cases, except those under paragraphs (a) (7) and (c) (6) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date: *Provided,* That in cases under paragraph (c) (8) of this section due consideration shall be given to any increased occupancy of the accommodations since that date by subtenants or other persons occupying under a rental agreement with the tenant.

In cases involving construction, due consideration shall be given to general increases in costs of construction, if any, in the defense-rental area since the maximum rent date.

In cases under paragraphs (a) (7) and (c) (6) of this section the adjustment shall be on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations during the year ending on the maximum rent date.

[Above paragraphs amended by Am. 20, 9 F.R. 3422, effective 3-29-44]

(a) *Grounds for increase of maximum rent.* Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable, only on the grounds that:

(1) *Major capital improvement after effective date.* There has been on or after the effective date of regulation a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.

(2) *Major capital improvement prior to maximum rent date.* There was, on or prior to the maximum rent date, a substantial change in the housing accommodations by a major capital improvement as distinguished from ordinary repair, replacement and maintenance, and the rent on the maximum rent date was fixed by a lease or other rental agreement which was in force at the time of such change.

(3) *Substantial increase in services, furniture, furnishings or equipment.* There has been a substantial increase in the services, furniture, furnishings or equipment provided with the housing accommodations since the date or order determining its maximum rent. No increase in the maximum rent shall be ordered on the ground set forth in this paragraph (a) (3) unless the increase in services, furniture, furnishings or equipment occurred with the consent of the

tenant or while the accommodations were vacant: *Provided,* That an adjustment may be ordered, although the tenant refuses to consent to the increase in services, furniture, furnishings or equipment, if the Administrator finds that such increase (i) is reasonably required for the operation of a multiple dwelling structure or other structure of which the accommodations are a part or (ii) is necessary for the preservation or maintenance of the accommodations.

(4) *Special relationship between landlord and tenant.* The rent on the date determining the maximum rent was materially affected by the blood, personal or other special relationship between the landlord and the tenant and as a result was substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date: *Provided,* That no adjustment under this subparagraph increasing the maximum rent shall be made effective with respect to any accommodations regularly rented to employees of the landlord while the accommodations are rented to an employee, and no petition for such an adjustment will be entertained until the accommodations have been or are about to be rented to one other than an employee.

(5) *Lease for term commencing one year or more before maximum rent date.* There was in force on the maximum rent date, a written lease, for a term commencing on or prior to the date one year before the maximum rent date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date; or the housing accommodations were not rented on the maximum rent date, but were rented during the two months ending on that date and the last rent for such accommodations during that two-month period was fixed by a written lease, for a term commencing on or prior to the date one year before the maximum rent date, requiring a rent substantially lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date.

(6) *Varying rents.* The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially higher rent at other periods during the term of such lease or agreement.

(7) *Seasonal rents.* The rent on the date determining the maximum rent was substantially lower than at other times of year by reason of seasonal demand, or seasonal variations in the rent, for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(8) *Substantial increase in occupancy.* There has been, since the maximum rent date, either (i) a substantial increase in the number of subtenants or other per-

sons occupying the accommodations or a part thereof under a rental agreement with the tenant, or (ii) a substantial increase in the number of occupants, in excess of normal occupancy for that class of accommodations on the maximum rent date, or (iii) an increase in the number of occupants over the number contemplated by the rental agreement on the date determining the maximum rent, where the landlord on that date had a regular and definite practice of fixing different rents for the accommodations for different numbers of occupants.

(9) On the date determining the maximum rent the housing accommodations were temporarily exempt from real estate taxes, the landlord was passing the benefit of this tax exemption on to the tenant, and as a result the rent on that date was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

[Paragraph (9) added by Am. 6, 8 F.R. 12660, effective 9-15-43]

(10) *Priority rating granted on September 1941 application form of Office of Production Management.* The maximum rent for the housing accommodations is established under section 4 (f), the application for priority rating for the construction of the housing accommodations was filed on the September 1941 form in use by the Office of Production Management prior to the revision of this form on December 15, 1941, the landlord did not make, prior to the maximum rent date or, if the accommodations were not rented on that date, prior to the first renting of the accommodations after that date, a written request to the appropriate agency of the United States to approve a higher rent than the rent initially approved because of increased costs of construction, and the maximum rent for the accommodations is substantially lower than the rent generally prevailing in the defense-rental area for comparable accommodations on the maximum rent date, giving due consideration to general increases in costs of construction, if any, in the defense-rental area since the maximum rent date.

This paragraph (a) (10) shall apply only to housing accommodations which were first rented prior to March 29, 1944.

[Subparagraph (10) added by Am. 20, 9 F.R. 3422, effective 3-29-44; and amended by Am. 21, 9 F.R. 4028, effective 4-15-44]

(b) *Decreases in minimum services, furniture, furnishings and equipment—*

(1) *Decreases prior to effective date.* If, on the effective date of regulation, the services provided for housing accommodations are less than the minimum services required by section 3, the landlord shall either restore and maintain such minimum services or, within 30 days (or, for housing accommodations within the Los Angeles Defense-Rental Area, within 60 days) after such effective date, file a petition requesting approval of the decreased services. If, on such effective date (or on December 1, 1942 where the effective date of regulation is prior to that date), the furniture, furnishings or equipment provided with housing ac-

commodations are less than the minimum required by section 3, the landlord shall, within 30 days after such date, file a written report showing the decrease in furniture, furnishings or equipment.

(2) *Decreases after effective date.* Except as above provided, the landlord shall, until the accommodations become vacant, maintain the minimum services, furniture, furnishings, and equipment unless and until he has filed a petition to decrease the services, furniture, furnishings, or equipment and an order permitting a decrease has been entered thereon; however, if it is impossible to provide the minimum services, furniture, furnishings, or equipment he shall file a petition within 10 days after the change occurs. When the accommodations become vacant the landlord may, on renting to a new tenant, decrease the services, furniture, furnishings, or equipment below the minimum; within 10 days after so renting the landlord shall file a written report showing such decrease.

(3) *Adjustment in maximum rent for decreases.* The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by this paragraph may be decreased in accordance with the provisions of section 5(c)(3). If the landlord fails to file the petition or report required by this paragraph within the time specified, or decreases the services, furniture, furnishings, or equipment without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or the effective date of regulation (or December 1, 1942 where the effective date of regulation is prior to that date), whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by any order decreasing the maximum rent on account of such decrease in services, furniture, furnishings, or equipment. In such case, any order decreasing the maximum rent shall be effective to decrease such rent from the beginning of the first rental period after the decrease in services, furniture, furnishings, or equipment or after the effective date of regulation (or after December 1, 1942 where the effective date of regulation is prior to that date), whichever is the later. The foregoing provisions and any refund thereunder do not affect any civil or criminal liability provided by the Act for failure to comply with any requirement of this paragraph.

(c) *Grounds for decrease of maximum rent.* The Administrator at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable only on the grounds that:

(1) *Rent higher than rents generally prevailing.* The maximum rent for housing accommodations under paragraph (c), (d), (e), (g), or (j) of section 4 is higher than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date.

[Subparagraph (1) amended by Am. 2, 8 F.R. 9020, effective 7-1-43]

(2) *Substantial deterioration.* There has been a substantial deterioration of the housing accommodations other than ordinary wear and tear since the date or order determining its maximum rent.

(3) *Decrease in services, furniture, furnishings or equipment.* There has been a decrease in the minimum services, furniture, furnishings or equipment required by section 3 since the date or order determining the maximum rent.

(4) *Special relationship between landlord and tenant.* The rent on the date determining the maximum rent was materially affected by the blood, personal, or other special relationship between the landlord and the tenant and as a result was substantially higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

(5) *Varying rents.* The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a substantially lower rent at other periods during the term of such lease or agreement.

(6) *Seasonal rent.* The rent on the date determining the maximum rent was substantially higher than at other times of year by reason of seasonal demand, or seasonal variations in the rent, for such housing accommodations. In such cases the Administrator's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(7) *Substantial decrease in occupancy.* There has been a substantial decrease in the number of subtenants or other occupants since an order under paragraph (a) (8) or (c) (8) of this section.

(8) *Rent established under section 4 (i).* The maximum rent is established under section 4 (i) and is higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date, taking into consideration any increased occupancy of such accommodations since that date by subtenants or other persons occupying under a rental agreement with the tenant; *Provided,* That no decrease shall be ordered below the rent on the maximum rent date.

(d) *Orders where facts are in dispute, in doubt, or not known.* If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within 30 days after the effective date of regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact; or if the Administrator is unable to ascertain such fact he shall enter the order on the basis of the rent which he finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

(e) *Sale of underlying lease or other rental agreement.* Where housing accommodations or a predominant part thereof are occupied by one or more subtenants or other persons occupying under a rental agreement with the tenant,

the tenant may petition the Administrator for leave to exercise any right he would have except for this regulation to sell his underlying lease or other rental agreement. The Administrator may grant such petition if he finds that the sale will not result, and that sales of such character would not be likely to result, in the circumvention or evasion of the act or this regulation. He may require that the sale be made on such terms as he deems necessary to prevent such circumvention or evasion.

(f) *Interim orders.* Where a petition is filed by a landlord on one of the grounds set out in paragraph (a) or (d) of this section, or a proceeding is initiated by the Administrator under paragraph (d), the Administrator may enter an interim order increasing or fixing the maximum rent until further order, subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order in such proceeding. The receipt by the landlord of any rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or, where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

[Paragraph (f) amended by Am. 12, 8 F.R. 16032, effective 11-25-43]

(g) *Adjustments in case of options to buy.* No adjustment in the maximum rent shall be ordered on the ground that the landlord, since the date or order determining the maximum rent, has, as a part of or in connection with a lease of housing accommodations, granted the tenant an option to buy the accommodations which are the subject of the lease. Where a lease of housing accommodations was in force on the date determining the maximum rent, and the landlord had on that date, as a part of or in connection with such lease, granted the tenant an option to buy the accommodations which are the subject of the lease, the Administrator may, on or after the termination of such lease, on his own initiative or on application of the tenant, enter an order fixing the maximum rent on the basis of the rents which the Administrator finds were generally prevailing in the defense-rental area for comparable housing accommodations not subject to an option to buy on the maximum rent date.

SEC. 6. *Removal of tenant.*—(a) *Restrictions on removal of tenant.* So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations, by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, and regardless of any contract, lease, agreement or obligation heretofore or here-

after entered into which provides for entry of judgment upon the tenant's confession for breach of the covenants thereof or which otherwise provides contrary hereto, unless:

(1) *Tenant's refusal to renew lease.* The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year but otherwise on the same terms and conditions as the previous lease or agreement, except insofar as such terms and conditions are inconsistent with this regulation; or

(2) *Tenant's refusal of access to landlord.* The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee, or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement; or

(3) *Violating obligation of tenancy or committing nuisance.* The tenant (i) has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or (ii) is committing or permitting a nuisance or is using or permitting a use of the housing accommodations for an immoral or illegal purpose; or

(4) *Subtenants on expiration of tenant's lease.* The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the occupants of the housing accommodations are subtenants or other persons who occupied under a rental agreement with the tenant, and no part of the accommodations is used by the tenant as his own dwelling; or

(5) *Demolition or alteration by landlord.* The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodations or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required by local law; or

(6) *Occupancy by landlord.* The landlord owned, or acquired an enforceable right to buy or the right to possession of, the housing accommodations prior to the effective date of regulation (or prior to October 20, 1942 where the effective date of regulation is prior to that date, or prior to November 6, 1942 for housing accommodations within the Hastings Defense-Rental Area), and seeks in good faith to recover possession of such accommodations for immediate use and occupancy as a dwelling for himself. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, the landlord shall file a written report on a form provided therefore before renting the accommodations or any part thereof dur-

ing a period of six months after such removal or eviction.

(b) *Administrator's certificate.*—(1) *Removals not inconsistent with Act or regulation.* No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this regulation and would not be likely to result in the circumvention or evasion thereof.

(2) *Occupancy by purchaser.* Removal or eviction of a tenant of the vendor, for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after the effective date of regulation (or on or after October 20, 1942 where the effective date of regulation is prior to that date, or on or after November 6, 1942 for housing accommodations within the Hastings Defense-Rental Area) is inconsistent with the purposes of the Act and this regulation and would be likely to result in the circumvention or evasion thereof, unless (i) the payment or payments of principal made by the purchaser, excluding any payments made from funds borrowed for the purpose of making such principal payments, aggregate 20% or more of the purchase price, and (ii) a period of three months has elapsed after the issuance of a certificate by the Administrator as hereinafter provided. For the purposes of this paragraph (b) (2), the payments of principal may be made by the purchaser conditionally or in escrow to the end that they shall be returned to the purchaser in the event the Administrator denies a petition for a certificate. If the Administrator finds that the required payments of principal have been made, he shall, on petition of either the vendor or purchaser, issue a certificate authorizing the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law at the expiration of three months after the date of issuance of such certificate.

In no other case shall the Administrator issue a certificate for occupancy by a purchaser who has acquired his rights in the housing accommodations on or after the effective date of regulation (or on or after October 20, 1942 where the effective date of regulation is prior to that date, or on or after November 6, 1942 for housing accommodations within the Hastings Defense-Rental Area) unless he finds (i) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without removal or eviction of the tenant, or (ii) that other special hardship would result, or (iii) that equivalent accommodations are available for rent, into which the tenant can move without substantial hardship or loss; under such circumstances the payment by the purchaser of 20% of the purchase price shall not be a condition to the issuance of a certificate, and the cer-

ificate may authorize the vendor or purchaser, either immediately or at the expiration of three months, to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law.

[Subparagraph (2) amended by Am. 7, 8 F.R. 12693, effective 9-16-43]

(c) *Exceptions from section 6—(1) Subtenants.* The provisions of this section do not apply to a subtenant or other person who occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(2) *Housing subject to rent schedule of War or Navy Department.* The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(3) *One or two occupants in landlord's residence.* The provisions of this section shall not apply to an occupant of a furnished room or rooms not constituting an apartment, located within the residence occupied by the landlord or his immediate family, where such landlord rents to not more than two occupants within such residence.

(4) *Renting to family in landlord's residence.* The provisions of this section shall not apply to a family which on or after August 1, 1943 moves into a furnished room or rooms not constituting an apartment located within the residence occupied by the landlord or his immediate family, where such landlord does not rent to any persons within such residence other than those in the one family.

[Subparagraph (4) added by Am. 3, 8 F.R. 10618, effective 8-1-43]

(d) *Notices required—(1) Notices prior to action to remove tenant.* Every notice to a tenant to vacate or surrender possession of housing accommodations shall state the ground under this section upon which the landlord relies for removal or eviction of the tenant. A written copy of such notice shall be given to the area rent office within 24 hours after the notice is given to the tenant.

No tenant shall be removed or evicted from housing accommodations by court process or otherwise, unless at least ten days (or, where the ground for removal or eviction is non-payment of rent, the period required by the local law for notice prior to the commencement of an action for removal or eviction in such cases, but in no event less than three days) prior to the time specified for surrender of possession and to the commencement of any action for removal or eviction, the landlord has given written notices of the proposed removal or eviction to the tenant and to the area rent office, stating the ground under this section upon which such removal or eviction is sought and specifying the time when the tenant is required to surrender

possession: *Provided, however,* That the requirement of this sentence shall not apply to housing accommodations within the City of Baltimore, Maryland, the Northeastern New Jersey Defense-Rental Area, or the Trenton Defense-Rental Area, when the ground for the removal or eviction of a tenant is non-payment of rent.

Where the ground for removal or eviction of a tenant is non-payment of rent, every notice under this paragraph (d) (1) shall state the rent for the housing accommodations, the amount of rent due and the rental period or periods for which such rent is due. The provisions of this paragraph (d) (1) shall not apply where a certificate has been issued by the Administrator pursuant to the provisions of paragraph (b) of this section.

(2) *Notices at time of commencing action to remove tenant.* At the time of commencing any action to remove or evict a tenant, including an action based upon non-payment of rent, the landlord shall give written notice thereof to the area rent office stating the title of the case, the number of the case where that is possible, the court in which it is filed, the name and address of the tenant, and the ground under this section on which removal or eviction is sought.

(e) *Local law.* No provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under the local law.

Sec. 7. *Registration—(a) Registration statement.* On or before the date specified in Schedule A of this regulation, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in triplicate a written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this regulation for such dwelling unit and shall contain such other information as the Administrator shall require. The original shall remain on file with the Administrator and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof, on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature, stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

When the maximum rent is changed by order of the Administrator, the landlord shall deliver his stamped copy of the registration statement to the area rent office for appropriate action reflecting such change.

(b) *Receipt for amount paid.* No payment of rent need be made unless

the landlord tenders a receipt for the amount to be paid.

(c) *Exceptions from registration requirements—(1) Housing under section 4 (g).* The provisions of this section shall not apply to housing accommodations under section 4 (g). The owner of such housing accommodations shall file a schedule or schedules, setting out the maximum rents for all such accommodations in the Defense-Rental Area and containing such other information as the Administrator shall require. A copy of such schedule or schedules shall be posted by the owner in a place where it will be available for inspection by the tenants of such housing accommodations.

(2) *Housing subject to rent schedule of War or Navy Department.* The provisions of this section shall not apply to housing accommodations rented to either Army or Navy personnel, including any civilian employees of the War and Navy Departments, for which the rent is fixed by the national rent schedule of the War or Navy Department.

(3) *Housing in Cincinnati Defense-Rental Area.* The provisions of this section shall not apply to housing accommodations in the Cincinnati Defense-Rental Area so long as the maximum rent for such accommodations is established solely under paragraph (a) or (b) of section 4: *Provided, however,* That no payment of rent need be made by any tenant of such accommodations unless the landlord tenders a receipt for the amount to be paid.

(d) *Housing in Puerto Rico Defense-Rental Area.* The provisions of this section 7 (d) shall be substituted for the provisions of section 7 (a) for housing accommodations in the Puerto Rico Defense-Rental Area.

On or before the date specified in Schedule A of this regulation, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in the area rent office a form provided by the area rent office for this purpose. The form shall identify each dwelling unit and shall specify the maximum rent provided by this regulation for such dwelling unit and shall contain such other information as the Administrator shall require.

(1) *Notice of maximum rent.* The landlord shall prepare the form known as "Notice of Maximum Rent" if the maximum rent for the dwelling unit is determined under paragraph (a) of section 4. The landlord shall prepare the notice in duplicate and shall send one copy to the tenant and one copy to the area rent office.

(2) *Registration statement.* The landlord shall prepare the form known as "Registration Statement" if the maximum rent for the dwelling unit is determined under any paragraph of section 4 other than paragraph (a), (g), or (h). The landlord shall prepare the Registration Statement in triplicate and shall send the three copies to the area rent office. The Administrator shall retain one copy on file, and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is

a correct copy of the original, to be returned to the landlord.

(3) *Change in tenancy.* Within five days after renting to a new tenant, the landlord shall file a form provided by the area rent office for this purpose. The landlord shall state the maximum rent for the dwelling unit, and he shall obtain the new tenant's signature on this form.

[Paragraph (d) added by Am. 15, 9 F.R. 206, effective 2-1-44]

SEC. 8. *Inspection.* Any person who rents or offers for rent or acts as a broker or agent for the rental of housing accommodations and any tenant shall permit such inspection of the accommodations by the Administrator as he may, from time to time, require.

SEC. 9. *Evasion.* The maximum rents and other requirements provided in this regulation shall not be evaded, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage, or sale with option to repurchase, or by modification of the practices relating to payment of commissions or other charges or by modification of the services furnished with housing accommodations, or otherwise.

SEC. 10. *Enforcement.* Persons violating any provision of this regulation are subject to criminal penalties, civil enforcement actions and suits for treble damages as provided for by the act.

SEC. 11. *Procedure.* All registration statements, reports and notices provided for by this regulation shall be filed with the area rent office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Revised Procedural Regulation No. 3³ (§§ 1300.201 to 1300.253, inclusive).

SEC. 12. *Petitions for amendment.* Persons seeking any amendment of general applicability to any provision of this regulation may file petitions therefor in accordance with Revised Procedural Regulation No. 3 (§§ 1300.201 to 1300.253, inclusive).

SEC. 13. *Definitions.* (a) When used in this regulation the term:

(1) "Act" means the Emergency Price Control Act of 1942.

(2) "Administrator" means the Price Administrator of the Office of Price Administration, or the Rent Director or such other person or persons as the Administrator may appoint or designate to carry out any of the duties delegated to him by the Act.

(3) "Rent Director" means the person designated by the Administrator as director of the Defense-Rental Area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Administrator.

(4) "Area rent office" means the office of the Rent Director in the Defense-Rental Area.

(5) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(6) "Housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furnishings, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

(7) "Services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(8) "Landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(9) "Tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any housing accommodations.

(10) "Rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of housing accommodations or for the transfer of a lease of such accommodations.

(11) "Hotel" means any establishment generally recognized as such in its community, containing more than 50 rooms and used predominantly for transient occupancy.

(12) "Rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel in which a furnished room or rooms not constituting an apartment are rented on a short-time basis of daily, weekly, or monthly occupancy to more than two paying tenants not members of the landlord's immediate family. The term includes boarding houses, dormitories, auto camps, trailers, residence clubs, tourist homes or cabins, and all other establishments of a similar nature.

(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 in this regulation.

SCHEDULE A—DEFENSE-RENTAL AREAS

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(1) [Revoked]					
(1a) Baldwin County	Alabama	Baldwin	Mar. 1, 1942	Dec. 1, 1943	Jan. 15, 1944
(2) Birmingham	Alabama	Jefferson	Apr. 1, 1941	June 1, 1942	July 15, 1942
(3) Dothan-Ozark	Alabama	Calhoun, Cleburne, St. Clair, Shelby, and Talladega	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(4) Gadsden	Alabama	Dale and Houston	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(5) [Revoked]	Alabama	Coffee	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(6) Lanett	Alabama	Etowah	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(7) Mobile	Alabama	Chambers	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(8) Montgomery	Alabama	Mobile	Apr. 1, 1941	June 1, 1942	July 15, 1942
(9) Muscle Shoals-Huntsville	Alabama	Elmore and Montgomery	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(10) Selma	Alabama	Macon	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(11) [Revoked]	Alabama	Colbert, Lauderdale, Limestone, Madison, and Morgan	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(12) [Revoked]	Alabama	Dallas	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(13) Fort Huachuca	Arizona	Cochise and Santa Cruz	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(14) Phoenix-Salt River Valley	Arizona	Gila and Maricopa	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(15) Prescott-Flagstaff	Arizona	Cocconino and Yavapai	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(16) Tucson	Arizona	That portion of the County of Mohave south of the Colorado River	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(17) Yuma	Arizona	Pima	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(18) [Revoked]	Arizona	Yuma	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(19) Blytheville	Arkansas	Mississippi	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(20) El Dorado	Arkansas	Union	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(21) Fort Smith	Arkansas	Sebastian	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(22) [Revoked]	Arkansas				
(23) Little Rock	Arkansas	Lonoke and Pulaski	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(24) Newport-Walnut Ridge	Arkansas	Saline	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Arkansas	Craighead, Independence, Jackson, and Lawrence	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Arkansas	Randolph	Mar. 1, 1942	Feb. 1, 1943	Mar. 18, 1943

See footnotes at end of table.

³ 9 F.R. 1656, 3337.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(25) Pine Bluff ¹	Arkansas	Jefferson	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Arkansas	Arkansas County and the Southern District of Prairie County consisting of the Townships of Belcher, Center, Hazen, Lower Surrounded Hill, Roe Roe, Tyler, and Watensaw.	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(26) [Revoked]					
(27) [Revoked]					
(27a) Fresno	California	Fresno	Jan. 1, 1944	June 1, 1944	July 15, 1944
(28) Lassen County	California	Lassen	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(29) [Revoked]					
(30) Los Angeles	California	Los Angeles and Orange	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(31) Marysville-Chico	California	Sutter and Yuba	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	California	Butte	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(32) [Revoked]					
(33) Modesto-Merced	California	Merced and Stanislaus	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(33a) Monterey Bay ¹	California	Monterey County and in Santa Cruz County the Township of Watsonville	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1943
(34) Richmond-Vallejo	California	Contra Costa, Napa, and Solano	Jan. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(35) Riverside	California	Riverside	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(35a) Sacramento	California	Sacramento, San Joaquin, and Yolo	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(36) San Bernardino	California	San Bernardino	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(37) San Diego	California	In the County of San Diego the Judicial Townships of Encinitas, National, and San Diego in their entireties, and that part of the Judicial Township of El Cajon lying west of the Cleveland National Forest.	Jan. 1, 1941	June 1, 1942	July 15, 1942
	California	County of San Diego other than the Judicial Townships of Encinitas, National, and San Diego in their entireties, and that part of the Judicial Township of El Cajon lying west of the Cleveland National Forest.	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(38) San Francisco Bay	California	Alameda, Marin, San Francisco, San Mateo, Santa Clara, and Sonoma	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(39) San Luis Obispo	California	San Luis Obispo	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(40) Santa Maria	California	In the County of Santa Barbara Judicial Townships Nos. 4, 5, 6, 7, 9, and 10.	July 1, 1941	Dec. 1, 1942	Jan. 15, 1943
(40a) Ventura	California	Ventura	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(41) Tulare-Kings	California	Kings and Tulare	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(42) Colorado Springs	Colorado	El Paso	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(43) Denver	Colorado	Adams, Arapahoe, Denver, and Jefferson	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(44) [Revoked]					
(45) Leadville-Salida	Colorado	Eagle, Lake, and Summit	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Colorado	Chaffee and Garfield	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(46) Pueblo	Colorado	Otero and Pueblo	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(47) Bridgeport	Connecticut	In the County of Fairfield the Towns of Bridgeport, Easton, Fairfield, Shelton, Stratford, Trumbull, and Westport.	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Connecticut	County of Fairfield other than the Towns of Bridgeport, Easton, Fairfield, Shelton, Stratford, Trumbull, and Westport.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(48) Hartford-New Britain	Connecticut	In the County of Hartford the Towns of Berlin, Bloomfield, Bristol, East Hartford, East Windsor, Farmington, Glastonbury, Hartford, Manchester, New Britain, Newington, Plainville, Rocky Hill, Southington, South Windsor, West Hartford, Wethersfield, Windsor, and Windsor Locks; in the County of Middlesex the Towns of Cromwell, Middlefield, Middletown, and Portland; in the County of New Haven the Towns of Meriden and Wallingford; and in the County of Tolland the Town of Vernon.	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Connecticut	County of Hartford other than the Towns of Berlin, Bloomfield, Bristol, East Hartford, East Windsor, Farmington, Glastonbury, Hartford, Manchester, New Britain, Newington, Plainville, Rocky Hill, Southington, South Windsor, West Hartford, Wethersfield, Windsor, and Windsor Locks; County of Middlesex other than the Towns of Cromwell, Middlefield, Middletown, and Portland; and the County of Tolland other than the Town of Vernon.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(49) New Haven	Connecticut	In the County of New Haven the Towns of Ansonia, Branford, Derby, East Haven, Guilford, Hamden, Madison, Milford, New Haven, North Branford, North Haven, Orange, Seymour, West Haven, and Woodbridge.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(50) New London	Connecticut	New London and Windham	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(51) Waterbury	Connecticut	In the County of Litchfield the Towns of Plymouth, Thomaston, and Watertown; and in the County of New Haven the Towns of Beacon Falls, Cheshire, Middlebury, Naugatuck, Prospect, Waterbury, and Wolcott.	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Connecticut	County of Litchfield other than the Towns of Plymouth, Thomaston, and Watertown; and in the County of New Haven the Towns of Bethany, Oxford, and Southbury.	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(52) [Revoked]					
(53) Delaware	Delaware	New Castle	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Delaware	Kent and Sussex	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(54) [Revoked]					
(55) Banana River	Florida	Brevard	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(55a) Fort Pierce	Florida	St. Lucie	Mar. 1, 1943	Dec. 1, 1943	Jan. 1, 1944
(55b) Fort Myers	Florida	Lee	Mar. 1, 1943	June 1, 1944	July 15, 1944
(56) Gainesville-Starke	Florida	Alachua, Bradford, and Clay	Jan. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(57) Jacksonville	Florida	Duval	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(58) Key West	Florida	Monroe	Oct. 1, 1941	Oct. 1, 1942	Nov. 15, 1942
(59) Lake City	Florida	Columbia	Mar. 1, 1942	May 1, 1943	June 15, 1943
(60) Marianna	Florida	Jackson	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(61) Orlando	Florida	Orange	Oct. 1, 1941	Nov. 1, 1942	Dec. 16, 1942
(62) Panama City	Florida	Bay	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Florida	Franklin and Gulf	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(63) Pensacola	Florida	Escambia	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Florida	Okaloosa	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Florida	Santa Rosa	Mar. 1, 1942	May 1, 1943	June 15, 1943
	Florida	St. Johns	Mar. 1, 1943	June 1, 1944	July 15, 1944
(63a) St. Augustine	Florida				
(64) [Revoked]					
(65) Tallahassee	Florida	Leon	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Florida	Wakulla	Mar. 1, 1942	May 1, 1943	June 15, 1943
(66) Tampa	Florida	Hillsborough, Pinellas, and Polk	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Florida	Highlands	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(67) [Revoked]					
(67a) Americus	Georgia	Sumter	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(68) Albany	Georgia	Dougherty	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(69) Athens	Georgia	Clarke	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(70) Atlanta	Georgia	Clayton, Cobb, De Kalb, and Fulton	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(71) Augusta, Ga.	Georgia	Richmond	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(72) Bainbridge-Cairo, Georgia	Georgia	Aiken	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(73) Brunswick	Georgia	Decatur and Grady	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(74) Columbus, Ga.	Georgia	Brantley, Camden, Glynn, McIntosh, and Wayne	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Georgia	Ware	Mar. 1, 1942	May 1, 1943	June 15, 1943
	Georgia	Muscogee	Jan. 1, 1941	June 1, 1942	July 15, 1942
	Alabama	In the County of Russell Election Precinct One, including the City of Phenix City.	Jan. 1, 1941	June 1, 1942	July 15, 1942
* (74a) Dublin	Georgia	Laurens	July 1, 1943	June 1, 1944	July 15, 1944
(75) Hinesville	Georgia	Liberty	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(76) Macon	Georgia	Bibb, Houston, and Peach	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(77) Moultrie	Georgia	Colquitt	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(78) Savannah	Georgia	Chatham	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
* (78a) Thomasville	Georgia	Thomas County and those portions of the towns of Pavo and Barwick in Brooks County and that portion of the town of Meigs in Mitchell County.	Mar. 1, 1943	June 1, 1944	July 15, 1944
(79) Tooeva	Georgia	Stephens	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(80) Valdosta	Georgia	Lowndes	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(80a) Boise	Idaho	Ada and Elmore	Jan. 1, 1943	Jan. 1, 1944	Feb. 15, 1944
(81) Couer d'Alene-Pend Orielle	Idaho	Bonner and Kootenai	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(82) Pocatello-Idaho Falls	Idaho	Bannock	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(83) Chicago	Illinois	Cook, Du Page, Kane, and Lake	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
(84) Crab Orchard	Illinois	Jackson and Williamson	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(85) Dixon	Illinois	Lee	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(86) Joliet	Illinois	Will	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(87) Kankakee	Illinois	Kankakee	Mar. 1, 1942	May 1, 1943	June 15, 1943
(88) LaSalle County	Illinois	LaSalle	Mar. 1, 1942	May 1, 1943	June 15, 1943
(88a) Macomb-Canton	Illinois	Fulton, McDonough, and Mason	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(89) Quad Cities	Illinois	Rock Island	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Iowa	Scott	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(90) Quincy	Illinois	Adams	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Missouri	Lewis and Marion	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(91) Champaign-Vermilion	Illinois	Champaign and Vermilion	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(91a) Galesburg	Illinois	Knox	July 1, 1943	May 1, 1944	June 15, 1944
(92) Rockford	Illinois	Boone and Winnebago	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
	Illinois	De Kalb	Mar. 1, 1942	Sept. 1, 1943	Oct. 15, 1942
(93) Savanna-Clinton	Illinois	Carroll	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Iowa	Clinton	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(94) Springfield-Decatur	Illinois	Christian, Logan, Macon, and Sangamon	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(95) [Revoked]					
(96) [Revoked]					
(97) Columbus, Ind.	Indiana	Bartholomew, Brown, Johnson, Morgan, and Shelby	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Indiana	Lawrence	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Indiana	Jackson	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(98) Richmond-Connersville	Indiana	Fayette	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Indiana	Wayne	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(99) [Revoked]					
(100) Evansville-Henderson	Indiana	Vanderburgh	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Kentucky	Henderson	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(101) Fort Wayne	Kentucky	Union	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Indiana	Allen	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(102) Gary-Hammond	Indiana	Adams	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(103) Indianapolis	Indiana	Lake	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(104) La Fayette	Indiana	Marion	July 1, 1941	July 1, 1942	Aug. 15, 1942
(105) La Porte-Michigan City	Indiana	Fountain, Tippecanoe, and Warren	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(106) Anderson	Indiana	La Porte and Starke	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
	Indiana	Huntington, Miami, and Wabash	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(107) [Revoked]	Indiana	Delaware, Grant, Howard, and Madison	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(108) South Bend	Indiana	St. Joseph and Elkhart	Apr. 1, 1941	June 1, 1942	July 15, 1942
(109) Terre Haute	Indiana	Parke and Vermillion	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Illinois	Edgar	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Indiana	Vigo	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(110) Vincennes	Indiana	Davies and Knox	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Illinois	Lawrence	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Indiana	Martin	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(111) [Revoked]					
(112) Burlington	Iowa	In the County of Des Moines the Townships of Augusta, Burlington, Concordia, Danville, Flint River, Tama, and Union; in the County of Henry the Townships of Baltimore, Center, Mount Pleasant, and New London; and in the County of Lee the Townships of Denmark, Green Bay, Madison, and Washington.	Jan. 1, 1941	June 1, 1942	July 15, 1942
	Iowa	County of Des Moines other than the Townships of Augusta, Burlington, Concordia, Danville, Flint River, Tama, and Union; County of Henry other than the Townships of Baltimore, Center, Mount Pleasant, and New London; County of Lee other than the Townships of Denmark, Green Bay, Madison, and Washington.	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
	Illinois	County of Henderson	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(113) Cedar Rapids	Iowa	Linn	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(114) Des Moines	Iowa	Polk	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Iowa	Jasper	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(114a) Ottumwa	Iowa	Wapello	Mar. 1, 1942	Sept. 1, 1943	Oct. 15, 1943
* (114b) Sioux City	Iowa	Woodbury	July 1, 1943	June 1, 1944	July 15, 1944
(115) Baxter Springs	Nebraska	Dakota	July 1, 1943	June 1, 1944	July 15, 1944
	Kansas	Cherokee and Crawford	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Oklahoma	Ottawa	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(116) Dodge City	Kansas	Finney, Ford, and Gray	Mar. 1, 1942	May 1, 1943	June 15, 1943
(116a) Great Bend	Kansas	Barton	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(117) Hutchinson	Kansas	Reno	Mar. 1, 1942	May 1, 1943	June 15, 1943
(118) Junction City-Manhattan	Kansas	Geary and Riley	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(119) Liberal	Kansas	Seward	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(120) Parsons	Kansas	Labette	July 1, 1941	July 1, 1942	Aug. 15, 1942
	Kansas	Montgomery	July 1, 1941	Sept. 1, 1942	Oct. 16, 1942
* (120a) Pratt	Kansas	Pratt	Mar. 1, 1943	June 1, 1944	July 15, 1944
(121) Salina	Kansas	Dickinson, McPherson, Ottawa, and Saline	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(122) Topeka-Lawrence	Kansas	Douglas, Franklin, and Shawnee	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(123) Wichita	Kansas	Sedwick	July 1, 1941	June 1, 1942	July 15, 1942
(124) Fort Knox	Kentucky	Bullitt, Hardin, and Meade	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(125) Louisville	Kentucky	Jefferson	July 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(126) [Revoked]	Indiana	Clark and Floyd	July 1, 1941	Aug. 1, 1942	Sept. 15, 1942

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
*(126a) Owensboro	Kentucky	Daviess	Mar. 1, 1943	June 1, 1944	July 15, 1944
(127) Paducah	Kentucky	McCracken	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(128) Richmond, Ky	Kentucky	Ballard	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(129) Alexandria-Leesville	Louisiana	Madison	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(130) Baton Rouge	Louisiana	Parishes of Beauregard, Rapides, and Vernon	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(131) Lake Charles	Louisiana	Parishes of East Baton Rouge and West Baton Rouge	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(132) Minden	Louisiana	Parish of Calcasieu	Mar. 1, 1942	Apr. 15, 1943	May 30, 1943
(133) Monroe-Bastrop, Louisiana	Louisiana	Parish of Webster	July 1, 1941	July 1, 1942	Aug. 15, 1942
(134) New Orleans	Louisiana	Parishes of Morehouse, Ouachita, and Union	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(135) Bangor	Maine	Parishes of Jefferson, Orleans and St. Bernard	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(136) Bath	Maine	Penobscot	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(137) Portland	Maine	Lincoln and Sagadahoc	Apr. 1, 1941	July 1, 1942	Aug. 31, 1942
(138) Presque Isle	Maine	Androscoggin and Cumberland	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(139) Baltimore	Maryland	York	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
		Arostook	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
		City of Baltimore and the Counties of Anne Arundel, Baltimore, Carroll, Cecil, Harford, and Howard	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
		Frederick	July 1, 1943	June 1, 1944	July 15, 1944
		Washington	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
		Charles	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
		St. Marys and Calvert	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1942
		Montgomery and Prince Georges	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
		Barnstable, Bristol, Middlesex, Norfolk, Plymouth, and Suffolk	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
		Essex	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
		Berkshire	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
		Hampden and Hampshire	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
		Worcester	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
		Macomb, Oakland, and Wayne	Apr. 1, 1941	June 1, 1942	July 15, 1942
		Washtenaw	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
		Muskegon	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
		Kent and Ottawa	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
		Hillsdale	Jan. 1, 1943	Apr. 1, 1944	May 15, 1944
		Jackson	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
		Lenawee	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
		Calhoun	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
		Kalamazoo	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
		Clinton, Eaton, and Ingham	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
		Mason	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
		Monroe	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
		Berrien	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
		St. Clair	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
		Bay, Midland, and Saginaw	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
		Chippewa	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
		Carlton and St. Louis	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
		Douglas	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
		Anoka, Dakota, Hennepin, Ramsey, and Washington	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
		Harrison and Jackson	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
		Adams, Amite, Pike, and Wilkinson	Mar. 1, 1942	May 1, 1943	June 15, 1943
		Chickasaw, Clay, Itawamba, Lee, and Munroe	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
		Lamar	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
		Lowndes	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
		Pickens	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1942
		Carroll, Grenada, Leflore, and Montgomery	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
		Calhoun and Yalobusha	Mar. 1, 1942	Feb. 1, 1943	Mar. 18, 1943
		Forrest	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
		Hinds, Madison, and Rankin	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
		Jones	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1942
		Lauderdale	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
		Jasper and Newton	July 1, 1941	July 1, 1942	Aug. 15, 1942
		Clay, Jackson, and Platte	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
		Johnson, Leavenworth, and Wyandotte	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
		Pike	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
		Pike	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
		Laclede, Phelps, and Pulaski	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
		Johnson and Pettis	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
		City of St. Louis and the Counties of Jefferson, St. Charles, and St. Louis	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
		Madison, Monroe, and St. Clair	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
		Cascade	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
		Box Butte	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
		Hall	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
		Adams and Clay	Mar. 1, 1942	Dec. 12, 1942	Jan. 25, 1943
		Buffalo	Mar. 1, 1942	May 1, 1943	June 15, 1943
		Lancaster	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
		Redwillow	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
		Dodge and Saunders	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
		Douglas and Sarpy	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
		Pottowatamie	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
		Cheyenne	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
		Clark	July 1, 1941	Aug. 1, 1942	Sept. 15, 1942
		Washoe	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
		Sullivan	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
		Hillsborough	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
		Rockingham and Strafford	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
		Burlington, Camden and Gloucester	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
		Salem	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
		Cape May and Cumberland	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
		Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, and Union	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
		Sussex	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
		Warren	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
		Hunterdon and Mercer	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
		Otero	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
		Bernalillo	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
		Eddy	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
		Lea	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(195) Deming	New Mexico	Luna	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(196) [Revoked]	New Mexico	Chaves	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(197) Roswell	New Mexico	Curry, DeBaca, and Roosevelt	Mar. 1, 1942	Feb. 1, 1943	Mar. 18, 1943
(197a) San Miguel County	New Mexico	San Miguel	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1944
(198) Silver City-Lordsburg	New Mexico	Hidalgo	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(199) Albany-Troy, N. Y.	New York	Albany and Rensselaer	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(200) Binghamton	New York	Broome and Tioga	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(201) Buffalo	New York	Erie and Niagara	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(202) Elmira	New York	Chemung and Steuben	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(203) Jamestown	New York	Chautauque	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(204) Poughkeepsie	New York	Dutchess, Orange, and Ulster	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(205) Rochester	New York	Genesee, Monroe, Orleans, and Wayne	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(206) St. Lawrence County	New York	St. Lawrence	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(207) Schenectady	New York	County of Schenectady; and in the County of Saratoga the Towns of Ballston, Charlton, and Clifton Park.	Apr. 1, 1941	June 1, 1942	July 15, 1942
	New York	County of Montgomery and the County of Saratoga other than the Towns of Ballston, Charlton, and Clifton Park.	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(208) Seneca	New York	Ontario, Seneca, and Yates	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(209) Sidney, N. Y.	New York	Chenango, Delaware, and Otsego	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(210) Syracuse	New York	Cayuga, Onondaga, and Oswego	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(211) Utica-Rome	New York	Herkimer, Madison, and Oneida	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(212) Watertown	New York	Jefferson	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(212a) Burlington, N. C.	North Carolina	Alamance	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(212b) Asheville	North Carolina	Buncombe	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(213) Durham	North Carolina	Durham	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(214) Elizabeth City, North Carolina	North Carolina	Pasquotank	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(215) Fayetteville	North Carolina	Chowan and Perquimans	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(216) Goldsboro	North Carolina	Camden and Hoke	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(216a) Greensboro	North Carolina	Lenoir, Wayne, and Wilson	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(217) Henderson	North Carolina	County of Guilford other than High Point Township	July 1, 1943	June 1, 1944	July 15, 1944
(218) Jacksonville, N. C.	North Carolina	Vance	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(219) Laurinburg	North Carolina	Onslow	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(220) Monroe, N. C.	North Carolina	Richmond, Robeson, and Scotland	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(221) New Bern	North Carolina	Marlboro	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(221a) Rocky Mount	North Carolina	Union	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(221b) Pender County	North Carolina	Carteret and Craven	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(222) Southern Pines	North Carolina	Edgecombe and Nash	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(223) Wilmington, N. C.	North Carolina	Pender	Jan. 1, 1943	May 1, 1944	June 15, 1944
(224) Akron	Ohio	Moore	Mar. 1, 1942	May 1, 1943	June 15, 1943
	Ohio	New Hanover	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Ohio	County of Summit and in the County of Medina the Township of Wadsworth	Apr. 1, 1941	June 1, 1942	July 15, 1942
(225) Ashtabula	Ohio	County of Medina other than the Township of Wadsworth	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(226) Canton	Ohio	Ashtabula	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Stark	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Ohio	Tuscarawas	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(227) Cincinnati	Ohio	Butler, Clermont, Hamilton, and Warren	Mar. 1, 1942	Nov. 1, 1942	May 31, 1942 or within 30 days after Section 7 (a) becomes applicable.
	Kentucky	Boone, Campbell, and Kenton	Mar. 1, 1942	Nov. 1, 1942	May 31, 1942 or within 30 days after Section 7 (a) becomes applicable.
228) Cleveland	Ohio	County of Cuyahoga and in the County of Lake the Township of Willoughby and those parts of the Township of Kirtland included within the corporate limits of the Villages of Waite Hill and Willoughby.	July 1, 1941	June 1, 1942	July 15, 1942
	Ohio	County of Geauga, and the County of Lake other than the Township of Willoughby and those parts of the Township of Kirtland included within the corporate limits of the Villages of Waite Hill and Willoughby.	July 1, 1941	July 1, 1942	Aug. 15, 1942
(229) Columbus	Ohio	Franklin	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(230) Dayton	Ohio	Licking	Mar. 1, 1942	May 1, 1943	June 15, 1943
	Ohio	Champaign, Clark, Darke, Greene, Miami, Montgomery, and Preble	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(231) [Revoked]	Ohio	Allen	July 1, 1941	Nov. 1, 1942	Dec. 16, 1942
(232) Lima	Ohio	Lorain	July 1, 1941	July 1, 1942	Aug. 15, 1942
(233) Lorain-Elyria	Ohio	Ashland, Crawford, and Richland	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(234) Mansfield	Ohio	Knox	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(235) Marion	Ohio	Marion	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(236) [Revoked]	Ohio	Portage	Apr. 1, 1941	June 1, 1942	July 15, 1942
(237) Ravenna	Ohio	Erie, Huron, Ottawa, and Sandusky	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(238) Sandusky-Port Clinton	Ohio	Shelby	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(239) Sidney, Ohio	Ohio	Lucas and Wood	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(240) Toledo	Ohio	Hancock and Seneca	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(241) Youngstown-Warren	Ohio	Mahoning and Trumbull	Apr. 1, 1941	June 1, 1942	July 15, 1942
(242) [Revoked]	Oklahoma	Jackson and Tillman	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(242a) Altus-Frederick	Oklahoma	Craig, Mayes, Rogers, and Wagoner	Oct. 1, 1941	Oct. 1, 1942	Nov. 15, 1942
(243) Choteau	Oklahoma	Beckham, Custer, and Washita	Mar. 1, 1942	May 1, 1943	June 15, 1943
(244) Clinton-Elk City	Oklahoma	Garfield	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(245) Enid	Oklahoma	Comanche	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(246) Lawton	Oklahoma	Atoka, Haskell, Hughes, Latimer, McIntosh, and Pittsburg	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(247) McAlester	Oklahoma	Muskogee	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(248) Muskogee	Oklahoma	Cleveland, McClain, and Oklahoma	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(249) [Revoked]	Oklahoma	Caddo and Grady	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(250) Oklahoma City	Oklahoma	Creek, Osage, and Tulsa	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(251) Tulsa	Oklahoma	Cleveland, McClain, and Oklahoma	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(252) Oklahoma City	Oklahoma	Caddo and Grady	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Oklahoma	Canadian	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(253) Corvallis	Oregon	Benton and Linn	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(254) Medford	Oregon	Jackson	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(255) Pendleton	Oregon	Umatilla	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(256) Portland-Vancouver	Oregon	Clackamas, Multnomah, and Washington	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
	Washington	Clark	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
	Oregon	Clatsop	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Oregon	Tillamook	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
** (257) Allentown-Bethlehem	Pennsylvania	Lehigh and Northampton	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(258) Altoona-Johnstown	Pennsylvania	Blair, Cambria, and Somerset	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(259) [Revoked]					
(260) Emporium	Pennsylvania	Cameron	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Pennsylvania	Elk	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(261) Erie	Pennsylvania	Erie	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(262) Harrisburg	Pennsylvania	Cumberland, Dauphin, Lebanon, and Perry	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Pennsylvania	Franklin	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(263) Lancaster-York	Pennsylvania	Lancaster and York	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(264) Meadville-Titusville	Pennsylvania	Crawford and Venango	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(265) [Revoked]					
(266) Philadelphia	Pennsylvania	Bucks, Chester, Delaware, Montgomery, and Philadelphia	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(267) Pittsburgh	Pennsylvania	Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Lawrence, Washington, and Westmoreland	Mar. 1, 1942	July 1, 1942	Aug. 31, 1942
(268) Reading	Pennsylvania	Berks	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(269) [Revoked]					
(270) Sharon-Farrell	Pennsylvania	Mercer	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(270a) Warren	Pennsylvania	Warren	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(271) [Revoked]					
(272) Williamsport	Pennsylvania	Lycoming	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Pennsylvania	Columbia, Montour, Northumberland, Snyder, and Union	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Pennsylvania	In the County of Luzerne, Nescopeck Borough, Nescopeck Township, and Salem Township	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(273) Newport	Pennsylvania	Clinton	Mar. 1, 1942	Feb. 1, 1944	Mar. 15, 1944
(274) Providence	Rhode Island	Newport	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(275) Washington County	Rhode Island	Bristol, Kent, and Providence	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(276) [Revoked]		Washington	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(277) Charleston, South Carolina	South Carolina	Charleston and Dorchester	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	South Carolina	Beaufort and Colleton	Mar. 1, 1942	Apr. 15, 1943	May 30, 1943
(278) Columbia, South Carolina	South Carolina	Calhoun, Lexington, and Richland	Mar. 1, 1942	Nov. 1, 1942	Jan. 14, 1943
	South Carolina	Sumter	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	South Carolina	Florence	Mar. 1, 1942	May 1, 1943	June 15, 1943
(279) [Revoked]					
(280) Greenville, S. C.	South Carolina	Greenville	Mar. 1, 1942	Nov. 1, 1942	Jan. 14, 1943
(281) Spartanburg	South Carolina	Cherokee, Spartanburg, and Union	Mar. 1, 1942	Nov. 1, 1942	Jan. 14, 1943
(282) [Revoked]					
(283) Provo-Hot Springs, S. Dak.	South Dakota	Fall River	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(284) Rapid City-Siurgis	South Dakota	Lawrence, Meade, and Pennington	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(285) Sioux Falls	South Dakota	Lincoln, Minnehaha, and Turner	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Iowa	Lyon	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Minnesota	Rock	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(286) Bristol-Kingsport	Tennessee	Greene, Hawkins, Sullivan, Unicoi, and Washington	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Virginia	Independent City of Bristol and the Counties of Scott and Washington	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(287) Chattanooga	Tennessee	Bradley, Hamilton, and Marion	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Georgia	Catoosa, Dade, and Walker	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(288) Clarksville	Tennessee	Henry, Montgomery and Stewart	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Kentucky	Christian, Todd, and Trigg	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(289) Copperhill-McCaysville	Tennessee	Polk	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Georgia	Fannin	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(290) Dyersburg	Tennessee	Crockett, Dyer, and Lauderdale	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(291) Jackson-Milan-Humboldt	Tennessee	Carroll, Gibson, and Madison	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(292) Knoxville	Tennessee	Bartlett and Knox	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Tennessee	Anderson and Roane	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
	Tennessee	Loudon	Mar. 1, 1943	June 1, 1944	July 15, 1944
* (292a) Lenoir City	Tennessee	Shelby	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(293) Memphis	Tennessee	Crittenden	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(294) [Revoked]					
(295) Nashville	Tennessee	Davidson and Rutherford	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(296) [Revoked]					
(297) Tullahoma	Tennessee	Bedford, Coffee, Franklin, Lincoln, and Moore	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(298) Abilene	Texas	Callahan, Jones, and Taylor	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(299) Amarillo	Texas	Potter and Randall	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Texas	Dallam, Hansford, Hartley, Moore, and Sherman	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Texas	Bastrop	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(300) Austin	Texas	Hays, Travis, and Williamson	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(301) [Revoked]					
(302) Beaumont-Port Arthur	Texas	Jefferson and Orange	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(303) Big Spring	Texas	Howard	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(304) [Revoked]					
(305) Borger	Texas	Carson, Gray, and Hutchinson	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(305a) Brady	Texas	McCulloch	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(306) Brownwood	Texas	Brown, Coleman, and Comanche	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(307) Bryan	Texas	Brazos	Mar. 1, 1942	May 1, 1943	June 15, 1943
(308) Childress	Texas	Childress	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(309) Corpus Christi	Texas	Nueces and San Patricio	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Texas	Bee and Kleberg	Mar. 1, 1942	Nov. 1, 1942	Dec. 15, 1942
(310) [Revoked]					
(311) Dallas	Texas	Dallas	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(312) Del Rio	Texas	Kinney, Uvalde, and Val Verde	Mar. 1, 1942	May 1, 1943	June 15, 1943
	Texas	Maverick	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(313) [Revoked]					
(314) [Revoked]					
(315) El Paso	Texas	El Paso	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(316) Fort Worth	Texas	Tarrant	Mar. 1, 1942	Oct. 15, 1942	Dec. 16, 1942
	Texas	Denton	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
	Texas	Cooke	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(317) Gainsville	Texas	Hunt	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(318) Greenville, Tex.	Texas	Hunt	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(319) Houston-Galveston	Texas	Brazoria, Chambers, Galveston, Harris, and Liberty	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(320) Killeen-Temple	Texas	Bell and Coryell	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Texas	Lampasas	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(321) Laredo	Texas	Webb	Mar. 1, 1942	Feb. 1, 1943	Mar. 18, 1943
(321a) Lockhart	Texas	Justices' Precincts 1, 6, and 7 in Caldwell County	Jan. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(322) Lower Rio Grande Valley	Texas	Cameron, Hidalgo, and Willacy	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(322a) Lubbock	Texas	Lubbock	Mar. 1, 1942	Mar. 1, 1944	Apr. 15, 1944
(323) Marfa-Alpine	Texas	Presidio	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(324) Marshall	Texas	Brewster	Mar. 1, 1942	Feb. 1, 1943	Mar. 18, 1943
	Texas	Harrison, Marion, and Upshur	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Texas	Camp, Cass, Morris, Red River, and Titus	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Texas	Smith	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
* (324a) Matagorda Bay	Texas	Calhoun, Jackson, and Matagorda	Jan. 1, 1943	June 1, 1944	July 15, 1944
(325) Paris, Tex.	Texas	Lamar	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Oklahoma	Choctaw	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(326) Pecos	Texas	Reeves and Ward	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(327) San Angelo	Texas	Tom Green	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(328) San Antonio	Texas	Atascosa, Bandera, Bexar, Comal, Guadalupe, Kendall, Medina, and Wilson	Mar. 1, 1942	July 1, 1942	Aug. 15, 1942
(329) Sherman-Denison	Texas	Grayson	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Texas	Fannin	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(329a) Sweetwater	Texas	Nolan	Mar. 1, 1943	Feb. 1, 1944	Mar. 15, 1944
(330) Texarkana	Texas	Bowie	July 1, 1941	July 1, 1942	Aug. 15, 1942
	Arkansas	Miller	July 1, 1941	July 1, 1942	Aug. 15, 1942
(331) Victoria	Texas	Victoria	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(332) Waco	Texas	McLennan	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(333) Wichita Falls	Texas	Wichita	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(334) [Revoked]					
(335) Provo, Utah	Utah	Utah	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(336) Salt Lake City	Utah	Davis, Morgan, Salt Lake, and Weber	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Utah	Box Elder	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Utah	Tooele	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Nevada	Portion of Elko County situated within a radius of three miles from the center of U. S. Highway 40, where the said highway crosses the Nevada-Utah State line.	Mar. 1, 1942	May 1, 1944	June 15, 1944
(337) [Revoked]					
(337a) Burlington, Vermont	Vermont	Chittenden	Mar. 1, 1943	Nov. 1, 1943	Dec. 15, 1943
(338) Springfield-Windsor	Vermont	Windsor	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(339) Alexandria-Arlington	Virginia	Independent City of Alexandria and the Counties of Arlington and Fairfax	Jan. 1, 1941	July 1, 1942	Aug. 15, 1942
(340) Blackstone	Virginia	Nottoway	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(341) Cape Charles	Virginia	Northampton	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(342) Hampton Roads	Virginia	Independent Cities of Hampton, Newport News, Norfolk, Portsmouth, and South Norfolk; the County of Elizabeth City; in the County of Norfolk the Magisterial Districts of Deep Creek, Tanners Creek, Washington, and Western Branch; in the County of Princess Anne the Magisterial Districts of Kempsville and Lynnhaven, and in the County of Warwick the Magisterial District of Newport	Apr. 1, 1941	June 1, 1942	July 15, 1942
	Virginia	Independent City of Suffolk; the County of Nansemond; the County of Norfolk other than the Magisterial Districts of Deep Creek, Tanners Creek, Washington, and Western Branch; the County of Princess Anne other than the Magisterial Districts of Kempsville and Lynnhaven	Apr. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(343) Petersburg	Virginia	Independent Cities of Hopewell and Petersburg; the Counties of Dinwiddie and Prince George; and in the County of Chesterfield the Magisterial District of Matoaca	Apr. 1, 1941	Aug. 1, 1942	Sept. 15, 1942
(343a) Quantico	Virginia	In the County of Prince William, the Magisterial District of Dumfries	Mar. 1, 1942	Dec. 1, 1943	Jan. 15, 1944
(344) Radford-Pulaski	Virginia	Independent City of Radford, and the Counties of Montgomery and Pulaski	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(345) Richmond, Va.	Virginia	Independent City of Richmond; the County of Henrico; and in the County of Chesterfield the Magisterial Districts of Bermuda, Clover Hill, Dale, Manchester, and Midlothian	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
(346) Yorktown	Virginia	Independent City of Williamsburg; the Counties of James City and York; and in the County of Warwick the Magisterial Districts of Denbigh and Stanley	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(347) Bellingham	Washington	Whatcom	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(347a) Ephrata	Washington	Skagit	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
	Washington	Portion of Grant County lying between the south line of Township 23 North and the north line of Township 16 North	Mar. 1, 1942	Nov. 1, 1943	Dec. 15, 1943
(348) Everett	Washington	Snohomish	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(349) [Revoked]					
(350) [Revoked]					
(351) Port Angeles-Port Townsend	Washington	Clallam and Jefferson	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(352) Puget Sound	Washington	County of Kitsap and those parts of the Counties of King and Pierce lying west of the Snoqualmie National Forest	Apr. 1, 1941	June 1, 1942	July 15, 1942
(353) Spokane	Washington	Spokane	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(354) Walla Walla	Washington	Walla Walla	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Washington	Franklin	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Washington	In the County of Benton the Precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens, and Richland	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(354a) Yakima	Washington	In the County of Benton, the precincts of Benton City, Carley, Columbia, East Prosser, Expansion, Hanford, Highlands, Horn Rapids, Hover, Kiona, North Prosser, Paterson, Prosser, Rattlesnake, Riverside, Walnut Grove, Wellington, West Prosser, and White Bluffs, and the County of Yakima	Mar. 1, 1943	Apr. 1, 1944	May 15, 1944
(355) Charleston, West Virginia	West Virginia	Kanawha	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	West Virginia	In Putnam County the Magisterial District of Pocatalico	Mar. 1, 1942	Aug. 1, 1943	Sept. 15, 1943
(356) Huntington	West Virginia	Cabell and Wayne	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Lawrence	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Kentucky	Boyd and Greenup	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(356a) Martinsburg	West Virginia	Berkeley	Mar. 1, 1943	Apr. 1, 1944	May 15, 1944
(357) Morgantown	West Virginia	Marion and Monongalia	Apr. 1, 1941	July 1, 1942	Aug. 15, 1942
(358) Point Pleasant Gallipolis	West Virginia	Jackson and Mason	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Ohio	Gallia and Meigs	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(359) Wheeling-Steubenville	West Virginia	Brooke, Hancock, Marshall, Ohio, and Wetzel	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Ohio	Belmont, Columbiana, and Jefferson	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(360) Bellot-Janesville	Wisconsin	Rock	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(361) Eau Claire	Wisconsin	Chippewa, Dunn, and Eau Claire	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(361a) La Crosse	Wisconsin	La Crosse	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(362) Madison, Wis.	Wisconsin	Columbia, Dane, and Sauk	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942

See footnotes at end of table.

SCHEDULE A—DEFENSE-RENTAL AREAS—Continued

Name of defense-rental area	State	County or counties in defense-rental area under Rent Regulation for Housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(363) Manitowoc.....	Wisconsin	Manitowoc.....	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Wisconsin	That portion of the City of Kiel in the County of Calumet.....	Mar. 1, 1942	Apr. 1, 1944	May 15, 1944
(364) Milwaukee.....	Wisconsin	Kenosha, Milwaukee, Racine, and Waukesha.....	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
(365) Oshkosh-Fond du Lac.....	Wisconsin	Fond du Lac and Winnebago.....	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
	Wisconsin	That portion of the City of Waupun in the County of Dodge.....	Mar. 1, 1942	Jan. 1, 1943	Feb. 15, 1943
(366) Sparta.....	Wisconsin	Monroe.....	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(367) Sturgeon Bay.....	Wisconsin	Door.....	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
(368) Casper.....	Wyoming	Natrona.....	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(369) Cheyenne.....	Wyoming	Laramie.....	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(369a) Douglas.....	Wyoming	Converse.....	Mar. 1, 1943	May 1, 1944	June 15, 1944
(370) Alaska.....	Alaska	Territory of Alaska.....	Mar. 1, 1942	Nov. 1, 1942	Mar. 15, 1943
(371) Puerto Rico.....	Puerto Rico	Puerto Rico.....	Oct. 1, 1942	Feb. 1, 1944	Mar. 31, 1944

¹ This regulation is applicable only to that portion of the defense-rental area set forth in the third column of this Schedule A.
² Sections 1, 6, 13.
³ Remaining sections.

[* Items added; ** Items amended by Am. 23, effective 6-1-44]

[Schedule A amended by Am. 1, 8 F.R. 9020, effective 7-1-43; Am. 4, 8 F.R. 10741, effective 8-1-43; Am. 5, 8 F.R. 12025, effective 9-1-43; Am. 10, 8 F.R. 14663, 15585, effective 10-27-43; Am. 11, 8 F.R. 14815, effective 11-1-43; Am. 13, 8 F.R. 16208, 16427, effective 12-1-43; Am. 14, 8 F.R. 17297, effective 1-1-44; Am. 15, 9 F.R. 206, effective 2-1-44; Am. 16, 9 F.R. 972, effective 2-1-44; Am. 18, 9 F.R. 2289, effective 3-1-44; Am. 19, 9 F.R. 3231, effective 4-1-44; Am. 22, 9 F.R. 4541, effective 5-1-44 and as otherwise noted.]

Effective date. This Rent Regulation for Housing shall become effective June 1, 1943. [Rent Regulation for Housing issued May 31, 1943.]

[Effective dates of amendments are shown in notes following the parts affected.]

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

Issued this 27th day of May 1944.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 44-7711; Filed, May 27, 1944; 4:47 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 25, Incl. Amdts. 1-24]

DESIGNATION OF AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

This compilation of Designation and Rent Declaration 25 includes Amendment 24, effective June 1, 1944. The items amended by Amendment 24 are indicated by note.

The Emergency Price Control Act of 1942 provides that whenever in the judgment of the Price Administrator such action is necessary or proper in order to effectuate the purposes of that Act, he shall issue a declaration setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for any defense-area housing accommodations within a particular defense-rental area; and that if within sixty days after the issuance of any such recommendations rents for any such accommodations within such defense-rental area have not in the judgment of the Price Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the recommendations, the Price Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of that act; and

In the judgment of the Price Administrator, defense activities have resulted or threaten to result in increases in the rents for housing accommodations in the areas designated in § 1388.1201 inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Price Administrator, it is necessary and proper in order to effectuate the purposes of the said act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for defense-area housing accommodations within the defense-rental areas designated in § 1388.1201.

Therefore, under the authority vested in the Price Administrator by said act, this designation and rent declaration is issued.

- Sec.
 1388.1201 Designation.
 1388.1202 Necessity.
 1388.1203 Recommendations.
 1388.1204 Maximum rent regulation.
 1388.1205 Effective date.

AUTHORITY: §§ 1388.1201 to 1388.1205, inclusive, issued under 56 Stat. 23, 765.

§ 1388.1201 *Designation.* The following areas are hereby designated by the Price Administrator as areas where defense activities have resulted or threaten to result in an increase in rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute defense-rental areas to be known by the names listed in the following table;

Name of defense-rental area ¹	In State or States of—	Defense-rental area consists of—	Name of defense-rental area ¹	In State or States of—	Defense-rental area consists of—
(1) Dothan-Ozark.....	Alabama	Counties of Coffee, Dale, and Houston.	(12) Blytheville.....	Arkansas	County of Mississippi.
(2) Gadsden.....	do	County of Etowah.	(13) Camden, Ark.....	do	Counties of Calhoun and Ouachita.
(3) Lanett.....	do	County of Chambers.	(14) El Dorado.....	do	County of Union.
(4) Montgomery.....	do	Counties of Elmore, Macon, and Montgomery.	(15) Fort Smith.....	do	County of Sebastian.
(5) Selma.....	do	County of Dallas.	(16) Hope.....	do	County of Hempstead.
(6) [Revoked.]			(17) Little Rock.....	do	Counties of Lonoke, Pulaski, and Saline.
(7) Fort Huachuca.....	Arizona	Counties of Cochise and Santa Cruz.	(18) Pine Bluff.....	do	Counties of Arkansas, Jefferson, and Prairie.
(8) Phoenix-Salt River Valley.....	do	Counties of Gila and Maricopa.	(19) Bakersfield.....	California	County of Kern.
(9) Prescott-Flagstaff.....	do	Counties of Coconino and Yavapai and that portion of the County of Mohave which is south of the Colorado River.	(20) [Revoked.]	do	County of Fresno.
(10) Tucson.....	do	County of Pima.	(21) Fresno.....	do	County of Lassen.
(11) [Revoked.]			(22) Lassen County.....	do	Counties of Los Angeles and Orange.
			(23) [Revoked.]	do	Counties of Butte, Sutter and Yuba.
			(24) Los Angeles.....	do	
			(25) Marysville—Chico.....	do	

¹ The words "Defense-Rental Area" shall follow the name listed in the table in each case to constitute the full name of a defense-rental area, e. g., "Dothan-Ozark Defense-Rental Area," "Gadsden Defense-Rental Area."

² 7 F.R. 3195. Title amended by Ams. 3, 6, 9, and 14.

Name of defense-rental area	In State or States of—	Defense-rental area consists of—	Name of defense-rental area	In State or States of—	Defense-rental area consists of—
(26) [Revoked.] (27) Monterey Bay	California	Counties of Monterey and Santa Cruz.	(96) Eastern Massachusetts	Massachusetts	Counties of Barnstable, Bristol, Middlesex, Norfolk, Plymouth and Suffolk.
(28) Riverside	do	County of Riverside.	(97) Greenfield	do	County of Franklin.
(29) San Bernardino	do	County of San Bernardino.	(98) Pittsfield	do	County of Berkshire.
(30) San Francisco Bay	do	Counties of Alameda, Marin, San Francisco, San Mateo, Santa Clara, and Sonoma.	(99) Springfield Mass.	do	Counties of Hampden and Hampshire.
(31) Santa Barbara	do	Judicial Townships Nos. 1, 2, and 3 in the County of Santa Barbara.	(100) Worcester	do	County of Worcester.
(32) Tulare-Kings	do	Counties of Kings and Tulare.	(101) [Revoked.]	Michigan	County of Genesee.
(33) Colorado Springs	Colorado	County of El Paso.	(102) Flint	do	Counties of Kent, Muskegon, and Ottawa.
(34) Denver	do	Counties of Adams, Arapahoe, Denver, and Jefferson.	(103) Grand Rapids-Muskegon	do	Counties of Jackson and Lenawee.
(35) Pueblo	do	Counties of Otero and Pueblo.	(104) Jackson, Mich.	do	Counties of Calhoun and Kalamazoo.
(36) Delaware	Delaware	Counties of Kent, New Castle, and Sussex.	(105) Kalamazoo - Battle Creek	do	Counties of Clinton, Eaton, and Ingham.
(37) Banana River	Florida	County of Brevard.	(106) Lansing	do	County of St. Clair.
(38) Fort Myers	do	County of Lee.	(107) Port Huron	do	Counties of Bay, Midland, and Saginaw.
(39) Hobe Sound-Stuart	do	County of Martin.	(108) Saginaw-Bay City	do	Counties of Carlton and St. Louis.
(40) Key West	do	County of Monroe.	(109) Duluth-Superior	Minnesota	County of Douglas.
(41) Orlando	do	County of Orange.	(110) Minneapolis-St. Paul	Minnesota	Counties of Anoka, Dakota, Hennepin, Ramsey, and Washington.
(42) Panama City	do	Counties of Bay, Franklin and Gulf.	(111) Columbus, Miss.	Alabama	Counties of Lamar and Pickens.
(43) Pensacola	do	Counties of Escambia Okaloosa, and Santa Rosa	(112) Greenville, Miss.	Mississippi	Counties of Chickasaw, Clay, Itawamba, Lee, Lowndes, and Monroe.
(44) [Revoked.]	do	Counties of Leon and Wakulla.	(113) Jackson, Miss.	do	County of Washington.
(45) Tallahassee	do	Counties of Highlands, Hillsborough, Pinellas, and Polk.	(114) Meridian	do	Counties of Hinds, Madison, and Rankin.
(47) [Revoked.]	Georgia	County of Dougherty.	(115) Kansas City	Missouri	County of Lauderdale.
(48) Albany, Ga.	do	Counties of Clayton, Cobb De Kalb, and Fulton.	(116) Pike	Kansas	Counties of Clay, Jackson, and Platte.
(49) Atlanta	do	County of Richmond.	(117) Springfield, Mo.	Missouri	Counties of Johnson, Leavenworth, and Wyandotte.
50) Augusta, Ga.	South Carolina	County of Aiken.	(118) St. Louis	Illinois	County of Pike.
(51) Hinesville	Georgia	County of Liberty.	(119) Butte	Montana	County of Greene.
(52) Moultrie	do	County of Colquitt.	(120) Columbus, Nebr.	Nebraska	City of St. Louis and the Counties of Jefferson, St. Charles, and St. Louis.
(53) Savannah	do	County of Chatham.	(121) Grand Island	do	Counties of Madison, Monroe, and St. Clair.
(54) Toccoa	do	County of Stephens.	(122) Lincoln	do	County of Silver Bow.
(55) Valdosta	do	County of Lowndes.	(123) Omaha	do	Counties of Butler, Colfax, Platte, and Polk.
(56) Chicago	Illinois	Counties of Cook, Du Page, Kane, and Lake.	(124) Sidney, Nebr.	Iowa	County of Hall.
(57) Crab Orchard	do	Counties of Jackson and Williamson.	(125) [Revoked.]	Nebraska	County of Lancaster.
(58) Dixon	do	County of Lee.	(126) Las Vegas	Nevada	Counties of Dodge, Douglas, Sarpy, and Saunders.
(59) Peoria	do	Counties of Peoria and Tazewell.	(127) Manchester	New Hampshire	Pottawatomie.
(60) Quad Cities	Iowa	County of Reck Island.	(128) Portsmouth	do	County of Cheyenne.
(61) Quincy	Missouri	County of Scott.	(129) [Revoked.]	New Jersey	County of Clark.
(62) Champaign Vermilion	Illinois	County of Adams.	(130) Northeastern New Jersey	do	Counties of Hillsborough and Sullivan.
(63) Rockford	do	Counties of Lewis and Marion.	(131) Trenton	do	Counties of Rockingham and Stratford.
(64) Savanna-Clinton	Iowa	Counties of Champaign and Vermilion.	(132) Albuquerque	New Mexico	Counties of Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, and Union.
(65) Springfield-Decatur	Illinois	Counties of De Kalb, Boone and Winnebago.	(133) Roswell	do	Counties of Hunterdon, Mercer and Warren.
(66) [Revoked.]	Indiana	County of Carroll.	(134) Silver City-Lordsburg	do	County of Bernalillo.
(67) [Revoked.]	do	County of Clinton.	(135) Albany-Troy, N. Y.	New York	Counties of Chaves, Curry, DeBee, and Roosevelt.
(68) Columbus, Ind.	do	Counties of Christian, Logan, Macon, and Saneamon.	(136) Binghamton	do	Counties of Grant and Hidalgo.
(69) Richmond-Connersville	do	Counties of Bartholomew, Brown, Jackson, Johnson, Lawrence, Morgan, and Shelby.	(137) Buffalo	do	Counties of Albany and Rensselaer.
(70) Evansville-Hendersonville	Kentucky	Counties of Fayette and Wayne	(138) Elmira	do	Counties of Broome and Tioga.
(71) Fort Wayne	Indiana	County of Vanderburgh	(139) Essex County, N. Y.	do	Counties of Erie and Niagara.
(72) Gary-Hammond	do	Henderson and Union.	(140) Jamestown	do	Counties of Chemung and Steuben.
(73) La Fayette	do	Counties of Adams and Allen	(141) New York City	do	County of Essex.
(74) Madison, Ind.	do	County of Lake.	(142) Poughkeepsie	do	County of Chautauque.
(75) Anderson	do	Counties of Fountain, Tippecanoe, and Warren	(143) Rochester	do	City of New York (including the Boroughs of Bronx, Brooklyn, Manhattan, Queens, and Richmond) and the Counties of Nassau and Suffolk.
(76) Terre Haute	do	County of Jefferson	(144) Seneca	do	Counties of Dutchess, Orange, and Ulster.
(77) Cedar Rapids	Iowa	Counties of Delaware, Grant, Howard, Huntington, Madison, Miami, and Wabash.	(145) Sidney, N. Y.	do	Counties of Genesee, Monroe, Orleans, and Wayne.
(78) Des Moines	do	Edgar, Parke, Vermillion, and Vigo.	(146) Syracuse	do	Counties of Ontario, Seneca, and Yates.
(79) Waterloo	do	County of Linn.	(147) Utica-Rome	do	Counties of Chenango, Delaware, and Otsego.
(80) Baxter Springs	Kansas	Counties of Jasper and Polk.	(148) Charlotte	North Carolina	Counties of Cayuga, Onondaga, and Oswego.
(81) Topeka-Lawrence	Oklahoma	County of Black Hawk.	(149) Durham	do	Counties of Herkimer, Madison and Oneida.
(82) Fort Knox	Kentucky	Counties of Cherokee and Crawford.	(150) Elizabeth City, N. C.	do	County of Mecklenburg.
(83) [Revoked.]	do	County of Ottawa.	(151) Greensboro	do	County of Durham.
(84) Paducah	do	Counties of Douglas, Franklin, and Shawnee.	(152) Jacksonville, N. C.	do	Counties of Chowan, Pasquotank, and Perquimans.
(85) Richmond, Ky.	do	Counties of Bullitt, Hardin, and Meade.	(153) Mount Airy-Elkin	do	County of Guilford.
(86) Baton Rouge	Louisiana	Ballard and McCracken.	(154) New Bern	do	County of Onslow.
(87) Lake Charles	do	County of Madison.	(155) Ashtabula	Ohio	County of Surry.
(88) Monroe-Bastrop, La.	do	Parishes of East Baton Rouge and West Baton Rouge.	(156) Celina-St. Marys	do	Counties of Carteret and Craven.
(89) New Orleans	do	Parishes of Calcasieu.			County of Ashtabula.
(90) Shreveport	do	Parishes of Morehouse, Ouachita, and Union.			Counties of Auglaize and Mercer.
(91) Bangor	Maine	Parishes of Jefferson, Orleans, and St. Bernard.			
(92) Portland	do	Parishes of Bossier and Caddo.			
(93) Presque Isle	do	County of Penobscot.			
(94) Hagerstown	Maryland	Counties of Androscoggin, Cumberland and York.			
(95) Indian Head-Patuxent River	do	County of Aroostook.			
		County of Washington.			
		Counties of Calvert, Charles, and St. Marys.			

Name of defense-mental area	In State or States of--	Defense-mental area consists of--	Name of defense-mental area	In State or States of--	Defense-mental area consists of--
(157) Cincinnati	Ohio	Counties of Butler, Clermont, Hamilton, and Warren.	(215) Killeen-Temple	Texas	Counties of Bell, Coryell, and Lampasas.
(158) Columbus, Ohio	Ohio	Counties of Boone, Campbell, and Kenton.	(216) Lower Rio Grande Valley	do	Counties of Cameron, Hidalgo, and Willacy.
(159) [Revoked.]	do	Counties of Franklin and Licking.	(217) Lubbock	do	County of Lubbock.
(160) Lima	do	County of Allen.	(218) Marfa-Alpine	do	Counties of Brewster and Presidio.
(161) Marion	do	County of Marion.	(219) Marshall	do	Counties of Camp, Cass, Harrison, Marion, Morris, Red River, Smith, Titus, and Upshur.
(162) Sandusky-Port Clinton	do	Counties of Erie, Huron, Ottawa, and Sandusky.	(220) Matagorda Bay	do	Counties of Calhoun, Jackson, and Matagorda.
(163) Toledo	do	Counties of Hancock, Lucas, Seneca, and Wood.	(221) Midland-Odessa	do	Counties of Ector and Midland.
(164) Choteau	Oklahoma	Counties of Craig, Mayes, Rogers, and Wagoner.	(222) Paris, Tex.	do	County of Lamar.
(165) Enid	do	County of Garfield.	(223) San Angelo	Oklahoma	County of Choctaw.
(166) Muskogee	do	County of Muskogee.	(224) San Antonio	Texas	County of Tom Green.
(167) Oklahoma City	do	Counties of Caddo, Canadian, Cleveland, Grady, McClain, and Oklahoma.	(225) Sherman-Denison	do	Counties of Atascosa, Bandera, Bexar, Comal, Guadalupe, Kendall, Medina, and Wilson.
(168) Tulsa	do	Counties of Creek, Osage, and Tulsa.	(226) Victoria	do	Counties of Fannin and Grayson.
(169) [Revoked.]	do	do	(227) Waco	do	County of Victoria.
(170) Corvallis	Oregon	Counties of Benton and Linn.	(228) Wichita Falls	do	County of McLennan.
(171) Medford	do	County of Jackson.	(229) Provo, Utah	Utah	County of Wichita.
(172) Pendleton	do	County of Umatilla.	(230) Salt Lake City	do	County of Utah.
(173) Portland-Vancouver	do	Counties of Clackamas, Multnomah, Tillamook and Washington.		Nevada	Counties of Box, Elder, Cache, Davis, Morgan, Salt Lake, Tooele and Weber.
(174) Allentown Bethlehem	Washington	County of Clark.			Portion of Elko County situated within a radius of three miles from the center of U. S. Highway 40, where the said highway crosses the Nevada-Utah State line.
(175) Altoona-Johnstown	Pennsylvania	Counties of Lehigh and Northampton.	(231) [Revoked.]		
(176) [Revoked.]	do	Counties of Blair, Cambria, and Somerset.	(232) Burlington, Vt.	Vermont	County of Chittenden.
(177) Erie	do	County of Erie.	(233) Springfield-Windsor	do	County of Windsor.
(178) Harrisburg	do	Counties of Cumberland, Dauphin, Franklin, Lebanon, and Perry.	(234) Blackstone	Virginia	County of Nottoway.
(179) Lancaster-York	do	Counties of Lancaster and York.	(235) King George County	do	County of King George.
(180) Meadville-Titusville	do	Counties of Crawford and Venango.	(236) Quantico	do	Independent City of Fredericksburg and the Counties of Prince William and Stafford.
(181) [Revoked.]	do	do	(237) Richmond, Virginia	do	Independent City of Richmond and the County of Henrico; in the County of Chesterfield the Magisterial Districts of Bernuda, Clover Hill, Dale, Manchester, and Middlethian.
(182) Philadelphia	do	Counties of Bucks, Chester, Delaware, Montgomery, and Philadelphia.	(238) Yorktown	do	Independent City of Williamsburg and the Counties of James City and York; in the County of Warwick the Magisterial Districts of Danbigh and Stanley.
(183) Pittsburgh	do	Counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Lawrence, Washington and Westmoreland.	(239) Bellingham	Washington	Counties of Skagit and Whatcom.
(184) Reading	do	County of Berks.	(240) Everett	do	County of Island and Snohomish.
(185) Scranton-Wilkes-Barre	do	Counties of Carbon, Lackawanna, and Schuylkill and that portion of Luzerne County other than Nescopeck Borough, Nescopeck Township, and Salem Township.	(241) [Revoked.]	do	County of Cowlitz.
(186) Williamsport	do	Counties of Clinton, Columbia, Lycoming, Montour, Northumberland, Snyder, and Union, and in the County of Luzerne, Nescopeck Borough, Nescopeck Township, and Salem Township.	(242) Longview-Kelso	do	Counties of Challam and Jefferson.
(187) Newport	Rhode Island	County of Newport.	(243) [Revoked.]	do	County of Spokane.
(188) Providence	do	Counties of Bristol, Kent, and Providence.	(244) Port Angeles-Port Townsend	do	Counties of Franklin and Walla Walla and in the County of Benton the Precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens, and Richland.
(189) Washington County	do	County of Washington.	(245) Spokane	do	County of Kanawha and in the County of Putnam the Magisterial District of Pocatalico.
(190) [Revoked.]	do	do	(246) Walla Walla	do	Counties of Cabell and Wayne; County of Lawrence;
(191) Charleston, S. C.	South Carolina	Counties of Beaufort, Charleston, Colleton, and Dorchester.	(247) Charleston, W. Va.	West Virginia	Counties of Boyd and Greenup.
(192) Columbia, S. C.	do	Counties of Calhoun, Florence, Lexington, Richland, and Sumter.	(248) Huntington	do	Counties of Jackson and Mason;
(193) Greenville, S. C.	do	County of Greenville.	(249) Point Pleasant-Gallipolis	Ohio	Counties of Gallia and Meigs.
(194) Greenwood	do	County of Greenwood.	(250) Wheeling-Steubenville	West Virginia	Counties of Brooke, Hancock, Marshall, Ohio, and Wetzel.
(195) Spartanburg	do	Counties of Cherokee, Spartanburg, and Union.	(251) Beloit-Janesville	Ohio	Counties of Belmont, Columbiana, and Jefferson.
(196) [Revoked.]	do	do	(252) Madison, Wis.	Wisconsin	County of Rock.
(197) Provo-Hot Springs, S. Dak.	South Dakota	County of Fall River.	(253) Manitowoc	do	Counties of Columbia, Dane, and Sauk.
(198) Rapid City-Sturgis	do	Counties of Lawrence, Meade, and Pennington.	(254) Milwaukee	do	County of Manitowoc and that portion of the City of Kiel in the County of Calumet.
(199) Chattanooga	Tennessee	Counties of Bradley, Hamilton, and Marion.	(255) Oshkosh-Fond du Lac	do	Counties of Kenosha, Milwaukee, Racine, and Waukesha.
(200) Clarksville	Georgia	Counties of Catoosa, Dade, and Walker.	(256) Sparta	do	Counties of Fond du Lac and Winnebago and that portion of the City of Waupun in the County of Dodge.
(201) Columbia, Tenn.	Tennessee	Counties of Henry, Montgomery, and Stewart.	(257) Sturgeon Bay	do	County of Monroe.
(202) Copperhill-McCaysville	do	County of Maury.	(258) Cheyenne	Wyoming	County of Door.
(203) Knoxville	Tennessee	County of Polk.	(259) Puerto Rico	do	County of Laramie.
(204) Memphis	do	County of Fannin.	(260) Richmond-Vallejo	California	Puerto Rico in its Entirety.
(205) Nashville	do	Counties of Anderson, Blount, Knox, and Roane.	(261) Dallas	Texas	Counties of Contra Costa, Napa, and Solano.
(206) [Revoked.]	do	County of Shelby.	(262) Essex County, Mass.	Massachusetts	County of Dallas.
(207) Amarillo	Texas	County of Crittenden.	(263) Santa Maria	California	County of Essex.
(208) Austin	do	Counties of Davidson and Rutherford.	(264) Southern N. J.	do	Judicial Townships No. 4, 5, 6, 7, 9 and 10 in the County of Santa Barbara.
(209) [Revoked.]	do	Counties of Dallam, Hansford, Hartley, Moore, Potter, Randall, and Sherman.	(265) Sacramento	California	Counties of Burlington, Camden, Cape May, Cumberland, Gloucester, and Salem.
(210) [Revoked.]	do	Counties of Bastrop, Hays, Travis, and Williamson.	(266) Hot Springs-Malvern, Ark.	Arkansas	Counties of Sacramento, San Joaquin, and Yolo.
(211) Corpus Christi	do	Counties of Bee, Kleberg, Nueces, and San Patricio.	(267) Warren	Pennsylvania	Counties of Clark, Garland, and Hot Springs.
(212) Fort Worth	do	County of Tarrant.	(268) Monroe, Mich.	Michigan	County of Warren.
(213) Gainesville	do	County of Cooke.			County of Monroe.
(214) Houston-Galveston	do	Counties of Brazoria, Chambers, Galveston Harris, and Liberty.			

[Items (131) and (174) amended by Am. 24, effective 6-1-44]

[Table amended by Am. 1, 7 F.R. 3892, effective 5-22-42; Am. 2, 7 F.R. 4179, effective 5-30-42; Am. 3, 7 F.R. 5812, effective 8-1-42; Am. 4, 7 F.R. 6389, effective 8-12-42; Am. 5, 7 F.R. 7245, effective 9-11-42; Am. 6, 7 F.R. 8356, effective 10-14-42; Am. 7, 7 F.R. 8507, effective 10-20-42; Am. 8, 7 F.R. 9954, effective 12-1-42; Am. 9, 7 F.R. 10081, effective 12-1-42; Am. 10, 8 F.R. 121, effective 1-1-43; Am. 11, 8 F.R. 1228, effective 2-1-43; Am. 12, 8 F.R. 4779, effective 4-15-43; Am. 13, 8 F.R. 5738, effective 5-1-43; Am. 14, 8 F.R. 9021, effective 7-1-43; Am. 15, 8 F.R. 10738, effective 8-1-43; Am. 16, 8 F.R. 12094, effective 9-1-43; Am. 17, 8 F.R. 13919, effective 11-1-43; Am. 18, 8 F.R. 14763 and 15581, effective 11-1-43; Am. 19, 8 F.R. 16208, effective 12-1-43; Am. 20, 8 F.R. 17297, effective 1-1-44; Am. 21, 9 F.R. 971, effective 2-1-44; Am. 22, 9 F.R. 3230, effective 4-1-44; Am. 23, 9 F.R. 4540, effective 5-1-44 and as otherwise noted]

§ 1388.1202 *Necessity.* The necessity for the stabilization or reduction of rents for defense-area housing accommodations in the defense-rental areas designated in § 1388.1201 is as follows:

The designated areas now are or will be the location of establishments of the armed forces of the United States or war production industries. An increase in employment has taken place in most of these areas and is about to take place in the other areas. Such increases in employment reflecting the expansion of war activities have resulted or threaten to result in increased demands for rental housing accommodations by persons residing in these areas. The President has already found that an acute shortage of housing exists or impends in most of the areas under Public Law 849, 76th Congress (Lanham Act); Public Law 9, 77th Congress; or Public Law 24, 77th Congress (Title VI, National Housing Act). Most of the areas have been placed on the list of Defense Housing Areas in which builders may secure priority ratings on critical materials for residential construction.

In each of the designated areas defense activities have resulted or threaten to result in an increase in rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942. As war activities continue to expand, the demand for housing accommodations will become more extensive, and further rent increases and threatened rent increases will materialize unless prevented. Accordingly, it is necessary that rents for such housing accommodations be reduced or stabilized.

§ 1388.1203 *Recommendations.* It is the judgment of the Price Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within any

of the defense-rental areas designated in § 1388.1201 inconsistent with the purposes of the act. Accordingly, the Price Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within each of the designated areas on or about March 1, 1942. The Price Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Price Administrator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the act.

Recommendations with reference to the stabilization or reduction of rents for housing accommodations within each of the designated defense-rental areas are as follows:

(a) The maximum rent for housing accommodations rented on March 1, 1942, should be the rent for such accommodations on that date. Appropriate provision consistent with such maximum rent date should be made for the maximum rent for housing accommodations not rented on March 1, 1942. In appropriate cases, including those relating to new construction or substantial changes of housing accommodations, provision consistent with the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of maximum rents of housing accommodations, but in principle such rents should not be greater than the rents generally prevailing for comparable accommodations in the particular area on March 1, 1942.

(b) Appropriate provision should be made with respect to the restraint of evictions and other actions relating to the recovery of possession.

(c) Appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.

§ 1388.1204 *Maximum rent regulation.* If within sixty days after the issuance of this designation and rent declaration, rents for housing accommodations within any defense-rental area designated in § 1388.1201 have not in the judgment of the Price Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the foregoing recommendations, the Price Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

§ 1388.1205 *Effective date.* This designation and rent declaration (§§ 1388.-

1201 to 1388.1205, inclusive) shall become effective April 28, 1942. [Designation and Rent Declaration 25 originally issued April 28, 1942.]

[Effective dates of amendments are shown in notes following parts affected.]

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7712; Filed, May 27, 1944; 4:47 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31¹ Incl. Amdts. 1-18]

DESIGNATION OF AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

This compilation of Designation and Rent Declaration 31 includes Amendment 18, effective June 1, 1944. The items added or amended by Amendment 18 are indicated by note.

In the judgment of the Price Administrator, defense activities have resulted or threatened to result in increases in the rents for housing accommodations in the areas designated in § 1388.1341 inconsistent with the purposes of the Emergency Price Control Act of 1942; and

In the judgment of the Price Administrator, it is necessary and proper in order to effectuate the purposes of the said Act to issue this declaration, setting forth the necessity for, and recommendations with reference to, the stabilization or reduction of rents for defense-area housing accommodations within the defense-rental areas designated in § 1388.1341;

Therefore, under the authority vested in the Price Administrator by said act, this designation and rent declaration is issued.

Sec.

1388.1341 Designation.
1388.1342 Necessity.
1388.1343 Recommendations.
1388.1344 Maximum rent regulation.
1388.1345 Effective date.

AUTHORITY: § 1388.1341 to 1388.1345, inclusive, issued under 56 Stat. 23, 765.

§ 1388.1341 *Designation.* The following areas are hereby designated by the Price Administrator as areas where defense activities have resulted or threaten to result in an increase in rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942 and shall constitute defense-rental areas to be known by the names listed in the following table:

¹ 7 F.R. 7942. Title amended by Am. 9.

Name of defense rental area	In State of—	Defense-rental area consists of—	Name of defense rental area	In State of—	Defense-rental area consists of—
(1) Alabama.....	Alabama.....	That portion of the State of Alabama not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of Baldwin, Coffee, and Pickens.	(21) Missouri.....	Missouri.....	That portion of the State of Missouri not heretofore designated by the Price Administrator as part of any defense-rental area.
(2) Arizona.....	Arizona.....	That portion of the State of Arizona not heretofore designated by the Price Administrator as part of any defense-rental area, except that portion of Mohave County which is south of the Colorado River.	(22) Montana.....	Montana.....	That portion of the State of Montana not heretofore designated by the Price Administrator as part of any defense-rental area.
(3) Arkansas.....	Arkansas.....	That portion of the State of Arkansas not heretofore designated by the Price Administrator as part of any defense-rental area, except the county of Randolph (which becomes a part of the Newport-Walnut Ridge Defense-Rental Area, effective February 1, 1943).	* (23) Nebraska.....	Nebraska.....	That portion of the State of Nebraska not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Adams, Buffalo, Clay, Dakota, and Redwillow.
(4) California.....	California.....	That portion of the State of California not heretofore designated by the Price Administrator as part of any defense-rental area.	(24) Nevada.....	Nevada.....	That portion of the State of Nevada not heretofore designated by the Price Administrator as part of any defense-rental area, except that portion of Elko County situated within a radius of three miles from the center of U. S. Highway 40, where the said highway crosses the Nevada-Utah State Line.
(5) Colorado.....	Colorado.....	That portion of the State of Colorado not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of Chaffee and Garfield.	(25) New Hampshire.....	New Hampshire.....	That portion of the State of New Hampshire not heretofore designated by the Price Administrator as part of any defense-rental area.
* (6) Florida.....	Florida.....	That portion of the State of Florida not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Columbia, Dade, St. Johns, St. Lucie, Santa Rosa, and Wakulla, and in the county of Broward the city of Hollywood and the town of Hallandale.	(26) Ocean-Atlantic.....	New Jersey.....	Counties of Ocean and Atlantic.
* (7) Georgia.....	Georgia.....	That portion of the State of Georgia not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Dublin, Sumter, Thomasville, and Ware.	(27) New Mexico.....	New Mexico.....	That portion of the State of New Mexico not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of Curry, DeBaca, Roosevelt, and San Miguel.
(8) Idaho.....	Idaho.....	That portion of the State of Idaho not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of Ada and Elmore.	(28) New York.....	New York.....	That portion of the State of New York not designated prior to October 5, 1943 by the Price Administrator as part of any defense-rental area and the counties of Rockland and Westchester.
(9) Illinois.....	Illinois.....	That portion of the State of Illinois not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of De Kalb, Fulton, Kankakee, Knox, La Salle, McDonough, and Mason.	(29) North Carolina.....	North Carolina.....	That portion of the State of North Carolina not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of Alamance, Buncombe, Chowan, Edgecombe, Moore, Nash, Pender and Perquimans.
(10) Indiana.....	Indiana.....	That portion of the State of Indiana not heretofore designated by the Price Administrator as part of any defense-rental area, except the county of Wayne.	(30) North Dakota.....	North Dakota.....	The entire State of North Dakota.
* (11) Iowa.....	Iowa.....	That portion of the State of Iowa not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Jasper, Wapello, and Woodbury.	(31) Ohio.....	Ohio.....	That portion of the State of Ohio not heretofore designated by the Price Administrator as part of any defense-rental area, except the county of Licking.
* (12) Kansas.....	Kansas.....	That portion of the State of Kansas not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Barton, Finney, Ford, Gray, Pratt, and Reno.	(32) Oklahoma.....	Oklahoma.....	That portion of the State of Oklahoma not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of Beckham, Canadian, Custer, Jackson, Tillman, and Washita.
* (13) Kentucky.....	Kentucky.....	That portion of the State of Kentucky not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Ballard and Davless.	(33) Oregon.....	Oregon.....	That portion of the State of Oregon not heretofore designated by the Price Administrator as part of any defense-rental area, except the county of Tillamook (which becomes a part of the Portland-Vancouver Defense-Rental Area, effective January 1, 1943).
(14) Louisiana.....	Louisiana.....	That portion of the State of Louisiana not heretofore designated by the Price Administrator as part of any defense-rental area.	(34) Pennsylvania.....	Pennsylvania.....	That portion of the State of Pennsylvania not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of Clinton and Elk.
(15) Maine.....	Maine.....	That portion of the State of Maine not heretofore designated by the Price Administrator as part of any defense-rental area.	(35) South Carolina.....	South Carolina.....	That portion of the State of South Carolina not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of Colleton and Florence.
* (16) Maryland.....	Maryland.....	That portion of the State of Maryland not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Calvert, Frederick, and St. Marys.	(36) South Dakota.....	South Dakota.....	That portion of the State of South Dakota not heretofore designated by the Price Administrator as part of any defense-rental area.
(17) Dukes-Nantucket.....	Massachusetts.....	Counties of Dukes and Nantucket.	* (37) Tennessee.....	Tennessee.....	That portion of the State of Tennessee not designated prior to October 5, 1942 by the Price Administrator as part of any defense-rental area, except the counties of Anderson, Loudon, and Roane.
(18) Michigan.....	Michigan.....	That portion of the State of Michigan not heretofore designated by the Price Administrator as part of any defense-rental area, except the county of Hillsdale.	(38) Texas.....	Texas.....	That portion of the State of Texas not heretofore designated by the Price Administrator as part of any defense-rental area, except the counties of Bee, Brazos, Brewster, Denton, Kinney, Kleberg, Lampasas, McCulloch, Nolan, Smith, Uvalde, Val Verde, and Webb, and Justices' Precincts 1, 6, and 7 in the county of Caldwell.
(19) Minnesota.....	Minnesota.....	That portion of the State of Minnesota not heretofore designated by the Price Administrator as part of any defense-rental area.	(39) Utah.....	Utah.....	That portion of the State of Utah not heretofore designated by the Price Administrator as part of any defense-rental area.
(20) Mississippi.....	Mississippi.....	That portion of the State of Mississippi not heretofore designated by the Price Administrator as part of any defense-rental area, except the county of Jones.	(40) Vermont.....	Vermont.....	That portion of the State of Vermont not heretofore designated by the Price Administrator as part of any defense-rental area.

Name of defense rental area	In State of—	Defense-rental area consists of—	Name of defense rental area	In State of—	Defense-rental area consists of—
(41) Virginia.....	Virginia.....	That portion of the State of Virginia not heretofore designated by the Price Administrator as part of any defense-rental area, except the county of Northampton which becomes the Cape Charles Defense-Rental Area, effective January 1, 1943.	(52) Hutchinson.....	Kansas.....	County of Reno.
			(53) Dodge City.....	do.....	Counties of Finney, Ford and Gray.
			(54) Kearney.....	Nebraska.....	County of Buffalo.
			(55) Southern Pines.....	North Carolina.....	County of Moore.
			(56) Clinton-Elk City.....	Oklahoma.....	Counties of Beckham, Custer and Washita.
(42) Washington.....	Washington.....	That portion of the State of Washington not heretofore designated by the Price Administrator as part of any defense-rental area, except that portion of Grant County lying between the south line of Township 23 North and the north line of Township 16 North, and in the County of Benton the Precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens, Richland, Benton City, Carley, Columbia, East Prosser, Expansion, Hanford, Highlands-Horn Rapids, Hoover, Kiona, North Prosser, Paterson, Prosser, Rattlesnake, Riverside, Walnut Grove, Wellington, West Prosser, and White Bluffs.	(57) Florence.....	South Carolina.....	County of Florence.
			(58) Bryan.....	Texas.....	County of Brazos.
			(59) Del Rio.....	do.....	Counties of Kinney, Maverick, Uvalde, and Val Verde.
			(60) Hastings.....	Nebraska.....	Counties of Adams and Clay.
			(61) Ottumwa.....	Iowa.....	County of Wapello.
			(62) Miami.....	Florida.....	County of Dade and in the county of Broward the City of Hollywood and the town of Hallandale.
			(63) Americus.....	Georgia.....	County of Sumter.
			(64) Macomb-Canton.....	Illinois.....	Counties of Fulton, McDonough, and Mason.
			(65) Laurel.....	Mississippi.....	County of Jones.
			(66) McCook.....	Nebraska.....	County of Redwillow.
			(67) Burlington, N. C.....	North Carolina.....	County of Alamance.
			(68) Altus-Frederick.....	Oklahoma.....	Counties of Jackson and Tillman.
			(69) Brady.....	Texas.....	County of McCulloch.
			(71) Ephrata.....	Washington.....	That portion of Grant County lying between the south land of Township 23 North and the north land of Township 16 North.
(43) West Virginia.....	West Virginia.....	That portion of the State of West Virginia not heretofore designated by the Price Administrator as part of any defense-rental area, except the county of Berkeley and the Magisterial District of Poetatalico in the county of Putnam.	(72) Baldwin County.....	Alabama.....	County of Baldwin.
			(73) Fort Pierce.....	Florida.....	County of St. Lucie.
			(74) San Miguel County.....	New Mexico.....	County of San Miguel.
			(75) La Crosse.....	Wisconsin.....	County of La Crosse.
			(76) Great Bend.....	Kansas.....	County of Barton.
			(77) Asheville.....	North Carolina.....	County of Buncombe.
			(78) Rocky Mount.....	do.....	Counties of Edgecombe and Nash.
			(79) Lockhart.....	Texas.....	Justices' Precincts 1, 6, and 7 in the County of Caldwell.
			(80) Sweetwater.....	do.....	County of Nolan.
			(81) Hillsdale.....	Michigan.....	County of Hillsdale.
			(82) Martinsburg.....	West Virginia.....	County of Berkeley.
			(83) Galesburg.....	Illinois.....	County of Knox.
			(84) Pender County.....	North Carolina.....	County of Pender.
			(85) Douglas.....	Wyoming.....	County of Converse.
			** (86) St. Augustine.....	Florida.....	County of St. Johns.
			** (87) Dublin.....	Georgia.....	County of Laurens.
			** (88) Thomasville.....	Georgia.....	Thomas County and those portions of the towns of Pavo and Barwick in Brooks County and that portion of the town of Meigs in Mitchell County.
(44) Wisconsin.....	Wisconsin.....	That portion of the State of Wisconsin not heretofore designated by the Price Administrator as part of any defense-rental area, except the county of La Crosse, that portion of the City of Waupun in the county of Dodge, and that portion of the city of Kiel in the county of Calumet.	** (89) Sioux City.....	Iowa.....	County of Woodbury.
				Nebraska.....	County of Dakota.
(45) Wyoming.....	Wyoming.....	That portion of the State of Wyoming not heretofore designated by the Price Administrator as part of any defense-rental area, except the county of Converse.	** (90) Pratt.....	Kansas.....	County of Pratt.
(46) Cape Charles.....	Virginia.....	County of Northampton.	** (91) Owensboro.....	Kentucky.....	County of Daviess.
(47) Laredo.....	Texas.....	County of Webb.	** (92) Frederick.....	Maryland.....	County of Frederick.
(48) Lake City.....	Florida.....	County of Columbia.	** (93) Lenoir City.....	Tennessee.....	County of Loudon.
(49) Boise.....	Idaho.....	Counties of Ada and Elmore.			
(50) Kankakee.....	Illinois.....	County of Kankakee.			
(51) La Salle County.....	do.....	County of La Salle.			

[*Items amended; **Items added by Am. 18, effective 6-1-44]

[§ 1388.1341 amended by Am. 1, 8 F.R. 122, effective 1-1-43; Am. 2, Am. 3, 8 F.R. 1228, effective 2-1-43. Am. 4, 8 F.R. 1749, effective 2-6-43; Am. 5, 8 F.R. 4779, effective 4-15-43; Am. 6, 8 F.R. 5738, effective 5-1-43; Am. 7, 8 F.R. 5739, effective 5-1-43; Am. 8, 8 F.R. 10739, effective 8-1-43; Am. 9, 8 F.R. 12099, effective 9-1-43; Am. 10, 8 F.R. 12624, effective 9-15-43; Am. 11, 8 F.R. 13920, effective 11-1-43; Am. 12, 8 F.R. 14012, effective 10-15-43; Am. 13, 8 F.R. 14697, 15581, effective 11-1-43; Am. 14, 8 F.R. 16209, effective 12-1-43; Am. 15, 9 F.R. 972, effective 2-1-44; Am. 16, 9 F.R. 3232, effective 4-1-44; Am. 17, 9 F.R. 4541, effective 5-1-44 and as otherwise noted]

§ 1388.1342 *Necessity.* The necessity for stabilization or reduction of rents for defense-area housing accommodations in the defense-rental areas designated in § 1388.1341 is as follows:

The designations of defense-rental areas hereby and heretofore made include the entire United States. The problem of inflation is nation-wide, and effective prevention of inflation requires nation-wide action affecting substantially all elements of the national economy. War conditions have caused widespread increases in rents, and threaten further general price and rent rises. Any increases in housing rentals, an important factor in the cost of living, have serious inflationary effects. Additional rental increases are threatened

not only by increased migrations from one part of the country to another in connection with war production and new or expanding military establishments, but also by general factors affecting the economy including the greatly increased purchasing power of the people of the nation in relation to a relatively stable and limited supply of housing. In each of the designated defense-rental areas, defense activities have resulted or threaten to result in an increase in rents for housing accommodations inconsistent with the purposes of the Emergency Price Control Act of 1942.

§ 1388.1343 *Recommendations.* It is the judgment of the Price Administrator that by April 1, 1941, defense activities had not yet resulted in increases in rents for housing accommodations within any of the defense-rental areas designated in § 1388.1341 inconsistent with the purposes of the act. Accordingly, the Price Administrator has ascertained and given due consideration to the rents prevailing for housing accommodations within each of the designated areas on or about March 1, 1942. The Price Administrator has considered, so far as practicable, relevant factors deemed by him to be of general applicability, including fluctuations in property taxes and other costs. It is the judgment of the Price Adminis-

trator that the recommendations hereinafter set forth are generally fair and equitable and will effectuate the purposes of the act.

Recommendations with reference to the stabilization or reduction of rents for housing accommodations within each of the designated defense-rental areas are as follows:

(a) The maximum rent for housing accommodations rented on March 1, 1942 should be the rent for such accommodations on that date. Appropriate provision consistent with such maximum rent date should be made for the maximum rent for housing accommodations not rented on March 1, 1942. In appropriate cases, including those relating to new construction or substantial changes of housing accommodations, provision consistent with the Emergency Price Control Act of 1942 should be made for the determination, adjustment, and modification of maximum rents of housing accommodations, but in principle such rents should not be greater than the rents generally prevailing for comparable accommodations in the particular area on March 1, 1942.

(b) Appropriate provision should be made with respect to the restraint of evictions and other actions relating to the recovery of possession.

(c) Appropriate provision should be made to prevent the circumvention or evasion of maximum rents by any method whatever.

§ 1388.1344 *Maximum rent regulation.* If within sixty days after the issuance of this designation and rent declaration, rents for housing accommodations within any defense-rental area designated in § 1388.1341 have not in the judgment of the Price Administrator been stabilized or reduced by State or local regulation, or otherwise, in accordance with the foregoing recommendations, the Price Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942.

§ 1388.1345 *Effective date.* This designation and rent declaration (§§ 1388.1341 to 1388.1345, inclusive) shall become effective October 5, 1942. [Designation and Rent Declaration 31 originally issued October 5, 1942]

[Effective dates of amendments are shown in notes following the parts affected]

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7718; Filed, May 27, 1944;
4:47 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5, Amdt. 66]

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 respect:

A new section 10.1 (h) is added to read as follows:

(h) When a seasonal user suspends operations, he must report to the Board the number of days that he was actually in operation during the allotment period in which he suspends operations. If he was not in operation during the number of days for which he obtained an allotment, he must account for the difference. He shall surrender ration evidences (or be charged with excess inventory if he does not have all or part of such ration evidences), in an amount equal to the difference between his allotment as granted, and the allotment reduced in proportion to the number of days that he was not in operation.

This amendment shall become effective June 2, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been

*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.

approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; 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 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7744; Filed, May 29, 1944;
11:54 a. m.]

PART 1305—ADMINISTRATION

[Rev. Gen. Order 32, Amdt. 11]

REGIONAL ADMINISTRATOR'S DELEGATION OF AUTHORITY TO ACT FOR THE PRICE ADMINISTRATOR

Revised General Order No. 32 is amended in the following respects:

1. Paragraph (a) (2) is amended to add the following: "or section 9 (d) of Revised Maximum Price Regulation 287 (Manufacturers' Prices for Women's, Girls', Children's and Toddlers' Outerwear Garments) or section 3.14 (g) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation."

2. Paragraph (a) (3) is amended to add the following: "or sections 5 (c), 9 (c), 12 (a), 12 (b), and 12 (d) of Revised Maximum Price Regulation 287, (Manufacturers' Prices for Women's, Girls', Children's and Toddlers' Outerwear Garments) or section 3.14 (d) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation."

3. Paragraph (a) (4) is amended to add the following: "or sections 4, 6, 9 (a) and 12 (c) of Revised Maximum Price Regulation 287 (Manufacturers' Prices for Women's, Girls', Children's and Toddlers' Outerwear Garments) or section 3.14 (c) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation."

4. Paragraph (b) (2) is amended to add the following: "or section 9 (d) of Revised Maximum Price Regulation 287 (Manufacturers' Prices for Women's, Girls', Children's and Toddlers' Outerwear Garments) or section 3.14 (g) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation."

5. Paragraph (b) (3) is amended to add the following: "or sections 5 (c), 9 (c), 12 (a), 12 (b) and 12 (d) of Revised Maximum Price Regulation 287 (Manufacturers' Prices for Women's, Girls', Children's and Toddlers' Outerwear Garments) or section 3.14 (d) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation."

6. Paragraph (b) (4) is amended to add the following: "or sections 4, 6, 9 (a) and 12 (c) of Revised Maximum Price Regulation 287 (Manufacturers' Prices

for Women's, Girls', Children's and Toddlers' Outerwear Garments) or section 3.14 (c) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation."

This amendment shall become effective June 3, 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 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7745; Filed, May 29, 1944;
11:53 a. m.]

PART 1340—FUEL

[RMFR 137, Corr. to Amdt. 3]

PETROLEUM PRODUCTS SOLD AT RETAIL ESTABLISHMENTS

Amendment No. 3 to Revised Maximum Price Regulation No. 137 issued May 17, 1944, is corrected in the following respects:

1. The heading is corrected to read as follows: "[RMFR 137, Amdt. 3]"

2. The second paragraph is corrected to read as follows:

Revised Maximum Price Regulation No. 137 is amended in the following respects:

This correction shall be effective as of May 22, 1944.

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7746; Filed, May 29, 1944;
11:54 a. m.]

PART 1340—FUEL

[MPR 120, Amdt. 100]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

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

In § 1340.210 (a) (15) the final period is changed to a comma and the following is added: "and only if the seller customarily added the amount of such tax to the maximum price and separately stated the tax on his invoices prior to May 1, 1944."

This amendment shall become effective May 29, 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 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7447; Filed, May 29, 1944;
11:54 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 305, Amdt. 10]

CORN MEAL, CORN FLOUR, CORN GRITS, HOMINY, HOMINY GRITS, BREWERS GRITS AND OTHER PRODUCTS MADE BY DRY CORN MILLING PROCESS

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 305 is amended in the following respects:

1. Section 1351.1754 is amended to read as follows:

§ 1351.1754 *Maximum base point prices for yellow and white corn products.* (a) The maximum base point price for yellow corn products, except hominy feed, corn bran, corn germ cake and corn germ meal, shall be \$2.77 per hundredweight at the basing point of Kansas City, Missouri.

(b) The maximum base point price for white corn products, except hominy feed, corn bran, corn germ cake and corn germ meal, shall be \$3.21 per hundredweight at the basing point of Kansas City, Missouri.

(c) The maximum base point price for degerminated corn meal and corn grits which have been enriched by the addition of at least 1.2 milligrams of thiamine, 14 milligrams of niacin and 11 milligrams of iron per pound of such degerminated corn meal and corn grits shall be the foregoing maximum base point price for yellow corn products or white corn products, as the case may be, plus an increase at the rate of 13 and 18 cents per 100 pounds, respectively: *Provided*, That such enriched degerminated corn meal and corn grits are placed in 100 pound cotton sacks or containers other than 100 pound cotton sacks, and each such sack or container bears a tag or label stating that its contents have been enriched as above described. Any 100 pound cotton sack or container other than a 100 pound cotton sack of enriched corn meal or corn grits which does not bear said tag or label shall be priced under paragraph (a) or (b) of this section.

The maximum base point price for hominy feed, corn bran, corn germ cake and corn germ meal, shall be \$2.13 per hundredweight at the basing point of Kansas City, Missouri.

2. Section 1351.1756 (b) is amended to read as follows:

(b) In one hundred pound cotton sacks, except hominy feed, corn bran, corn germ cake and corn germ meal, the sum of (1) the maximum base point price, (2) transportation charges as defined herein, and (3) in addition, if in seller's bags, plus the actual cost of a cotton sack which holds one hundred pounds of corn products (but no greater

than the maximum price provided in Maximum Price Regulation 151).

3. Section 1351.1756 (c) is amended to read as follows:

(c) In containers other than one hundred pound cotton sacks, except "case goods" and hominy feed, corn bran, corn germ cake and corn germ meal, the sum of (1) the maximum base point price, (2) transportation charges as defined herein, (3) plus or minus the package differential and charge for outside containers listed in Appendix A; and (4) in addition, if in seller's bags, plus the actual cost of a cotton sack, which holds one hundred pounds of corn products (but no greater than the maximum price provided in Maximum Price Regulation 151).

4. Section 1351.1756 (e) is added to read as follows:

(e) For hominy feed, corn bran, corn germ cake and corn germ meal, sacked or packaged, the sum of (1) the maximum base point price, (2) transportation charges as defined herein, and (3) where the seller furnishes the sacks or packages, the reasonable market value thereof, not exceeding their maximum price at the time of the sale or delivery.

5. Section 1351.1757 is amended to read as follows:

§ 1351.1757 *Maximum delivered price for a less than carload shipment of corn products, except hominy feed, corn bran, corn germ cake and corn germ meal, by a processor.* The maximum delivered price for a sale and delivery in a less than carload lot of corn products, except hominy feed, corn bran, corn germ cake and corn germ meal, by a processor, shall be the carload maximum price f. o. b. processor's plant or warehouse, for the identical product, plus the appropriate one of the following:

(a) For a sale and delivery to a wholesaler: 5¢ per hundredweight, and the actual transportation costs to buyer's receiving point provided that such transportation costs are not to exceed 25¢ per hundredweight;

(b) For a sale and delivery to an individual retail store: 25¢ per hundredweight;

(c) For a sale and delivery to a consumer: 30¢ per hundredweight.

6. Section 1351.1758 is amended to read as follows:

§ 1351.1758 *Maximum delivered price for a less than carload shipment of hominy feed, corn bran, corn germ cake and corn germ meal, by a processor.* The maximum delivered price for a sale and delivery in a less than carload lot of hominy feed, corn bran, corn germ cake and corn germ meal by a processor shall be the carload maximum price f. o. b. processor's plant or warehouse for the identical product, plus \$1.00 per ton, plus the actual transportation costs to buyer's receiving point.

7. Section 1351.1763 is amended to read as follows:

§ 1351.1763 *Maximum prices for sales by any person other than the processor or jobber.* (a) The maximum price at which any person other than the processor or jobber may resell corn products, except, hominy feed, corn bran, corn germ cake and corn germ meal, shall be the maximum price calculated under Maximum Price Regulation Nos. 421, 422 or 423.

(b) The maximum price at which any person other than the processor or jobber may resell hominy feed, corn bran, corn germ cake and corn germ meal shall be determined by adding to his supplier's lawful maximum per ton price on the sale to him, his transportation cost and, subject to the limitation set forth in subparagraph (1) of this paragraph, a maximum markup of \$2.50 per ton if he is a wholesaler, or \$4.00 per ton if he is a retailer.

(1) The above maximum markups may be added provided that the aggregate markup for all sales by any one class of seller shall not exceed the maximum per ton markup shown above and the amount which a subsequent seller may add on resale is reduced or eliminated, as the case may be, by the amount of the markups taken by prior sellers of his class.

8. Section 1351.1766 (c) is amended to read as follows:

(c) "Corn products" means every product of corn made by a dry corn milling process from yellow or white corn, including, but not limited to, corn meal, corn flour, corn grits, grits and brewers grits, hominy feed, corn bran, corn germ cake and corn germ meal, but not including ground or cracked corn or corn feed meal which is used for animal feeding purposes, or products made by a dry corn milling process which, prior to sale by a processor, have been materially changed in form by further processing, including but not limited to brewers flakes, confectioners flakes and corn flakes.

9. Section 1351.1766 (d) is amended to read as follows:

(d) "Jobber" (sometimes known as primary jobber) means:

(1) With respect to any lot of corn products other than hominy feed, corn bran, corn germ cake and corn germ meal, a person other than a wholesaler or retailer as defined in Maximum Price Regulation Nos. 421, 422 or 423, who buys such corn products whether in car lots or less than car lots and resells the same to any person; and

(2) With respect to any lot of hominy feed, corn bran, corn bran cake or corn germ meal, a person who buys such corn products and resells the same to any person without unloading them into a warehouse or store.

10. Section 1351.1766 (g) is amended to read as follows:

(g) "Pool car shipment" means a shipment of a carload lot by one seller consisting of two or more less than carload shipments (at least one of which is of corn products), to two or more buyers

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

18 F.R. 1063, 2501, 3178, 3705, 5316, 6177, 6440, 7567, 16297, 16790; 9 F.R. 3072, 4224.

combined for the purpose of obtaining a carload rate.

11. Section 1351.1766 (i) is amended to read as follows:

(i) "Retailer" means:

(1) With respect to any lot of corn products other than hominy feed, corn bran, corn germ cake or corn germ meal, a person defined as a retailer in Maximum Price Regulation Nos. 422 and 423; and

(2) With respect to any lot of hominy feed, corn bran, corn germ cake or corn germ meal, a person, other than the processor, who sells such corn products after having unloaded the same into a warehouse or store to a consumer.

12. Section 1351.1766 (j) is amended to read as follows:

(j) "Wholesaler" means:

(1) With respect to any lot of corn products other than hominy feed, corn bran, corn germ cake or corn germ meal, a person defined as a wholesaler in Maximum Price Regulation No. 421; and

(2) With respect to any lot of hominy feed, corn bran, corn germ cake or corn germ meal, a person, other than the processor, who sells such corn products after unloading the same into a warehouse or store to any person other than a consumer.

This amendment shall become effective June 3, 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 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7748; Filed, May 29, 1944;
11:55 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 378, Amdt. 6]

MIXED FEEDS FOR ANIMALS AND POULTRY

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 19 is amended to read as follows:

SEC. 19. *Dealings between persons of the same class.* No person shall sell mixed feed or mineral mixed feed bought from a person who, with respect to the particular lot being priced, is in the same class to which he belongs, at higher than the maximum price which his supplier could have charged him on the sale to him.

This amendment shall become effective June 3, 1944.

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

¹ 8 F.R. 5810, 5648, 9530, 10435, 14281, 15489.

(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 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7749; Filed, May 29, 1944;
11:55 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS
[MPR 401, Amdt. 3]

CERTAIN CORN PRODUCTS FOR ANIMAL CONSUMPTION

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. 401 is amended in the following respects:

1. Section 1 is amended by revoking paragraphs (d), (f), (h) and (i).

2. Section 4 is amended by revoking the definitions of "corn bran," "hominy feed," "corn germ cake" and "corn germ meal."

3. The title of section 5 is amended to read as follows:

SEC. 5. *Maximum prices f. o. b. seller's plant or warehouse for sales of ground corn, cracked corn, corn chops, corn feed meal and ear corn chops.*

4. Section 5 (d) is amended to read as follows:

(d) For sales of corn feed meal, the maximum price per ton f. o. b. seller's plant or warehouse or delivered to buyer's receiving point, as the case may be, shall be:

(1) The maximum price per ton f. o. b. seller's plant or warehouse or delivered to buyer's receiving point, as the case may be, shall be the same as the maximum price for sales of like quantity and like sales of No. 2 yellow corn.

This amendment shall become effective June 3, 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 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7750; Filed, May 29, 1944;
11:55 a. m.]

PART 1388—DEFENSE-RENTAL AREAS
[Rent Reg. for Hotels and Rooming Houses,
Amdt. 21]

MAXIMUM RENT DATES AND RECORDS

Rent Regulation for Hotels and Rooming Houses is amended in the following respects:

¹ 8 F.R. 7567, 9774, 9 F.R. 2408.

² 9 F.R. 3231, 3421, 4194, 4541, 5002.

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

(5) *Defense-rental areas with maximum rent date later than March 1, 1942—(i) Maximum rent date later than March 1, 1942 but prior to July 1, 1943.* In Defense-Rental Areas with a maximum rent date later than March 1, 1942 but prior to July 1, 1943, in section 2 (b) (2) the words "June 1943" shall be substituted for the words "June 1942" and the words "June 30, 1943" shall be substituted for the words "June 30, 1942"; in section 2 (b) (3) the words "June 1943" shall be substituted for the words "June 1942"; and in section 2 (b) (4) the words "the maximum rent date" shall be substituted for the words "October 1, 1942".

(ii) *Maximum rent date of July 1, 1943, or later.* In Defense-Rental Areas with a maximum rent date of July 1, 1943, or later, in section 2 (b) (2) the words "the thirty days ending on the maximum rent date" shall be substituted for the words "June 1942" and the words "the maximum rent date" shall be substituted for the words "June 30, 1942"; in section 2 (b) (3) the words "the thirty days ending on the maximum rent date" shall be substituted for the words "June 1942"; and in section 2 (b) (4) the words "the maximum rent date" shall be substituted for the words "October 1, 1942."

2. Section 7 (e) (1) is amended to read as follows:

(e) *Records—(1) Existing records.* Every landlord of a room rented or offered for rent shall preserve, and make available for examination by the Administrator, all his existing records showing or relating to (i) the rent for each term and number of occupants for which such room was rented or regularly offered for rent during the thirty-day period determining the maximum rent for such room, (ii) the rent on any date determining a maximum rent for such room for a particular term and number of occupants under section 4 (c), (iii) rooms rented and offered for rent on a weekly and monthly basis during June 1942, in Defense-Rental Areas with a maximum rent date of March 1, 1942 or earlier, (iv) rooms rented and offered for rent on a weekly and monthly basis during June 1943, in Defense-Rental Areas with a maximum rent date later than March 1, 1942, but prior to July 1, 1943, (v) rooms rented and offered for rent on a weekly and monthly basis during the thirty days ending on the maximum rent date, in Defense-Rental Areas with a maximum rent date of July 1, 1943, or later.

This amendment shall become effective June 1, 1944.

(56 Stat. 23, 765)

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7751; Filed, May 29, 1944;
11:53 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,¹ Amdt. 125]

MILEAGE RATIONING: GASOLINE REGULATIONS

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

Ration Order 5C is amended in the following respects:

1. Section 1394.7851 (b) (4) (iv) is added to read as follows:

(iv) To operate a commercial motor vehicle in the course of its rebuilding, including operation to and from, within and between, rebuilding plants when such vehicle may be lawfully operated for such purpose without a Certificate of War Necessity. However, no ration may be issued which would permit movement to a rebuilding plant in excess of 200 miles, and from a rebuilding plant in excess of 200 miles unless the Office of Defense Transportation has certified that alternative means of transportation for such movement by rail or water carrier are unavailable or inadequate. (The 200 mile limitation does not apply to movement within and between rebuilding plants.)

2. Section 1394.8183 (b) (7) is added to read as follows:

(7) Any movement of a commercial motor vehicle in the course of its rebuilding, or moving such vehicle within or between plants engaged in its rebuilding.

This amendment shall become effective June 2, 1944.

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

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507, 77th Cong.; WPB Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7752; Filed, May 29, 1944;
11:53 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3,² Amdt. 21]

SUGAR

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

Section 1407.86e is added to read as follows:

§ 1407.86e *Special allotments for production of frozen sugared egg yolks be-*

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

¹ 8 F.R. 15937.

² 9 F.R. 1433, 1534, 2233, 2826, 3031, 3513, 3579, 3847, 3944, 4099, 4350, 4474, 4880, 5220, 5254, 5220, 5166, 5426, 5846.

tween May 29, 1944, and July 31, 1944—

(a) *General.* Any industrial user may apply to the Board (or District Office) with which he is registered for a special allotment for the production of frozen sugared egg yolks between May 29, 1944, and July 31, 1944, inclusive.

(b) *How to apply.* Application shall be made by the industrial user on OPA Form R-315 and must show:

(1) The amount of the special allotment requested;

(2) The number of pounds of egg yolks he will freeze between May 29, 1944, and July 31, 1944, inclusive, excluding any amount which he will produce from his regular allotment.

(c) *When to apply.* Application under this section may be made at any time before August 1, 1944. The Board may not act upon an application but shall forward it to the district office. If the district office finds that the facts stated in the application are true, it shall approve the application and issue a certificate in the amount requested. However, the applicant may not be granted more than one pound of sugar for each nine pounds of egg yolks he will freeze before August 1, 1944, excluding any amount which he will produce from his regular allotment.

(d) *Additional applications may be made.* An industrial user who has obtained sugar under this section and who needs more sugar for freezing sugared egg yolks may, before August 1, 1944, file another application and the District Office may approve it in the way provided by paragraphs (b) and (c). The application, however, must state the number of pounds of egg yolks he froze with any sugar he previously obtained under this section and the District Office shall take such amount into account in acting on the application.

(e) *How sugar obtained under this section may be used.* Sugar obtained under this section may not be used at a rate greater than one pound of sugar for each nine pounds of egg yolks frozen. It may be used only before August 1, 1944, and for the purposes for which it was granted and any sugar not so used shall be considered excess inventory.

(f) *A person obtaining sugar must make a report.* Any person receiving a special allotment under this section must, on or before August 10, 1944, report to the Board (or District Office) with which he is registered in writing the number of pounds of egg yolks he froze with the special allotment.

(g) *Sugar obtained under this section may be used in addition to regular allotment.* Sugar obtained under this section may be used in addition to any other allotments which an industrial user may obtain under this order.

(h) *New industrial user may be registered for purposes of this section.* Any person desiring to get sugar under this section and is not eligible for registration as an industrial user under this order may petition for registration in the way provided by § 1407.163. The District Office may permit such person to register on OPA Form R-1200 for the purpose of obtaining a special allotment under this

section. (Such person may not be assigned a base or obtain other allotments.)

This amendment shall become effective May 29, 1944.

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

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1-E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093.)

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7753; Filed, May 29, 1944;
11:56 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,¹ Amdt. 36]

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. Section 2.4 (c) is amended by deleting the last three sentences of the paragraph.

2. Section 2.4 (d) is amended to read as follows:

(d) *A consumer also uses certificates and ration coupons.* Any consumer to whom a "board" issues a "certificate" or ration coupon may use it to acquire processed foods just as stamps are used. However, a consumer may give up the certificate or ration coupon at or before the time the processed foods are acquired. The number of points a certificate or ration coupon is worth is shown on that certificate or ration coupon. A consumer to whom a certificate has been issued must sign his name on the back before he may use it.

3. Section 2.4 (f) is added to read as follows:

(f) *How consumers acquire and use tokens.* If the consumer is unable to give up points exactly equal to the point value of the processed foods acquired by him because he does not have stamps, certificates, ration coupons, or ration checks of sufficiently small value to make up the proper amount, he may give up, and the transferor may accept, stamps, certificates, ration coupons, or ration checks of the nearest higher value, and the transferor must return the excess number of points to the consumer in the form of tokens. Tokens may be used by a consumer to acquire processed foods only if he has received the tokens in this way from his transferor. A transferor may accept tokens from a consumer, un-

¹ 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791.

less he knows or has reason to believe that they were not acquired by the consumer in this way.

4. Section 9.4 (a) is amended by deleting the second paragraph and substituting the following therefor:

If the consumer is unable to give up points exactly equal to the point value of the processed foods acquired by him because he does not have stamps, certificates, ration coupons, or ration checks of sufficiently small value to make up the proper amount, he may give up, and the transferor may accept stamps, certificates, ration coupons, or ration checks of the nearest higher value and the transferor must return the excess points to the consumer in the form of tokens.

This amendment shall become effective June 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB 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 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7754; Filed, May 29, 1944;
11:51 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16; Amdt. 139]

MEATS, FATS, FISH AND CHEESES

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

Ration Order 16 is amended in the following respects:

1. Section 2.3 (c) is amended by deleting the last three sentences of the paragraph.

2. Section 2.3 (d) is amended to read as follows:

(d) A consumer also uses certificates and ration coupons. Any consumer to whom a "board" issues a "certificate" or ration coupon may use it to acquire foods covered by the order, just as stamps are used. However, a consumer may give up the certificate or ration coupon at or before the time when the foods are acquired. The number of points a certificate or ration coupon is worth is shown on that certificate or ration coupon. A consumer to whom a certificate has been issued must sign his name on the back before he may use it.

3. Section 2.3 (g) is added to read as follows:

(g) How consumers acquire and use tokens. If the consumer is unable to

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

¹ 8 F.R. 13128, 13394, 13980, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1532, 1581, 1728, 1818, 1909, 2235, 2240, 2406, 2568.

give up points exactly equal to the point value of the foods acquired by him because he does not have stamps, certificates, ration coupons, or ration checks of sufficiently small value to make up the proper amount, he may give up, and the transferor may accept stamps, certificates, ration coupons, or ration checks of the nearest higher value, and the transferor must return the excess number of points to the consumer in the form of tokens. Tokens may be used by a consumer to acquire foods covered by this order only if he has received the tokens in this way from his transferor. A transferor may accept tokens from a consumer, unless he knows or has reason to believe that they were not acquired by the consumer in this way.

4. Section 10.4 (a) is amended by deleting the last two sentences of the paragraph and substituting the following therefor:

If the consumer is unable to give up points exactly equal to the point value of the foods acquired by him because he does not have stamps, certificates, ration coupons, or ration checks of sufficiently small value to make up the proper amount, he may give up, and the transferor may accept stamps, certificates, ration coupons, or ration checks of the nearest higher value and the transferor must return the excess points to the consumer in the form of tokens.

This amendment shall become effective June 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 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, 9 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 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7755; Filed, May 29, 1944;
11:51 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16; Amdt. 140]

MEAT, FATS, FISH AND CHEESES

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

Section 19.1 (b) is amended to read as follows:

(b) This section shall not apply to action taken on any application made under sections 13.3 or 15.2, except action taken by a board, district, or regional office which has been authorized by the Office of Price Administration to grant or deny such application.

This amendment shall become effective June 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th

Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 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, 9 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 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7756; Filed, May 29, 1944;
11:53 a. m.]

Chapter XIII—Petroleum Administration for War

[Petroleum Directive 70, Amdt. 1]

PART 1590—FOREIGN PETROLEUM OPERATIONS

SUPPLY AND IMPORT ALLOCATION SCHEDULES

1. Section 1590.1 (Petroleum Directive 70, 8 F.R. 13983) is hereby amended by changing paragraphs (a) (4) and (a) (9) to read as follows:

(a) *Definitions.* * * * (4) "Director" means the Director of Foreign Supply and Distribution, the Director of Foreign Refining, or the Director of Foreign Production of the Petroleum Administration for War, as the case may be.

(9) "Allocation" means that process of allotment whereby the total foreign supply, product by product, available for shipment or shipped to a specified foreign country or area, is divided among importers or suppliers, as the case may be, in a manner which the Director deems equitable.

2. Section 1590.1 (Petroleum Directive 70, 8 F.R. 13983) is hereby amended by changing paragraph (f) to read as follows:

(f) *Supply and import allocation schedules.* For the purpose of furthering the war effort by conserving and efficiently utilizing transportation facilities, the Foreign Operations Committee or any committee thereof, subject to the supervision of the Director, shall:

(1) Investigate and determine the petroleum requirements (product by product) of each foreign country or area to be supplied, and within the limits of foreign supply, shall prepare and submit to the Director in accordance with the provisions of paragraph (j) adequate and detailed supply and import allocation schedules for each such country or area. The foreign supply shall be allocated among suppliers or importers in such area or country, in a manner which the Director deems equitable;

(2) Prepare, when requested by the Director, adequate and detailed supply and import allocation schedules covering the importation of petroleum into the United States and shall submit such schedules to the Director in accordance with the provisions of paragraph (j);

(3) With the approval of the Director, adjust among suppliers or importers, in a manner which the Director deems equitable, differences between estimates and actual supplies of petroleum allo-

cated and shipped in conformity with schedules issued in accordance with the provisions of paragraph (j).

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued this 20th day of May 1944.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

[F. R. Doc. 44-7632; Filed, May 27, 1944;
10:06 a. m.]

**TITLE 38—PENSIONS, BONUSES, AND
VETERANS' RELIEF**

Chapter I—Veterans' Administration

**PART 5—ADJUDICATION: DEPENDENTS'
CLAIMS**

Correction

The file number of the document appearing at page 5737 of the issue for Saturday, May 27, 1944, should read "F.R. Doc. 44-7544."

TITLE 46—SHIPPING

**Chapter III—War Shipping
Administration**

[G. O. 8, Rev. Supp. 10, Correction]

**PART 302—CONTRACTS WITH VESSEL OWNERS
AND RATES OF COMPENSATION RELATING
THERETO**

ADJUSTMENTS FOR SPEED AND AGE

Basis for the redetermination and readjustment of time charter hire under charter parties tendered by the War Shipping Administration to owners of American-flag vessels chartered or requisitioned for use pursuant to the provisions of sec. 902 of the Merchant Marine Act, 1936, as amended.

Paragraph (g) of § 302.93 *Adjustments* (of Supplement 10, revised, to General Order 8, as published in the FEDERAL REGISTER for Wednesday, May 17, 1944, at page 5263), is corrected by inserting the words "or (d)", following the words "paragraph (c)", so that said paragraph (g) will read:

(g) *Adjustments for speed and age with respect to a vessel built during or after 1935.* With respect to a vessel built during or after 1935, the aggregate of the combined allowances per deadweight ton per month for speed and age, provided in paragraph (a) (1) and paragraph (c) or (d) of this section, shall not be less than an amount equal to the monthly rate of bareboat charter hire applicable to the vessel as calculated in accordance with the provisions of General Order 37 (§§ 302.101 to 302.113, inclusive) less \$1.00.

(E.O. 9054, 7 F.R. 837)

E. S. LAND,
Administrator.

MAY 21, 1944.

[F. R. Doc. 44-7718; Filed, May 29, 1944;
10:15 a. m.]

No. 107—10

[Rev. G. O. 12]

**PART 306—GENERAL AGENTS AND AGENTS
COMPENSATION PAYABLE TO GENERAL AGENTS
AND AGENTS**

General Order 12, including Supplements 1 through 16, is revised to read:

SUBPART I—DRY CARGO VESSELS

Sec.	
306.1	Vessels included.
306.2	Effective period.
306.3	General Agent defined.
306.4	Agent defined.
306.5	Berth Sub-Agent and Sub-Agent defined.
306.6	Other definitions.
306.7	Compensation of Agents in continental United States ports.
306.7a	Compensation of Agents, General Agents, or Berth Sub-Agents for services incident to way cargo, passengers and mail.
306.8	Compensation of Agents at ports outside of continental United States.
306.9	Compensation of General Agents.
306.9a	Commission on fares.
306.10	Adjustment of earnings to cover deficiencies.
306.11	Adjustment for excessive compensation.
306.12	Accounting.

SUBPART II—TANKERS

306.13	Vessels included.
306.14	Effective period.
306.15	Agent defined.
306.15a	General Agent defined.
306.16	Sub-Agent defined.
306.17	Compensation of Agents in continental United States ports.
306.18	Compensation of Sub-Agents in continental United States ports.
306.18a	Compensation for services in connection with passengers, dry cargo or mail.
306.19	Compensation of Sub-Agents at ports outside of continental United States.
306.20	Brokerage.
306.20a	Compensation of General Agents.

**SUBPART III—COMBINATION CARGO AND
PASSENGER VESSELS**

306.21	Vessels included.
306.22	Effective period.
306.23	Definition of terms.
306.24	Compensation of Agents.
306.25	Compensation of Sub-Agents at ports outside of continental United States.
306.26	Compensation of General Agents.
306.26a	Commission on fares.
306.26b	Brokerage.
306.27	Adjustments.
306.28	Accounting.

SUBPART IV—COLLIERS

306.36	Vessels included.
306.37	Effective period.
306.38	Agent defined.
306.39	Sub-Agent defined.
306.40	Compensation of Agents in continental United States ports.
306.40a	Compensation of General Agents.
306.41	Compensation of Sub-Agents in continental United States ports.
306.42	Brokerage.

SUBPART V—TUGS AND BARGES

306.50	Vessels included.
306.51	Effective period.
306.52	General Agent defined.
306.53	Sub-Agent defined.
306.54	Other definitions.

Sec.	
306.55	Compensation of Agents in continental United States ports.
306.56	Compensation of Sub-Agents in foreign ports.
306.57	Compensation of General Agents.
306.58	Reimbursement for agency fees.
306.59	General provisions.
306.60	Accounting.

SUBPART VI—GENERAL PROVISIONS

306.66	Communication expenses.
306.67	Government rate.
306.68	Communication expenses—"one cent" bareboat charters.
306.69	Effective dates.
306.69a	Increases and reductions of compensation under certain circumstances.
306.69b	Maximum salaries.
306.69c	Renegotiation.

AUTHORITY: §§ 306.1 to 306.69c, inclusive, issued under E.O. 9054, 7 F.R. 837.

SUBPART I—DRY CARGO VESSELS

§ 306.1 *Vessels included.* Subpart I of General Order 12 (§§ 306.1 through 306.12) is applicable to services rendered in connection with the operation of dry cargo vessels under the standard form of service agreement for vessels time chartered from others to the War Shipping Administration (TCA-4-4-42) and the services rendered pursuant to standard form of service agreement for vessels of which the War Shipping Administration is owner or owner pro hac vice (GAA-4-4-42).

§ 306.2 *Effective period.* (a) The compensation payable to General Agents, Agents, domestic Sub-Agents and foreign Sub-Agents for services performed in connection with the business of dry cargo vessels under Service Agreements (GAA and TCA) shall be calculated as follows:

(1) Vessels delivered on or after February 25, 1942: From the date of delivery of the vessel;

(2) Vessels delivered prior to February 25, 1942:

(i) As to vessels owned by or bareboat chartered to the Administration: From the commencement of the first voyage on or after April 22, 1942;

(ii) As to vessels time chartered to the Administration: From the commencement of the first voyage on or after February 25, 1942.

(b) For services rendered by an Agent, Berth Sub-Agent or Sub-Agent prior to the attachment of a vessel under this order, as provided in paragraph (a) of this section, the Agent, Berth Sub-Agent, or Sub-Agent shall be paid the compensation provided for in this order, except where otherwise determined by the Administrator.

§ 306.3 *General Agent defined.* A General Agent is one who takes care of the vessel's business on behalf of the War Shipping Administration, under a standard form of service agreement (GAA-4-4-42), appoints agents as directed by the War Shipping Administration to handle those functions which relate to the handling of the cargo and functions incidental thereto, and assumes those duties when not otherwise instructed, obtains

all accounting for all revenue and expense and accounts to the War Shipping Administration for all business of the vessel.

§ 306.4 *Agent defined.* All persons, firms or corporations designated as "Agent" under a standard form of service agreement (TCA-4-4-42) shall be entitled to the compensation of Agent hereunder.

§ 306.5 (a) *Berth Sub-Agent defined.* A Berth Sub-Agent is an operator of United States flag vessels who is recognized by the War Shipping Administration as a regular berth operator in a certain service, and who has been designated by the War Shipping Administration as eligible for appointment by an Agent or General Agent as a sub-agent to perform such services of the Agent or General Agent as may be agreed upon for a vessel while it is operated in the regular service of the berth operator.

Berth Sub-Agents shall receive as compensation 80% of the compensation as provided in § 306.7, which compensation shall become effective at the commencement of all voyages begun after midnight, local time, June 30, 1942. For services rendered by Berth Sub-Agents prior to the effective date of the compensation herein provided, such Berth Sub-Agents shall receive the compensation authorized by the Administrator at the time the services were rendered.

(b) *Sub-Agents defined.* A Sub-Agent is one who is appointed by an Agent, General Agent or Berth Sub-Agent to perform any of the functions of the General Agent, Agent or Berth Sub-Agent, and shall be compensated by the General Agents, Agents, or Berth Sub-Agents, respectively, out of the compensation received by such General Agents, Agents, or Berth Sub-Agents hereunder. A Foreign Sub-Agent is a Sub-Agent who performs his functions outside of the continental limits of the United States including Alaska and shall be compensated in accordance with § 306.8.

§ 306.6 *Other definitions.* (a) "Handled tons" means the number of tons of cargo (outward, way, or homeward) loaded and discharged by the vessel at each port taken care of by the Agent or a foreign Sub-Agent, as manifested on a weight or measurement basis in accordance with the practice of the trade in which operated, or the current practices approved by the War Shipping Administration. (A ton of cargo which is billed on a measurement basis for the purpose hereof shall be computed as 40 cubic feet.)

A ton of cargo transported at a rate per 100 lbs. for the purpose hereof shall be computed as 2000 lbs.

A ton of cargo transported at a rate per package for the purpose hereof shall be computed as 40 cubic feet or 2240 lbs., whichever produces the greater tonnage.

A ton of liquid cargo carried in deep tanks of dry cargo vessels shall be computed as 2240 lbs.

(b) "Payable tons" means the vessel tonnage husbanded by the General

Agent, arrived at by adding together the dead-weight tonnage of the vessel and 1/40 of the under deck bale capacity and dividing the resulting sum by 2. The "payable tons" of EC-2 (Liberty type) vessels, for the purpose of calculating compensation heretofore or hereafter earned under this order only, shall be deemed to be

$$\frac{(500,000 \text{ cu. ft.})}{40} = 12,500 +$$

$$10,800 \text{ dwt} = \frac{23,300}{2}, 11,650 \text{ payable tons.}$$

(c) "Outward" means cargo loaded outward from continental United States port or ports.

(d) "Homeward" means cargo loaded at an outport for discharge at a continental United States port or ports.

(e) "Way" means cargo both loaded and discharged at ports outside the continental limits of the United States.

(f) "Coastwise" means cargo handled between two ports within the continental limits of the United States.

(g) Lumber billed on the basis of board feet measure, 600 ft. board measure shall constitute one handled ton.

(h) "Bulk cargoes" means cargoes not hand stowed, such as bulk cargoes of grain, ores, coal and similar cargoes.

(i) Piling which is transported at a rate per lineal foot, 30 lineal feet shall be computed as one ton.

(j) Ad valorem cargo is cargo handled at a percentage rate based on the value of the goods.

(k) Express for the purpose hereof shall be considered as cargo.

§ 306.7 *Compensation of Agents in continental United States ports.* As compensation for each handled ton loaded or discharged by the vessel in continental United States ports, each Agent shall be compensated as provided in the following paragraphs, out of which the Agent will pay his Sub-Agents:

(a) 2½¢ per handled ton for all Army and Navy cargo outward or homeward, where the cargo is handled by the Army or Navy and the Agent is not required to check the details of the cargo handled: *Provided further,* Where the vessel handles a full cargo and the detail of the tonnage handled is not made available to the Agent, the Agent shall receive a fee of \$250.00, but if the Army or Navy cargo is less than a full cargo or is not the only cargo loaded or discharged the fee for such Army or Navy cargo shall be \$100.00. 15¢ per handled ton outward and 12½¢ per handled ton homeward for Army and Navy cargo shipped under standard form of Government bill of lading as required under Traffic Regulations 7, issued February 27, 1943 (Operations Regulations 44), and when not coming within the preceding provisions hereof.

(b) 10¢ per handled ton for all outward and homeward bulk cargo or cargoes, and for all coastwise cargo except, effective October 1, 1942, single cargoes of coal and sulphur coastwise, on which the Agent shall be compensated at one fee of 3½¢ per handled ton. Effective October 1, 1942, where there is a Sub-Agent appointed to handle a single cargo coastwise of coal or sulphur, the Sub-Agent

shall receive 80% of the compensation provided herein.

(c) 15¢ per handled ton for outward Lend-Lease cargo and 12½¢ per handled ton for such homeward cargo. 10¢ per handled ton for outward or homeward bulk Lend-Lease cargo.

(d) 25¢ per handled ton for all other cargoes outward and 20¢ per handled ton for all other homeward cargoes, not falling within clauses (a), (b) and (c). (The Administrator reserves the right to determine the reasonableness of commercial rates on bulk and other cargoes, from the effective date of this order.)

(e) 2½% of the vessel's revenue on outward ad valorem cargo and mail, and 1½% of the vessel's revenue on homeward ad valorem cargo and mail. The Agent shall be paid 5¢ for each bag of mail and for each mail bag that is filled with empty mail bags, when such bags are transported without charge.

(f) Payment of customary brokerage is authorized to brokers who performed services in connection with booking, handling, etc., of cargo in trades and on such commodities and under such conditions as it has been in the past customary to pay brokerage on cargo carried aboard dry cargo vessels sailing prior to 12:01 a. m. June 10, 1942. On vessels sailing after 12:01 a. m. June 10, 1942, brokerage may be paid at the customary rate, but not in excess of the following rates:

(1) General commercial cargo, commonly known as package cargo, loaded outward and homeward: 1¼% on the base freight rates before all surcharges, war or otherwise.

(2) Sugar, metals, ores and other bulk cargoes covered by bills of lading, charter party or contract of affreightment, outward, homeward and way, in the nearby trades, which includes Caribbean and Canadian: 1¼% on the base freight charges before all surcharges, war or otherwise: *Provided, however,* That brokerage shall not be paid on that portion of freight charges in excess of \$5.00 per handled ton.

(3) Sugar, metals, ores and other bulk cargoes covered by bills of lading, charter party or contract of affreightment, outward, homeward and way, in long voyage trades or in spheres outside of those covered by subparagraph 2 of this paragraph: 1¼% on the base freight before all surcharges, war or otherwise: *Provided, however,* That brokerage shall not be paid on that portion of freight charges in excess of \$8.00 per handled ton.

(4) Bulk cargoes coastwise: 1¼% on the base freight before all surcharges, war or otherwise: *Provided, however,* That brokerage shall not be paid on that portion of freight charges in excess of 80¢ per handled ton on any bill of lading, contract of affreightment or charter.

(5) It is further provided that no shipper or consignee of cargo, or Agent or General Agent of the carrying vessel, shall act as broker or be paid brokerage, and that all broker's invoices must be certified that no portion whatsoever of any brokerage received by them is to be refunded to any shipper, consignee or owner of the cargo.

(g) For compensation as Agent in connection with passengers transported on dry cargo vessels, the Agent will be compensated as follows:

(1) *Commercial passengers.* \$3.00 for each passenger carried outward, and \$2.00 for each passenger carried homeward.

(2) *Military personnel.* \$1.50 for each military passenger carried outward, maximum \$300.00; \$1.00 for each military passenger carried homeward, maximum \$200.00.

For the purpose of this paragraph, the terms "passenger" and "military personnel" shall be construed as defined in § 306.23 (c) and (d). This compensation is payable from the effective dates set forth in § 306.2.

(h) The foregoing scales of compensation are subject to the following special conditions: (1) Minimum compensation for each port of loading or discharging, \$100.00; (2) minimum compensation for services rendered whenever a vessel enters a port for purposes other than loading or discharging shall be \$50.00 for all services in connection with entry and clearance, arrangements for pilotage and towage and other usual port services of like nature; (3) if a vessel loads cargo at a port outside of the continental United States and is lost prior to arrival at the port of destination of the cargo, the Agent, General Agent, or Berth Sub-Agent that is responsible for the cargo business shall be paid one fee of 50% of the homeward rates provided in this § 306.7. Additional allowances may be made by the Administrator for extraordinary services in such connection.

§ 306.7a *Compensation of Agents, General Agents, or Berth Sub-Agents for services, incident to way cargo, passengers and mail.* (a) On way cargo, passengers, and mail loaded outward from Canadian or Newfoundland ports, the Agent, General Agent, or Berth Sub-Agent who is responsible for such business shall be compensated as provided in § 306.7, out of which the agent will pay his Canadian or Newfoundland sub-agent.

(b) Except as provided in paragraph (a) of this section, or as otherwise determined by the Administrator, the Agent, General Agent, or Berth Sub-Agent who is responsible for the business incident to way cargo, passengers, and mail shall be paid one fee of 25% of the outward rates as provided in § 306.7 for supervisory services rendered, with a minimum fee of \$50.00.

§ 306.8 *Compensation of Agents at ports outside of continental United States.* As compensation for services rendered by a Sub-Agent or branch house outside of the continental United States the Agent may pay for the account of the United States, except as provided in § 306.7a, the prevailing commercial rates, but in no event in excess of the following maximum compensation to his foreign Sub-Agents, whose services are utilized in this connection, as follows:

(a) 2½¢ per handled ton for all Army and Navy cargo outward, homeward, or way, where the cargo is handled by the

Army or Navy and the Agent is not required to check the details of the cargo handled: *Provided, further,* Where the vessel handles a full cargo and the detail of the tonnage handled is not made available to the Agent, the Agent shall receive a fee of \$250.00, but if the Army or Navy cargo is less than a full cargo or is not the only cargo loaded or discharged, the fee for such Army or Navy cargo shall be \$100.00. 15¢ per handled ton outward and 12½¢ per handled ton homeward or way for Army and Navy cargo shipped under standard form of Government bill of lading as required under Traffic Regulations 7, issued February 27, 1943 (Operations Regulations 44), and when not coming within the preceding provisions hereof.

(b) 7½¢ per handled ton for outward, homeward, or way bulk cargoes.

(c) 10¢ per handled ton for outward, homeward, or way cargo shipped for Lend-Lease account.

(d) 25¢ per handled ton for all homeward cargo and way cargo loaded, 20 cents for outward and way cargoes discharged not falling within paragraphs (a), (b) or (c).

(e) 2½% of the vessel's revenue on outward ad valorem cargo and mail, and 1½% of the vessel's revenue on homeward and way ad valorem cargo and mail. The foreign Sub-Agent shall be paid 5¢ for each bag of mail and for each mail bag that is filled with empty mail bags, when such bags are transported without charge.

(f) Payment of customary brokerage is authorized to brokers who perform services in connection with booking, handling, etc., of cargo in such trades and on such commodities and under such conditions as it has been customary to pay brokerage: *Provided, however,* That such payment of brokerage shall not exceed that provided in § 306.7 (f), and provided further that no more than one brokerage may be paid on any one cargo or shipment, and that no brokerage shall be paid to the foreign Sub-Agent of the vessel.

(g) For compensation as Sub-Agent at ports outside the continental limits of the United States, including Alaska, for passengers handled on dry cargo vessels, the Agent may pay his foreign Sub-Agent or branch house, with respect to such passengers, at the prevailing commercial rate, but not in excess of the following:

(1) *Commercial passengers.* \$2.00 for each passenger embarked, and \$1.00 for each passenger disembarked.

(2) *Military personnel.* \$2.00 for each military passenger embarked, maximum \$500.00; \$1.00 for each military passenger disembarked, maximum \$250.00.

For the purpose of this paragraph the terms "passenger" and "military personnel" shall be construed as defined in § 306.23 (c) and (d). This compensation is payable from the effective dates set forth in § 306.2.

(h) The foregoing scales of compensation are subject to the following special conditions:

Minimum compensation for each port of call—\$100.00.

Additional allowances may be made by the Administrator for extraordinary services.

The Administrator reserves the right to determine the prevailing commercial rates on bulk and other cargoes from the effective date of this order.

§ 306.9 *Compensation of General Agents.* The General Agent shall be compensated both (a) as Agent, and (b) as General Agent as herein provided. He shall receive all agency fees earned from the operation of vessels assigned to him. From the sums received under the agency formula he shall compensate all agents as provided in Article 6 of the standard form of service agreement (GAA-4-4-42). From his compensation as General Agent the General Agent shall compensate all Sub-Agents performing services which are required to be performed by him under the service agreement. In addition to the agency fees, the General Agent shall be paid as follows:

(a) *Basic scale.* For each calendar month or pro rata thereof beginning with the month in which the first vessel subject hereto is delivered to the General Agent and ending with the calendar month or pro rata thereof (part days shall count as whole days) in which the last vessel subject hereto is redelivered by the General Agent, the basic compensation, computed on the basis of payable tons of the vessels handled during each such month, shall be calculated in accordance with the following scale:

First 80,000 tons	50¢ per payable ton per month.
Next 40,000 tons	40¢ per payable ton per month.
Next 40,000 tons	30¢ per payable ton per month.
Next 40,000 tons	25¢ per payable ton per month.
Next 50,000 tons	20¢ per payable ton per month.
Over 250,000 tons	15¢ per payable ton per month.

In computing compensation hereunder all owners of vessels time chartered to the War Shipping Administration will calculate payable tons of such time chartered vessels, which payable ton months will be added to the total payable ton months of assigned vessels. Compensation shall be payable on the assigned vessels only at the rates shown above, which would be applicable to such assigned vessels in the proper brackets after first applying tonnage of time chartered vessels.

(b) *Adjustment when vessels are idle.* The Administrator reserves the right to reduce compensation to the extent that any vessel is idle at any port for causes for which the General Agent is responsible, at the highest applicable rate hereunder.

(c) *Computation of net compensation.* In order to compute the net compensation due with respect to any calendar month, the General Agent shall:

(1) Multiply the number of payable tons of each vessel by the number of days operated each month, vessels time chartered to the War Shipping Administration and assigned vessels to be calculated separately;

(2) Divide each figure resulting from the foregoing calculation by the number of days in said calendar month, thereby obtaining the net payable tons per month on which compensation is to be based;

(3) Calculate the compensation payable at the rates and in the brackets shown on the time chartered vessels for which no bill is to be rendered, using the formula as prescribed in subparagraph (1) hereof, and then calculate the compensation payable in the lower brackets on the assigned vessels in accordance with the formula prescribed in subparagraph (1) hereof, for which compensation will be billed.

The General Agent shall, as soon as may be practicable after the close of each calendar month, render an invoice to the War Shipping Administration covering the compensation due him, computed in accordance with the foregoing.

§ 306.9a *Commission on fares.* On or after February 1, 1943, General Agents and Agents are authorized to pay in all trades to bona fide travel or tourist agents a commission of 5% on fares paid by or for passengers traveling for private or commercial account. No commission shall be allowed on fares paid by or for repatriated seamen traveling as passengers. For commissions incurred for services performed by bona fide travel or tourist agents between the earliest applicable effective date provided in § 306.2 and February 1, 1943, if such commissions were incurred at rates in accordance with customary practice, General Agents and Agents will be reimbursed, following payment of such commissions to such travel or tourist agents.

§ 306.10 *Adjustments of earnings to cover deficiencies.* Whenever it is demonstrated to the satisfaction of the Administrator that any General Agent performing services hereunder has not earned sufficient annual income pursuant to the provisions of this order, plus other earnings against which any portion of the overhead expense is properly allocable, to cover all of such General Agent's fair and reasonable overhead expenses as determined by the Administrator, then the General Agent shall receive as additional compensation hereunder an amount equal to 85% of such deficit. *Provided, however,* That such additional compensation shall not exceed 50% of the compensation otherwise payable hereunder. The deficit shall be determined in accordance with sound accounting rules and regulations of the Administrator promulgated from time to time. In computing such deficit, the Administrator shall take into account income and overhead expense of the General Agent, any subsidiary, or other company whom the Administrator deems should be included for accounting purposes in order to determine fair and reasonable income and expense, in connection with the operation of any other vessels for the account of the War Shipping Administration, for the Agent's own account, for the account of any government or otherwise as well as the overhead allowance included in any charter hire paid to the General Agent by the Administrator.

The effective date of the provisions of this § 306.10 shall be July 1, 1942, and adjustment for the first period shall be for the six months ending December 31, 1942, but the net balance of terminal income and terminal expense for the nine months ending December 31, 1942, shall be included in making the adjustment for the first period; thereafter adjustment under this section shall be made on an annual basis.

§ 306.11 *Adjustment for excessive compensation.* If the amount of compensation received by a General Agent or Agent hereunder, plus sums otherwise earned from other sources and allocable to overhead expense, exceeds the General Agent's or Agent's aggregate fair and reasonable overhead expense on an annual basis as determined by the Administrator, the amount of compensation payable hereunder shall be reduced to the extent of 75% of such excess: *Provided, however,* That compensation in no event shall be reduced below 25% of the compensation otherwise payable. The amount of such reduced compensation shall be determined in accordance with sound accounting rules and regulations promulgated from time to time by the Administrator. All sums earned by the General Agent or Agent, or any subsidiary or other companies who the Administrator deems should be included for accounting purposes, from whatever source, against which any portion of such overhead expense is properly allocable, shall be taken into account in determining such reduction, including sums earned in connection with the operation of vessels for the direct account of the General Agent or Agent, for the account of the United States of America, or any foreign government or otherwise. Such determination shall also reflect allowance for overhead in charter hire paid by the Administrator under any time or bareboat charter. General Agents and Agents shall refund such excess compensation at the end of each calendar year or otherwise as may be required in fiscal regulations issued in connection herewith.

The effective date of the provisions of this § 306.11 shall be July 1, 1942, and adjustment for the first period shall be for the six months ending December 31, 1942, but the net balance of the terminal income and terminal expense for the nine months ending December 31, 1942, shall be included in making the adjustment for the first period; thereafter adjustment under this section shall be made on an annual basis.

§ 306.12 *Accounting.* (a) Beginning with March 31, 1942, all General Agents and Agents will render quarterly income statements twenty-five days after the end of period, and for the calendar year not later than February 28 of the following year, covering results of all operations as General Agents and Agents under GAA and TCA Service Agreements, vessels time chartered by War Shipping Administration and vessels under bareboat charter to War Shipping Administration as well as other operations prepared in accordance with U. S. Maritime Commission General Order 22,

issued February 8, 1938, and regulations as issued by the Assistant Deputy Administrator for Fiscal Affairs. Separate columns shall be used separating income as follows:

Overall total.
Income from vessels under time charter to WSA.
Income from vessels under bareboat charter to WSA.
Income under GAA & TCA Agreements.
Income from other operations.

Appropriate expenses shall be allocated against such income with overhead expenses being appropriately allocated to each operation. Income statement shall be accompanied by statement giving basis of allocation of overhead, also surplus statement giving balance at beginning of period and additions thereto and deductions therefrom with balance at end of period.

(b) Except as provided in § 306.46 (c) of General Order 21, Supplement 4, where a vessel is assigned to one person as Agent or General Agent and another person as Berth Sub-Agent, the Berth Sub-Agent shall account to the Agent or General Agent for all income and expenses (including the Berth Sub-Agent's compensation and that paid by him to foreign sub-agents as voyage expenses).

(c) Except as provided in § 306.46 (c) of General Order 21, Supplement 4, each Agent and General Agent shall account directly to the Administration for the income and expenses of the vessels operated, and render monthly invoices to the Administration for their compensation.

SUBPART II—TANKERS

§ 306.13 *Vessels included.* This Subpart II of General Order 12 (§§ 306.13 through 306.20a) is applicable to services rendered in connection with operations of tank vessels under the standard forms of tanker service agreement (Warshipoil-TCA) and GAA (Tankers).

§ 306.14 *Effective period.* This Subpart II of General Order 12 shall become effective as of the date of delivery of each vessel to the General Agents or Agents hereunder.

§ 306.15 *Agent defined.* An "Agent" is a person, firm or corporation designated as "Agent" under the standard form of tanker service agreement (Warshipoil-TCA).

§ 306.15a *General Agent defined.* A "General Agent" is a person, firm or corporation designated as "General Agent" under the standard form of tanker service agreement, GAA (Tankers).

§ 306.16 *Sub-Agent defined.* A "sub-Agent" is one who is appointed by an Agent or General Agent to perform any functions of the Agent or General Agent pursuant to the standard forms of tanker service agreements (Warshipoil-TCA) or GAA (Tankers). A "foreign Sub-Agent" is a Sub-Agent who performs his functions outside the continental limits of the United States.

§ 306.17 *Compensation of Agents in continental United States ports.* As compensation for each tanker allocated

to an Agent to conduct the business of the vessel for the War Shipping Administration, such Agent shall be paid at the rate of \$400.00 per month. (Out of this compensation the Agent must pay, among other things, all of the Agent's outgoing communication costs except for communications to places outside the continental United States excluding Alaska). It is further provided that, if a vessel is withdrawn from service for repairs in a United States port, Agent's compensation will continue as long as there is cargo aboard and for the first ten days after discharge, or, if no cargo is aboard, upon the expiration of ten days after arrival. Thereafter Agent's compensation will cease until vessel is again placed in service.

§ 306.18 *Compensation of Sub-Agents in continental United States ports.* As compensation for services rendered by a Sub-Agent for both the United States and the Owner, or for a General Agent, the Sub-Agent shall be paid the prevailing commercial rate, but in no event in excess of a lump sum of \$125 for the first three days the vessel remains in port, and thereafter at the rate of \$25 per day for each additional day; *Provided*, No fee shall be paid for the time during which the vessel is laid up for repairs. One-third of this fee shall be for the account of the United States and the remainder shall be for the account of the owner or the General Agent.

As compensation for services rendered by a Sub-Agent for the United States only, the Sub-Agent shall be paid the prevailing commercial rate, but in no event in excess of a lump sum of \$45 for the first three days the vessel remains in port, and thereafter at the rate of \$10 per day for each additional day; *Provided*, No fee shall be paid for the time during which the vessel is laid up for repairs. The entire fee provided for in this paragraph shall be for the account of the United States.

§ 306.18a *Compensation for services in connection with passenger, dry cargo or mail.* Except as otherwise provided, the Agent or General Agent for tank vessels who performs services in connection with passengers, dry cargo, or mail carried on a tank vessel shall be compensated at the rates set forth in §§ 306.7 and 306.7a for comparable services performed by agents in connection with dry cargo vessels, except the compensation provided in § 306.7 (h) (2) shall not apply. Out of such compensation the Agent or General Agent shall pay his sub-agents employed by him, except that the United States shall pay sub-agency fees to the extent required to be paid by the United States as provided in §§ 306.18 and 306.19.

306.19 *Compensation of Sub-Agents at ports outside of continental United States.* As compensation for services rendered by a Foreign Sub-Agent for the account of both the United States and the Owner or the General Agent, the foreign Sub-Agent shall be paid the prevail-

ing commercial rate, but in no event in excess of a lump sum of \$125 for the first three days the vessel remains in port, and thereafter at the rate of \$25 per day for each additional day; *Provided*, No fee shall be paid for the time during which the vessel is laid up for repairs. One-third of this fee shall be for the account of the United States and the remainder shall be for the account of the Owner or the General Agent.

As compensation for services rendered by a foreign Sub-Agent for the United States only, the foreign Sub-Agent shall be paid the prevailing commercial rate, but in no event in excess of a lump sum of \$45 for the first three days the vessel remains in port, and thereafter at the rate of \$10 per day for each additional day; *Provided*, No fee shall be paid for the time during which the vessel is laid up for repairs. The entire fee provided for in this paragraph shall be for the account of the United States.

§ 306.20 *Brokerage.* No brokerage will be paid except with the prior approval of the Administrator and application for such brokerage will not be considered unless brokerage was formerly paid in such trade.

§ 306.20a *Compensation of General Agents.* The General Agent shall be compensated both (a) as Agent, and (b) as General Agent as herein provided. From his compensation he shall pay Sub-Agents for services which are required to be performed by him as General Agent under his service agreement. In addition to the agency fees, the General Agent shall be paid as follows:

(a) *Basic scale.* For each calendar month or pro rata thereof (part days to count as whole days), beginning with the month and day in which the first vessel subject hereto is delivered to the General Agent and ending with the calendar month and day thereof in which the last vessel subject hereto is redelivered by the General Agent, the basic compensation, computed on the basis of whole months or pro rata thereof for the vessels handled during each such month, shall be calculated in accordance with the following monthly allowance:

First 8 vessels—\$2,500.00 per month per vessel.
Over 8 vessels—\$2,000.00 per month per vessel.

The Administrator reserves the right to review and make such adjustments in the above rates as may be required to produce what, in his judgment, may be determined as fair and equitable compensation.

(b) *Adjustment when vessels are idle.* The Administrator reserves the right to determine the amount compensation shall be reduced to the extent that any vessel is idle at any port for causes for which the General Agent is responsible.

SUBPART III—COMBINATION CARGO AND PASSENGER VESSELS

§ 306.21 *Vessels included.* This Subpart III of General Order 12 (§§ 306.21 through 306.28) is applicable to services rendered in connection with the opera-

tion of combination cargo and passenger vessels for the War Shipping Administration under the standard form of service agreement for vessels time chartered from others for the War Shipping Administration (TCA-4-4-42) and the services rendered pursuant to standard form of service agreement for vessels of which the War Shipping Administration is owner or owner pro hac vice (GAA-4-4-42).

§ 306.22 *Effective period.* This Subpart III of General Order 12 shall become effective at the earliest dates permissible under such service agreements.

§ 306.23 *Definition of terms.* (a) The words defined in §§ 306.3, 306.4, 306.5 and 306.6 shall have the same meaning in this Subpart III, except that the terms "General Agent" and "Agent" shall be deemed to include wholly owned subsidiaries or any other related or interested companies that the Administrator deems should be included for accounting purposes in order to determine fair and reasonable income and expenses.

(b) A "combination passenger and dry cargo vessel" is a vessel which was constructed or materially reconditioned prior to December 7, 1941, to accommodate at least fifty passengers.

(c) A "passenger" is a person carried on the vessel other than members of the gun crew, the Master, and licensed and unlicensed personnel of the vessel, and military personnel.

(d) "Military personnel" are members of the armed forces of the United States or its allies, prisoners of war, and enemy aliens or involuntary passengers traveling under supervision and direction of the United States Army or Navy, regardless of travel status.

§ 306.24 *Compensation of Agents.* Agents for combination cargo and passenger vessels shall be compensated for the handling of cargo, passengers, and mail at the same rates as provided in §§ 306.7 and 306.7a for Agents of cargo vessels.

§ 306.25 *Compensation of Sub-Agents at ports outside of continental United States.* As compensation for services rendered by a Sub-Agent or branch house outside of the continental limits of the United States, including Alaska, the Agent may pay, with respect to cargo handled or for other services performed, at rates provided in § 306.8.

§ 306.26 *Compensation of General Agents.* No compensation shall be paid to any General Agent for his services in connection with the management and operation of the vessels where such vessels are chartered under a charter party that makes allowances for the General Agents' services (whether designated as overhead or otherwise in the charter party), except, however, the General Agent may receive payment for the amounts hereinabove provided for the account of Sub-Agents, where such services are performed by branch office of the General Agent located outside the continental limits of the United States in-

cluding Alaska, and, as to vessels that were originally operated under a Passenger Agency Service Agreement that was cancelled and superseded retroactively by the General Agency Service Agreement, where such Passenger Agency Service Agreement provided for the payment of \$1.00 per day per vessel, such compensation of \$1.00 per day per vessel shall be paid to the General Agent, unless otherwise determined by the Administrator, for services rendered from the date of delivery of the vessel under the Passenger Agency Service Agreement until redelivery of the vessel to the Administration, or until lost.

In cases where the General Agent does not receive an allowance for services under a charter party for the combination cargo and passenger vessel, he shall be compensated both (a) as Agent to the extent provided in § 306.24, and (b) as General Agent to the extent provided below, except where the Administrator determines that those rates are inappropriate and establishes a separate rate. From the sums received under the agency formula he shall compensate all agents as provided in Article 6 of the standard form of service agreement (GAA-4-4-42). From his compensation as General Agent he shall compensate all Sub-Agents performing service that are required to be performed by him under the service agreement. In addition to the agency fees, the General Agent in such cases will be paid compensation as provided in § 306.9, except that "payable tons" for combination cargo and passenger vessels shall be the gross tonnage of each such vessel multiplied by two, and, in the event that the General Agent has been allocated cargo vessels as well as combination cargo and passenger vessels, the compensation payable to the General Agent shall not be calculated separately for cargo vessels and combination cargo and passenger vessels, but, in such case, the combined payable tons of both types of vessels shall be used in determining the compensation due the General Agent for services rendered in connection with both types of vessels.

§ 306.26a *Commission on fares.* On or after February 1, 1943, General Agents and Agents are authorized to pay in all trades to bona fide travel or tourist agents a commission of 5% on fares paid by or for passengers traveling for private or commercial account. No commission shall be allowed on fares paid by or for repatriated seamen traveling as passengers. For commissions incurred for services performed by bona fide travel or tourist agents between the earliest applicable effective date provided in § 306.22 and February 1, 1943, if such commissions were incurred at rates in accordance with customary practice, General Agents and Agents will be reimbursed, following payment of such commissions to such travel or tourist agents.

§ 306.26b *Brokerage.* The provisions of §§ 306.7 (f) and 306.8 (f) shall apply

to cargo carried on combination cargo and passenger vessels.

§ 306.27 *Adjustments.* The compensation of Agents and General Agents payable under this Subpart III of General Order 12 shall be subject to adjustment in accordance with §§ 306.9, 306.10 and 306.11.

§ 306.28 *Accounting.* The provisions of § 306.12 are incorporated in this Subpart III of General Order 12 and made a part hereof by reference.

SUBPART IV—COLLIERS

§ 306.36 *Vessels included.* This Subpart IV of General Order 12 (§§ 306.36 through 306.42) is applicable to services rendered in connection with operations of vessels engaged in the coastwise transportation of coal under the standard forms of Service Agreements (TCA) and (GAA).

The provisions of this Subpart IV and the compensation herein provided for Agents, General Agents, and Sub-Agents shall apply only while the vessel is engaged in the coastwise transportation of coal including ballast or loaded legs of voyages. When the vessel is engaged in other trades, the compensation shall be as provided for services rendered by agents in conducting the business of vessels in such trade. If any provisions of this Subpart IV, General Order 12, are in conflict with the provisions of Subpart I, General Order 12, the provisions of this Subpart IV shall be controlling.

§ 306.37 *Effective period.* This Subpart IV of General Order 12 shall become effective at the earliest dates permissible under said Service Agreements.

§ 306.38 (a) *Agents defined.* All persons, firms or corporations designated as "Agent" under a standard form of Service Agreement (TCA) shall be entitled to the compensation of Agent under this Subpart IV of General Order 12, for services rendered in connection with vessels engaged in the coastwise transportation of coal.

(b) *General Agent defined.* All persons, firms or corporations designated as "General Agents" under a standard form of Service Agreement (GAA) shall be entitled to the compensation of General Agent under this Subpart IV of General Order 12, for services rendered in connection with vessels engaged in the coastwise transportation of coal.

§ 306.39 *Sub-Agent defined.* A "Sub-Agent" is one who is appointed by an Agent or General Agent to perform any of the functions of the Agent or General Agent of colliers pursuant to the standard forms of Service Agreements (TCA) and (GAA).

§ 306.40 *Compensation of Agents in continental United States ports.* As compensation for each vessel allocated to an Agent to conduct the business of the vessel for the War Shipping Administration, such Agent shall be paid at the

rate of \$400.00 per month. (Out of this compensation the Agent must pay, among other things, all of the Agent's outgoing communication costs.)

§ 306.40a *Compensation of General Agents.* The General Agent shall be compensated as provided in § 306.9, subject to adjustments as provided in §§ 306.10 and 306.11. The General Agent shall not be paid the compensation provided for Agents.

§ 306.41 *Compensation of Sub-Agents in continental United States ports.* As compensation for services rendered by a Sub-Agent for the account of the United States, the Sub-Agent shall be paid the prevailing commercial rate, but in no event in excess of a lump sum of \$45.00 for the first three days the vessel remains in port, and thereafter at the rate of \$10.00 per day for each additional day: *Provided*, No fee shall be paid for the time during which the vessel is laid up for repairs.

§ 306.42 *Brokerage.* The provisions of §§ 306.7 (f) and 306.8 (f) shall apply to cargo carried on colliers.

SUBPART V—TUGS AND BARGES

§ 306.50 *Vessels included.* This Subpart V of General Order 12 (§§ 306.50 through 306.60) is applicable to services rendered in connection with the tugs and barges allocated to General Agents under the standard form of service agreement GAA—Special 8-1-42 (Barge Service).

§ 306.51 *Effective period.* The compensation provided in this Subpart V shall become effective as of the dates of delivery of the vessels to a General Agent under his service agreement.

§ 306.52 *General Agent defined.* A "General Agent" is one who has entered into a standard form of service agreement GAA—Special 8-1-42 (Barge Service) with the Administration, and to whom tugs and barges have been delivered.

§ 306.53 *Sub-Agent defined.* A "Sub-Agent" is one who is appointed by a General Agent pursuant to Article 6 of the standard form of service agreement GAA—Special 8-1-42 (Barge Service).

§ 306.54 *Other definitions.* The definitions contained in § 306.6 shall apply to this Subpart V of General Order 12.

§ 306.55 *Compensation of Agents in continental United States ports.* The General Agent, when he performs any of the following services in continental United States ports, shall be compensated in accordance with the following scale, out of which he shall pay his Sub-Agents:

(a) *Army or Navy cargo.* 2½¢ per handled ton for all Army and Navy cargo outward or homeward where the cargo is handled by the Army or Navy and the Agent is not required to check the details of the cargo handled. Where

the full use of the barges is let to the Army or Navy on a lump sum basis, the Agent shall receive 2½¢ per ton on the dead-weight capacity of the barge; if the full use of the barge is not utilized by the Army or Navy, and the detail of the tonnage handled is not made available to the Agent, the Agent shall receive \$50.00 for the Army or Navy cargo.

(b) *Bulk cargo.* 10¢ per handled ton outward and homeward on bulk cargo or cargoes. 3½¢ per handled ton on bulk cargo loaded and discharged (both operations) coastwise, including coal.

(c) *General cargo.* 25¢ per handled ton for all other cargo outward and 15¢ per handled ton for all other cargo homeward, not falling within paragraphs (a) or (b) above.

(d) *Miscellaneous.* (1) Where the compensation provided above for loading or discharging is less than \$50.00, the General Agent will be compensated in the amount of \$50.00.

(2) Compensation for services rendered whenever a tug or tug with tow is required to enter a port for purposes other than loading or discharging cargo, such as for orders, shall be \$50.00 for tugs of the V-4 type, and \$25.00 for all other tugs, for all services in connection with entrance and clearance, arranging for pilotage and towage, or other usual port services of a like nature.

§ 306.56 *Compensation of Sub-Agents in foreign ports.* As compensation for services rendered outside of continental United States, the General Agent may pay to his foreign Sub-Agents, whose services are utilized in this connection, the prevailing commercial rates, but in no event in excess of the following:

(a) *Tugs.* For handling entrance or clearance of War Shipping Administration tug with or without tow, maximum fee of \$25.00 for either service, entering or clearing.

(b) *Barges.* (1) For handling one or more War Shipping Administration barges arriving at Cuban ports in tow of a single tug, maximum fee of \$25.00 when empty and \$75.00 when loaded or partially loaded.

(2) For handling one or more War Shipping Administration barges with cargo out of Cuban ports in tow of a single tug, maximum fee of \$125.00.

§ 306.57 *Compensation of General Agents.* In addition to any agency fees, to which the General Agent is entitled pursuant to § 306.55, the General Agent shall be paid as follows:

(a) *Basic scale.* For each calendar month or pro rata thereof (part days count as whole days), beginning with the day and month in which the first tug or barge subject hereto was delivered to the General Agent and ending with the calendar month or pro rata thereof in which the last vessel subject hereto is redelivered by the General Agent, the basic compensation, computed on the basis of

the number of tugs and barges handled during each month, shall be calculated in accordance with the following scale:

Tugs:

First tug assigned, \$700.00 per month.
All additional tugs, \$350.00 per month per tug.

Barges:

First barge \$350.00 per month.
Next 4 barges \$250.00 per month per barge.
Next 5 barges \$150.00 per month per barge.
Each barge in excess of 10 barges \$100.00 per month per barge.

(b) *Adjustment when tugs or barges are idle.* The Administrator reserves the right to reduce the compensation to the extent that any tug or barge is idle at any port for cause for which the General Agent is responsible, at the highest rate applicable hereunder.

§ 306.58 *Reimbursement for agency fees.* Fees paid by General Agents to Sub-Agents, as provided in § 306.56, shall be included in the accounts of the General Agent as an expense of operation, and shall be reimbursable under Article 7 of the service agreement.

§ 306.59 *General provisions.* The Administrator reserves the right to adjust the compensation provided herein from time to time as he may deem appropriate, and to exempt specific operations from the scope of this order.

§ 306.60 *Accounting.* Beginning with December 31, 1942 all General Agents will under quarterly income statements 25 days after the end of the period, and for each calendar year not later than February 28 of the following year, covering results of all operations as General Agents under GAA, agreements, in accordance with United States Maritime Commission General Order No. 22, issued February 8, 1938, and regulations as issued by the Assistant Deputy Administrator for Fiscal Affairs. Income statements shall reflect all compensation received by the General Agent with appropriate general administrative expenses and sub-agency fees disbursed by him, allocated against such income so as to reflect clearly the profit or loss made by the General Agent under the agreement.

SUBPART VI—GENERAL PROVISIONS

§ 306.66 *Communication expenses.* (a) All cablegrams, telegrams, and radiograms that pertain directly and exclusively to the business of the United States, dispatched by Agents, General Agents, Berth Agents, and their branch houses and domestic and foreign Sub-Agents, between the continental United States and points outside of the continental United States, shall be for the account of the United States and the cost thereof shall be included in the voyage accounts. All telegrams, cablegrams, and radiograms that pertain directly and exclusively to the business of the United States, dispatch by foreign Sub-Agents

and branch houses, shall be for the account of the United States and the cost thereof shall be included in the voyage accounts. Except as herein provided, communication expenses shall remain a part of the administrative and general expenses of the Agents, General Agents, and Berth Sub-Agents.

(b) Postage or express charges incurred in sending ships' disbursements accounts, manifests and other cargo documents to or from the continental United States, or between foreign ports, may be included in the voyage accounts as reimbursable items of expense.

§ 306.67 *Government rate.* To the extent that the cablegrams and radiograms referred to in § 306.66 (a) are entitled to Government rate and are exempt from the Federal Communication Tax, all Agents, General Agents, Berth Sub-Agents, and their branch houses and Sub-Agents, are authorized and directed to certify that such messages pertain exclusively to official Government business and are for the account of the United States, as may be required to entitle such messages to the Government rate and tax exemption.

§ 306.68 *Communication expenses; "one cent" bareboat charters.* (a) The cost of all cablegrams, telegrams, and radiograms that pertain directly and exclusively to the business of the vessels operated under the so-called one cent bareboat charters dispatched between the continental United States and points outside of the continental United States, shall be included in the voyage accounts. All telegrams, cablegrams, and radiograms that pertain directly and exclusively to the business of the vessels operated under the so-called one cent bareboat charters, dispatched by foreign Sub-Agents and branch houses, shall be included in the voyage accounts. Except as herein provided, all communication expenses under said one cent bareboat charters shall remain a part of the administrative and general expenses of the charterers.

(b) Postage or express charges incurred in sending ships' disbursements accounts, manifests and other cargo documents to or from the continental United States, or between foreign ports, may be included in the voyage accounts as reimbursable items of expense.

§ 306.69 *Effective dates.* Sections 306.66 and 306.67 shall become effective as to operations under Subpart I of General Order 12, as of the dates set forth in § 306.2, and, as to operations under Subparts II, III, IV, and V of General Order 12, as of the effective dates of the Service Agreements. Section 306.68 shall become effective as of the inception of the one cent bareboat charters and shall remain in effect until the termination of those charters.

§ 306.69a *Increases and reductions of compensation under certain circum-*

stances. (a) In addition to the compensation elsewhere provided in this order, the Administrator shall provide compensation in such amount as he shall determine to be fair and reasonable under the circumstances for extraordinary services heretofore or hereafter rendered by an Agent, General Agent, or Berth Sub-Agent, or foreign Sub-Agent or branch house, which the Administrator finds were not intended to be covered by the compensation provided for in this order.

(b) The Administrator reserves the right to make equitable reductions of compensation with regard to any vessel or vessels while idle. No compensation shall be allowed for any period of time lost by reason of the inefficiency of the Agent or General Agent.

(c) The Administrator reserves the right to exempt specific operations from the scope of this General Order 12.

§ 306.69b *Maximum salaries.* For the purpose of adjusting compensation under §§ 306.10 and 306.11, that portion of any salary paid by an Agent, General Agent, or Berth Sub-Agent in excess of the maximum provided by section 805 (c) of the Merchant Marine Act, 1936, as amended, shall be excluded; and all other salaries deemed by the Administrator to be excessive or unreasonable shall be excluded to such extent as they are deemed to be excessive or unreasonable by the Administrator. If an individual is employed by more than one Agent, General Agent, or Berth Sub-Agent, the salary limitation provided in this section shall apply to the aggregate salary received by such individual from all such agents. All Agents, General Agents, and Berth Sub-Agents shall file with the War Shipping Administration, lists of salaries as required from time to time.

§ 306.69c *Renegotiation.* Pursuant to the Renegotiation Act, the compensation paid under the provisions of this general order is subject to renegotiation. Subsection (i) (4) of said act provides, however, that where the profits can be determined with reasonable certainty when the contract price is established, and adequate provision has been made to prevent excessive profits, the compensation may, upon appropriate findings, be exempted from the provisions of said act. Accordingly, pursuant to subsection (i) (4) of said act, the Administrator will consider individual requests for exemption from renegotiation if the profits derived from the compensation payable under this order, after said compensation has been adjusted as provided in § 306.11 of this order, do not exceed the profits that would have resulted if the compen-

sation had been adjusted in accordance with the provisions of § 306.96 (a) of General Order 34, or if the Agent, General Agent, or Berth Sub-Agent agrees, as a condition precedent to the granting of such exemption from renegotiation, to return to the Administrator the amount by which said profits exceed the profits that would have resulted if said compensation had been adjusted in accordance with the provisions of § 306.96 (a) of General Order 34.

[SEAL]

E. S. LAND,
Administrator.

[F. R. Doc. 44-7633; Filed, May 27, 1944;
10:15 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 43—REPORTS (RULES GOVERNING THE FILING OF INFORMATION, CONTRACTS, PERIODIC REPORTS, ETC.)

CONTRACTS AND CONCESSIONS

In the matter of § 43.51 of the Commission's rules and regulations; requirements for filing carrier contracts and concessions:

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of May, 1944:

It appearing that the Commission on March 7, 1944, amended § 43.51 of its rules and regulations by requiring the filing of certain additional contracts and concessions, and, on April 1, 1944, extended from April 7, 1944 to June 7, 1944, the time for compliance with the additional requirements of § 43.51 added by the amendment of March 7, 1944;

It further appearing that upon request of various parties affected by the said rule, an informal conference was held at the Commission's offices on April 28, 1944, and objections to the said rule were presented which have been considered by the Commission;

It is ordered, That, unless otherwise ordered by the Commission upon the filing of objections as hereinafter provided, § 43.51 of the Commission's rules and regulations be, and it is hereby, amended, effective June 23, 1944, to read as follows:

§ 43.51 *Contracts and concessions.*

(a) Each carrier subject to the act, unless it has already done so, shall on or before August 7, 1944, file with the Commission in duplicate, verified under oath (or affirmed according to law), complete copies of every contract, agreement, concession, license, authorization, and other

arrangement to which it is a party, in relation to traffic affected by the act, concerning the following matters:

(1) The exchange of services between such carrier and any carrier not subject to the act;

(2) The interchange or routing of traffic, rates, division of tolls, or settlement of traffic balances; or

(3) Rights granted to such carrier by any foreign government for the landing, connection, installation, or operation of cables or landlines, the construction or operation of radio stations, the opening and operation of offices, or engaging in wire or radio communications operations of any kind;

(b) Any new contract, agreement, concessions, license, authorization, or other arrangement of the nature required to be filed under paragraph (a) and any modification, amendment, or cancellation of the same or of any of the instruments required to be filed under paragraph (a) shall be filed within 30 days after execution;

(c) If any contract, agreement, concession, license, authorization, or other arrangement, or any modification, amendment or cancellation of the same required to be filed under this section be made other than in writing, duplicate written verified statements of the complete terms thereof shall be filed on or before August 7, 1944 or within 30 days after the making thereof;

(d) Upon the filing of any contract, agreement, concession, license, authorization, or other arrangement by one of two or more persons required hereunder to make such filing, the filing in duplicate of a statement in writing, duly sworn to (or affirmed according to law), by the other person or persons required to make such filing, identifying such document and adopting the filing thereof, shall be regarded as compliance with the requirements of this section by such other person or persons.

It is further ordered, That any interested party may, within 15 days from the date of this order, file a statement in writing as to why § 43.51 as amended herein should not become effective in the above form and request oral argument thereon;

And, *It is further ordered,* That the time for compliance with the additional requirements of § 43.51 added by the amendment of March 7, 1944, be, and the same is hereby extended from June 7, 1944 to June 23, 1944.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-7630; Filed, May 27, 1944;
10:04 a. m.]

PART 62—RULES GOVERNING APPLICATIONS UNDER SECTION 212 OF THE ACT TO HOLD INTERLOCKING DIRECTORATES

FORM OF APPLICATION, CHANGE OF STATUS REPORT, ETC.

The Commission on May 23, 1944, effective immediately, made the following changes in Part 62:

Section 62.23 *Form of application; number of copies; size of paper, etc.* was amended by inserting the word "two" in lieu of the word "six" in the first sentence thereof.

Section 62.24 *Change in status; Commission to be informed* was deleted and the following new sections adopted:

§ 62.24 *Additional or different positions with same companies.* If an applicant has been authorized by the Commission to hold certain positions as officer or director of certain carriers and is subsequently elected or appointed, or anticipates election or appointment, to additional or different positions with one or more of the same carriers, he may report the change in the manner and form provided in § 62.25 relating to "change in status." Authorization for the holding of such additional or different positions shall be deemed granted as of the 15th day following the filing of such report, unless within that time the Commission shall call upon the applicant for additional information or for the filing of a formal application.

§ 62.25 *Change in status; Commission to be informed.* Should any change occur in the situation as reported under § 62.11 above the applicant shall report such change to the Commission within thirty days after such change occurs. Such report may be made by verified letter, in triplicate, signed by the applicant himself, his agent or attorney, or by an officer or attorney of one of the companies involved.

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i), sec. 212, 48 Stat. 1074; 47 U.S.C. 212)

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-7631; Filed, May 27, 1944; 10:04 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Coal Mines Administration.

[Order CMA-30]

RIDGWAY COAL CO., ET AL.

ORDER TERMINATING GOVERNMENT POSSESSION

I have been advised that the coal mines of the mining companies listed in Appendix A have been worked out,
No. 107—11

abandoned, or otherwise have become inactive. Based on such advice, and after consideration of all of the circumstances, I find that possession by the Government of such mines is not required for the furtherance of the war program.

Accordingly, I order and direct that the possession by the Government of the mines of the mining companies listed in Appendix A, which is attached hereto and made a part hereof, including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mines, be, and it is hereby terminated, and that there be displayed conspicuously at those mining properties copies of a poster to be supplied by the Coal Mines Administration, and reading as follows:

NOTICE: Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

Nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession, for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9393 (8 F.R. 14877) may be concluded in an orderly manner, except as those requirements may have been waived in accordance with the provisions of section 40 of the Regulations for the Operation of Coal Mines under Government Control, as amended (8 F.R. 6655, 10712, 11344, 17339).

Dated: May 25, 1944.

[SEAL] ABE FORTAS,
Acting Secretary of the Interior.

APPENDIX A

Name of Mining Company and Address

1. Ridgway Coal Company, P. O. Box No. 6, Uhrichsville, Ohio.
2. Carlson Coal Company, P. O. Box 332, Punxsutawney, Pa.
3. Marlin Coal Company, Jordan, Marion Co., W. Va.

[F. R. Doc. 44-7633; Filed, May 27, 1944; 11:14 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-437, G-521]

PANHANDLE EASTERN PIPE LINE CO.

ORDER POSTPONING HEARING

MAY 25, 1944.

It appearing to the Commission that:
(a) By its order of May 16, 1944, the Commission ordered that the hearing in

the above-docketed matters commence on June 7, 1944, in the Customs Court Room, U. S. Customhouse, 610 South Canal Street, Chicago, Illinois;

(b) Counsel for the Albion Gas Light Company, intervener, by telegram received May 23, 1944, advised that previous commitments prevent him from attending the hearing at such time and place;

(c) Good cause exists for the postponement of hearing in these matters; The Commission orders that:

The hearing in these matters now set to commence on June 7, 1944, be and the same is hereby postponed without date and subject to further order of the Commission.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-7619; Filed, May 27, 1944; 9:31 a. m.]

[Docket No. IT-5656]

COMPANIA ELECTRICA MATAMOROS, S. A.
AND CENTRAL POWER AND LIGHT CO.

NOTICE OF APPLICATION FOR AMENDMENT OF AUTHORIZATION TO EXPORT ELECTRIC ENERGY

MAY 26, 1944.

Notice is hereby given that pursuant to the provisions of section 202 (e) of the Federal Power Act, 16 U.S.C. 791a-825r, Compania Electrica Matamoros, S. A. and Central Power and Light Company have filed with the Federal Power Commission an application for amendment of the authorization previously granted by the Commission under said act so as to permit an increase in the exportation of electric energy from a point near Brownsville, Texas, to a point in or near Matamoros, Mexico, in quantities up to 7,500,000 kilowatt-hours annually, the rate of supply to remain as previously authorized namely, 2,000 kilowatts. The present exportation is limited to 5,000,000 kilowatt-hours annually.

Any person desiring to be heard or to make any protest with reference to the proposed amendment should, on or before June 13, 1944, file with the Federal Power Commission a petition or protest in accordance with the Commission's rules of practice and regulations under the Federal Power Act.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-7715; Filed, May 29, 1944; 9:45 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 3453]

NORSK HYDRO-ELEKTRISK
KVAELSTOFAKTIESELSKAB

In re: Patent application of Norsk Hydro-Elektrisk Kvaelstofaktieselskab.

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 Norsk Hydro-Elektrisk Kvaelstofaktieselskab is a corporation organized under the laws of and having its principal place of business in Norway and is a national of a foreign country (Norway);
2. That the property identified in subparagraph 3 hereof is property of Norsk Hydro-Elektrisk Kvaelstofaktieselskab;
3. That the property described as follows: Patent application identified as follows:

Serial Number, Date, Inventor and Title

426,780; 1-14-42; Endre Q. Berner & J. Kieland; Process of recovering potassium from diluted solutions.

is property of a national of a foreign country (Norway);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

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

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

Executed at Washington, D. C., on April 17, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7645; Filed, May 27, 1944;
11:31 a. m.]

[Vesting Order 3506]

LOSENHAUSENWERK

In re: Interest of Losenhausenwerk in an agreement with Westinghouse Electric & Manufacturing Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Losenhausenwerk is a business organization organized under the laws of Germany and is a national of a foreign country (Germany);
2. That the property described in subparagraph 3 hereof is property of Losenhausenwerk;
3. That the property described as follows: All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue thereof) created in Losenhausenwerk by virtue of an agreement dated March 30, 1931 (including all modifications thereof and supplements thereto, if any) by and between Losenhausenwerk and Westinghouse Electric & Manufacturing Company, which agreement relates, among other things, to Patent No. 1,639,444,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

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

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section

10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on April 24, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7646, Filed, May 27, 1944;
11:31 a. m.]

[Vesting Order 3507]

KONRAD ERDMANN

Re: Patents and interests of the heirs of Konrad Erdmann in an agreement between Konrad Erdmann and American-Austrian Magnesite Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That all of the executors, administrators, heirs and assigns of Konrad Erdmann are residents of Germany and are nationals of a foreign country (Germany), or, if they are not residents of such foreign country, they are acting, with respect to the property described in subparagraph 3 hereof, for the benefit of a resident of such foreign country, and are to that extent nationals of such foreign country;

2. That the property described in subparagraph 3 hereof is property of the executors, administrators, heirs, and assigns of Konrad Erdmann;

3. That the property described as follows: (a) All right, title and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the following United States Letters Patent:

Patent Number, Date of Issue, Inventor and Title

1,698,881; 1-15-29; Konrad Erdmann; Method and apparatus for mixing long-fibered materials with powdery substances.

1,772,712; 8-12-30; Konrad Erdmann; Method and machine for manufacturing wood wool.

1,918,462; 7-18-33; Konrad Erdmann; Apparatus for impregnating coarsely fibrous materials to be worked upon into building elements.

1,953,704; 4-3-34; Konrad Erdmann; Apparatus for manufacturing porous bodies from fibrous materials.

1,981,592; 11-20-34; Konrad Erdmann; Method of impregnating fibrous materials for building elements.

2,074,721; 3-23-37; Konrad Erdmann; Building element.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor created in Konrad Erdmann by virtue of an agreement dated July 12, 1930 (including all modifications thereof and supplements thereto, if any) by and between American-Austrian Magnesite Corporation and Konrad Erdmann, relating, among other things, to certain patents,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

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

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

Executed at Washington, D. C., on April 24, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7647; Filed, May 27, 1944;
11:31 a. m.]

[Vesting Order 3508]

HANS WAGENER AND HEINRICH MARZAHN
In re: Interests of Hans Wagener and Heinrich Marzahn in patents.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Hans Wagener and Heinrich Marzahn are residents of Germany and are nationals of a foreign country (Germany);

2. That the property identified in subparagraphs 4a and 4b hereof is property of Hans Wagener;

3. That the property identified in subparagraphs 4c and 4d hereof is property of Heinrich Marzahn;

4. That the property described as follows:
(a) An undivided one-fourth interest remaining in Hans Wagener, after the transfer by him to Heinrich Marzahn, by an assignment dated October 6, 1926 and recorded in the assignment records of the United States Patent Office on January 17, 1927 at Liber G-129, Page 467, of an undivided one-half interest therein, and to William M. Barry, by an assignment dated October 6, 1926 and recorded in the assignment records of the United States Patent Office on January 17, 1927 at Liber G-129, Page 466, of an undivided

one-fourth interest therein, in and to the following patent:

Patent Number, Date, Inventor and Title

1,700,604; 1-29-29; Hans Wagener; Internal-combustion engine piston and process for making the same.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government to which the owner of such interest is entitled.

(b) An undivided one-fourth interest remaining in Hans Wagener, after the transfer by him to Heinrich Marzahn, by an assignment dated October 6, 1926 and recorded in the assignment records of the United States Patent Office on January 17, 1927 at Liber G-129, Page 475, of an undivided one-half interest therein, and to William M. Barry, by an assignment dated October 6, 1926 and recorded in the assignment records of the United States Patent Office on January 17, 1927 at Liber G-129, Page 477, of an undivided one-fourth interest therein, in and to the following patent:

Patent Number, Date, Inventor and Title

1,722,025; 7-23-29; Hans Wagener; Process for brazing copper alloys to iron alloys.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government to which the owner of such interest is entitled.

(c) An undivided one-fourth interest remaining in Heinrich Marzahn, after the transfer to him by Hans Wagener, by an assignment dated October 6, 1926, and recorded in the assignment records of the United States Patent Office on January 17, 1927, at Liber G-129, Page 467, of an undivided one-half interest therein, and by him to William M. Barry, by an assignment dated October 25, 1926, and recorded in the assignment records of the United States Patent Office on January 17, 1927 at Liber G-129, Page 471, of an undivided one-fourth interest therein, in and to the following patent:

Patent Number, Date, Inventor and Title

1,700,604; 1-29-29; Hans Wagener; Internal-combustion engine piston and process for making the same.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government to which the owner of such interest is entitled.

(d) An undivided one-fourth interest remaining in Heinrich Marzahn, after the transfer to him by Hans Wagener, by an assignment dated October 6, 1926 and recorded in the assignment records of the United States Patent Office on January 17, 1927 at Liber G-129, Page 475, of an undivided one-half interest therein, and by him to William M. Barry, by an assignment dated October 25, 1926, and recorded in the assignment records of the United States Patent Office on January 17, 1927 at Liber G-129, Page 479, of an undivided one-fourth interest therein, in and to the following patent:

Patent Number, Date, Inventor and Title

1,722,025; 7-23-29; Hans Wagener; Process for brazing copper alloys to iron alloys.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government to which the owner of such interest is entitled.

is property of nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification,

and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

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

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

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

Executed at Washington, D. C. on April 24, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7648; Filed, May 27, 1944;
11:32 a. m.]

[Vesting Order 3509]

I. G. FARBENINDUSTRIE A. G.

In re: Interests of I. G. Farbenindustrie Aktiengesellschaft in contracts between it, Stauffer Chemical Company of Virginia and Stauffer Chemical Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That I. G. Farbenindustrie Aktiengesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of I. G. Farbenindustrie Aktiengesellschaft;

3. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part hereof,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

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

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

Executed at Washington, D. C. on April 24, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated July 9, 1936 (including all modifications thereof and supplements thereto, if any) by and between Stauffer Chemical Company of Virginia and I. G. Farbenindustrie Aktiengesellschaft, which agreement relates, among other things, to Patent No. 1,672,948.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in I. G. Farbenindustrie Aktiengesellschaft by virtue of an agreement dated December 27, 1937 (including all modifications thereof and supplements thereof, if any) by and between Stauffer Chemical Company of Virginia and Stauffer Chemical Company, which agreement relates, among other things, to Patent No. 1,672,948.

[F. R. Doc. 44-7649; Filed, May 27, 1944;
11:32 a. m.]

[Vesting Order 3510]

ISTITUTO NAZIONALE LUCE

In re: Interest of Istituto Nazionale Luce in a patent.

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 Istituto Nazionale Luce is a business organization organized under the laws of and having its principal place of business in Italy and is a national of a foreign country (Italy);

2. That the property described in subparagraph 3 hereof is property of Istituto Nazionale Luce;

3. That the property described as follows: All right, title and interest (including, but not by way of limitation, all contractual rights) created or reserved in Istituto Nazionale Luce in, to or under United States Letters Patent No. 2,079,115 by (1) an agreement dated April 7, 1939 by and between Bruno Francisci and Istituto Nazionale Luce and/or (2) an assignment from Bruno Francisci to Radio Corporation of America which assignment is dated May 2, 1939 and was recorded in the United States Patent Office on May 13, 1939 in Liber H-179, page 624,

is property of a national of a foreign country (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

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

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

Executed at Washington, D. C., on April 24, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7650; Filed, May 27, 1944;
11:32 a. m.]

[Vesting Order 3511]

MAX DIECKMANN AND OTTO SCHELLER

In re: Interests of Max Dieckmann and Otto Scheller in a patent.

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 Max Dieckmann and Otto Scheller are residents of Germany and are nationals of a foreign country (Germany);

2. That the property described in subparagraph 4a hereof is property of Max Dieckmann;

3. That the property described in subparagraph 4b hereof is property of Otto Scheller;

4. That the property described as follows: (a) An undivided one-third interest remaining in Max Dieckmann, after the transfer by him to each of Otto Scheller and William H. Murphy, by an assignment dated March 7, 1931 and recorded in the assignment records of the United States Patent Office on April 3, 1931 at Liber A-148, Page 386, of a one-third undivided interest therein, in and to the following patent:

Patent Number, Date, Inventor, and Title

1,885,023; 10-25-32; Max Dieckmann; System for locating moving bodies.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled.

(b) An undivided one-third interest transferred to Otto Scheller, by an assignment dated March 7, 1931 and recorded in the assignment records of the United States Patent Office on April 3, 1931 at Liber A-148, Page 386, in and to the following patent:

Patent Number, Date, Inventor, and Title

1,885,023; 10-25-32; Max Dieckmann; System for locating moving bodies.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owner of such interest is entitled, is property of nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within 1 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 hear-

ing 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 April 24, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7651; Filed, May 27, 1944;
11:32 a. m.]

[Vesting Order 3512]

FELTEN & GUILLEAUME CARLSWERK A. G.

In re: Interest of Felten & Guilleaume Carlswerk Actien-Gesellschaft in an agreement with General Cable Corporation relating to Patent No. 2,264,803.

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 Felten & Guilleaume Carlswerk Actien-Gesellschaft is a corporation organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Felten & Guilleaume Carlswerk Actien-Gesellschaft;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement herein-after described, together with the right to sue therefor) created in Felten & Guilleaume Carlswerk Actien-Gesellschaft by virtue of an agreement dated January 23, 1937 (including all modifications thereof and supplements thereto, including, but not by way of limitation, a letter dated March 16, 1937 from General Cable Corporation to Felten & Guilleaume Carlswerk Actien-Gesellschaft) by and between Felten & Guilleaume Carlswerk Actien-Gesellschaft and General Cable Corporation, relating, among other things, to United States Letters Patent No. 2,264,803,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

determined to take any one or all of such actions.

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

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

Executed at Washington, D. C., on April 24, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7652; Filed, May 27, 1944;
11:32 a. m.]

[Vesting Order 3513]

J. D. RIEDEL—E. DE HAEN A. G.

In re: Interest of J. D. Riedel—E. De Haen A. G. in an agreement with Monsanto Chemical Company.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That J. D. Riedel—E. De Haen A. G. is a joint stock company organized under the laws of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of J. D. Riedel—E. De Haen A. G.;

3. That the property described as follows:

All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement herein-after described, together with the right to sue therefor) created in J. D. Riedel—E. De Haen A. G. by virtue of an agreement dated August 13, 1940 (including all modifications thereof and supplements thereto, if any) by and between Monsanto Chemical Company and J. D. Riedel—E. De Haen A. G., relating, among other things, to United States Patent No. 2,062,205,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien

Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

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

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

Executed at Washington, D. C., on April 24, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7653; Filed, May 27, 1944;
11:33 a. m.]

[Vesting Order 3514]

EDMUND ALTENKIRCH

In re: Patent application of Edmund Altenkirch.

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 Edmund Altenkirch is a resident of Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Edmund Altenkirch;

3. That the property described as follows:

Patent Application identified as follows:
Serial Number, Filing Date, Inventor, and Title

494,739; 7-14-43; Edmund Altenkirch; Air Conditioning Apparatus,

is property of a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

terminated 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 April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7654; Filed, May 27, 1944;
11:33 a. m.]

[Vesting Order 3515]

SOCIETE DES USINES CHIMIQUES RHONE-
POULENC

In re: Patents and interests of Societe des Usines Chimiques Rhone-Poulenc in an agreement with E. I. du Pont de Nemours & Company and Newport Chemical Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Societe des Usines Chimiques Rhone-Poulenc is a corporation organized under the laws of France and is a national of a foreign country (France);

2. That the property described in subparagraph 3 hereof is property of Societe des Usines Chimiques Rhone-Poulenc;

3. That the property described as follows:
(a) All right, title, and interest, including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof, in and to the United States Letters Patent identified in Exhibit A attached hereto and made a part hereof,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Societe des Usines Chimiques Rhone-Poulenc by virtue of an agreement dated October 30, 1931 (including all modifications of and supplements to such agreement, including, but without limitation, three letters dated October 30, 1931, September 5, 1939 and May 5, 1941, respectively, and three cables dated January 5, 1940, January 26, 1940 and February 8, 1940, respectively, from E. I. du Pont de Nemours & Company to Societe des Usines Chimiques Rhone-Poulenc, and a letter dated May 17, 1940 and three cables dated January 6, 1940, February 5, 1940 and February 14, 1940, respectively, from Societe des Usines Chimiques Rhone-Poulenc to E. I. du Pont de Nemours & Company) by and between Societe des Usines Chimiques Rhone-Poulenc, E. I. du Pont de Nemours & Company and Newport Chemical Corporation, relating, among other things, to certain United States Letters Patent, including Patent No. 2,279,468.

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (France);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

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

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

Executed at Washington, D. C., on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Patent Number, Date of Issue, Inventor, and Title

1,627,881; 5-10-27; Alfred F. S. Bellone; Process for the reduction of halogenated hydrocarbons.

1,738,563; 12-10-29; Andre Chagnaud; Recording Device for Measuring Instruments.

1,826,594; 10-6-31; Alfred F. S. Bellone; Process for the Production of Potassium Manganate.

1,854,762; 4-19-32; Jean Paul Prunier; Manufacture of Sodium Thiosulphate.

1,859,002; 5-17-32; Adam Oser and Adrien Laurent; Process for the Manufacture of 1 Phenyl-2, 3-Dimethyl-5-Pyrazolone.

1,882,551; 10-11-32; Henry Gault and Bernard M. R. Angia; Process of Manufacture of Cellulose Esters.

1,908,746; 5-16-33; Henry Gault and Bernard M. R. Angia; Process for the Preparation of Cellulose Esters.

1,956,570; 5-1-34; Claude H. Gallay; Process of Recovering Resorcinol.

1,956,571; 5-1-34; Nicolas B. Grillet; Process of Sulphonation.

1,969,882; 8-14-34; Henry Gault and Bernard M. R. Angia; Manufacture of New Cellulose Esters.

1,988,156; 1-15-35; Maurice E. Bouvier and Louis D. Bardin; Process for the Preparation of Phenols.

1,992,167; 2-26-35; Maurice E. Bouvier, Louis D. Bardin and Jean J. Chavan; Process for the Manufacture of Phenols from Alkali Arylsulphonates.

2,082,946; 6-8-37; Maurice Fluchaire and Serge Javorski; Process of Preparing Beta Bromomethyl Benzene.

2,102,282; 12-14-37; Cecile M. Roy; Automatic Apparatus for Determining the Hardness of Water.

2,122,735; 7-5-38; Alfred F. S. Bellone; Manufacture of manganese dioxide.

2,175,842; 10-10-39; Pierre Koetschet; Process for the manufacture of highly acetylated cellulose.

2,213,717; 9-3-40; Louis Poizat and Joseph Lahousse; Alkyl esters of 3-methoxy coumaric acid and pharmaceutical compositions containing same.

2,242,322; 5-20-41; Louis Poizat; Process for preparing p-isopropyl alpha methyl hydrocinnamic aldehyde.

2,279,468; 4-14-42; Joseph E. G. Lahousse, Anne M. L. Casati and Jean L. Gonnard; Product of Antierthemic action.

[F. R. Doc. 44-7655; Filed, May 27, 1944;
11:33 a. m.]

[Vesting Order 3516]

EMIL M. MENNICKE AND EMIL K. MENNICKE

In re: Interests of Emil M. Mennicke and Emil K. Mennicke in a patent.

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 Emil M. Mennicke and Emil K. Mennicke are residents of Germany and are nationals of a foreign country (Germany);

2. That the property identified in subparagraph 4a hereof is property of Emil M. Mennicke;

3. That the property identified in a subparagraph 4b hereof is property of Emil K. Mennicke;

4. That the property described as follows:

(a) An undivided one-sixth interest remaining in Emil M. Mennicke as coinventor thereof, after the assignment by Emil M. Mennicke to Hugo G. Loesch, by an assignment dated December 10, 1928 and recorded in the assignment records of the United States Patent Office on December 13, 1928 at Liber H-137, Page 416, of an undivided one-third interest therein, in and to the following patent:

Patent Number, Date, Inventor and Title

1,699,303; 1-15-29; Emil M. Mennicke and Emil K. Mennicke; Coffee filter.

together with all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government to which the owner of such interest is entitled,

(b) An undivided one-half interest which stands of record in the assignment records of the United States Patent Office in Emil K. Mennicke, as coinventor thereof, in and to the following patent:

Patent Number, Date, Inventor and Title

1,699,303; 1-15-29; Emil M. Mennicke and Emil K. Mennicke; Coffee filter.

together with all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government to which the owner of such interest is entitled,

is property of nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including

appropriate consultation and certification, and deeming it necessary in the national interests,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

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

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

Executed at Washington, D. C. on April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7656; Filed, May 27, 1944;
11:33 a. m.]

[Vesting Order 3517]

MARIA HERZOG, ET AL.

In re: Interests of Maria Herzog, Kaiser Wilhelm Society and Helmut Hoffmann in a patent and in certain agreements relating thereto.

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 Maria Herzog and Helmut Hoffmann are residents and citizens of Germany and are nationals of a foreign country (Germany);

2. That the Kaiser Wilhelm Society is an association organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

3. That the property described in subparagraphs 5a and 5c hereof is property of Maria Herzog and Helmut Hoffmann;

4. That the property described in subparagraph 5b hereof is property of Maria Herzog, Helmut Hoffmann and Kaiser Wilhelm Society;

5. That the property described as follows:
(a) An undivided 60 per cent interest, which stands of record in the United States Patent Office in the names of Helmut Hoffmann and Maria Herzog (administratrix of the estate of Reginald O. Herzog, deceased) in and to the following patent:

Patent Number, Date, Inventor, and Title

2,077,412; 4-20-37; Reginald O. Herzog and Helmut Hoffmann; Process for the preparation of a molded cellulose foam from viscose and product thereof.

including all accrued royalties and all damages and profits recoverable at law or in equity from any person, firm, corporation or government for past infringement thereof to which the owners of such interest are entitled.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Kaiser Wilhelm Society, Prof. Dr. R. O. Herzog and Dr. Helmut Hoffmann by virtue of an agreement dated September 22, 1933, (including all modifications thereof and supplements thereto, if any) by and between Alfred Burgeni, Helmut Hoffmann and Reginald Herzog, which agreement relates, among other things, to United States Letters Patent No. 2,077,412.

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Maria Herzog and Helmut Hoffmann by virtue of an agreement dated June 12, 27 and 30, 1935 (including all modifications thereof and supplements thereto, if any) by and between Maria Herzog, Helmut Hoffmann and Eugene J. Lorand, which agreement relates, among other things, to United States Letters Patent No. 2,077,412,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interest held therein by, nationals of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States; *Provided, however,* That the property herein vested shall not include any right, title or interest of Eugene J. Lorand or Alfred Burgeni in and to the aforesaid patent and agreements, nor shall such vesting disturb in any way the rights of said Eugene J. Lorand or Alfred Burgeni or affect adversely in any way any right, title, interest or privilege which either of them may have.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within 1 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 April 24, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7657; Filed, May 27, 1944;
11:33 a. m.]

[Vesting Order 3557]

N. V. NEDARS ARSPHENAMINENFABRIEK
AND DR. LUDWIG RITTER

In re: Interests of N. V. Nedars Arspnenaminenfabriek and Dr. Ludwig Ritter in agreements with Albi Chemical Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That N. V. Nedars Arspnenaminenfabriek is a corporation organized under the laws of and having its principal place of business in The Netherlands and is a national of a foreign country (The Netherlands);

2. That Ludwig Ritter is a citizen of Germany, that his last known address is The Hague, The Netherlands and that he is a national of foreign countries (Germany and The Netherlands);

3. That the property described in subparagraph 4 hereof is property of N. V. Nedars Arspnenaminenfabriek and Ludwig Ritter;

4. That the property described as follows:

Property identified in Exhibit A attached hereto and made a part thereof,

is property of, or is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, nationals of foreign countries (Germany and The Netherlands);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

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

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

Executed at Washington, D. C., on May 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in N. V. Nedars Arsphenaminfabriek and Ludwig Ritter, and each of them, by virtue of an agreement dated March 12, 1941 (including all modifications thereof and supplements thereto, if any) by and between N. V. Nedars Arsphenaminfabriek, Ludwig Ritter and Albi Chemical Corporation, relating, among other things, to United States Patent Application Serial No. 368,252.

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in N. V. Nedars Arsphenaminfabriek and Ludwig Ritter, and each of them, by virtue of an agreement dated March 12, 1941 (including all modifications of and supplements to such agreement, including, but without limitation, an agreement of March 12, 1941, relating to the rates of royalty for the use of patent application Serial No. 368,253 and a letter agreement of July 22, 1941 (by and between N. V. Nedars Arsphenaminfabriek, Ludwig Ritter and Albi Chemical Corporation, relating, among other things, to United States Patent Application Serial No. 368,253, now United States Patent No. 2,310,257.

[F. R. Doc. 44-7658; Filed, May 27, 1944; 11:34 a. m.]

[Vesting Order 3558]

ROBERT BOSCH, G. M. B. H. ET AL.

In re: Interest of Robert Bosch, G. m. b. H. in agreements with Eclipse Machine Company and Eclipse Aviation Corporation.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Robert Bosch, G. m. b. H. is a corporation organized under the laws of and having its principal place of business in Germany and is a national of a foreign country (Germany);

2. That the property described in subparagraph 3 hereof is property of Robert Bosch, G. m. b. H.;

3. That the property described as follows:

(a) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement

hereinafter described, together with the right to sue therefor) created in Robert Bosch Aktiengesellschaft by virtue of an agreement executed by Eclipse Machine Company on February 15, 1927, and by Robert Bosch Aktiengesellschaft on February 16, 1927 (including all modifications thereof and supplements thereto, if any) by and between Robert Bosch Aktiengesellschaft and Eclipse Machine Company, which agreement relates, among other things, to certain United States Letters Patent,

(b) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Robert Bosch Aktiengesellschaft by virtue of an agreement executed by Robert Bosch Aktiengesellschaft on May 15, 1928 and by Eclipse Machine Company on May 31, 1928 (including all modifications thereof and supplements thereto, if any) by and between Robert Bosch Aktiengesellschaft and Eclipse Machine Company, which agreement relates, among other things, to certain United States Letters Patent,

(c) All interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Robert Bosch Aktiengesellschaft by virtue of an agreement dated January 1, 1934 (including all modifications thereof and supplements thereto, if any) by and between Robert Bosch Aktiengesellschaft and Eclipse Aviation Corporation, which agreement relates, among other things, to certain United States Letters Patent,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, a national of a foreign country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

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

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within 1 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 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7659; Filed, May 27, 1944; 11:34 a. m.]

[Vesting Order 3569]

SUTEMATSU ENDO AND HARU ENDO

In re: Real property, personal property and property insurance policies owned by Sutematsu Endo and Haru Endo, his wife.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of both Sutematsu Endo and Haru Endo, his wife, is Japan, and that they are residents of Japan and nationals of a designated enemy country (Japan);

2. That Sutematsu Endo is the owner of the property described in subparagraph 4-a hereof;

3. That Sutematsu Endo and Haru Endo, his wife, are the owners of the property described in subparagraphs 4-b, 4-c and 4-d hereof;

4. That the property described as follows:
a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

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

c. One four piece set of wicker furniture, one console model phonograph, one General Electric refrigerator, one linoleum rug, one bedstead, one chiffonier, one dining room table, one chest of drawers, one book case and several statuettes in glass cases, all of which property is presently in the premises known as 410-A Liliha Court Road, Honolulu, T. H., which premises is described as Second Parcel of Land in Exhibit B attached hereto and by reference made a part hereof, and

d. All right, title and interest of Sutematsu Endo and Haru Endo, and each of them, in and to insurance policy No. 389249, issued by the North British & Mercantile Insurance Company, London, England, insurance policy No. 18040, issued by the Providence Washington Insurance Company, Providence, Rhode Island, insurance policy No. 75474, issued by the American Eagle Fire Insurance Company, New York, New York, which policies insure the improvements to the premises described as First Parcel of Land, Second Parcel of Land and Fourth Parcel of Land in Exhibit B attached hereto and by reference made a part hereof, and insurance policy No. D-37622, issued by the National Union Fire Insurance Company of Pittsburgh, Pennsylvania, which policy insures the property described in subparagraph 4-c hereof,

is property within the United States owned or controlled by nationals of a designated enemy country (Japan);

And determining that the property described in subparagraph 4-d hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 4-b and 4-c hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraphs 4-a and 4-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 subparagraphs 4-c and 4-d hereof,

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

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

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

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

Executed at Washington, D. C., on May 3, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

First parcel of land. All of those certain parcels of land situate at Kailua, District of Koolaupoko, City and County of Honolulu, Territory of Hawaii, described as follows:

Lot 340, area 15,300.0 square feet, Lot 341, area 15,300.0 square feet, Lot 342, area 15,300.0 square feet and Lot 343, area 15,300.0 square feet, of the tract of land known as the "Kailua Coconut Grove Tract—3rd Series", as shown on Map 10, filed in the Office of the Assistant Registrar of the Land Court of the Territory

No. 107—12

of Hawaii, with Land Court Application No. 495 of Arthur Hyde Rice.

Second parcel of land. That certain parcel of land situate on Kealia Drive, Honolulu, City and County of Honolulu, Territory of Hawaii, described as follows:

Lot 9, area 9,335.0 square feet, in Block 5 of section "B", of the McInerney Park Tract, as shown on Map 3, filed in the Office of the Assistant Registrar of the Land Court of the Territory of Hawaii with Land Court Application No. 290 of the Trustees under the Will and of the Estate of Bernice P. Bishop, deceased.

EXHIBIT B

First parcel of land. All of that certain parcel of land situate on Belser Street, City and County of Honolulu, Territory of Hawaii, described as follows:

Lot Thirty-Five (35), area 4,500.0 square feet, as shown on Map 2, filed in the Office of the Assistant Registrar of the Land Court of the Territory of Hawaii with Land Court Application No. 761 of Honolulu Construction and Draying Company, Limited.

Second parcel of land. All of that certain parcel of land (portion of the land described in Royal Patent Number 1225, Land Commission Award Number 2626, Apana 1, to Papa) situate, lying and being on Liliha Court Road, off School Street, at Kukanaka, Honolulu, City and County of Honolulu, Territory of Hawaii, being Lot Number Eight (8), of the tract of land known as the "Liliha Court Tract", and thus bounded and described:

Beginning at the North corner of this lot, being also the East corner of Lot 9 of the Liliha Court Tract, and on the Southwest boundary of Land Court Application No. 492, the coordinates of said point of beginning referred to a Government Survey Street Monument, near the East corner of Liliha and School Streets being 6.38 feet South and 447.94 feet East, and running by true azimuths from the above described initial point:

1. 320°22'30", 28.41 feet along Land Court Application No. 492;
2. 40°30', 84.89 feet parallel to and 0.5 of a foot Northwest from fence;
3. 133°30', 67.62 feet parallel to and 0.5 of a foot Northeast from fence;
4. 229°46', 10.03 feet along Road;
5. 314°04', 24.07 feet along Lot 9 of the Liliha Court Tract;
6. 230°39', 79.03 feet along same to the point of beginning.

Containing an Area of 3,357 square feet, or thereabouts.

Third parcel of land. All of that certain parcel of land (portion of the land described in Royal Patent Number 3543, Land Commission Award Number 2166, Apana 2, to Waiialeale no Kalakua) situate, lying and being at Kauluweia, Honolulu, City and County of Honolulu, Territory of Hawaii, and thus bounded and described:

Commencing at a point on the North boundary of Apana 2 of L. C. A. 2166 to Waiialeale no Kalakua, said point bearing by true azimuth 298° 56' and being distant 492.7 feet from an iron monument placed in the Street at the South corner of Liliha and School Streets by the Hawaiian Territorial Survey, and running by true azimuths:

1. 306°05' 112 feet along konohiki land;
2. 36°05', 99 feet along Lot 3;
3. 123°46', 112 feet along 4 foot Land;
4. 216°05', 103.2 feet along Lot 1, point of commencement.

Containing an Area of 11,325 square feet, or thereabouts.

Fourth parcel of land. All of that certain parcel of land (portion of the land described in Royal Patent Number 1225, Land Commission Award Number 2626, Apana 1, to Papa) situate, lying and being on Liliha Court Road, off School Street, at Kukanaka, Honolulu, City and County of Honolulu, Territory of Hawaii, being Lot Number Nine (9),

of the tract of land known as the "Liliha Court Tract", and thus bounded and described:

Beginning at the East corner of this lot, being also the North corner of Lot 8 of the Liliha Court Tract and on the Southwest boundary of Land Court Application Number 492, the coordinates of said point of beginning referred to a Government Survey Street Monument near the East corner of Liliha and School Streets being 6.38 feet South and 447.94 feet East, and running by true azimuths from the above described initial point:

1. 50°39', 79.03 feet long Lot 8, of the Liliha Court Tract;
2. 134°04', 24.07 feet along same;
3. 140°22', 16.10 feet along Road;
4. 230°39', 81.69 feet along Lot 10 of the Liliha Court Tract;
5. 320°22'30", 40.0 feet along Land Court Application No. 492, to the point of beginning.

Containing an area of 3,240 Square Feet, or thereabouts.

[F. R. Doc. 44-7660; Filed, May 27, 1944; 11:34 a. m.]

[Vesting Order 3570]

HARUO KAWAKITA

In re: Real property, farm equipment, and irrigation stock owned by Haruo Kawakita.

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 Haruo Kawakita is State of Yamaguchi Ken, County of Kuwa Gun, Town of Iwakunishi, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Haruo Kawakita is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:
a. Real property situated in the City of San Dimas, County of Los Angeles, State of California, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. Certain machinery and tools, fencing materials and a sprinkler system, all of which property is presently on the premises described in subparagraph 3-a hereof, and

c. Five shares of common capital stock issued by the Glendora Independent Water Company, Glendora, California, which shares of stock are registered in the name of Haruo Kawakita,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraph 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consulta-

tion and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof.

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

Such property and any 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 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

The Southeast quarter of the Southeast quarter of the Northwest quarter of Section 4, Township 1 South, Range 9 West, S. B. B. & M., in the Rancho Addition to San Jose, in the County of Los Angeles, State of California, as per map recorded in Book 22, page 21 et seq., of Miscellaneous Records in the office of the County Recorder of said county.

Excepting therefrom the West 40 feet thereof condemned for the use of the Pacific Electric Railway Company, a corporation, by final order of condemnation, a certified copy thereof being recorded in Book 6510 Page 287 of Deeds, and

Also excepting therefrom the portions thereof included within the streets as shown on the above mentioned map.

[F. R. Doc. 44-7661; Filed, May 27, 1944;
11:34 a. m.]

[Vesting Order 3571]

SAKAE MIYAZAWA

In re: Real property, property insurance policy, and a bank account owned by Sakae Miyazawa.

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 Sakae Miyazawa is 67 Nishi Naka Machi, Haku Shima, Hiroshima City, Japan, and that she is a resident of Japan and a national of a designated enemy country (Japan);

2. That Sakae Miyazawa is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:
a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. All right, title, and interest of Sakae Miyazawa in and to fire insurance policy No. 15227094, issued by The Liverpool & London & Globe Insurance Co., Ltd., London, England, which policy insures the improvements to the premises described in subparagraph 3-a hereof, and

c. That certain bank account with the American Security Bank, Honolulu, T. H., which is due and owing to and held for and in the name of Sakae Miyazawa and H. Iwanaga, attorney-in-fact, 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 (Japan);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof.

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

Such property and any 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 3, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All of that certain parcel of land (portion of the land described in Royal Patent Number 1985, Land Commission Award Number 6245, Part 1, No. 4 to Kalaeokeoi no Kalakini), situate, lying and being on the Southeast side of Haula Lane (formerly called Kamanauwai Lane), at Kamanauwai, Honolulu, City and County of Honolulu, Territory of Hawaii, and thus bounded and described:

Beginning at a pipe at the West corner of this piece of land, being also the North corner of Land Court Application 577, and on the Southeast side of Haula Lane (formerly Kamanauwai Lane), said point of beginning being also located by the following true azimuth traverse from a Government Survey Street Monument near the West corner of Beretania Avenue and Maunakea Street as follows:

(a) 190°17', 62.40 feet;

(b) 238°30', 148.32 feet;

(c) 225°20', 4.78 feet to the above described initial point and thence running by azimuths measured clockwise from true South;

1. 225°20', 63.60 feet along the Southeast side of Haula Lane (formerly Kamanauwai Lane) to a pipe;

2. 327°27'30", 82.70 feet partly along the Southwest side of concrete foundation of building and same extended to a pipe;

3. 22°00', 4.11 feet along fence to a two (2) inch pipe gate post;

4. 47°49', 49.90 feet along the Northwest side of old Lane to an iron bolt marking the North corner of Land Court Application 406;

5. 70°30', 18.85 feet along Lot "C" of Land Court Application 406 to a concrete post marked "C";

6. 154°02', 76.33 feet along Land Court Application 577 to the point of beginning.

Containing an Area of 5,486 square feet, or thereabouts, and being the same parcel of land that was conveyed to the said Sakae Miyazawa by Takamatsu Akase, unmarried, by deed dated February 15th, A. D. 1936 and recorded in the Office of the Registrar of Conveyances at Honolulu in Liber 1312 on pages 193-195, on February 17th, 1936 at 10:45 o'clock a. m.

[F. R. Doc. 44-7662; Filed, May 27, 1944;
11:35 a. m.]

[Vesting Order 3574]

SHIGERU SHIMOGAWA

In re: Real property, property insurance policies, and a claim owned by Shigeru Shimogawa.

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 Shigeru Shimogawa is 348 Nishi Yabara-machi, Fuku-shima-machi, Yame-gun, Fukuoka-ken, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Shigeru Shimogawa is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:
a. Real property situated in Honolulu, City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. All right, title and interest of Shigeru Shimogawa in and to insurance policy No. 15223960, issued by The Liverpool and London and Globe Insurance Co., Ltd., of Liverpool, England, war damage policy No. 1173-19-23913, issued by the War Damage Corporation, Washington, D. C., and insurance policy No. OH970103, issued by the Orient Insurance Company of Hartford, Connecticut, which policies insure the improvements to the real property described in subparagraph 3-a hereof, and

c. All right, title, interest and claim of Shigeru Shimogawa in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Shigeru Shimogawa by the Bishop Trust Co., Ltd., Honolulu, T. H., and represented on the books of said Bishop Trust Co., Ltd., as a credit balance due Shigeru Shimogawa, which credit balance has arisen by reason of rent collections issuing from the real property described in subparagraph 3-a hereof made by the said Bishop Trust Co., Ltd., as agent for Shigeru Shimogawa, and any and all security rights in and to any and all collateral for all or part of such claim 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 (Japan);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof,

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

Such property and any 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 3, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All of that certain parcel of land situate in Honolulu, City and County of Honolulu, Territory of Hawaii, described as follows:

Lot A-1, area 17,371.0 square feet, as shown on Map 2, filed in the Office of the Assistant Registrar of the Land Court of the Territory of Hawaii with Land Court Application No. 903 (amended) of Hawaiian Pineapple Company, Limited, and being a portion of the land described in Transfer Certificate of Title No. 11,863 issued to Hawaiian Pineapple Company, Limited.

[F. R. Doc. 44-7663; Filed, May 27, 1944;
11:35 a. m.]

[Vesting Order 3576]

TEIKICHI TAKAHASHI

In re: Real property, property insurance policies and bank account owned by Teikichi Takahashi.

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 Teikichi Takahashi is 801 Bunji, Suido-cho, Niigata Prefecture, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Teikichi Takahashi is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:
a. Real property situated in the City and County of Honolulu, Territory of Hawaii, particularly described in Exhibit A, attached

hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. All right, title and interest of Teikichi Takahashi in and to insurance policies Nos. 989819 and 989820, issued by the Potomac Insurance Company, of the District of Columbia, Washington, D. C., which policies insure the improvements to the premises described in subparagraph 3-a hereof, and

c. That certain bank account with the Bank of Hawaii, Honolulu, T. H., which is due and owing to and held for and in the name of Teikichi Takahashi, 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 (Japan);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof.

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

Such property and any 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 3, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

First parcel of land. All that certain parcel of land situate at Pawa, City and County of Honolulu, Territory of Hawaii, described as follows: Lot Seventeen (17), area 3800.0 square feet, as shown on Map 3, filed in the office of the Assistant Registrar of the Land Court of the Territory of Hawaii, with Land Court Application No. 652 of Bishop Trust Company, Limited, and being a portion of the land described in Transfer Certificate of Title No. 11197 issued to Hawaiian Properties, Limited, and also being a portion of the land described in Transfer Certificate of Title No. 11623 issued by the Assistant Registrar of the Land Court of the Territory of Hawaii to Teikichi Takahashi.

Second parcel of land. All of that certain parcel of land (portion of the land described in and covered by Royal Patent Number 4452, Land Commission Award Number 935, Apana 2 to Keaka and Royal Patent Number 1824, Land Commission Award Number 1162 to Kanihina) situate, lying and being on the Northeast side of School Street at Waikahalu, Honolulu, City and County of Honolulu, Territory of Hawaii, and thus bounded and described: Beginning at the south corner of this parcel of land, on the northeast side of School Street (60 feet wide), the coordinates of said point of beginning referred to Government Survey Triangulation Station "Punch-bowl" being 2160.96 feet north and 2714.22 feet west, and running by azimuths measured clockwise from true south:

1. 142°53', 32.00 feet along the northeast side of School Street;
2. 232°53', 4.35 feet;
3. 142°53', 43.41 feet;
4. 232°53', 40.00 feet;
5. 341°15', 82.40 feet along land owned by Matsumoto Kawasaki;
6. 61°30', 18.60 feet along same to the point of beginning.

Containing an Area of 2239 Square Feet, or thereabouts.

Together with an easement over and across the following described parcel of land, for and only for the purpose of a roadway:

Beginning at the south corner of this parcel of land, on the southwest side of School Street (60 feet wide), the coordinates of said point of beginning referred to Government Survey Triangulation Station "Punch-bowl" being 2181.10 feet north and 2803.94 feet west, and running by azimuths measured clockwise from true south:

1. 142°53', 10.00 feet along the southwest side of School Street;
2. 232°53', 72.00 feet;
3. 322°53', 4.00 feet;
4. 52°53', 7.65 feet;
5. 322°53', 6.00 feet;
6. 52°53', 64.35 feet along face of bridge abutment to the point of beginning, containing an area of 676 square feet.

Said above described premises having been conveyed to the said Teikichi Takahashi, whose wife is Ume Takahashi, by city and county of Honolulu, a municipal corporation, by Exchange Deed dated July 29th, A. D. 1936 and recorded in the Office of the Registrar of Conveyances at Honolulu, in Liber 1336, Pages 190-193, on August 17, 1936 at 8:17 O'clock A. M.

[F. R. Doc. 44-7664; Filed, May 27, 1944; 11:35 a. m.]

[Vesting Order 3577]

SHIKAZO TOYOFUKU AND SADANO TOYOFUKU

In re: Real property, property insurance policies, and claim owned by Shikazo Toyofuku and Sadano Toyofuku.

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 Shikazo Toyofuku and Sadano Toyofuku is Yamakawa-mura, Kami Oiwake, Mitsui-gun, Fukuokaken, Japan, and that they are residents of Japan and nationals of a designated enemy country (Japan);

2. That Shikazo Toyofuku and Sadano Toyofuku are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

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

b. All right, title and interest of Shikazo Toyofuku and Sadano Toyofuku, and each of them, in and to insurance policy No. 550920, issued by The Potomac Insurance Company of the District of Columbia, Washington, D. C., insurance policy No. 6039, issued by The California Insurance Company of San Francisco, California, and insurance policy No. 18078, issued by the Providence Washington Insurance Company, Providence, Rhode Island, which policies insure the improvements to the premises described in subparagraph 3-a hereof, and

c. All right, title, interest and claim of Shikazo Toyofuku and Sadano Toyofuku, and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Shikazo Toyofuku and Sadano Toyofuku by The National Mortgage & Finance Co., Ltd., Honolulu, T. H., and represented on the books of The National Mortgage & Finance Co., Ltd., Honolulu, T. H., as a credit balance due and owing to and held for and in the names of Shikazo Toyofuku and Sadano Toyofuku, which credit balance has arisen by reason of rent collections made by The National Mortgage & Finance Co., Ltd., Honolulu, T. H., for Shikazo Toyofuku and Sadano Toyofuku arising out of the property described in subparagraph 3-a hereof, and any and all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect the same.

is property within the United States owned or controlled by nationals of a designated enemy country (Japan);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consulta-

tion and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof.

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

Such property and any 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 3, 1944.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

All of that certain parcel of land (portion of the land described in Royal Patent Number 2576, Land Commission Award Number 5873, to Kahanaumakai) situate, lying and being on the Northerly side of Kapahu Road at Kaluaolohe, Waikiki, Honolulu, City and County of Honolulu, Territory of Hawaii, and thus bounded and described:—

Beginning at a point on the North side of Kapahu Road adjoining lot of Chong See and wife, this point being distant 150 feet, from corner of W. R. Castle's land, said corner of Castle's land being marked by 1" iron pipe, and running by true azimuths:—

1. 135°25', 306.3 feet along Chong See lot;
2. 225°25', 76.9 feet along portion of L. C. A. 5873;
3. 315°25', 258.36 feet along portion of L. C. A. 5873;
4. 12°03', 91.2 feet along North side of Kapahu Road to initial point.

Containing an Area of ½ of an Acre, or thereabouts, and being the same parcel of land that was conveyed to the said Shikazo Toyofuku and Sadano Toyofuku, husband and wife, as joint tenants, by Yoshio Kajimura, unmarried, by Deed dated April 1st, A. D. 1931 and recorded in the Office of the

Registrar of Conveyances at Honolulu, in Liber 1107 on Pages 355-356, on April 2nd, 1931 at 2:57 O'clock P. M.

Excepting and reserving from the above described parcel of land all that portion conveyed to the City and County of Honolulu, a municipal corporation, by Shikazo Toyofuku and Sadano Toyokufu, husband and wife, as joint tenants, by Deed dated December 6th, 1937 and recorded in said Registry Office in Liber 1422, Pages 1-3 on January 25th, 1938 at 11:50 O'clock A. M. described as follows:

Parcel 73—of Frontage Improvement 64, Kapahulu Avenue from Waiatale Avenue to Campbell Avenue, being a portion of Royal Patent 2576, Land Commission Award 5873 to Kahanauaikal, situate on the west side of Kapahulu Avenue, opposite Charles Street, at Kalaheohe, Waikiki, Honolulu, Oahu, Territory of Hawaii, and particularly described as follows:

Beginning at the northwest corner of this parcel of land, on the new west line of Kapahulu Avenue, the coordinates of said point of beginning referred to a City and County Survey Street Monument at the intersection of the center lines of Kapahulu and Harding Avenues being 1041.66 feet south and 255.45 feet west, and the coordinates of said monument referred to Government Survey Triangulation Station "Waikiki" being 1230.50 feet south and 5488.90 feet east and running by azimuths measured clockwise from true south:

1. 315°36', 15.28 feet;
2. 12°03', 91.20 feet along the present west line of Kapahulu Avenue;
3. 135°25', 14.98 feet;
4. 191°54'30", 91.41 feet along the new west line of Kapahulu Avenue to the point of beginning, containing an area of 1151 square feet.

[F. R. Doc. 44-7665; Filed, May 27, 1944; 11:35 a. m.]

[Vesting Order 3664]

RUDOLPH LUIS BALKE

In re: Estate of Rudolph Luis Balke, deceased; File: D-55-864; E. T. sec. 8619.

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 Louis M. Byrd, Executor, acting under the judicial supervision of the Superior Court of the State of Arizona, in and for the County of Maricopa;

(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

Elsa Bielig Bodenstadt, 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 Elso Bielig Bodenstadt in and to the Estate of Rudolph Luis Balke, deceased, and in and to the trust estate created under the will of Rudolph Luis Balke, 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 17, 1944.

[SEAL] **JAMES E. MARKHAM,**
Alien Property Custodian.

[F. R. Doc. 44-7666; Filed, May 27, 1944; 11:36 a. m.]

[Vesting Order 3665]

EMMA BRAUN

In re: Estate of Emma Braun, deceased; File D-28-7427; E. T. sec. 7609.

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 Carl J. Peter, 536 First National Bank Building, Omaha, Nebraska, Executor, acting under the judicial supervision of the County Court of the State of Nebraska, in and for the County of Douglas;

(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

Erich Braun, 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 Erich Braun, in and to the estate of Emma Braun, 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 17, 1944.

[SEAL] **JAMES E. MARKHAM,**
Alien Property Custodian.

[F. R. Doc. 44-7667; Filed, May 27, 1944; 11:36 a. m.]

[Vesting Order 3666]

FRANCIS WILLIAM FRANZ

In re: Estate of Francis William Franz, also known as Francis W. Franz, Francis William Chudoba, Francis Wilhelm Chudoba, Frank W. Chudoba and as David W. Franz, deceased; File: D-23-3658; E.T. sec. 5985).

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

Franciska Boehm, Czechoslovakia.

And determining that—

(3) Franciska Boehm, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied area, Czechoslovakia,

slovakia, is a national of a designated enemy country, Germany;

(4) 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 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 Franciska Boehm, in and to the Estate of Francis William Franz, also known as Francis W. Franz, Francis William Chudoba, Francis Wilhelm Chudoba, Frank W. Chudoba and as David W. Franz, 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 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7668; Filed, May 27, 1944;
11:36 a. m.]

[Vesting Order 3667]

WILLIAM HARMANS

In re: Estate of William Harmans, also known as William F. Harmans, deceased; File: D-28-2310; E. T. sec. 3408).

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 American Trust Company, Executor, 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

Frederick Harmans, also known as Fritz Harmans or surviving issue, Germany.

Jan Harmans or surviving issue, 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 Frederick Harmans, also known as Fritz Harmans or surviving issue and Jan Harmans or surviving issue, and each of them, in and to the Estate of William Harmans, also known as William F. Harmans, 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 thereupon, 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 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7669; Filed, May 27, 1944;
11:36 a. m.]

[Vesting Order 3668]

AUGUST HOFFKER

In re: Estate of August Hoffker, deceased; File D-28-2231; E.T. sec. 2937.

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 Bank of America National Trust and Savings Association, Executor, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Kings;

(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

Robert Hoffker, and his heirs, Germany.

Hugo Hoffker, and his heirs, Germany.

Marie Hoffker, and her heirs, Germany.

August Hoffker, and his heirs, Germany.

Gustav Isfort, and his heirs, Germany.

And determining that—

(3) If such nationals are person 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 Robert Hoffker, and his heirs; Hugo Hoffker, and his heirs; Marie Hoffker, and her heirs; August Hoffker, and his heirs; Gustav Isfort, and his heirs; and each of them, in and to the estate of August Hoffker, 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 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7670; Filed, May 27, 1944;
11:37 a. m.]

[Vesting Order 3669]

JOE KETTERN

In re: Estate of Joe Ketter, also called Jodak Ketter and J. Ketter, deceased; File: D-28-7600; E. T. sec. 8014.

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

Mrs. Josef Arens, Germany.
Heirs, or next of kin, names unknown, of Joe Ketter, 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 Mrs. Josef Arens, and their heirs, or next of kin, names unknown, of Joe Ketter, deceased, and each of them, in and to the Estate of Joe Ketter, also called Jodak Ketter and J. Ketter, 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 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7671; Filed, May 27, 1944; 11:37 a. m.]

[Vesting Order 3670]

CHRISTIANE KEYSER

In re: Estate of Christiane Keyser, deceased; File D-28-8620; E. T. sec. 10317.

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 Anna M. Kachel, 514 W. Tabor Road, Philadelphia, Pennsylvania, Executrix, and John T. Dolde, 5501 Angora Terrace, Philadelphia, Pennsylvania, Executor, 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

Mrs. Rosina Hoger, Germany.
Child or children, names unknown, of Mrs. Rosina Hoger, 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 Mrs. Rosina Hoger, child or children, names unknown, of Mrs. Rosina Hoger, and each of them, in and to the estate of Christiane Keyser, 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 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7672; Filed, May 27, 1944; 11:37 a. m.]

[Vesting Order 3671]

MATHILDA KRAFT

In re: Estate of Mathilda Kraft, deceased; File D-28-8603; E. T. sec. 10263.

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 Albert C. Volk, 371 Stevens Road, Philadelphia, Pennsylvania, Executor, 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

Katarina Krah, Germany.
August Krah, Germany.
Mathilda Hartmann, Germany.
Franziska Herr, Germany.
Karl Krah, Germany.
Barbara Krah, Germany.
Child or children, names unknown of August Krah, Mathilda Hartmann, Franziska Herr, Karl Krah and Barbara Krah, 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 Katarina Krah, August Krah, Mathilda Hartmann, Franziska Herr, Karl Krah, Barbara Krah, child or children, names unknown, of August Krah, Mathilda Hartmann, Franziska Herr, Karl Krah and Barbara Krah, and each of them, in and to the estate of Mathilda Kraft, 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 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7673; Filed, May 27, 1944;
11:37 a. m.]

[Vesting Order 3672]

NOBUSUKE MIURA

In re: Estate of Nobusuke Miura, also known as M. Mura and as N. Miura, deceased; File: D-39-1886; E. T. sec. 7273.

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 Roy Brooks, 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 Tulare;

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

National and Last Known Address

Eisuke Miura, Japan.

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, 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 Eisuke Miura, in and to the Estate of Nobusuke Miura, also known as M. Mura and as N. Miura, 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 17, 1944.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 44-7674; Filed, May 27, 1944,
11:37 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 6A-27]

COMMON CARRIERS

COORDINATED OPERATIONS WITHIN AMARILLO, TEX.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the 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 persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having

jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. 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 interstate or intrastate operating authority of any carrier subject hereto, such carrier 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 carriers' possessing or obtaining the requisite operating authority and shall not be construed to include the provisions in paragraph 2 (F) of Appendix 2 hereto, imposing a condition upon the subsequent delivery of a shipment not accepted at the time of a prior offer of delivery, in the event that advance notice of the prior offer of delivery is not given or any increase in rates or charges effected thereby is not authorized by the appropriate regulatory body.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-27" and, unless otherwise directed, should be addressed to the Di-

¹ Filed as part of the original document.

AMUNDERS COAL CO., GREENVIEW, W. VA., SAUNDERS MINE, MINE INDEX NO. 750, BOONE COUNTY, W. VA., SUBDISTRICT NO. 4, F. O. G. 123, RAIL SHIPPING POINT: GREENVIEW, W. VA., DRIFT MINE

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 785 Under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with

GEORGE B. HERRING AND SON, 30 JUNCTION ST., MANSFIELD, OHIO, BOOTS #2 MINE, NO. 8 SEAM, MINE INDEX NO. 4040, COSHOCTON COUNTY, OHIO, SUBDIST. NO. 4, STRIP MINE

	Size group Nos.							
	1	2	3	4	5	6	7	8
Truck shipment.....	\$3.55	\$3.55	\$3.45	\$3.20	\$3.15	\$2.55	\$2.30	\$2.20

THE MARSHALL MINING CO., 1233 POLAND AVE., YOUNGSTOWN, OHIO, SALINEVILLE MINE, NO. 6 SEAM, MINE INDEX NO. 4029, COLUMBIANA COUNTY, OHIO, SUBDIST. NO. 4, RAIL SHIPPING POINTS: SALINEVILLE, OHIO, STRIP MINE, CLASSIFIED IN MIDDLE FREIGHT ORIGIN DISTRICT AND RAIL ROAD FUEL PRICE GROUP NO. 118

	Size group Nos.											
	1	2	3	4	5	6	7	8	9	10	11	12
Rail shipments and railroad fuel.....	\$3.30	\$3.25	\$3.00	\$2.95	\$2.90	\$2.80	\$2.50	\$2.40	\$2.80	\$2.35	.....	\$2.80
Truck shipment.....	3.85	3.75	3.60	3.35	3.30	2.95	2.70	2.60	.....	.....	.....	.....

PINE HOLLOW COAL CO., COLUMBIANA, OHIO, PINE HOLLOW #4 MINE, NO. 7 SEAM, MINE INDEX NO. 4042, COLUMBIANA COUNTY, OHIO, SUBDIST. NO. 4, RAIL SHIPPING POINT: LEBSON, OHIO, STRIP MINE, CLASSIFIED IN LEBSONIA FREIGHT ORIGIN GROUP AND RAIL ROAD FUEL PRICE GROUP NO. 108

Rail shipments and railroad fuel.....	\$3.30	\$3.25	\$3.00	\$2.95	\$2.90	\$2.80	\$2.50	\$2.40	\$2.80	\$2.35	.....	\$2.80
Truck shipment.....	3.85	3.75	3.60	3.35	3.30	2.95	2.70	2.60	.....	.....	.....	.....

PINE HOLLOW COAL CO., COLUMBIANA, OHIO, PINE HOLLOW #3 MINE, NO. 6 SEAM, MINE INDEX NO. 4041, COLUMBIANA COUNTY, OHIO, SUBDIST. NO. 4, RAIL SHIPPING POINT: LEBSON, OHIO, STRIP MINE, CLASSIFIED IN LEBSONIA FREIGHT ORIGIN GROUP AND RAIL ROAD FUEL PRICE GROUP NO. 108

Rail shipments and railroad fuel.....	\$3.30	\$3.25	\$3.00	\$2.95	\$2.90	\$2.80	\$2.50	\$2.40	\$2.80	\$2.35	.....	\$2.80
Truck shipment.....	3.85	3.75	3.60	3.35	3.30	2.95	2.70	2.60	.....	.....	.....	.....

VINTON STONE AND COAL CO., MCARTHUR, OHIO, VINTON #6 MINE, NO. 6 SEAM, MINE INDEX NO. 4035, VINTON COUNTY, OHIO, SUBDIST. NO. 7, RAIL SHIPPING POINT: ORETON, OHIO, STRIP MINE, CLASSIFIED IN JACKSON FREIGHT ORIGIN GROUP AND RAIL ROAD FUEL PRICE GROUP NO. 104

Rail shipments and railroad fuel.....	\$3.50	\$3.45	\$3.05	\$3.05	\$3.05	\$2.75	\$2.55	\$2.45	\$2.75	\$2.45	.....	\$2.75
Truck shipment.....	3.80	3.70	3.60	3.35	3.30	2.65	2.30	2.20	.....	.....	.....	.....

This order shall become effective May 27, 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 26th day of May 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-7613; Filed, May 26, 1944; 5:01 p. m.]

TURNER & CASSELL COAL CO., STRAIGHT CREEK, KY., TURNER & CASSELL MINE, STRAIGHT CREEK SEAM, MINE INDEX NO. 7057, BELL COUNTY, KY., SUB-DIST. NO. 6, F. O. G. 111, RAIL SHIPPING POINT: PINEVILLE, KY., DRIFT MINE

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Price classification.....
Rail shipment and railroad fuel.....
Truck shipment.....

	Size group Nos.																
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21
Price classification.....	Q	Q	Q	Q	L	L	K	H	F	H	E	E	E	J	J	J	J
Rail shipment and railroad fuel.....	\$3.30	\$3.25	\$3.20	\$3.20	\$3.20	\$3.20	\$3.10	\$3.05	\$3.05	\$3.05	\$3.00	\$3.00	\$3.00	\$2.95	\$2.95	\$2.85	\$2.80
Truck shipment.....	3.50	3.30	3.25	3.20	3.20	3.00	2.90	2.35	2.30	2.30	2.30	2.30	2.30	2.30	2.30	2.30	2.30

(a) Maximum prices governing sales by primary distributors of certain new grades and packages of direct consumption sugar. (1) The American Sugar Refining Company and other primary distributors of direct consumption sugar are hereby authorized to determine their maximum price for light brown sugar and old-fashioned brown sugar each in 5 pound paper bags packed twelve 5 pound bags to the container by adding a differential of 30 cents per 100 pounds net to the maximum basis price.

The 5 pound paper bags shall be of Duplex Kraft paper, outer wall 40-pound Kraft, inner wall 90-pound asphalt laminated Kraft, pasted bottom, top closure sewed with tape. The container shall be the regular commercial fibre board container.

(b) This order may be revoked or amended by the Price Administrator at any time.

(c) This order shall become effective May 27, 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 26th day of May 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-7591; Filed, May 26, 1944; 11:52 a. m.]

[MPR 188, Order 10 Under 2d Rev. Order A-3]

MASSILLON WIRE BASKET CO.

ORDER GRANTING ADJUSTMENT

Correction

In F.R. Doc. 44-6564, appearing on page 4957 of the issue for Wednesday, May 10, 1944, the table in paragraph (b) should be corrected by adding "New maximum prices" as a box heading following "Maximum prices before increase".

[RPS 60, Order 14]

AMERICAN SUGAR REFINING CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 14 under § 1334.51 (a) (6) (i) of Revised Price Schedule 60. Direct consumption sugar.

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

Issued this 26th day of May 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-7618; Filed, May 26, 1944; 5:02 p. m.]

[MPR 120, Order 786]

CLEARFIELD MINING CORP., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 786 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 1. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

CLEARFIELD MINING CORPORATION, 205 CROSBY BLDG., BUFFALO, NEW YORK; STONE MINE, "B" SEAM, MINE INDEX NO. 5122, CLEARFIELD COUNTY, PA., SUB-DIST. NO. 8, RAIL SHIPPING POINT: DIMELING, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification....	D	D	D	D	D
Rail shipment.....	\$3.60	\$3.40	\$3.35	\$3.25	\$3.25
Railroad locomotive fuel.....	3.20	3.20	3.05	2.95	2.95
Truck shipment.....	3.70	3.45	3.45	3.35	3.25

HOTT COAL CORPORATION, 3130 W. LIBERTY AVENUE, PITTSBURGH, PA.; MINE NO. 2, LOWER KITTANNING (B) SEAM, MINE INDEX NO. 5086, CLARION COUNTY, PA., SUB-DIST. NO. 1, RAIL SHIPPING POINT: 5 MI. EAST OF SHIPPENVILLE, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification....	F	F	F	F	F
Rail shipment.....	\$3.35	\$3.35	\$3.35	\$3.05	\$3.05
Railroad locomotive fuel.....	3.20	3.20	3.05	2.95	2.95
Truck shipment.....	3.60	3.35	3.35	3.25	3.15

JULIETTE COAL COMPANY, 830 GRANT BLDG., PITTSBURGH, PA.; CROSBY NO. 2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 5110, INDIANA COUNTY, PA., SUB-DIST. NO. 22, RAIL SHIPPING POINT: ISELIN, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification....	E	E	E	E	E
Rail shipment.....	\$3.55	\$3.35	\$3.35	\$3.15	\$3.15
R. R. locomotive fuel.....	3.20	3.20	3.05	2.95	2.95
Truck shipment.....	3.55	3.35	3.35	3.30	3.20

MINOTTI COAL MINING COMPANY, P. O. BOX 373, HUNTINGTON, W. VA.; MINOTTI NO. 1 MINE, LOWER KITTANNING (B) SEAM, MINE INDEX NO. 5088, CLARION COUNTY, PA., SUB-DIST. NO. 1, RAIL SHIPPING POINT: KNOX, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification....	F	F	F	F	F
Rail shipment.....	\$3.35	\$3.35	\$3.35	\$3.05	\$3.05
R. R. locomotive fuel.....	3.20	3.20	3.05	2.95	2.95
Truck shipment.....	3.60	3.35	3.35	3.25	3.15

PENN RIDGE COAL COMPANY, MARION CENTER, PA., NO. 1 MINE, "D" SEAM, MINE INDEX, NO. 5090; INDIANA COUNTY, PA., SUB-DIST. NO. 15, RAIL SHIPPING POINT: CLYMER, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification....	F	F	F	F	F
Rail shipment.....	\$3.35	\$3.35	\$3.35	\$3.05	\$3.05
Railroad locomotive fuel.....	3.20	3.20	3.05	2.95	2.95
Truck shipment.....	3.60	3.35	3.35	3.25	3.15

SOUTH HILL MINING COMPANY, WITMER BLDG., SUNBURY, PA.; SOUTH HILL NO. 1 MINE, "D" SEAM, MINE INDEX NO. 5101, CLEARFIELD COUNTY, PA., SUB-DIST. NO. 7, RAIL SHIPPING POINT: BELLS LANDING, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification....	F	F	F	F	F
Rail shipment.....	\$3.35	\$3.35	\$3.35	\$3.05	\$3.05
Railroad locomotive fuel.....	3.20	3.20	3.05	2.95	2.95
Truck shipment.....	3.60	3.35	3.35	3.25	3.15

SUMMIT COAL MINING COMPANY, BOX 421, INDIANA, PA.; SUMMIT NO. 5 MINE, "D" SEAM, MINE INDEX NO. 5080, INDIANA COUNTY, PA., SUB-DIST. NO. 15, RAIL SHIPPING POINT: STARFORD, PA.

	Size group Nos.				
	1	2	3	4	5
Price classification....	F	F	F	F	F
Rail shipment.....	\$3.35	\$3.35	\$3.35	\$3.05	\$3.05
Railroad locomotive fuel.....	3.20	3.20	3.05	2.95	2.95
Truck shipment.....	3.60	3.35	3.35	3.25	3.15

WILKS BROTHERS STRIPPING COMPANY, OSCEOLA MILLS, PA.; WILKS STRIPPING NO. 3 MINE, "C" SEAM, MINE INDEX NO. 5077, CLEARFIELD COUNTY, PA., SUB-DIST. NO. 14, RAIL SHIPPING POINT: CENTER, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification....	F	F	F	F	F
Rail shipment.....	\$3.55	\$3.35	\$3.35	\$3.05	\$3.05
Railroad locomotive fuel.....	3.20	3.20	3.05	2.95	2.95
Truck shipment.....	3.60	3.35	3.35	3.25	3.15

This order shall become effective May 27, 1944.

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

OSBORNE BROTHERS, BICKMORE, W. VA.; OSBORNE MINE, NO. 5 BLOCK SEAM; MINE INDEX NO. 7111, CLAY COUNTY, W. VA.; SUB-DIST. NO. 4, F. O. G. 126, RAIL SHIPPING POINT: BICKMORE

	Size Group Nos.																				
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21				
Price Classification.....	Q	Q	Q	Q	P	P	C	M	K	M	F	F	F	M	M	M	M				
Rail shipment.....	\$3.30	\$3.25	\$3.20	\$3.20	\$3.05	\$3.00	\$2.95	\$2.95	\$2.90	\$3.40	\$2.95	\$2.95	\$2.95	\$2.65	\$2.60	\$2.55	\$2.55				
Railroad fuel.....	3.30	3.25	3.20	3.20	3.10	3.10	3.10	3.10	3.10	3.40	2.95	2.95	2.95	2.65	2.60	2.55	2.55				
Truck shipment.....	3.50	3.30	3.15	3.00	2.85	2.80	2.25	2.20	2.20	2.20	2.20	2.20	2.20	2.20	2.20	2.20	2.20				

WILSON COAL CO., 522 MAIN ST., CHARLESTON, W. VA.; DAVIS MINE, PITTSBURGH NO. 8 SEAM, MINE INDEX NO. 7025, KANAWHA COUNTY, W. VA., SUB-DIST. NO. 4, DRIFT MINE

	Size Group Nos.							
	1	2	3	4	5	6	7	8
Truck Shipment.....	\$3.70	\$3.50	\$3.35	\$3.35	\$3.10	\$3.00	\$2.15	\$2.10

This order shall become effective May 27, 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 26th day of May 1944.

CHESTER BOWLES, Administrator.

[F. R. Doc. 44-7615; Filed, May 26, 1944; 5:01 p. m.]

[MPR 120, Order 788]

CLINE COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 788 under Maximum Price Regulation No. 120. Bituminous Coal

delivered from mine or preparation plant. For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 7. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

CLINE COAL CO. (HILAND CLINE), IAEGER, W. VA.; CLINE #1 MINE, BIG EAGLE SEAM, MINE INDEX NO. 1017, McDOWELL COUNTY, W. VA., SUBDIST. 4 RAIL SHIPPING POINT: PANTHER, W. VA., DRIFT MINE

	Size Group Nos.																				
	1	2	3	4	5	6	7	8	9	10	15	16	17	18	19	20	21				
Price classification....	K	K	K	K	E	E	D	E	C	E	A	A	A	D	D	D	D				
Rail shipments.....	\$3.70	\$3.65	\$3.55	\$3.55	\$3.75	\$3.45	\$3.15	\$3.10	\$3.05	\$3.75	\$3.10	\$3.10	\$3.10	\$3.05	\$3.05	\$3.05	\$3.05				
Truck shipments.....	4.00	3.60	3.90	3.00	2.75	2.70	2.70	2.70	2.70	2.70	2.70	2.70	2.70	2.70	2.70	2.70	2.70				

Railroad locomotive fuel:
All lump or double-screened coal..... \$3.15
Run of mine..... 3.00

Railroad locomotive fuel—Continued.
Resultant run of mine larger than 2 1/2" x 0 but not exceeding 6" x 0..... \$2.80
Screenings 2 1/2" x 0 and smaller..... 2.75

V. B. SMITH & PARTNERS, ANSTED, W. VA., LANDSBURG NO. 3 MINE, SEWELL SEAM, MINE INDEX NO. 1029, FAYETTE COUNTY, W. VA., SUB-DIST. 2, RAIL SHIPPING POINT: RUSSELLVILLE, W. VA., STRIP MINE

Price classification	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Rail shipment	A	A	A	A	A	A	A	B	B	B
Truck shipment	4.65	\$4.45	\$4.10	\$3.50	\$3.45	\$3.90	\$3.50	\$3.20	\$3.15	\$3.10

Railroad locomotive fuel—Continued.
 Screenings larger than 1 1/4" x 0 but not exceeding 2 1/2" x 0..... \$3.35
 All lump and double screened coal..... 3.50
 Run of mine..... 3.10

This order shall become effective May 27, 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 26th day of May 1944.

CHESTER BOWLES,
 Administrator.

[F. R. Doc. 44-7616; Filed, May 26, 1944; 5:02 p. m.]

with \$ 1340.210 (a) (6) of Maximum Price Regulation No. 120, It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 3. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

(MPR 120, Order 789)
 ALLIED COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Order No. 789 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant.
 For the reasons set forth in an accompanying opinion, and in accordance

ALLIED COAL COMPANY, ROUTE #4, TUNNELTON, W. VA., SMOKELESS NO. 1 MINE, M. V. FREEPORT SEAM, MINE INDEX NO. 2035, PRESTON COUNTY, W. VA., RAIL SHIPPING POINT: SIDING NO. 6 W. VA., W. VA. NORTHERN R. R., DRIFT MINE

Price classification	Size group Nos.						
	1	2	3	4	5	6	7
Rail shipment	J	J	J	J	J	J	J
Truck shipment	\$3.00	\$3.00	\$2.90	\$2.85	\$2.85	\$2.85	\$2.55

L. H. & J. W. BORGMAN, INC., ROUTE #4, TUNNELTON, W. VA., MONTEUR MINE NO. 5, M. V. FREEPORT SEAM, MINE INDEX NO. 2046, PRESTON COUNTY, W. VA., RAIL SHIPPING POINT: SIDING NO. 21 W. VA., W. VA. NORTHERN R. R., DRIFT MINE

Price classification	Size group Nos.						
	1	2	3	4	5	6	7
Rail shipment	J	J	J	J	J	J	J
Truck shipment	\$3.00	\$3.00	\$2.90	\$2.85	\$2.85	\$2.85	\$2.55

Railroad locomotive fuel—Continued.
 Screenings larger than 1 1/4" x 0 but not exceeding 2 1/2" x 0..... \$3.65
 All lump and double screened coal..... 3.50
 Run of mine..... 3.10

DOUGLAS POCOHONTAS COAL CO., IAEGER, W. VA., PATTERSON RED ASH MINE, RED ASH SEAM, MINE INDEX NO. 232, MCDOWELL COUNTY, W. VA., SUB-DIST. 4, RAIL SHIPPING POINT: GABELAND, W. VA.

Price classification	Size Group Nos.									
	1	2	3	4	5	6	7	8	9	10
Rail shipment	C	C	C	C	C	C	C	C	C	D
Truck shipment	4.65	\$4.45	\$4.10	\$3.50	\$3.45	\$3.90	\$3.50	\$3.20	\$3.15	\$3.10

*Indicates previously classified in these size groups.
 EASTERN GAS & FUEL ASSOCIATES (KOPPERS COAL DIVISION), PITTSBURGH, PA.; BEARDS FORK EAGLE MINE, EAGLE SEAM, MINE INDEX NO. 1012, FAYETTE COUNTY, W. VA., SUB-DIST. 2, RAIL SHIPPING POINT: BEARDS FORK, W. VA.

Price classification	Size Group Nos.									
	1	2	3	4	5	6	7	8	9	10
Rail shipment	L	L	L	L	L	L	L	L	L	L
Truck shipment	\$3.56	\$3.55	\$3.50	\$3.50	\$3.50	\$3.45	\$3.15	\$3.10	\$3.10	\$3.10

Railroad locomotive fuel—Continued.
 Resultant run of mine larger than 2 1/2" x 0 but not exceeding 9" x 0..... \$2.80
 Screenings 2 1/2" x 0 and smaller..... 2.75

MARYLAND NEW RIVER COAL CO., 718 REAL ESTATE TRUST BLDG., PHILADELPHIA, PA., DUBREE #7 MINE, SEWELL SEAM, MINE INDEX NO. 1015, FAYETTE COUNTY, W. VA., SUB-DIST. 2, RAIL SHIPPING POINT: ROTHWELL, W. VA., STRIP MINE

Price classification	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Rail shipment	A	A	A	A	A	A	A	B	B	B
Truck shipment	\$4.65	\$4.45	\$4.10	\$3.50	\$3.45	\$3.80	\$3.25	\$3.20	\$3.15	\$3.10

Railroad locomotive fuel—Continued.
 Screenings larger than 1 1/4" x 0 but not exceeding 2 1/2" x 0..... \$3.65
 Screenings 1 1/4" x 0 and smaller..... 3.10

V. B. SMITH & PARTNERS, ANSTED, W. VA., BLITCO MINE, SEWELL SEAM, MINE INDEX NO. 1013, FAYETTE COUNTY, W. VA., SUB-DIST. 2, RAIL SHIPPING POINT: LAUREL CREEK, W. VA., STRIP MINE

Price classification	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Rail shipment	A	A	A	A	A	A	A	B	B	B
Truck shipment	\$4.65	\$4.45	\$4.10	\$3.50	\$3.45	\$3.80	\$3.25	\$3.20	\$3.15	\$3.10

Railroad locomotive fuel—Continued.
 Screenings larger than 1 1/4" x 0 but not exceeding 2 1/2" x 0..... \$3.65
 Screenings 1 1/4" x 0 and smaller..... 3.10

COAL OIL FUEL COMPANY, P. O. BOX 218, LUMBERPORT, W. VA., GREGORY No. 1 MINE, PITTSBURGH SEAM, MINE INDEX No. 2006, HARRISON COUNTY, W. VA., RAIL SHIPPING POINT: POOLE SIDING, NEAR HAYWOOD, W. VA., STRIP MINE

	Size group Nos.						
	1	2	3	4	5	6	7
Price classification.....	F	F	F	F	F		
Rail shipments and railroad fuel.....	\$2.75	\$2.75	\$2.60	\$2.50	\$2.40		
Truck shipments.....	2.98	2.93	2.93	2.68	2.68	\$2.53	\$2.43

J. H. DUNCAN, ROUTE 4, WESTON, W. VA., DUNCAN MINE, REDSTONE SEAM, MINE INDEX No. 1019, LEWIS COUNTY, W. VA., RAIL SHIPPING POINT: WESTON, W. VA., DRIFT MINE

Price classification.....	F	F	H	F	F		
Rail shipments and railroad fuel.....	\$2.75	\$2.75	\$2.50	\$2.50	\$2.40		
Truck shipments*.....	2.98	2.93	2.93	2.68	2.58	\$2.53	\$2.43

*Already established.

MILFORD COAL COMPANY, 700 PRUNTY BLDG., CLARKEBURG, W. VA., MILFORD No. 1 MINE, PITTSBURGH SEAM, MINE INDEX No. 2032, HARRISON COUNTY, W. VA., RAIL SHIPPING POINT: MILFORD No. 1 SIDING, W. VA., STRIP MINE

Price classification.....	F	F	F	F	F		
Rail shipments and railroad fuel.....	\$2.75	\$2.75	\$2.60	\$2.50	\$2.40		
Truck shipments.....	2.98	2.93	2.93	2.68	2.68	\$2.53	\$2.43

PEARCE COAL & TRADING COMPANY, RACHEL, W. VA., SARA JANE MINE, PITTSBURGH SEAM, MINE INDEX No. 2037, MARION COUNTY, W. VA., RAIL SHIPPING POINT: FAIRMONT, W. VA., STRIP MINE

Price classification.....	DE	DE	DE	DF	DF		
Rail shipments and railroad fuel.....	\$2.85	\$2.80	\$2.70	*\$2.50	*\$2.40		
Truck shipments.....	2.98	2.93	2.93	2.68	2.68	\$2.53	\$2.43

*If sulphur content is 1.35% or less applicable maximum price for rail shipments and railroad fuel for size group No. 4 is \$2.65 and for size group No. 5 is \$2.60.

SLAGLE & LOUCES, INCORPORATED, UNION BANK BLDG., CLARKEBURG, W. VA., SYCAMORE No. 1 MINE, PITTSBURGH SEAM, MINE INDEX No. 2043, HARRISON COUNTY, W. VA., RAIL SHIPPING POINT: WOLF SUMMIT, W. VA., STRIP MINE

Price classification.....	F	F	F	F	F		
Rail shipments and railroad fuel.....	\$2.75	\$2.75	\$2.60	\$2.50	\$2.40		
Truck shipments.....	2.98	2.93	2.93	2.68	2.68	\$2.53	\$2.43

WEST VIRGINIA CONSOLIDATED COAL CO., BOX 707, CLARKEBURG, W. VA., HARDMAN MINE, UPPER (HV) KITTANNING SEAM, MINE INDEX No. 2007, TAYLOR COUNTY, W. VA., RAIL SHIPPING POINT: HARDMAN BRANCH, W. VA., DRIFT MINE

Price classification.....	J	J	J	H	H		
Rail shipments and railroad fuel.....	\$2.60	\$2.60	\$2.50	\$2.50	\$2.40		
Truck shipments.....	3.00	3.00	3.00	2.75	2.75	\$2.65	\$2.55

BERRYBURG COAL CORPORATION, 1006 UNITED STATES NAT'L BANK BLDG., JOHNSTOWN, PA., BERRYBURG No. 1 MINE, PITTSBURGH SEAM, MINE INDEX No. 2029, BARBOUR COUNTY, W. VA., RAIL SHIPPING POINT: BERRYBURG No. 1 SIDING, W. VA., STRIP MINE

Price classification.....	F	F	F	F	F		
Rail shipments and railroad fuel.....	\$2.75	\$2.75	\$2.60	\$2.50	\$2.40		
Truck shipments.....	2.98	2.93	2.93	2.68	2.68	\$2.53	\$2.43

HALLETT COAL COMPANY, STONEWALL JACKSON HOTEL, CLARKEBURG, W. VA., SCOTT No. 3 MINE, PITTSBURGH SEAM, MINE INDEX No. 2045, HARRISON COUNTY, W. VA., RAIL SHIPPING POINT: SHINNSTON, W. VA., STRIP MINE

Price classification.....	E	E	E	F	F		
Rail shipments and railroad fuel.....	\$2.85	\$2.80	\$2.70	\$2.50	\$2.40		
Truck shipments.....	2.98	2.93	2.93	2.68	2.68	\$2.53	\$2.43

NOTE: The Size Group Numbers referred to herein for rail shipments and for railroad fuel are those described in the table of prices in Amendment No. 95 to Maximum Price Regulation No. 120; while the size group numbers for truck shipments are those set forth for such shipments in the Minimum Price Schedule for District No. 3.

This order shall become effective May 27, 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 26th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7617; Filed, May 26, 1944; 5:02 p. m.]

[MPR 136, as Amended, Rev. Order 104]

FORD MOTOR COMPANY

MACHINES AND PARTS AND MACHINERY SERVICES

Order No. 104 under Maximum Price Regulation 136, as amended, is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended, *It is hereby ordered:*

(a) Ford Motor Company, Dearborn, Michigan, (hereinafter called the "manufacturer") may sell each 1½ ton chassis and cab truck, manufactured for civilian purposes, at a price not to exceed a price determined as follows:

The maximum net price for Ford Model 218T81-8 cylinder, 90-HP, 158" chassis with closed cab shall be \$738.75. The maximum list price for this truck shall be \$985.00. The manufacturer may add to these prices the list price he had in effect on March 31, 1942, for all optional, extra and special equipment added to the truck. However, the manufacturer must deduct from this net price and these list prices all applicable discounts and other deductions he had in effect on March 31, 1942 to a purchaser of the same class.

The manufacturer shall determine the maximum prices of models other than Ford Model 218T81-8 cylinder, 90-HP, 158" chassis with closed cab, for example the 194" chassis and cowl, by adjusting the maximum prices established by this revised order for that model to reflect the manufacturer's March 31, 1942, differential between that model and the model being sold.

Regardless of where the trucks are manufactured, the maximum prices established by this revised order are prices f. o. b. Dearborn, Michigan. Accordingly, the manufacturer may receive freight from Dearborn, Michigan, to point of delivery including the 3% tax on the transportation of all property imposed by the Revenue Act of 1942. In determining freight charges, the freight rate shall be determined on the basis of three built-up 158" chassis cabs and four built-up 194" chassis cowl to a carload.

(b) A reseller of Ford Motor trucks may sell f. o. b. place of business, each of the Ford trucks referred to in paragraph (a) at a price not to exceed the total of the list price in subparagraph (1) below and the applicable allowances in subparagraph (2) below, subject to the discounts the reseller had in effect on March 31, 1942 to the applicable class of purchaser.

(1) *List price.* The list price for the truck being sold determined by the manufacturer under paragraph (a).

(2) *Allowances.* (i) An allowance for extra, special and optional equipment not to exceed the allowance the reseller had in effect on March 31, 1942 to the applicable class of purchaser for such equipment when sold in connection with the applicable truck model.

(ii) The reseller's actual transportation costs.

(iii) Allowance to include federal, state, and local taxes on his purchase, and sale, or delivery, of the applicable truck model, computed in accordance with the reseller's method in effect on March 31, 1942.

(iv) The reseller's charge for handling and delivery in effect on March 31, 1942.

(v) The dollar amount of all other charges or allowances which the reseller had in effect on March 31, 1942, to the applicable class of purchaser.

(c) A reseller who cannot establish a price in accordance with paragraph (b)

because he was not in business on March 31, 1942 may apply for a price to the national office of the Office of Price Administration, Washington, D. C.

(d) All requests in the application not granted in this revised order are denied.

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

[NOTE: The manufacturer's price under paragraph (a) is for a truck equipped with natural rubber tires, or synthetic rubber tires purchased by the manufacturer prior to April 18, 1944. Where the manufacturer has an established price in accordance with § 1390.6 of Maximum Price Regulation 136, as amended, which is higher than a price permitted under paragraph (a) because the truck is equipped with synthetic tires purchased by the manufacturer on and after April 18, 1944, or because of any other substantial specification change or material substitution in the truck, the reseller may add to his price under paragraph (b) the increase in cost to him over the price he would otherwise pay under paragraph (a) plus his customary markup on such cost.]

This revised order shall be effective as of October 12, 1943.

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7690; Filed, May 27, 1944;
12:30 p. m.]

[MPR 136, as Amended, Order 210]

INTERNATIONAL HARVESTER CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 210 under Maximum Price Regulation No. 136, as amended. Machines and parts, and machinery services. International Harvester Company. Docket No. 3136-409.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation No. 136, as amended, *It is hereby ordered:*

(a) The International Harvester Company, 180 Michigan Avenue, Chicago, Illinois, is authorized to sell to national accounts, fleet accounts, resellers and purchasers at retail, each International motor truck containing a chassis described in subparagraph (1) at a price not to exceed the applicable list price in subparagraph (1), adjusted as provided in that subparagraph, plus the applicable allowances in subparagraph (2):

(1) *List price.* The following applicable list price, f. o. b. factory, to which shall be applied the seller's discount in effect on March 31, 1942 to the applicable class of purchaser:

Chassis model number	Wheelbase (inch)	List price f. o. b. factory
K-5.....	135	\$880
	147	900
	159	920
	177	940
	195	975
K-7.....	134	1,550
	146	1,570
	158	1,590
	176	1,610
	212	1,695
	230	1,735
	248	1,825

(2) *Allowances.* (i) A charge for extra, special and optional equipment which shall not exceed the list price, or established price, less the discount applicable to the class of purchaser in effect on March 31, 1942 for such equipment when sold as original equipment for the applicable chassis described in subparagraph (1), except that for cab, Model HF, the charge shall not exceed the list price of \$120.00, less the discount in effect on March 31, 1942 for the applicable class of purchaser.

(ii) Allowance to cover handling and delivery expense computed in accordance with seller's method in effect on March 31, 1942.

(iii) Allowance to cover freight expense based on current freight rates and computed in accordance with the seller's method in effect on March 31, 1942.

(iv) Allowance to cover federal excise tax and tires-weight tax and state or local taxes on the vehicle being sold, computed in accordance with seller's method in effect on March 31, 1942.

(b) A reseller of International motor trucks may sell, f. o. b. place of business, each International truck containing a chassis described in subparagraph (1) below at a price not to exceed the total of the applicable list price in that subparagraph and applicable allowances in subparagraph (2) below, less the discounts the reseller had in effect on March 31, 1942, to the applicable class of purchaser:

(1) The following applicable list price, f. o. b. factory:

Chassis Model Number	Wheelbase (inch)	List price, f. o. b. factory
K-5.....	135	\$880
	147	900
	159	920
	177	940
	195	975
K-7.....	134	1,550
	146	1,570
	158	1,590
	176	1,610
	212	1,695
	230	1,735
	248	1,825

(2) *Allowances.* (i) An allowance for extra, special, and optional equipment which shall not exceed the allowance the reseller had in effect on March 31, 1942, to the applicable class of purchaser, for

such equipment when sold in connection with the applicable chassis described in subparagraph (1), (except that the allowance for cab, HF Model, shall not exceed the list price of \$120.00 less the discount in effect on March 31, 1942 to the applicable class of purchaser).

(ii) Actual freight-in expense.

(iii) Allowance to include federal, state and local taxes on his purchase, and sale, or delivery, of the applicable truck model, computed in accordance with the reseller's method in effect on March 31, 1942.

(iv) The reseller's charge in effect on March 31, 1942, for handling and delivery.

(v) The dollar amount of all other charges or allowances which the reseller had in effect on March 31, 1942 to the applicable class of purchaser.

(c) A reseller who cannot establish a price in accordance with paragraph (b) because he was not in business on March 31, 1942, may apply for a price to the national office of the Office of Price Administration, Washington, D. C.

(d) All requests in the application not granted in this order are denied.

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

[NOTE: The manufacturer's price under paragraph (a) is for a truck equipped with natural rubber tires, or synthetic rubber tires purchased by the manufacturer prior to April 18, 1944. Where the manufacturer has an established price in accordance with § 1390.6 of Maximum Price Regulation 136, as amended, which is higher than a price permitted under paragraph (a) because the truck is equipped with synthetic tires purchased by the manufacturer on and after April 18, 1944, or because of any other substantial specification change or material substitution in the truck, the reseller may add to his price under paragraph (b) the increase in cost to him over the price he would otherwise pay under paragraph (a) plus his customary markup on such cost.]

This order shall become effective this 29th day of May 1944.

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7691; Filed, May 27, 1944;
12:31 p. m.]

[MPR 188, Order 1658]

JAEGER MFG. CO.

APPROVAL OF MAXIMUM PRICES

Order No. 1658 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of certain juvenile furniture manufactured by The Jaeger Manufacturing Company.

For the reasons set forth in an opinion issued simultaneously herewith and

filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328; *It is ordered*

(a) The maximum prices for all sales and deliveries by The Jaeger Manufacturing Company, Incorporated, Eighth and Vine Streets, Des Moines 9, Iowa, of certain juvenile furniture of its manufacture, as described in its application dated February 8, 1944, since the effective date of Maximum Price Regulation No. 188 are as follows:

Article	To jobbers who sell against manufacturer's stock	
	To jobbers	To retailers
Play pen.....	\$3.78	\$4.45
Toilet chair.....	1.66	1.95
Crib.....	7.23	8.50
Child's writing blackboard and table.....	7.18	8.45

These maximum prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(b) On and after the effective date of this order, the maximum prices for all sales and deliveries at wholesale by jobbers and any other persons from the manufacturer's stock of the juvenile furniture described in paragraph (a) above shall be as follows:

Article:	Maximum price to retailers
Play pen.....	\$4.45
Toilet chair.....	1.95
Crib.....	8.50
Child's writing blackboard and table.....	8.45

These maximum prices are f. o. b. shipping point and are subject to a cash discount of 2% for payment within 10 days, net 30.

(c) At the time of or prior to the first invoice to each jobber, The Jaeger Manufacturing Company shall notify the jobber of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of May 1944.

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7689; Filed, May 27, 1944; 12:24 p. m.]

[MPR 509, Order 4]

PACKED CITRUS PRODUCTS OF THE 1944 AND LATER PACKS

REDUCTION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in

accordance with section 2.1 (c) of Maximum Price Regulation 509, *It is ordered:*

(a) For grapefruit juice packed during the month of April 1944, processors shall reduce the named maximum prices for government sales as listed in section 2.1 (a) of Maximum Price Regulation No. 509 by the amounts set forth below respectively for the period of pack, state or area, and container size. The result-

State or Area	Style of Pack	Grade	Period of Pack	Reduce maximum price named in section 2.1 (a) for government sales per dozen containers by amounts set forth below.		
				No. 2 can	No. 3 cylinder can	No. 10 can
Florida.....	All.....	All.....	April 1944.....	None.....	None.....	None.....
Texas.....	All.....	All.....	April 1944.....	None.....	None.....	None.....
California and Arizona.....	All.....	All.....	April 1944.....	\$.0350.....	\$.1375.....	\$.2015.....

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective May 29, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9238, 8 F.R. 4681)

Issued this 27th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7688; Filed, May 27, 1944; 12:25 p. m.]

[MPR 188, Order 1659]

BERT ISBELL

APPROVAL OF MAXIMUM PRICES

Order No. 1659 under § 1499.158 of Maximum Price Regulation No. 188.

ing figures shall be the processors' maximum prices for grapefruit juice packed during April 1944, for sales to government procurement agencies. For the purpose of applying the monthly area grapefruit juice cost reduction, the states of Florida and Texas shall be treated as two separate areas.

(b) Reduction per dozen containers:

Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of steel wool scouring pads manufactured by Mr. Bert Isbell.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by Mr. Bert Isbell, 4803 North Hoyne Avenue, Chicago, Illinois, of steel wool scouring pads of his manufacture, as described in his application dated November 30, 1943 (designated as "Our Own") after such article became subject to Maximum Price Regulation No. 188, are as follows:

To jobbers or distributors who ship against the manufacturer's stock

Steel wool scouring pads (soap filled), package of six pads. \$9.30 per gross of packages of six pads each

These maximum prices are subject to a cash discount of 2% for payment within ten days, net thirty days.

(b) The maximum price for all sales and deliveries at wholesale by any person who ships the steel wool scouring pads described in paragraph (a) above from the manufacturer's stock shall be \$10.20 per gross of packages of six pads each, delivered. This maximum price is subject to a cash discount of 2% for payment within ten days, net thirty days.

(c) The maximum prices for a sale at retail of the steel wool scouring pads described in paragraph (a) above is \$0.10 per package of six pads each.

(d) On each package of steel wool scouring pads shipped to a purchaser for resale, the manufacturer shall plainly stamp or print the retail ceiling price.

(e) At the time of the first invoice, the manufacturer shall notify in writing each purchaser who buys from it of the maximum prices established by this order for resales by the purchaser. Since this order also establishes maximum prices for sales by all jobbers to jobbers and retailers, each jobber who resells any commodity covered by this order must notify

his purchaser of the maximum prices established by this order for sales by the purchaser. This written notice may be given in any convenient form.

(f) This order establishes maximum prices for sales to jobbers who do not stock the merchandise. If the manufacturer desires to sell to jobbers who stock the articles or to dealers, he must make an application to the Office of Price Administration, Washington, D. C., for approval of a maximum price for sales to that class of purchaser.

(g) Unless the context otherwise requires, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(h) This Order No. 1659 may be revoked or amended by the Price Administrator at any time.

This Order No. 1659 shall become effective on the 30th day of May 1944.

Issued this 29th day of May 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-7757; Filed, May 29, 1944; 11:56 a. m.]

Regional and District Office Orders.

[Region I Order G-36 Under RMPR 122, Amdt. 2]

SOLID FUELS IN DOVER-EXETER, N. H., AREA

Amendment No. 2 to Order No. G-36 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Dover-Exeter Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-36 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in subparagraph (1) of paragraph (b), the words "New England coke" are substituted for the word "Coke".

2. In Price Schedule II in subparagraph (1) of paragraph (c), the words "New England Coke" are substituted for the word "Coke".

3. Subparagraph (2) of paragraph (h) is amended to read as follows:

(2) "Specified solid fuels" shall include Pennsylvania anthracite, ambricoal and New England coke.

4. Subparagraph (11) is added to paragraph (h) to read as follows:

(11) "New England coke" means that coke which is produced by New England Coke Company, or its affiliated producing Company, at their plant in Everett, Massachusetts. All other coke shall be priced under the appropriate provision of Revised Maximum Price Regulation No. 122.

This Amendment No. 2 shall become effective May 27, 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 20th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-7621; Filed, May 27, 1944; 9:46 a. m.]

[Region I Order G-41 Under RMPR 122, Amdt. 2]

SOLID FUELS IN ADAMS, MASS., AREA

Amendment No. 2 to Order No. G-41 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Adams, Massachusetts, Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-41 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In Price Schedule I in subparagraph (1) of paragraph (b) the words "Troy coke" are substituted for the word "Coke".

2. In Price Schedule II in subparagraph (1) of paragraph (c) the words "Troy coke" are substituted for the word "Coke".

3. In Price Schedule III in subparagraph (1) of paragraph (d) the words "Troy coke" are substituted for the word "Coke".

4. Subparagraph (2) of paragraph (i) is amended to read as follows:

(2) "Specified solid fuels" shall include Pennsylvania anthracite and Troy coke.

5. Subparagraph (10) is added to paragraph (i) to read as follows:

(10) "Troy coke" means the by-product coke produced by Hudson Valley Fuel Company, Troy, New York. All other coke shall be priced under the appropriate provision of Revised Maximum Price Regulation No. 122.

This Amendment 2 shall become effective May 23, 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 23d day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-7622; Filed, May 27, 1944; 9:42 a. m.]

[Region I Order G-70 Under RMPR 122]

SOLID FUELS IN BOSTON REGION

Order No. G-70 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specific maximum prices for solid fuels within specified areas in Region I.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Order G-70 is hereby issued.

(a) *What this order does.* This order establishes specific maximum prices for certain solid fuels when sold in specified areas in Region I. The body of the order contains the general provisions which are applicable to all solid fuels in all of the areas covered by this order. The special provisions and specific prices applicable in particular areas will be set forth in appendices, each of which will be issued as an amendment of this order and will be numbered. If any special provision in an appendix is contrary to or inconsistent with any of the general provisions, the special provision shall be controlling in the area covered by that appendix. Any solid fuel for which specific prices are not provided will continue to be priced under the provisions of Revised Maximum Price Regulation No. 122.

Nothing contained in this order shall be so construed as to permit noncompli-

ance with any statutes of the State or States within which any area covered by this order is located, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *What this order prohibits.* Regardless of any contract or other obligation, no person shall:

(1) Sell, or in the course of trade or business, buy any solid fuel for which a specific price is established by this order, at a price higher than the specific maximum price (but lower prices may be charged, paid or offered); or

(2) Obtain a higher than maximum price, directly or indirectly, by:

(a) Granting less than the discounts, allowances or price differentials which are specifically required;

(b) Charging for a service unless it is expressly requested by the buyer, charging more for a service than the amount authorized by this order, or charging for any service for which a charge is not specifically authorized by this order;

(c) Using any tying agreement or making any requirement that anything other than the fuel requested by the buyer be purchased by him, except that a dealer may comply with the requirements or standards with respect to deliveries which have been or may be issued by any agency of the United States government; or

(d) Using any other device by which a higher than maximum price is obtained.

(c) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier; *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton or any sales of any quantity of bagged fuel; *And provided, further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any State government or any political subdivision thereof.

(d) *Addition of increases in supplier's prices prohibited.* The maximum prices established by this order may not be increased by a dealer to reflect increases in purchase costs or in suppliers' maximum prices occurring after the effective date hereof, and need not be decreased to reflect decreases in such costs or maximum prices. Increases or decreases in the maximum prices established by this order to reflect such increases or decreases are within the discretion of the Regional Administrator.

(e) *Conditions on sales of named anthracites.* Whenever provision is made that specific maximum prices for Pennsylvania anthracite may be increased by specified amounts when designated sizes

of certain named Pennsylvania anthracite coals are sold, said increases may be charged only if:

(1) The named coal is not mixed with a coal which is not named, or with any other named coal, either in storage or delivery; *Provided, however*, That if a purchaser requests a delivery of a mixture of two or more coals, the dealer may comply with such request if the quantity of each is separately weighed, the price charged does not exceed the weighted average of the maximum prices for the individual coals and the invoice or similar document delivered to the purchaser clearly states the quantity of each coal in the mixture, identified by the terms used herein; *And provided, further*, That two or more named coals which carry the same increase may be mixed or two or more which carry different increases may be mixed and sold at the increased price provided for that one which carries the lowest increase, in either of which cases the name used may be that of any named coal in the mixture except one carrying a greater increase than that permitted by this proviso;

(2) An invoice or similar document is delivered to the purchaser which describes the coal by the name used in this order;

(3) The records kept by the dealer, pursuant to the record-keeping clause of this order, clearly identify the named coals by the names used in this order, and are complete and accurate as to any mixtures permitted by subparagraph (1) above and as to the composition thereof and name or names used therefor; and

(4) The dealer preserves and keeps available for examination by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all invoices and other records of his purchases of named coals.

(f) *Geographical applicability.* Specific maximum prices which are established by an appendix to this order for "yard sales", sales f. o. b. transportation facilities at a dealer's yard, dock or other terminal facility or sales at retail stores and other fixed locations shall apply to all such sales at points located in the area covered by the particular appendix, regardless of the ultimate destination of the fuel. Specific maximum prices for sales on a delivered basis shall apply to all such sales to purchasers who receive delivery within the area covered by the appendix, regardless of whether the dealer is located within that area.

(g) *Adjustable pricing.* Any person may agree to sell at whatever maximum price is in effect at the time of delivery; but no person may deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery.

(h) *Applicability of other regulations.* (1) To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122, and dealers whose prices are established by this order are not required to file reports under § 1340.262 (c) thereof for those solid fuels for which specific maximum

prices are established. However, Revised Maximum Price Regulation No. 122 shall continue to apply in all cases where specific maximum prices are not established by this or some other order, and as to all transactions prior to the date upon which specific maximum prices become effective, and all dealers shall continue to observe the requirements of § 1340.262 (a) concerning preservation of base period records.

(2) The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this order. A seller's license may be suspended for violation 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.

(i) *Enforcement.* (a) Persons violating any provision of this order are subject to the criminal penalties, civil and enforcement actions, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have any evidence of any violation of this order are urged to communicate with the State Office of the Office of Price Administration having jurisdiction over the area in which the violation occurred.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, the price charged and the terms of sale; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales, but in the case of bagged fuel, the invoice shall be given on all sales to dealers and retail stores, and it shall show both the price per bag and the total charge.

(3) In the case of all other sales, every dealer who during December 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged,

the dealer shall comply with the buyer's request as made by him.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(l) *Definitions.* When used in this order, except where otherwise provided in an appendix hereto, the following terms shall have the following meanings. These definitions include only those terms which are used generally in this order and in a number of appendices. When necessary, other terms which are used in a particular appendix will be specifically defined therein.

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(3) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling," "sold," "seller," "buy," "purchase," and "purchaser", shall be construed accordingly.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space, but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(5) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(6) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(7) "Unequipped dealer" means a seller who is engaged in the business of purchasing solid fuels for resale, and delivers the solid fuel resold by him to consumers from his supplier's place of business, without storing the same except in a truck or wagon, and who has no facilities customarily used for storing solid fuel other than a truck or wagon.

(8) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(9) "Named Pennsylvania anthracite" means the following Pennsylvania an-

thracite coals, or such of them as are specifically provided for in a particular appendix: Jeddo Highland, Franklin, Greenwood, Salem Hill, Colonial, Silver Brook, Legitts Creek and Black Stork, Raven Run, Nesquehaoning, East Bear Ridge, Dial Rock, Orange Disc and Delano.

(10) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal", "Highland Coal", or "Hazle Brook Coal".

(11) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley".

(12) "Greenwood" means that Pennsylvania anthracite which is produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under the trade name "Old Company's Lehigh Greenwood Premium Anthracite".

(13) "Salem Hill" means that Pennsylvania anthracite which is produced by Haddock Mining Company at the Salem Hill Colliery, Schuylkill County, near Pottsville, Pennsylvania, and which meets the quality and preparation standards established by Order No. 2 under Maximum Price Regulation No. 112.

(14) "Brooder nut" size of Salem Hill means Salem Hill anthracite which meets the following specifications it shall be sized through a $1\frac{1}{2}$ " and over a $1\frac{3}{4}$ " test mesh with maximum over-size of 2% and under-size of 3%; float and sink test shall not exceed 5% sink on a 1.7 gravity. The differential provided for Salem Hill "brooder nut" shall be applied to the non-premium price for chestnut size.

(15) "Colonial" means that Pennsylvania anthracite which is produced and prepared by Colonial Collieries Corporation, Philadelphia, Pennsylvania, and which meets the quality and preparation standards established by Order No. 4 under Maximum Price Regulation No. 112.

(16) "Silver Brook" means that Pennsylvania anthracite which is prepared by Haddock Mining Company, Wilkes-Barre, Pennsylvania, at its Beaver Meadow Breaker from coal produced at the Deringer Colliery and the Tomhicken Colliery and marketed under the trade name "Silver Brook Coal", and which meets the quality and preparation standards established by Order No. 3 under Maximum Price Regulation No. 112.

(17) "Legitts Creek" and "Black Stork" both means that Pennsylvania anthracite which is produced and prepared by Penn Anthracite Collieries Company, Scranton, Pennsylvania, and which meets the quality and preparation standards established by Revised Order No. 5 under Maximum Price Regulation No. 112. That coal is also sometimes sold by said company under the trade names "Mt. Pleasant" and "Von Storch", but when sold by a dealer in Region I it shall not be identified by

any names other than "Legitts Creek" or "Black Stork".

(18) "Raven Run" means that Pennsylvania anthracite which is produced by Hazle Brook Coal Company, Jeddo, Pennsylvania, from its Continental Mines and the property of Raven Run Coal Company, an affiliated company, prepared at its Midvalley breaker and sold under that trade name, and which meets the quality and preparation standards established by Order No. 8 under Maximum Price Regulation No. 112.

(19) "Nesquehaoning" means that Pennsylvania anthracite which is produced and prepared by Edison Anthracite Coal Company and which meets the quality and preparation standards established by Order No. 9 under Maximum Price Regulation No. 112.

(20) "East Bear Ridge" means that Pennsylvania anthracite which is produced and prepared by East Bear Ridge Colliery Company and which meets the quality and preparation standards established by Order No. 11 under Maximum Price Regulation No. 112.

(21) "Dial Rock" means that Pennsylvania anthracite which is produced and prepared by Dial Rock Coal Company, Scranton, Pennsylvania, and which meets the quality and preparation standards established by Order No. 7 under Maximum Price Regulation No. 112; *Provided, however*, That no additional amount may be charged unless said coal was shipped from the mine by rail.

(22) "Orange Disc" means that Pennsylvania anthracite which is produced and prepared by Payne Coal Company, Wilkes-Barre, Pennsylvania, at their Exeter Colliery and sold under the trade name "Orange Disc Anthracite", and which meets the quality and preparation standards established by Order No. 10 under Maximum Price Regulation No. 112.

(23) "Delano" means that Pennsylvania anthracite which is produced and prepared by Delano Anthracite Collieries Company, Ashland, Pennsylvania, and which meets the quality and preparation standards established by Order No. 13 under Maximum Price Regulation No. 112.

(24) "Broken", "egg", "stove", etc. sizes of Pennsylvania anthracite refer, except in the case of deliveries in the State of Rhode Island, and except in the case of deliveries in the Commonwealth of Massachusetts of broken, egg, stove, chestnut and pea sizes, to the sizes of such coal prepared at the mines in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

In the case of deliveries in the State of Rhode Island, said size designations refer to the legal standard sizes for United States anthracite offered for sale in the State of Rhode Island, effective January 9, 1940, as established by the Director of Labor pursuant to Chapter 367 of the Rhode Island General Laws, 1938, as amended by Chapter 733 of the Rhode Island Public Laws of 1939.

In the case of deliveries of broken, egg, stove, chestnut and pea sizes in the

Commonwealth of Massachusetts, the reference is to the legal standard sizes for anthracite offered for sale in the Commonwealth of Massachusetts, effective December 1, 1941, as established by the Director of Standards of the Division of Standards of the Department of Labor and Industries of the Commonwealth of Massachusetts pursuant to General Laws (Ter. Ed.) Chapter 94, section 239A (Chapter 382, Acts of 1926).

(25) "New England Coke" means that coke which is produced by New England Coke Company, or its affiliated producing company, at their plant in Everett, Massachusetts.

(26) "Koppers Coke" means the by-product coke produced by the Koppers Coke Company at its plant in New Haven, Connecticut.

(27) "Providence Coke" means the retort gas coke produced by the Providence Gas Company, Providence, Rhode Island.

(28) "Ambricoal" means anthracite briquettes manufactured by American Briquet Company at its plant at Lykens, Pennsylvania, and marketed under that trade name.

(29) "Chain store" means a retail outlet which is a unit of four or more retail outlets under one ownership.

(30) "Independent outlet" means a retail outlet which is not a unit of four or more retail outlets under one ownership.

(31) "Truck" includes a wagon or other vehicle used for the transportation of solid fuels.

(32) "Bituminous Coal Division" means the Bituminous Coal Division of the United States Department of the Interior as it existed under the Bituminous Coal Act of 1937, as amended, and all references to terms defined by the Bituminous Coal Division (such as "price classifications") are to the definitions thereof which were in effect (or established) as of midnight August 23, 1943. All references to producing districts are to the geographical coal producing districts as defined in the Bituminous Coal Act of 1937, as amended, as they were in effect (or established) as of midnight August 23, 1943.

(33) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order, including any provision of any appendix to this order, may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeal from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(n) *Power to amend, revoke or correct.* This order, or any provision thereof, including all or any portion of any appendix hereto, may be revoked, amended or corrected at any time.

(o) Appendices establishing specific maximum prices. (Appendices will subsequently be issued covering specified solid fuels when sold in specified areas, as set forth in paragraph (a). Orders previously issued and now outstanding may also be revoked and replaced by appendices which will cover those fuels and areas.)

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

This Order No. G-70 shall become effective June 1, 1944.

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

Issued this 25th day of May 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-7623; Filed, May 27, 1944; 9:46 a. m.]

[Region III Order G-17 Under RMPR 122]

SOLID FUELS IN NEWARK, OHIO, AREA

Order No. G-17 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Newark, Ohio, area.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the corporate limits of the City of Newark or any territory within eight miles from the Licking County Courthouse. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-17; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the schedule price for a service or making a charge for a service not authorized by this order,

(ii) Making a charge higher than the schedule charge authorized for the extension of credit,

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly,

(iv) Requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with any requirements or standards with

respect to deliveries which have been or may be issued by any agency of the United States Government.

(c) *Schedule for sales of coal.* This schedule sets forth maximum prices for sales for specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for cash or credit sales on a "direct delivery" basis, delivered to any point within three miles from the Licking County Courthouse; Column III shows maximum prices for cash or credit "yard sales" to dealers reselling coal or to consumers. All prices are on a net ton basis.

SCHEDULE I

Column I	Column II	Column III
I. High volatile bituminous coals from producing district No. 8 (Eastern Kentucky and Southwestern W. Virginia) excepting coals from Mine Index No. 439		
A. Lump—Size group no. 2 (larger than 3" but not exceeding 8")		
1. Mine price classifications D through J	\$8.20	\$7.70
2. Mine price classifications K through O	7.85	7.35
B. Egg—Size group no. 6 (top size larger than 8" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3") in Mine price classifications G through K	7.75	7.25
C. Stoker—Size group no. 10 (top size 1 1/4" and smaller x bottom size smaller than 1 1/4")		
Mine Price Classifications B through E	8.15	7.65
II. High volatile bituminous coals from producing district no. 4 (Ohio). Shipment made by truck or railroad		
A. Lump and egg (bottom size larger than 2")		
1. From Hocking sub-district	6.95	6.45
2. From the Crooksville and Middle sub-districts	6.55	6.05
3. From the Eastern Ohio sub-district	6.35	5.85
B. Egg (bottom size larger than 1 1/4" but not exceeding 2")		
1. From the Hocking sub-district	6.55	6.05
2. From the Crooksville and Middle sub-districts	6.15	5.65
3. From the Eastern Ohio sub-district	6.05	5.55
III. High volatile bituminous coals from producing district No. 3 (Northwestern W. Virginia excluding Panhandle)		
A. Lump—Size group No. 1 (bottom size larger than 2" but not exceeding 5") in mine price classifications D and E from the Pittsburgh Seam	6.65	6.15
B. Egg—Size group no. 1 (double screened; bottom size larger than 2") in Mine Price Classification A from the Sewell Seam	8.25	7.75
C. Stoker—Size group no. 2 (double screened; top size 2" and smaller) in Mine Price Classifications D through G, from the Pittsburgh Seam	6.60	6.10
IV. Low volatile bituminous egg coal from producing district no. 7 (Southwestern West Virginia and Northwestern Virginia)		
A. Egg—Size group no. 2 (top size larger than 3" x bottom size no limit) in mine price classifications B through D	9.00	8.50

All terms used herein to describe size, volatility and producing district are those that were established and defined by the Bituminous Coal Division and in effect as of midnight August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G-17 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service and credit charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Trimming	\$0.50
Wheel-in or carrying from curb	.75
Carry up or down one flight of stairs	1.00
Use of double chute to put coal in bin or basement	.50
Delivery to any point beyond three miles and within eight miles of the Licking County Courthouse	.25

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, the dealer need not so separately state this tax on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers price prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged and the type and kind of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any

person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Columbus District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

This Order No. G-17 under Revised Maximum Price Regulation No. 122 shall become effective May 18, 1944.

NOTE: The reporting and record keeping provisions of this order have been approved

by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

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

Issued May 18, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-7624; Filed, May 27, 1944;
9:45 a. m.]

[Region III Order G-22 Under RMPR 122]

SOLID FUELS IN LEXINGTON, KY., AREA

Order No. G-22 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Lexington, Kentucky, area.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels made within the corporate limits of the City of Lexington, Kentucky, or any territory within one mile of the corporate limits thereof. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-22, but less than maximum prices may at any time be charged, paid or offered.

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the schedule price for a service or making a charge for a service not authorized by this order,

(ii) Making a charge higher than the schedule charge authorized for the extension of credit,

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly,

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with any requirements or standards with respect to deliveries which have been made or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal.* This schedule sets forth maximum prices for cash sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for cash or credit sales on a "direct delivery" basis; Column III shows maximum prices for cash or credit "yard

sales" to dealers reselling coal or to consumers. All prices are for sales on a net ton basis.

SCHEDULE I—COAL SHIPPED FROM MINE AND RECEIVED BY RAILROAD

Column I	Column II	Column III
I. High volatile bituminous coals from producing district No. 8 (southwestern Virginia, southern West Virginia, northeastern Tennessee and eastern Kentucky) except Mine Index Nos. 124, 126, 127, 285, 207, 459 and 425.		
A. Lump—size group nos. 1 and 2 (larger than 3"):		
1. Mine price classifications D through F.....	\$7.40	\$6.90
2. Mine price classifications G through N.....	7.20	6.70
B. Egg:		
1. Size group no. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3")—mine price classifications B through K.....	6.95	6.45
2. Size group no. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller) mine price classifications B through M.....	6.80	6.30
C. Stoker—Size group No. 10 (double screened; top size 1 3/4" and smaller x bottom size 3/4" and larger):		
1. Mine price classification A:		
a. Treated.....	7.40	6.90
b. Untreated.....	7.30	6.80
2. Mine price classifications B and lower:		
a. Treated.....	7.20	6.70
b. Untreated.....	7.10	6.60
D. To the prices stated in sections A, B and C of Part I may be added \$.15 per ton provided the coal is mined in Sub-district 6 of Producing District No. 8. Sub-district 6 includes that portion of District 8 which is in northern Tennessee and the following counties in Kentucky: Bell, Clay, Clinton, Jackson, Knox, Laurel, Leslie, Madison, McCreary, Owsley, Pulaski, Rock Castle, Wayne and Whitley.		
E. Screenings—(nut and slack), size group No. 20 (larger than 3/4" x 0 but not exceeding 2" x 0) mine price classifications G through L.		
1. Sales to all commercial and industrial buyers, provided that coal can be delivered in load lots (three ton or more) and dumped.....	5.60	-----
2. To all other classes of buyers.....	5.80	5.30
II. Coke—(excluding reclaimed or reject coke), Egg and walnut sizes.....	11.60	11.10

SCHEDULE II—COAL SHIPPED FROM MINE AND RECEIVED BY TRUCK

Column I	Column II	Column III
I. High volatile bituminous coals from Jackson and Clay Counties, Kentucky, producing district No. 8		
A. Lump—Size group No. 1 (larger than 2"):		
1. From Clay County.....	\$7.45	\$6.95
2. From Jackson County.....	7.20	6.70
B. Egg—Size group No. 4 (top size 5" and smaller x bottom size 2" but not exceeding 3"):		
1. From Clay County.....	6.95	6.45
2. From Jackson County.....	6.80	6.30
C. Stoker—Size group No. 5 (double screened; top size 3" and smaller x bottom size 2" and smaller):		
1. From Clay County:		
a. Treated.....	7.10	6.60
b. Untreated.....	7.00	6.50
2. From Jackson County:		
a. Treated.....	6.95	6.45
b. Untreated.....	6.85	6.35
D. Screenings—(slack) size group No. 7 (larger than 3/4" x 0 but not exceeding 2" x 0):		
1. From Clay County.....	5.25	4.75
2. From Jackson County.....	5.00	4.50

All terms used herein to describe size, volatility and producing district are those established and defined by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G-22 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service and credit charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoice.

	Per ton
Trimming in the bin.....	\$.25
Carrying or wheeling from curb.....	.60
Carrying up or down one flight of stairs.....	.50
Treating of coal at dealer's yard.....	.10
Deliveries of less than one ton.....	(*)

* Fractional ton price, +\$0.25.

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, the dealer need not so separately state this tax upon a sale to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers price prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provisions of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged and the kind and type of solid fuel sold. The solid fuel shall be identified in the man-

ner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in the manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size, and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violations of this order are urged to communicate with the Lexington District Office of the Office of Price Administration.

(n) *Definition.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except when making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Max-

imum Price Regulation No. 122, as amended, shall apply to the terms used herein, and in full force and effect.

(o) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

This Order No. G-22 under Revised Maximum Price Regulation No. 122 shall become effective May 18, 1944.

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

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

Issued May 18, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-7625; Filed, May 27, 1944;
9:43 a. m.]

[Region V Order G-3 Under RMPR 122]

SOLID FUELS IN TOPEKA, KANS., AREA

Correction

In F.R. Doc. 44-6137, appearing at page 4631 of the issue for Tuesday, May 2, 1944, the heading for Item II at the top of the first column on page 4632 should read: "II. Low volatile bituminous coal from District 14 (Arkansas and Oklahoma):" The continued heading at the top of the middle column on page 4632 should read: "III. High volatile bituminous coal from District 15 (Missouri, Kansas and Oklahoma)—Continued."

[Region III Order G-25 Under 18 (c) Amdt. 6]

FLUID MILK IN OHIO

Amendment No. 6 to Order No. G-25 under § 1499.18 (c) of the General Maximum Price Regulation. General order adjusting the maximum prices of approved fluid milk and special milk in the State of Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280, Order No. G-25 under § 1499.18 (c) of the General Maximum Price Regulation is hereby amended to read as follows:

(a) The following counties be, and the same are, hereby deleted from Paragraph IV of Appendix A: Defiance, Fulton, Henry, Mercer, Paulding, Putnam, Van Wert, and Williams in the State of Ohio.

(b) Paragraph V of Appendix A be, and the same is, hereby amended to read as follows:

V. Adjusted maximum prices for the sale of approved fluid milk at retail or wholesale in the counties of Darke, Defiance, Fulton, Henry, Mercer, Paulding, Putnam, Van Wert, and Williams in the State of Ohio.

Type of delivery	Container	Size	Adjusted maximum price
Retail	Glass or other	One gallon or multiples thereof	48¢ per gallon.
Retail	Glass or paper	One half gallon	26¢ per half gallon.
Retail	Glass or paper	One quart	13½¢ per quart.
Retail	Glass or paper	One pint	7½¢ per pint.
Retail	Glass or paper	One half pint	5¢ per half pint.
Wholesale	Glass or other	One gallon or multiples thereof	46¢ per gallon.
Wholesale	Glass or paper	One half gallon	23½¢ per one half gallon.
Wholesale	Glass or paper	One quart	11½¢ per quart.
Wholesale	Glass or paper	One pint	6¼¢ per pint.
Wholesale	Glass or paper	One half pint	3¼¢ per half pint.

This amendment shall become effective May 18, 1944.

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

Issued May 18, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-7626; Filed, May 27, 1944; 9:43 a. m.]

[Region III Order G-30 Under MPR 329]

MILK IN DESIGNATED COUNTIES IN OHIO

Order No. G-30 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Adjustment of the maximum prices milk distributors may pay producers in Defiance, Fulton, Henry, Mercer, Paulding, Putnam, Van Wert, and Williams in the State of Ohio.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.408 (a) (c) of Maximum Price Regulation No. 329, it is hereby ordered:

(a) Any milk distributor in the Counties of Defiance, Fulton, Henry, Mercer, Paulding, Putnam, Van Wert, and Williams in the State of Ohio may pay producers for milk an amount not to exceed \$3.30 per cwt. for milk of 3.5% butterfat content, plus 5¢ for each 1/10 of 1% butterfat variation over 3.5% and minus 5¢ for each 1/10 of 1% butterfat variation under 3.5%.

(b) Each milk distributor increasing his price to producers for "milk" pursuant to the provisions of this order shall, within five days of such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter or postcard, of his price established pursuant to the provisions of this order, together with a statement of his previous price.

(c) *Definitions.* (1) "Milk distributor" is defined to mean any individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing who purchases "milk" in a raw and unprocessed state for the purpose of resale as fluid milk in glass, paper or other containers.

(2) "Producer" means a farmer, or other person or representative who owns, superintends, manages, or otherwise controls the operations of a farm on which "milk" is produced. For the purposes of this order, farmers' cooperatives are producers when (1) they do not own or lease physical facilities for receiving, processing, or distributing milk, and (2) they do own or lease physical facilities for receiving, processing or distributing milk, but they act as selling agents for producers, whether members of such cooperatives or not.

(3) "Milk" means liquid cow's milk in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

(d) This order replaces and supercedes the provisions of Order No. G-3 under Maximum Price Regulation No. 329, Purchases of milk from producers for resale as fluid milk insofar as it applies to milk distributors in the Counties of Defiance, Fulton, Henry, Mercer, Paulding, Putnam, Van Wert, and Williams in the State of Ohio. Said Order No. G-3 under Maximum Price Regulation No. 329 is therefore revoked as to milk distributors located in said counties in the State of Ohio.

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

This order shall become effective May 18, 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 May 18, 1944.

CLIFFORD J. HOUSER,
Acting Regional Administrator.

[F. R. Doc. 44-7627; Filed, May 27, 1944; 9:42 a. m.]

[Region III Order G-37 Under RMPR 122]

SOLID FUELS IN FLINT, MICH., AREA

Order No. G-37 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for specified solid fuels in the Flint, Michigan, Area.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* This order establishes maximum prices for sales

of specified solid fuels made within the corporate limits of the City of Flint, Michigan, or any territory within six miles of the corporate limits thereof excluding Mt. Morris Village. These are the highest prices that any dealer may charge when he delivers such fuel at or to a point in such area; they are also the highest prices that any buyer in the course of trade or business may pay for them.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-37; but less than maximum prices may at any time be charged, paid or offered;

(2) Obtain a higher than ceiling price by:

(i) Charging a price higher than the scheduled price for a service or making a charge for a service not authorized by this order,

(ii) Making a charge higher than the scheduled charge authorized for the extension of credit,

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly,

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(c) *Schedule for sales of coal.* This schedule sets forth maximum prices for cash sales of specified sizes, kinds and quantities of solid fuels. Column I describes the coal for which prices are established; Column II shows maximum prices for sales on a "direct delivery" basis when paid within thirty days. All prices are for sales on a net ton basis.

SCHEDULE I

Column I	Column II
I. High volatile bituminous coals from Producing District No. 8 (Eastern Kentucky, Southwestern West Virginia, Western Virginia, and Northeastern Tennessee) excluding Mine Index Nos. 285 and 405:	
A. Lump—Size Group Nos. 1 and 2 (larger than 3"):	
1. Mine Price Classification A.....	\$10.70
2. Mine Price Classifications D through O.....	9.65
B. Egg:	
1. Size Group No. 5 (top size larger than 5" but not exceeding 6" x bottom size larger than 2" but not exceeding 3"; top size larger than 6" x bottom size 2" and smaller):	
a. Mine Price Classifications F through K.....	9.45
b. Mine Price Classifications L through N.....	9.05
2. Size Group No. 6 (top size larger than 5" but not exceeding 6" x bottom size 2" and smaller; top size 3" but not exceeding 5" x bottom size larger than 2" but not exceeding 3")	

SCHEDULE I—Continued

Column I	Column II
B. Egg—Continued.	
2. Size Group No. 6—Con.	
a. Mine Price Classification A.	\$10.00
b. Mine Price Classifications B through K.	9.20
c. Mine Price Classifications L through N.	9.05
3. Size Group No. 7 (top size larger than 3" but not exceeding 5" x bottom size 2" and smaller)	
Mine Price Classifications B through M.	9.20
C. Stove—Size Group No. 8 (top size larger than 2" but not exceeding 3" x bottom size 2" and smaller) Mine Price Classifications B through H.	8.80
D. Stoker—Size Group No. 10 (top size 1 1/4" and smaller x bottom size 1/2" and larger) excluding Mine Index Nos. 207, 408, 439, 459 and 590:	
1. Mine Price Classification A:	
a. Treated.	9.65
b. Untreated.	9.65
2. Mine Price Classifications B through E:	
a. Treated.	9.45
b. Untreated.	9.35
3. Mine Price Classifications F and lower:	
a. Treated.	9.15
b. Untreated.	9.05
II. High volatile bituminous coals from Producing District No. 4 (Ohio) excluding Mine Index No. 73:	
A. Lump:	
1. From the Ohio No. 8 Freight Origin District, Size Group Nos. 1 and 2 (larger than 2")	8.35
2. From the Hocking Freight Origin District, Size Group No. 2 (larger than 2" but not exceeding 5")	8.75
B. Egg, from the Hocking Freight Origin District, Size Group No. 3 (double screened; bottom size larger than 1 1/4" but not exceeding 2")	8.35
III. Low volatile bituminous coals from Producing District Nos. 7 and 8 (southern West Virginia, western Virginia, northwestern Tennessee, and eastern Kentucky):	
A. Lump and egg Size Group Nos. 1 and 2 (Lump; bottom size larger than screened run of mine; double screened coals with a top size larger than 3"):	
1. Mine Price Classification A.	10.80
2. Mine Price Classification B and C.	10.65
B. Stove, Size Group No. 3 (stove or deducted screenings; top size larger than 1 1/4" but not exceeding 3" x bottom size smaller than 3"), Mine Price Classification A.	10.60
C. Stoker, Size Group No. 5 (Pea or dedusted screenings; top size not exceeding 3/4" x bottom size smaller than 3/4"), Mine Price Classification A.	9.45
IV. Coke (excluding reclaimed and reject coke)	
A. Egg, stove and nut sizes.	13.10
B. Pea size.	12.10
V. Glen Rogers Briquettes.	11.35

All terms used herein to describe size, volatility and producing district are those that were established and defined

by the Bituminous Coal Division and in effect as of midnight, August 23, 1943.

(d) The maximum prices for all sales by dealers of solid fuel not provided for by this Order No. G-37 shall be the maximum prices established by Revised Maximum Price Regulation No. 122.

(e) *Schedule of service and credit charges.* This schedule sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Every service charge shall be separately stated in the dealer's invoices.

Carrying or wheeling from curb, \$1.00 per ton.

Carrying up or down one flight of stairs, \$.35 per ton.

Half ton deliveries, half ton price plus \$.75. Quarter ton deliveries, quarter ton price plus \$.90.

Forking (limited to the forking of low volatile coals from Districts 7 & 8), \$1.00 per ton.

Extension of credit beyond 30 days, \$.25 per ton.

(f) *The transportation tax.* The transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order, provided the dealer states it separately from the price on his invoice or statement. However, the dealer need not so separately state this tax on a sale to the United States or any agency thereof, the District of Columbia, any state government or any political subdivision thereof.

(g) *Addition of increase in suppliers prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereon; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(i) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72, effective October 1, 1943.

(j) *Right of amendment or revocation.* The Regional Administrator or Price Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged and the kind and type of solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

(l) *Posting of maximum prices, sales slips.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel. No report of the maximum prices established by this order need be made by any dealer under § 1340.262 (c) of Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing the date of the sale, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, the price charged and separately stating any item which is required to be separately stated by this order.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Saginaw District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Yard sales" shall mean sales and deliveries made by the dealer in his customary manner at his yard.

(6) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122, as amended, shall apply to terms used herein, and in full force and effect.

(c) *Applicability of this order.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

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

This Order No. G-37 under Revised Maximum Price Regulation No. 122 shall become effective May 19, 1944.

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

Issued May 19, 1944.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-7628; Filed May 27, 1944, 9:43 a. m.]

[Region VI Order G-35 Under MPR 329]

MILK IN WAUSAU, WIS.

Correction

In F.R. Doc. 44-6555, appearing on page 5025 of the issue for Friday, May 12, 1944, the fourth line of paragraph (a) should read: "consumption in fluid form shall be 79¢".

[Region VI Order G-103 Under 18 (c)]

EXCELSIOR IN CHICAGO REGION

Order No. G-103 under § 1499.18 (c) of the General Maximum Price Regulation. Adjusted prices for excelsior manufactured by R. W. Davis Company, Crandon, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, it is hereby ordered:

(a) This order shall apply to the R. W. Davis Company, Crandon, Wisconsin, and other sellers whose establishments are located in the States of North Dakota, South Dakota, Minnesota, Nebraska, Wisconsin, Iowa and Illinois, and in the County of Lake in the State of Indiana.

(b) The maximum price for excelsior manufactured by the R. W. Davis Company, and delivered to a purchaser after April 28, 1944, shall be the price established by each seller under the General Maximum Price Regulation, plus \$4.00 per ton.

(c) On the first sale, to each purchaser, by the R. W. Davis Company at the increased prices permitted by this order, the R. W. Davis Company shall furnish with each invoice a statement in substantially the following form:

In order to maintain the supply of excelsior, the Office of Price Administration has permitted us to increase our maximum prices by \$4.00 per ton.

The order, in turn, gives you the right to pass on this increase. You shall notify any

buyer of excelsior in substantially the following language:

In order to maintain the supply of excelsior, the Office of Price Administration has permitted us to increase our maximum prices of excelsior by \$4.00 per ton.

(d) Any seller of excelsior manufactured by the R. W. Davis Company, other than said company, shall furnish with the invoice evidencing the first sale to each purchaser of excelsior at the increased prices provided herein, a statement in substantially the following form:

In order to maintain the supply of excelsior, the Office of Price Administration has permitted us to increase our maximum prices of excelsior by \$4.00 per ton.

(e) This order may be revoked, amended or modified at any time.

(f) This order shall become effective April 27, 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 26th day of April 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-7629; Filed, May 27, 1944; 9:47 a. m.]

[Region II Order G-1 Under MPR 154]

ICE IN NEW YORK CITY

Order No. G-1 under Maximum Price Regulation No. 154, as amended. Ice. Adjusted maximum prices for the sale and delivery of ice in the City of New York.

For the various reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1393.8 of Maximum Price Regulation No. 154, as amended, it is hereby ordered:

(a) *What this order does*—(1) *Maximum prices; area covered.* If you are

a manufacturer or dealer in ice, this order fixes the maximum prices which you may charge; and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for specific quantities of block, crushed and cubed ice delivered at the manufacturer's platform within the City of New York, or delivered to or at any point within the City of New York. The City of New York is hereby defined as comprising the counties of New York, Kings, Bronx, Queens, and Richmond.

(2) *Schedules of prices, charges and discounts.* The schedule of prices from which you shall determine the applicable maximum prices at which you may sell or purchase, in the course of trade or business, any designated quantity of ice is set forth in Schedule I hereof.

(3) *To what sales this order applies.* If you are a manufacturer or dealer in ice, and deliver ice within the City of New York whether or not you are actually located in the City of New York, you are bound by the maximum prices and all other provisions of this order.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not

(1) Sell, or offer to sell, or in the course of trade or business, buy ice in the quantities set forth in Schedule I hereof, at higher than the maximum prices set forth in said schedule, although you may charge, pay or offer less than such maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Charging for any service which is not especially requested by the buyer;

(ii) Charging for any service for which a charge is not specifically authorized by this order;

(iii) Using any tying agreement or requiring that a buyer purchase any service or commodity from you in addition to the ice requested by him;

(iv) Using any other device by which a price higher than the applicable maximum price is obtained directly or indirectly.

(c) *Schedule I:*

SCHEDULE OF PRICES FOR THE PURCHASE AND SALE OF ICE IN THE CITY OF NEW YORK
BLOCK ICE

Class of customer	Adjusted maximum prices platform sale (including service stations)			Adjusted maximum prices for ice delivered sale		
	300 lb. cake	100 lb.	40 lb. tub	300 lb. cake	100 lb.	40 lb. tub
All ice dealers.....	Cents 55	Cents	Cents	Cents 75	Cents	Cents
Commercial, industrial, institutional (all not otherwise listed).....	65				40	
Milk companies.....	55			75		
Milk companies (white ice).....	45					
Home consumers.....		40			60	
		20			35	
		10			20	
Air conditioning customers.....					30	
Water cooler service.....					80	

CUBE AND CRUSHED ICE

Home consumers.....		45			75
All others.....		25			30

¹ Per 50 pounds.

² Per 25 pounds.

NOTE: These ceiling prices do not apply to railroad car, refrigerated truck, or ship (ship) customers.

(d) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may at any time amend, revoke or rescind this order, or any provision thereof.

(e) *Applicability of other regulations.* If you are a manufacturer, or dealer subject to this order, you are governed by the licensing provisions of Supplementary Order No. 72 and Licensing Order No. 1 which provide that a license is required and automatically granted to all persons who make sales subject to Maximum Price Regulation No. 154, as amended. Your license may be suspended for a violation of such regulation or of this order. If your license is suspended, you may not sell ice during the period of suspension.

(f) If you are a manufacturer or dealer subject to this order, you shall keep, preserve and make available for a period of 12 months, all sales slips and receipts for examination by the Office of Price Administration.

(g) *Posting of maximum prices, sales slips and receipts.* (1) If you are a manufacturer subject to this order, you shall post all your maximum prices (as set forth in Schedule I hereof) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall exhibit a list of your maximum prices (as set forth in Schedule I hereof) to each purchaser upon request, and post such list upon each of your wagons or trucks.

(3) If you are a manufacturer or dealer subject to this order, you shall give each purchaser a sales slip or receipt, if requested by such purchaser, or if you customarily gave purchasers such sales slips or receipts, which shall contain your name and address, the quantity of ice sold to him, the date of such sale or delivery, and the price charged.

(h) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties including suits in treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the New York Office of the Office of Price Administration.

(i) *Definitions.* (1) "Manufacturer" means any person, partnership, corporation, or association engaged in the manufacture of artificial ice for sale within the City of New York.

(2) "Dealer" means any person, partnership, corporation, or association selling artificial ice within the City of New York whether or not such person, partnership, corporation, or association is also a manufacturer of such ice.

(3) "Sell" means sell, supply, dispose, barter, exchange, transfer, or deliver and contracts and offers to do any of the foregoing.

(4) "White ice" means a cake of ice, at least 25% of which is opaque.

(5) "Platform sale" is a sale of ice, delivery of which is made to the purchaser at the seller's place of business.

(6) "Delivered sale" is a sale of ice delivered to a purchaser at a point other than the seller's place of business.

(j) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in Maximum Price Regulation No. 154, as amended, shall apply to terms used herein.

This Order No. G-1 shall become effective May 27, 1944.

NOTE: This order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 24th day of May 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)

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-7707; Filed, May 27, 1944;
4:45 p. m.]

[Region VII Order G-52 Under 18 (c)]

STANDARD THRESHOLDS IN UTAH

Order No. G-52 under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of maximum prices on two types of standard thresholds when sold in certain counties of the State of Utah.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Order No. G-52 is issued.

(a) *Geographical applicability.* The adjusted maximum prices hereby established for the two types of standard thresholds known to the trade as No. 8700 and No. 8278 are limited to sales made and transactions had within the Counties of Salt Lake, Weber, Davis, and Utah, in the State of Utah, which area is hereinafter referred to as the Salt Lake Trade Area.

(b) *Specific maximum prices.* On and after the effective date of this Order No. G-52, the maximum prices for standard Oak Threshold No. 8700 ($\frac{5}{8}$ " x $3\frac{3}{8}$ " x 3') and standard Oak Threshold No. 8278 ($\frac{5}{8}$ " x $3\frac{3}{8}$ " x 3') shall be, when sold by one dealer to another dealer, 25¢ each, f. o. b. the seller's yard, and when sold by any dealer at retail to an ultimate consumer, 33¢ each, f. o. b. the seller's yard.

(c) *Customary discounts and allowances must be maintained.* Any person selling standard Oak Thresholds No. 8700 and No. 8278 in accordance with this Order No. G-52 shall maintain and continue to give all trade discounts, allowances, and differentials which have heretofore been customarily given by him.

(d) *Applicability of other regulations.* Except to the extent of the price changes made by this Order No. G-52, all of the terms and provisions of the General Maximum Price Regulation shall remain in full force and effect and continue to be applicable to all persons selling standard Oak Thresholds No. 8700 and No. 8278.

(e) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or order. A seller's license may be suspended for violation 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.

(f) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(g) *Effective date.* This order shall become effective on the 20th day of May 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 20th day of May 1944.

RICHARD Y. BATTERTON,
Regional Administrator.

[F. R. Doc. 44-7708; Filed, May 27, 1944;
4:46 p. m.]

[Region VIII Order G-3 Under MPR 136,
Amdt. 2]

INSIDE CURING RIMS IN LOS ANGELES, CALIF.

Amendment No. 2 to Order No. G-3 under Maximum Price Regulation No. 136, as Amended. Machines and parts and machinery services. Adjusted maximum prices for inside curing rims manufactured by Steel Forming Corporation.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1390.25a of Maximum Price Regulation No. 136, as amended, *It is hereby ordered*, That the unnumbered fourth paragraph of Order No. G-3 under Maximum Price Regulation No. 136, as amended, be amended to read as follows:

This order shall become effective February 21, 1944.

This Amendment No. 2 shall become effective immediately.

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

Issued this 24th day of May 1944.

CHAS. R. BAIRD,
Acting Regional Administrator.

[F. R. Doc. 44-7710; Filed, May 27, 1944;
4:45 p. m.]

[Region VIII Order G-13 Under MPR 165] AUTOMOTIVE VEHICLES IN SAN FRANCISCO REGION

Order No. G-15 under Maximum Price Regulation No. 165, as Amended. *Services.* Maximum rentals for certain persons in Region VIII for rentals of automotive vehicles to defense plants or for use on construction projects.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.102 (d) of Maximum Price Regulation No. 165, as amended, and § 1499.3 (d) of the General Maximum Price Regulation, and General Order No. 32, *It is hereby ordered:*

(a) The maximum price for the rental of an automotive vehicle to a defense plant or for use in connection with a construction project in Region VIII for any person who is unable to determine a maximum price pursuant to paragraphs (a), (b), or (c) of § 1499.102 of Maximum Price Regulation No. 165, as amended, or (in the case of a rental on a fully operated basis, of such a nature as to constitute a transportation service) § 1499.2 of the General Maximum Price Regulation, shall be the following:

(1) *Rentals of automotive vehicles to defense plants or for use in connection with a construction project; bare basis.* (i) The monthly maximum rental price for any automotive vehicle on a bare basis shall be the sum determined by applying the proper percentage in Table 1 below to the sum of the net cost of the vehicle when new and the net cost of the extra equipment if any, when new, provided that in no event shall the maximum rental price be more than the price, if any, established in Table 2 below for the particular rental.

TABLE 1

	Percent
Value when new \$1,000 or under.....	10
Value when new over \$1,000 to \$1,500, incl.....	9
Value when new over \$1,500 to \$2,500, incl.....	8
Value when new over \$2,500.....	7

TABLE 2¹

½ ton pick-up.....	\$75.00
¾ ton pick-up.....	85.00
1 ton pick-up.....	95.00
1 ton flat bed or stake truck.....	95.00
1½ ton flat bed or stake truck.....	125.00
2 ton flat bed or stake truck.....	175.00
2½ ton flat bed or stake truck.....	200.00
3 ton flat bed or stake truck.....	225.00

¹ The above rates are to apply regardless of extra equipment, except that in the case of flat bed or stake trucks \$25.00 per month additional may be added if the vehicle is equipped with a winch and that an additional \$50.00 per month may be added in the case of flat bed or stake trucks with drive on two rear axles.

(ii) Weekly bare rental rates shall be one-third of the maximum monthly rates above established and daily bare rental rates shall be one-twelfth of the monthly rate.

(iii) In every instance, rental of an automotive vehicle leased on a bare basis shall be calculated as beginning at the time the automotive vehicle is delivered into the possession of the lessee and as terminating at the time when the automotive vehicle is delivered back into the possession of the lessor.

(2) *Rental of automotive vehicles to defense plants or for use in connection with construction projects, fully operated or similar basis.* (i) The maximum rental price for an automotive vehicle rented on a fully operated or similar ba-

sis shall be the maximum rental determined under paragraph (1) above for the rental of such automotive vehicle on a bare rental basis plus the following:

(a) If the lessor furnishes an operator, 135% of the wages paid the operator of such automotive vehicle at the government or union rate prevailing on the particular job or if no such rates are applicable, the prevailing rate on March 31, 1942 in the rental area;

(b) If fuel, oil, lubrication, or repair parts and services are supplied by the lessor from his own garage or shop, 135% of the net cost on such items thus supplied.

(c) If fuel, oil, lubrication, or repair parts and services are furnished by the lessee but not from his own garage or shop, the net cost of such items thus supplied.

(ii) In every instance, the foregoing maximum rates shall apply irrespective of the time the automotive vehicle is on the job, except that where the lessor is required to pay his operator on any job because of the overtime operation of the automotive vehicle, there may be added to the maximum rental, the dollar amount, determined in accordance with the applicable government or union wage rates, or if none is applicable, the wage rates in effect on March 31, 1942, in the rental area, of so much of the excess of overtime wages over straight time wages, as is actually paid the operator because of the overtime operation of the automotive vehicle.

(iii) In every instance, rental for any automotive vehicle rented on a fully operated basis shall be calculated in accordance with this paragraph as beginning not sooner than the time the automotive vehicle arrives on the job ready for use and ending when the automotive vehicle is finally released on the job for return to the lessor, except that where the automotive vehicle must be moved daily to and from the job, the lessor may charge the lessee an additional hour's rental at the applicable maximum rate for each day that the automotive vehicle is moved to and from the job.

(3) The lessor shall furnish the lessee an itemized statement showing the bare rental (with an itemized breakdown of costs new of the vehicle and equipment) and in the case of a rental on a fully operated basis, the operator's wages, payroll taxes, fuel costs, oil costs, lubrication costs, and repair costs (other than for normal wear and tear).

(4) As used in this order the term: "Region VIII" means the states of California, Washington, Nevada, Oregon, except Malheur County, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

"Automotive vehicles" means vehicles commonly referred to as pick-ups, flat beds, stake trucks, panels, sedan deliveries, trailers, station wagons, carry-alls, suburbans, and passenger cars.

"Bare basis" refers to any lease, contract, or understanding regardless of whether the same is denominated a rental agreement or forms a part of another agreement whereby one party undertakes to furnish another party with any automotive vehicle without supplying any operating and maintenance services required in connection therewith, for any consideration regardless of how such consideration is determined.

"Fully operated or similar basis" refers to any lease, contract, or understanding, regardless of whether the same is denominated a rental agreement or forms part of another agreement, whereby one party undertakes to furnish the use of or use for another party any automotive vehicle and to supply all or some of the operating and maintenance services required in connection therewith for any consideration regardless of how such consideration is determined.

"Net cost" as used herein means the net amount paid by the lessor for operator's wages, repair parts, mechanic's wages, gasoline, and anything else which the lessor supplies.

(b) This order shall become effective five days from the date of issuance and shall apply to all sales and deliveries or offers to sell whether heretofore or hereafter made of the above described rentals by the aforesaid persons. All maximum prices heretofore established for rental of automotive vehicles by applicants pursuant to section 102 (d) of Maximum Price Regulation No. 165, as amended, are hereby revoked and the maximum prices herein established shall apply to all rentals of the type covered hereby, whether heretofore or hereafter made by said applicants, except to the extent that rentals heretofore made have been paid for at or below a maximum price heretofore established for the particular applicant.

(c) This order shall be subject to revocation or amendment at any time hereafter either by special order or by any price regulation issued hereafter or by any supplement or amendment hereafter issued as to any price regulation, the provisions of which may be contrary hereto.

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

Issued this 24th day of May 1944.

Effective May 29, 1944.

CHAS. R. BAIRD,
Acting Regional Administrator.

[F. R. Doc. 44-7709; Filed, May 27, 1944; 4:45 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on May 25, 1944.

REGION III

Escanaba Order 9-F, Amendment 12, covering fresh fruit and vegetables in Ishpeming and Negaunee, Marquette County, Michigan Area, filed 9:35 a. m.

Escanaba Order 10-F, Amendment 12, covering fresh fruit and vegetables in certain areas in Michigan, filed 9:36 a. m.

Escanaba Order 11-F, Amendment 12, covering fresh fruit and vegetables in Escanaba, Gladstone, Delta County, Michigan area, filed 9:36 a. m.

Escanaba Order 12-F, Amendment 11, covering fresh fruit and vegetables in certain named areas of Michigan, filed 9:37 a. m.

Escanaba Order 13-F, Amendment 11, covering fresh fruit and vegetables in certain named areas of Michigan, filed 9:37 a. m.

Escanaba Order 14-F, Amendment 11, covering fresh fruit and vegetables in certain named areas of Michigan, filed 9:37 a. m.

Escanaba Order 15-F, Amendment 11, covering fresh fruit and vegetables in certain named areas of Michigan, filed 9:37 a. m.

Escanaba Order 16-F, Amendment 11, covering fresh fruit and vegetables in Sault Ste. Marie, Chi Pawa County, Michigan, filed 9:37 a. m.

Escanaba Order 17-F, Amendment 10, covering fresh fruit and vegetables in certain named areas in Michigan, filed 9:37 a. m.

Harrisburg Order 1-F, Amendment 3, covering fresh fruit and vegetables in Harrisburg, Lancaster, Lebanon and York, Pennsylvania, filed 9:35 a. m.

Saginaw Order 3-F, Amendment 1, covering fresh fruits and vegetables in certain named areas of Michigan, filed 9:32 a. m.

Saginaw Order 19, Amendment 3, covering community food prices in the area under jurisdiction of the Saginaw district office, filed 10:00 a. m.

Saginaw Order 2-W, Amendment 2, covering community food prices in the area under jurisdiction of the Saginaw district office, filed 10:00 a. m.

REGION IV

Jackson Order 2-F, Amendment 12, covering Community food prices in certain counties in Mississippi, filed 9:40 a. m.

Montgomery Order 5-F, Amendment 10, covering community food prices in the community of Chisbolm, Dalraida, Montgomery County, Alabama, filed 9:38 a. m.

Montgomery Order 7-F, Amendment 6, covering community food prices in the cities of Dothan, Enterprise and Ozark, Alabama, filed 9:38 a. m.

Montgomery Order 8-F, Amendment 11, covering community food prices in the city of Selma, Alabama, filed 9:39 a. m.

Montgomery Order 9-F, Amendment 6, covering community food prices in Mobile county, Alabama, filed 9:39 a. m.

Nashville Order 5-F, Amendment 16, covering community food prices in Davidson, Hamblen, Hamilton, Knox and Sullivan, Tennessee, filed 9:26 a. m.

Nashville Order 10-F, Amendment 2, covering community food prices in the specified counties of the Nashville Tennessee area, filed 9:27 a. m.

Nashville Order 13, Amendment 1, covering poultry prices in certain areas in Virginia, filed 9:27 a. m.

REGION V

Arkansas Order 2-F, Amendment 12, covering fresh fruits and vegetables in Pulaski County, Arkansas, filed 9:57 a. m.

Arkansas Order 5-F, Amendment 11, covering fresh fruits and vegetables in Garland County, Arkansas, filed 9:58 a. m.

Dallas Order 1-F, Amendment 17, covering fresh fruits and vegetables in the State of Arkansas except certain Counties, filed 9:53 a. m.

Dallas Order G-20, covering community food prices in the area of Texarkana in Bowle County, Texas, filed 9:52 a. m.

Lubbock Order 3-F, Amendment 2, covering fresh fruits and vegetables in El Paso County, Texas, filed 9:35 a. m.

New Orleans Order 2-F, Amendment 19, covering fresh fruits and vegetables in certain Parishes in Louisiana, filed 10:04 a. m.

Oklahoma Order 8-F, Amendment 18, covering fresh fruits and vegetables in certain named areas in Oklahoma City, filed 9:52 a. m.

Shreveport Order 2-F, Amendment 15, covering fresh fruits and vegetables in Shreveport, Bossier City, Monroe, and West Monroe, Louisiana, filed 9:40 a. m.

Shreveport Order 3-F, Amendment 4, covering fresh fruits and vegetables in certain Parishes in Louisiana, filed 9:40 a. m.

REGION VI

Duluth Order 1-F, Amendment 17, covering fresh fruits and vegetables in Duluth, Proctor, City of Superior, and Town of Superior, Minnesota, filed 9:41 a. m.

Duluth Order 10, Amendment 2, covering community food prices in certain areas in Minnesota and Wisconsin, filed 9:41 a. m.

Duluth Order 11, Amendment 2, covering community food prices in Aitkin, Crow Wing, Pine in Minnesota, Burnett, Sawyer, and Washburn in Wisconsin, filed 9:41 a. m.

Fargo-Moorhead Order 2nd Revised 17, covering dry groceries in Bismarck, Devils Lake, Jamestown, Mandan, Minot, and Valley City, all in North Dakota, filed 9:50 a. m.

Fargo-Moorhead Order 2nd Revised 18, covering dry groceries in certain named counties in North Dakota, filed 9:49 a. m.

Fargo-Moorhead Order 2nd Revised 21, covering dry groceries in certain named counties in Minnesota, filed 9:48 a. m.

Fargo-Moorhead Order 2nd Revised 22, covering dry groceries in certain named counties in Minnesota, filed 9:48 a. m.

Milwaukee Order 2-F, Amendment 15, covering fresh fruits and vegetables in Dane County, filed 9:53 a. m.

Milwaukee Order 3-F, Amendment 15, covering fresh fruits and vegetables in Milwaukee County, City of Racine and City of Kenosha, filed 9:53 a. m.

Milwaukee Order 4, Amendment 4, covering community food prices in Milwaukee County and within the city limits of Racine and of Kenosha all in the State of Wisconsin, filed 9:54 a. m.

Milwaukee Order 5-F, Amendment 14, covering fresh fruits and vegetables in Sheboygan and Fond Du Lac Counties in Wisconsin, filed 9:54 a. m.

Sioux Order 2-F, Amendment 15, covering fresh fruits and vegetables in Sioux City, Iowa and South Sioux City, Nebraska, filed 9:55 a. m.

Sioux Order 12, Amendment 1, covering community food prices in Boyd, Brown, Cherry, Holt, Keyapaha, Rock and Wheeler, Iowa, filed 9:55 a. m.

Sioux Order 11, Amendment 1, covering community food prices in certain counties in Iowa, filed 9:57 a. m.

Twin Cities Order 1-F, Amendment 13, covering fresh fruits and vegetables in St. Paul and Minneapolis and Adjoining Municipalities in Minnesota, filed 9:54 a. m.

REGION VII

Boise Order 1-B, covering community food prices in Boise, Idaho, filed 9:25 a. m.

Boise Order 18, covering community food prices in Pocatello, Idaho, filed 9:24 a. m.

Boise Order 19, covering community food prices in Boise City, Idaho, filed 9:23 a. m.

Boise Order 20, covering community food prices in Boise Valley Loop Area, filed 9:21 a. m.

Boise Order 21, covering community food prices in Twin Falls area, filed 9:19 a. m.

Boise Order 22, covering community food prices in City of Idaho Falls, Idaho, filed 9:23 a. m.

Boise Order 23, covering community food prices in the Mountain Home area, filed 9:25 a. m.

Boise Order 24, covering community food prices in the Ontario, Oregon area, filed 9:21 a. m.

New Mexico Order 17, Amendment 6, covering community food prices in certain areas in New Mexico, filed 9:42 a. m.

Wyoming Order B-W-I, covering certain dry groceries and perishable foods in the state of Wyoming, filed 9:51 a. m.

Wyoming Order 1-F, Amendment 4, covering fresh fruits and vegetables in the Cheyenne area, filed 9:51 a. m.

Wyoming Order 2-F, Amendment 2, covering fresh fruits and vegetables in the Laramie area, filed 9:47 a. m.

Wyoming Order 3-F, Amendment 1, covering fresh fruits and vegetables in the Casper area, filed 9:47 a. m.

Wyoming Order 4-F, Amendment 1, covering fresh fruits and vegetables in the Sheridan area, filed 9:47 a. m.

Wyoming Order 20, Amendment 3, covering community food prices in the Rock Springs, Wyoming area, filed 10:02 a. m.

Wyoming Order 20, Amendment 5, covering community food prices in the Rock Springs area, filed 9:17 a. m.

Wyoming Order 21, Amendment 3, covering community food prices in the Cheyenne, Wyoming area, filed 10:00 a. m.

Wyoming Order 22, Amendment 2, covering community food prices in the Casper, Wyoming area, filed 10:02 a. m.

Wyoming Order 23, Amendment 2, covering community food prices in the Sheridan, Wyoming area, filed 10:01 a. m.

Wyoming Order 24, Amendment 3, covering community food prices in the Laramie, Wyoming area, filed 10:00 a. m.

Wyoming Order 24, Amendment 5, covering community food prices in the Laramie, area, filed 9:17 a. m.

Wyoming Order 25, Amendment 1, covering community food prices in the Buffalo, Wyoming area, filed 10:01 a. m.

Wyoming Order 26, Amendment 1, covering community food prices in the Gillette, Wyoming area, filed 10:02 a. m.

Wyoming Order 27, Amendment 1, covering community food prices in the Lander and Riverton, Wyoming area, filed 10:04 a. m.

Wyoming Order 28, Amendment 1, covering community food prices in the Thermopolis, Wyoming area, filed 10:02 a. m.

Wyoming Order 29, Amendment 1, covering community food prices in the Cody, Lovell and Powell area, filed 10:01 a. m.

Wyoming Order 31, Amendment 1, covering community food prices in the Douglas, Wyoming area, filed 10:02 a. m.

Wyoming Order 32, covering community food prices in the Lander, Riverton and Thermopolis, Worland area, filed 9:18 a. m.

Wyoming Order 33, covering community food prices in the Buffalo, Gillette and Sheridan County area, filed 9:18 a. m.

REGION VIII

Sacramento Order 1-F, Amendment 9, covering fresh fruit and vegetables in Sacramento, Stockton area, filed 9:42 a. m.

Sacramento Order 6-F, Amendment 7, covering fresh fruit and vegetables in Sacramento District Central County area, filed 9:43 a. m.

Sacramento Order 7-F, Amendment 7, covering fresh fruit and vegetables in Sacramento district Northern county area, filed 9:43 a. m.

San Diego, Order 6, Amendment 9, covering community food prices in San Diego Metropolitan Market area, filed 9:42 a. m.

San Francisco Order 1-F, Amendment 15, covering fresh fruits and vegetables in certain named areas in California, filed 9:33 a. m.

San Francisco Order 2-F, Amendment 8, covering fresh fruit and vegetables in San

Jose, Santa Clara, Mayfair, Berryessa, Burbank, California, filed 9:34 a. m.

San Francisco Order 3-F, Amendment 7, covering fresh fruit and vegetables in certain named areas in California, filed 9:34 a. m.

San Francisco Order 4-F, Amendment 6, covering fresh fruit and vegetables in Watsonville, Salinas, Monterey, Carmel, Pacific Grove, Santa Cruz, filed 9:34 a. m.

San Francisco Order 5-F, Amendment 5, covering fresh fruits and vegetables in Mill Valley, Sausalito, Marin City, San Anselmo, Fairfax, San Rafael, Petaluma and Santa Rosa, filed 9:34 a. m.

San Francisco Order 6-F, Amendment 1, covering fresh fruits and vegetables in certain named areas in California, filed 9:35 a. m.

San Francisco Order G-8, Amendment 7, covering community food prices in certain named areas in California, filed 9:43 a. m.

San Francisco Order G-9, Amendment 5, covering community food prices in Benicia, Calistoga, Fairfield, Napa, St. Helena, Sonoma, Suisun and Vallejo, filed 9:45 a. m.

San Francisco Order G-10, Amendment 5, covering community food prices in certain named areas in California, filed 9:46 a. m.

San Francisco Order G-11, Amendment 5, covering community food prices in Guerneville, Healdsburg, Petaluma, Santa Rosa and Sebastopol, filed 9:32 a. m.

San Francisco Order G-12, Amendment 5, covering community food prices in certain named areas in California, filed 9:32 a. m.

Copies of any of these orders may be obtained from the OPA office of the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-7759; Filed, May 29, 1944;
11:51 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on May 27, 1944.

REGION II

Trenton Order 1-F, Amendment 6, covering certain fresh fruits and vegetables in Mercer, Middlesex & Monmouth Counties, filed 9:17 a. m.

Trenton Order 2-F, Amendment 3, covering certain fresh fruits and vegetables in Mercer, Middlesex & Monmouth Counties, filed 9:17 a. m.

Trenton Order 3-F, Amendment 2, covering certain fresh fruits and vegetables in Mercer, Middlesex & Monmouth Counties, filed 9:13 a. m.

Trenton Order 14, covering community food prices in certain areas in New Jersey, filed 9:13 a. m.

REGION IV

Savannah Order 15, covering community food prices at retail for dry groceries in certain named counties in Georgia, filed 9:15 a. m.

REGION V

San Antonio Order 2-W, covering community food pricing at wholesale in certain designated areas in Texas, filed 9:16 a. m.

Lubbock Order 3-F, Amendment 3, covering fresh fruits and vegetables in El Paso County, Texas, filed 9:17 a. m.

REGION VI

Peoria Order 2-F, Amendment 2, covering certain fresh fruit and vegetables in Peoria, Peoria Heights, East Peoria, Creve Coeur, Pekin and Burtonville, Illinois, filed 9:16 a. m.

Peoria Order 2-F, Amendment 1, covering certain fresh fruit and vegetables in same area stated above, filed 9:16 a. m.

Peoria Order 3-F, Amendment 1, covering certain fresh fruits and vegetables in Joliet, Rockdale and Ridgewood, Illinois, filed 9:10 a. m.

Peoria Order 3-F, Amendment 2, covering certain fresh fruits and vegetables in Joliet, Rockdale, and Ridgewood, Illinois, filed 9:10 a. m.

Peoria Order 1-F, Amendment 6, covering certain fresh fruits and vegetables in certain named areas in Illinois, filed 9:11 a. m.

REGION VIII

Fresno Order 1-F, Amendment 18, covering certain fresh fruits and vegetables in certain named areas in California, filed 9:11 a. m.

Fresno Order 2-F, Amendment 6, covering certain fresh fruits and vegetables in certain named areas in California, filed 9:11 a. m.

Fresno Order 3-F, Amendment 1, covering certain fresh fruits and vegetables in certain named areas in California, filed 9:11 a. m.

Phoenix Order 3-F, Amendment 20, covering certain fresh fruits and vegetables in the Phoenix Area, filed 9:18 a. m.

Phoenix Order 4-F, Amendment 10, covering certain fresh fruits and vegetables in the Tucson Area, filed 9:18 a. m.

Phoenix Adopting Order 2 under Basic Order 1-B, covering certain food items at retail in certain designated areas, filed 9:19 a. m.

Seattle Order 1-F, Amendment 17, covering certain fresh fruits and vegetables in Seattle, Washington, filed 9:13 a. m.

Seattle Order 2-F, Amendment 14, covering certain fresh fruits and vegetables in Tacoma, Washington, filed 9:12 a. m.

Seattle Order 3-F, Amendment 17, covering certain fresh fruits and vegetables in Everett, Washington; filed 9:12 a. m.

Seattle Order 4-F, Amendment 17, covering certain fresh fruits and vegetables in Bremerton, Washington; filed 9:12 a. m.

Seattle Order 4-F, Amendment 15, covering certain fresh fruits and vegetables for Bellingham, Washington; filed 9:12 a. m.

Portland Order 1-F, Amendment 17, covering certain fresh fruits and vegetables for Portland & Vanport, Oregon; and Vancouver, Washington; filed 9:18 a. m.

San Diego Order 1-F, Amendment 38, covering certain fresh fruits and vegetables in the San Diego Area; filed 9:15 a. m.

San Diego Order 1-F, Amendment 39, covering certain fresh fruits and vegetables in the San Diego Area; filed 9:10 a. m.

Copies of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-7760; Filed, May 29, 1944;
11:51 a. m.]

RAILROAD RETIREMENT BOARD.

[Jurisdictional Docket No. 26]

MIDLAND RAILWAY CO. OF MANITOBA

POSTPONEMENT OF HEARING

In the matter of the status under the Railroad Unemployment Insurance Act of the Midland Railway Company of Manitoba and of the individuals performing service in its operations.

Notice is hereby given to all persons interested that upon the request of one of the parties and pursuant to the authority vested in me by order of the General Counsel Designating Examiner (9 F.R.

5194), the hearing in the above-entitled matter which has been set for May 31, 1944, at 10:00 a. m., in Courtroom No. 3, Uptown Station and Federal Courts Building, St. Paul, Minnesota (9 F.R. 5194), is postponed to June 28, 1944.

Dated: May 25, 1944.

[SEAL] JACOB ABRAMSON,
Examiner.

[F. R. Doc. 44-7606; Filed, May 26, 1944;
3:42 p. m.]

[Jurisdictional Docket No. 27]

THE SHIPLEY COMPANY POSTPONEMENT OF HEARING

In the matter of the status under the Railroad Unemployment Insurance Act of the Shipley Company and of the individuals rendering service under contracts between the Shipley Company and the Chicago, St. Paul, Minneapolis and Omaha Railway Company.

Notice is hereby given that pursuant to the authority vested in the General Counsel by Part 319 of the regulations under the Railroad Unemployment Insurance Act (45 U.S.C. 351-367; 7 F.R. 4774) the hearing in the above-entitled matter, originally scheduled to be held on May 15, 1944, at 10:00 a. m., in the hearing room of the Railroad Retirement Board, 844 Rush Street, Chicago, Illinois, (9 F.R. 4415) and postponed, will be held on Wednesday, June 14, 1944, at 10:00 a. m., in the hearing room of the Railroad Retirement Board, 844 Rush Street, Chicago, Illinois.

Dated: May 24, 1944.

[SEAL] JOSEPH H. FREEHILL,
General Counsel.

[F. R. Doc. 44-7607; Filed, May 26, 1944;
3:42 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-890]

THE NORTH AMERICAN CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of May 1944.

The North American Company, a registered holding company, has filed a declaration pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 and Rules U-43 and U-44 of the general rules and regulations promulgated thereunder, regarding a proposal to pay a dividend on its common stock payable in the common stock of Pacific Gas and Electric Company having a par value of \$25 per share, owned by The North American Company, at the rate of one share of such stock of Pacific Gas and Electric Company on each one hundred shares of the outstanding common stock of The North American Company. In lieu of certificates for fractions of shares of stock of Pacific Gas and Electric Company, cash

will be paid at the rate of 31 cents for each 1/100th of a share of such stock of Pacific Gas and Electric Company, this rate being based on the approximate market price of \$31.00 per share as of April 25, 1944, the date the proposed dividend was declared.

Said declaration having been filed on the 29th day of April, 1944, and notice of filing having been duly given in the manner and form prescribed by Rule U-23 under said act and the Commission not having received a request for hearing with respect to said declaration within the period specified in such amended notice, or, otherwise, and not having ordered a hearing thereon; and

The North American Company having requested that the Commission issue its order on or before May 27, 1944; and

The Commission finding that the requirements of section 12 (d) and Rules U-43 and U-44 are satisfied, that no adverse findings are necessary thereunder, and that action upon said declaration should be accelerated, and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24 that said declaration be and the same is hereby permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-7572; Filed, May 26, 1944;
11:15 a. m.]

[File No. 70-837]

OHIO-MIDLAND LIGHT AND POWER CO., AND
ASSOCIATED ELECTRIC CO.

NOTICE OF FILING OF AMENDMENTS AND ORDER
RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of May 1944.

An application-declaration having heretofore been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, by Associated Electric Company, a registered holding company, and its wholly-owned subsidiary, Ohio-Midland Light and Power Company; and

Said filing having been principally concerned with the proposed sale by Associated Electric Company to Joseph B. Wilson for the base price of \$1,885,000, subject to adjustments, of its entire interest in its subsidiary, Ohio-Midland Light and Power Company; and said filing having requested that the proposed sale be exempt from the competitive bidding requirements of Rule U-50;

Hearings having been held, and the Commission having on March 8, 1944, made and filed its findings and opinion and issued its order herein (Holding Company Act Release No. 4930), denying the application for an exemption from the competitive bidding requirements of Rule U-50;

Notice is hereby given that amendments to the said application-declaration have been filed by the said companies; and

All interested persons are referred to the said application-declaration, as amended, which is on file in the office of the said Commission for a statement of the transactions therein proposed, which are summarized below:

Associated Electric Company, having publicly invited and received bids which were opened on April 15, 1944, now proposes to sell to the group submitting the highest bid, namely South Central Rural Electric Cooperation, Inc., Union Rural Electric Cooperative, Inc., and Inter-County Rural Electric Cooperative, Inc., non-affiliates, for the base price of \$2,115,000, in cash, subject to adjustments, all of Associated Electric Company's interest in its subsidiary. As at December 31, 1943, the outstanding securities and indebtedness of Ohio-Midland Light and Power Company, which are to be sold, consist of the following:

The Scioto Valley Railway & Power Co.:	
First mortgage, 6% gold bonds, due June 1, 1943, principal amount	\$844,000.00
Accrued interest thereon aggregating	4,220.00
The Scioto Valley Railway & Power Co.:	
6% gold notes, due March 1, 1932, principal amount	355,000.00
Accrued interest thereon aggregating	7,100.00
Open account indebtedness (bearing interest at the rate of 6% per year when earned)	443,990.96
Accrued interest thereon aggregating	2,225.00
	Shares
\$6.50 series first preferred stock (par value \$100 per share)	1,000
\$5.00 series preferred stock (no par)	1,975.46%
Class A stock (no par)	3,774.16%
Common stock (no par)	1,640

Associated Electric Company also proposes to acquire from Ohio-Midland Light and Power Company all of the latter's holdings of 580 shares of common stock of Atlantic Utility Service Corporation, for a total cash consideration of one dollar.

The filing designates sections 9 (a), 10, 12 (d), and 12 (f) of the act, and Rules U-43, U-44, and U-50 promulgated thereunder, as applicable to the filing.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that the hearing be reconvened with respect to such matters:

It is ordered, That a hearing on such matters under the applicable provisions of said act and rules of the Commission thereunder be reconvened on June 12, 1944, at 10 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in room 318 will advise as to the room in which such hearing will be held;

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose shall preside at the reconvened

hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any person desiring to be heard in connection with the proceeding or proposing to intervene herein shall file with the Secretary of the Commission, on or before June 10, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That, without limiting the scope of the issues presented by said application-declaration, particular attention will be directed at such hearing to the following matters;

1. Whether the consideration to be received for the proposed sale is fair and reasonable;

2. Whether the proposed acquisition by Associated Electric Company of the common stock of Atlantic Utility Service Corporation complies with the provisions of section 10 of the act;

3. The propriety of the accounting treatment to reflect the proposed transactions on the books of the applicants-declarants;

4. Whether, and to what extent, it is necessary or appropriate in the public interest to impose terms or conditions in regard to the accounts or capital structure of Ohio-Midland Light and Power Company, or otherwise in regard to the proposed transactions;

5. Whether the proposed transactions are in the public interest and in the interest of investors and consumers, and whether, in all other respects, they comply with all the applicable provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-7694; Filed, May 27, 1944;
2:32 p. m.]

[File No. 70-870]

CAPITAL TRANSIT COMPANY

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of May 1944.

Requirement of public invitation of proposals for purchase or underwriting of securities of subsidiary of registered holding company.

Denial of exemption. Application by non-utility subsidiary of a registered holding company for exemption from the competitive bidding requirements of Rule U-50 with respect to the issuance and sale of its first mortgage bonds, denied, it not appearing in the light of the particular circumstances that compliance with Rule U-50 is not appropriate in the public interest or for the protection of investors or consumers as a condition to the exemption of such issuance and sale from the provisions of section

6 (a) of the Public Utility Holding Company Act of 1935, or to aid the Commission (in carrying out the provisions of section 6 (b) of said Act) to determine such terms and conditions as it may be appropriate to impose in the public interest or for the protection of investors or consumers in exempting such issuance or sale from the provisions of section 6 (a) of said act.

Appearances: John M. Perry and Frank H. Heiss of Rathbone, Perry, Kelley & Drye and G. Thomas Dunlop, for Capital Transit Company; Frederick Zazove and E. M. Calkin, for the Public Utilities Division of the Commission.

This is an application by Capital Transit Company (Capital Transit), a non-utility subsidiary of The Washington Railway and Electric Company (WR&ECo) The North American Company (North American), both registered holding companies, for an exemption from the competitive bidding requirements of Rule U-50 of the general rules and regulations under the Public Utility Holding Company Act of 1935 (the act).¹ Capital Transit contemplates the issuance and sale of new bonds for the purpose of refunding all or part of its existing funded debt.² Although the fi-

ancing program has not definitely been determined, the company's financial advisers³ have tentatively suggested the issuance of approximately \$16,000,000 principal amount of twenty-year 4% First Mortgage Bonds.

After appropriate notice, a public hearing was held. Requested findings of fact, briefs and oral argument have been waived. Having considered the record, we make the following findings:

Capital Transit was organized in 1933 pursuant to a Joint Resolution of Congress. It operates a surface transportation system of street car and motor bus lines in the City of Washington, D. C. and adjacent areas, and is not a "public-utility company" as that term is defined in the act. One-half of its 240,000 shares of \$100 par value capital stock is owned by WR&ECo. and 1.26% by North American.⁴ North American also owns 34.55% of the voting securities of WR&ECo.

Capital Transit is subject to the jurisdiction of the Public Utilities Commission of the District of Columbia and must secure that Commission's approval for the issuance of the new bonds.⁵ Since the contemplated refunding is solely for the purpose of financing the business of Capital Transit, the proposed refunding would be exempt, upon application by the company, from the provisions of section 6 (a) of the act by reason of section 6 (b) thereof, subject to such terms and conditions as the Commission may deem appropriate in the public interest or for the protection of investors or consumers.

Dillon, Read & Co. and Alex. Brown & Sons have been employed by the company to assist it in formulating a financing program and setting up the terms of the proposed issue.

The company bases its request for an exemption from competitive bidding upon several grounds. The first of these is that in view of the complex nature of the problems involved in a refunding of the company's outstanding debt securities, the company believes that its interest would best be served by negotiating the nature and terms of the refinancing concurrently with negotiations as to the price. In other words, the company contends that a negotiated deal would permit of greater flexibility and afford it an opportunity to weigh alternative financing plans. We have carefully considered this argument but cannot find that the circumstances surrounding Capital Transit's situation are suffi-

¹ Dillon, Read & Co. of New York, New York, and Alex. Brown & Sons of Baltimore, Maryland.

² North American and WR&ECo. by an order dated April 14, 1942, were required to divest themselves of their interest in Capital Transit. The North American Company, et al., Holding Company Act Release No. 3405. Both companies were granted an additional year from April 14, 1943, within which to comply with the order. As to North American, see Holding Company Act Release No. 4380. As to WR&ECo, see Holding Company Act Release Nos. 4335 and 4655.

³ The District Commission has promulgated an order which requires the solicitation of bids on the issuance and sale of securities such as contemplated by Capital Transit (P.U.C. No. 2982, Order No. 1465, 12 P.U.R. (N. S.) 9.) The applicant states that if we grant an exemption from our rule, it will seek similar action from the local Commission.

ently distinguishable from other financing programs to warrant a conclusion that it should be accorded different treatment on this ground.

The company also assigns as a reason for an exemption the fact that there has been no public offering of traction bonds within the last decade and that an offer of its bonds at competitive bidding might not attract sufficient interest to insure acceptable results. In this connection we note that Dallas Railway & Terminal Company, a subsidiary of Electric Power & Light Corporation, operating a transportation system in Dallas, Texas, has recently filed an application with respect to the issuance of bonds which it proposes to sell at competitive bidding.⁶ Although Capital Transit is a traction company, its 5% bonds due in 1947 have a current market price of around 105 and that in the last five years its total fixed charges had the following coverages: 1939, 1.8 x; 1940, 2.23 x; 1941, 2.84 x; 1942, 3.30 x; 1943, 3.04 x.

The company has also emphasized the essentially local character of the market for the proposed bonds. However, Frederick Brandt, a partner of Dillon, Read & Co., testified that in his opinion the local market would not absorb more than two or three million dollars of the issue. In any event, if the participation of local underwriters or dealers is deemed desirable, it undoubtedly could be obtained by an appropriate requirement in the invitation for bids.

It is our conclusion that the present record does not support a finding that compliance with paragraphs (b) and (c) of Rule U-50 with respect to issuance and sale of the contemplated bonds of Capital Transit is not appropriate in the public interest or for the protection of investors or consumers as a condition to the exemption of such issuance and sale from the provisions of section 6 (a) of the Public Utility Holding Company Act of 1935, or to aid the Commission (in carrying out the provisions of section 6 (b) of said act) to determine such terms and conditions as it may be appropriate to impose in the public interest or for the protection of investors or consumers in exempting such issuance or sale from the provisions of section 6 (a) of said act.

The absence of a definitive refunding program has complicated the resolution of the problems raised by this application and has made our task with respect thereto a difficult one. In the definitive refinancing program, the desirability of a fairly rapid amortization of a substantial part of the company's debt seems obvious, and if the refunding includes serial notes of a maturity of ten years or less, such notes may qualify for automatic exemption from competitive bidding under paragraph (a) (2) of Rule U-50.

It is ordered, That the application for exemption be and the same is hereby denied.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. E. Doc. 44-7693; Filed, May 27, 1944; 2:32 p. m.]

⁶ Dallas Railway & Terminal Company, Holding Company Act Release No. 5029.

¹ By its subdivision (a) (5), Rule U-50 excludes from its scope:

"The issuance or sale of securities as to which the Commission finds that compliance with paragraphs (b) and (c) hereof with respect to such issuance or sale is not * * * (b) appropriate in the public interest or for the protection of investors or consumers as a condition to the exemption of such issuance or sale from the provisions of section 6 (a) of the Act, or to aid the Commission (in carrying out the provisions of section 6 (b) of the Act (to determine such terms and conditions as it may be appropriate to impose in the public interest or for the protection of investors or consumers in exempting such issuance or sale from the provisions of section 6 (a) of the Act * * *

² The existing funded debt of Capital Transit, as of December 31, 1943, consisted of the following:

WR&ECo Consolidated 4's due December 1, 1951 (portion assumed by Capital Transit)	\$8,720,500
Anacostia & Potomac River Railroad Company of Washington City, D. C.:	
3 3/4's due December 1, 1951 (modified, assumed by Capital Transit, and guaranteed by WR&ECo)	1,870,000
5's due April 1, 1949 (guaranteed by WRECo)	455,000
5's due April 1, 1949 (not specifically assumed or guaranteed)	210,000
City & Suburban Railway of Washington:	
3 3/4's due December 1, 1941 (modified, assumed by Capital Transit, and guaranteed by WR&ECo)	1,249,000
5's due August 1, 1948 (not specifically assumed or guaranteed)	93,000
Capital Traction Company First 5's due June 1, 1947	5,150,000
5% Serial Notes due 1944-46 (held by North American)	90,000
Equipment Trust Notes and Conditional Sales Contracts covering street cars and buses due 1944-51	5,126,430
Total	17,968,980

[File Nos. 70-314, 70-315, 59-21, 4-33, 54-91
70-868]

UNITED GAS CORP., ET AL.

MEMORANDUM OPINION AND ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of May, A. D. 1944.

In the matter of United Gas Corporation, United Gas Pipe Line Company, Houston Gulf Gas Company, File No. 70-314; Electric Bond and Share Company, File No. 70-315; Electric Bond and Share Company, Electric Power & Light Corporation, United Gas Corporation, Houston Gas Securities Company, United Gas Pipe Line Company, Houston Gulf Gas Company, File No. 59-21. In the matter of investigation of organization and financing of United Gas Corporation, etc., File No. 4-33; United Gas Corporation, Electric Power & Light Corporation, Electric Bond and Share Company, File No. 54-91; Electric Bond and Share Company, File No. 70-868.

United Gas Corporation ("United"), a subsidiary of Electric Power & Light Corporation ("Electric"), a registered holding company, which in turn is a subsidiary of Electric Bond and Share Company ("Bond and Share"), also a registered holding company, and United's subsidiary, United Gas Pipe Line Company, have filed an amendment to their declaration in these consolidated proceedings concerning, among other things, a proposed issuance and sale by United of \$100,000,000 principal amount of First Mortgage and Collateral Trust Bonds.¹ United has stated in the said filing that it believes the proposed issuance and sale are not subject to the provisions of Rule U-50 since the original declaration which the present filing amends was filed two days before the effective date of that rule. It requests, however, in the event that we find that the proposed sale is subject to the provisions of Rule U-50 that it be exempted from the competitive bidding requirements of subsections (b) and (c) thereof. It has further requested that we rule on these matters at the earliest possible date and in advance of any other order in these consolidated proceedings.

After appropriate notice, a public hearing was held on these matters and we have considered the record with respect thereto as well as a brief in opposition to the application filed by a participant in the proceeding.

Consideration of the application of United requires a brief summary of the history of the proposed financing. On May 5, 1941, two days before the effective date of Rule U-50, United filed a declaration seeking permission to issue and sell \$75,000,000 principal amount of first Mortgage and Collateral Trust Bonds and to use the major portion of the proceeds to liquidate the \$52,925,000 indebtedness of United to Bond and Share. Questions had previously been raised by our staff and communicated to the companies with respect to the debt claims held by

Bond and Share in United on the basis of facts developed in the record of the section 11 (b) (2) proceedings of Bond and Share and Electric (File No. 59-12).

Prior to the time of the filing, United has been negotiating² with certain insurance companies for the sale of the bonds but had not yet secured an agreement with respect to the precise method and terms of sale. After the filing, on June 12, 1941, a contract fixing a price of 99.34%, an interest rate of 3¼% and other terms of sale was entered into with 14 major insurance companies and the filing was amended to bring this contract before us. In view of the questions previously mentioned above arising from the history of the relations among Bond and Share, Electric and United our Order of May 31, 1941³ for hearing on this declaration together with a declaration filed by Bond and Share for the use of the proceeds to be received by it, also instituted proceedings with respect to Bond and Share, Electric, United and certain subsidiaries of United under sections 11 (b) (2), 12 (b), 12 (c), 12 (f), 18 (a) and 18 (b) of the act which were consolidated for hearing with the proceedings on the above-described filings. The purpose of these "cross proceedings" was to ensure a comprehensive investigation of all factors relevant to the recapitalization and refinancing of United including a determination of the respective claims and equities of its various security holders in connection therewith and to give notice of our intention to exercise our full statutory powers to resolve the problems facing the company.

In view of the fact that the resolution of the problems raised by the proceedings so consolidated involved a thorough study of the background and organization of United and its entire corporate history together with the roles played by Bond and Share and Electric in connection therewith, extensive hearings were necessary and were undertaken. During the course of these hearings various attempts were made to separate the refinancing problems from the issues surrounding the proposed use of the proceeds, i. e., the problem of the status and rank of the Bond and Share claims in and against United. We have previously described in detail the formulation and the reasons for the failure of the most comprehensive effort in this direction undertaken immediately after Pearl Harbor (Holding Company Act Release No. 3301). In February 1942, subsequent to this unsuccessful attempt, the contract with the insurance companies which had been several times extended was allowed to expire. Hearings were thereafter held with respect to all phases of the proceedings until September, 1943 when they were completed and concluded with respect to all matters except as to the accounts and structures of certain of the subsidiary companies of United.

Following the closing of the record on the major problems in the proceedings,

¹ For a fuller description of these negotiations, see Holding Company Act Release No. 3301.

² Holding Company Act Release No. 2790.

the present section 11 (e) plan was filed, providing for the reorganization of United and the settlement of all claims among United, Electric and Bond and Share arising from the organization and history of United.⁴ This plan contemplates the issuance by United of \$100,000,000 of First Mortgage and Collateral Trust Bonds and is conditioned upon the ability of United to issue and sell such bonds. Accordingly, the present amendment to its previous declaration with respect to the refinancing was filed by United seeking approval of the proposed issuance and sale of the bonds, as increased from \$75,000,000 to \$100,000,000 principal amount.

Joe H. Gill, president of United, has testified that if the company is permitted to carry on negotiations, it will not limit such negotiations to the 14 insurance companies with which the previous contract was made although he would anticipate that they would purchase a substantial portion of the issue.

We have determined that in the light of the several unique factors in the present case an exemption from the competitive bidding requirements of Rule U-50 may appropriately be granted.

We have passed at this time, as requested by the company, only the question of the method of sale of the bonds, if made. We have not yet had before us the substantive questions under the act which will determine the propriety of the sale nor have we passed upon the pending section 11(e) plan for United to which the proposed financing is a condition. Any contract resulting from the proposed negotiations will, of course, be subject to our approval of the proposed financing, as such, and the exercise of our jurisdiction over the terms and conditions of sale and all fees and expenses in connection therewith.

It is therefore ordered, That pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, the said application for exemption of the proposed issue and sale by United of \$100,000,000 of First Mortgage and Collateral Trust Bonds from the requirements of subsections (b) and (c) of Rule U-50 as to competitive bidding be, and it hereby is, granted subject, however, to the terms and conditions prescribed in Rule U-24 of the general rules and regulations.

It is further ordered That jurisdiction be, and it hereby is, reserved expressly to pass upon all other matters involved in these consolidated proceedings including the propriety of the proposed issue and sale under the applicable provisions of the act and rules and regulations thereunder and the terms and conditions of any such sale and the fees and expenses in connection therewith.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-7716; Filed, May 29, 1944;
9:45 a. m.]

³ See Holding Company Act Release No. 4962.

⁴ Holding Company Act Release No. 4926.

[File No. 812-347]

KEYSTONE CUSTODIAN FUNDS, INC.

NOTICE AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of May, A. D. 1944.

Keystone Custodian Funds, Inc., as trustee for Keystone Custodian Funds, Series B-1, B-2, B-3, B-4, K-1, K-2, S-1, S-2, S-3, and S-4, has filed an application pursuant to sections 6 (c) and 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) of the said act transactions involving the purchase and sale of portfolio securities from time to time by and between the several Keystone Custodian Funds. Each of the Keystone Custodian Funds is a registered investment company and is an affiliated person of each other Fund.

It is ordered, Pursuant to section 40 (a) of said act, that a hearing on the aforesaid application be held on the 13th day of June, 1944 at 10 o'clock in the forenoon of that day in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

It is further ordered, That Allen MacCullen, Esquire, or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such application. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the above named applicant, to each of the Keystone Custodian Funds, and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-7717; Filed, May 29, 1944;
9:45 a. m.]

WAR FOOD ADMINISTRATION.

[Docket No. AO 174]

CLINTON, IOWA, MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed marketing agreement and order regulating the handling of milk in the Clinton, Iowa, Marketing Area.

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and in accordance with the applicable rules of practice and procedure (7 CFR, Cum. Supp., 900.1 et seq.), notice is hereby given of a hearing to be held in the Council Room, City Hall, Clinton, Iowa, beginning at 10 a. m., c. w. t., June 21, 1944, with respect to a proposed marketing agreement and order regulating the handling of milk in

the Clinton, Iowa, marketing area, which have been submitted by the Clinton Co-operative Milk Producers Association, Inc.

This public hearing is for the purpose of receiving evidence with respect to a proposed marketing agreement and order, the provisions of which are hereinafter set forth. The proposed marketing agreement and order have not received the approval of the War Food Administrator, and at the hearing evidence will be received relative to all aspects of the marketing conditions which are dealt with by the proposed marketing agreement and order. The provisions of the proposed marketing agreement and order are as follows:

SECTION 1. *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(b) "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States who is or who may hereafter be authorized to exercise the powers and to perform the duties, pursuant to the act, of the War Food Administrator of the United States.

(c) "Clinton, Iowa, marketing area", hereinafter called the "marketing area", means the territory lying within the corporate limits of the city of Clinton, and the eastern half of Camanche Township including the city of Camanche, all in the State of Iowa.

(d) "Person" means any individual, partnership, corporation, association, or any other business unit.

(e) "Producer" means any person, irrespective of whether such person is also a handler, who, under certification by the proper health authorities, produces milk which is received at the plant of a handler from which Class I milk is disposed of in the marketing area.

(f) "Handler" means any person who, on his own behalf or on behalf of others, purchases or receives milk from producers, associations of producers, or other handlers, all or a portion of which milk is disposed of as Class I milk in the marketing area. This definition shall include a cooperative association with respect to the milk of any producer which it causes to be diverted from a plant from which milk is disposed of as Class I milk in the marketing area to a plant from which no milk is disposed of as Class I milk in the marketing area.

(g) "Producer-handler" means any person who is both a producer and a handler and who receives no milk from other producers: *Provided*, That (1) the maintenance, care, and management of the dairy animals and other resources necessary to produce the milk is the personal enterprise of and at the personal risk of such person in his capacity as a producer, and (2) the processing, packaging, and distribution of the milk is the personal enterprise of and at the personal risk of such person in his capacity as a handler.

(h) "Delivery period" means the period from the effective date hereof to and including the last day of that month. Subsequent to that month "delivery period" means the period from the first to the last day of each month, both inclusive.

(i) "Market administrator" means the agency which is described in section 2 for the administration hereof.

(j) "Cooperative association" means any cooperative association of producers which the War Food Administrator determines (1) to have its entire activities under the control of its members, and (2) to have and to be exercising full authority in the sale of milk of its members.

(k) "Emergency milk" means milk received by a handler pursuant to section 6 from sources other than producers or other handlers.

SEC. 2. *Marketing administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the War Food Administrator. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the War Food Administrator.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof.

(2) Investigate and report to the War Food Administrator complaints of violations of the provisions hereof.

(3) Make rules and regulations to effectuate the terms and provisions hereof.

(c) *Duties.* The market administrator shall:

(1) Within 45 days following the date upon which he enters upon his duties, execute and deliver to the War Food Administrator a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the War Food Administrator.

(2) Keep such books and records as will clearly reflect the transactions provided for herein and surrender the same to his successor or to such other person as the War Food Administrator may designate.

(3) Submit his books and records to examination by the War Food Administrator at any and all times.

(4) Furnish such information and such verified reports as the War Food Administrator may request.

(5) Obtain a bond with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator.

(6) Publicly disclose to handlers and producers, unless otherwise directed by the War Food Administrator, the name of any person who, within 15 days after the date upon which he is required to perform such acts, has not (i) made reports pursuant to section 5 or (ii) made payments pursuant to section 8.

(7) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof.

(8) Pay, out of the funds provided by section 9, (i) the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market administrator, (ii) his own compensation, and (iii) all other expenses necessarily incurred in the maintenance and functioning of his office.

(9) Promptly verify the information contained in reports submitted by handlers.

SEC. 3. Classification of milk—(a) Basis of classification. All milk, skim milk, or cream purchased or received by a handler or caused to be delivered by a cooperative association to a plant from which no milk is disposed of as Class I milk in the marketing area shall be reported by the handler and shall be classified by the market administrator in the classes set forth in (b) of this section.

(b) *Classes of utilization.* Subject to the conditions set forth in (a) and (d) of this section, the classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk, skim milk, or cream disposed of in the form of milk, skim milk, buttermilk, flavored milk and milk drinks, and cream, for consumption as cream (including any cream product in fluid form containing 6 percent or more butterfat), and all milk not specifically accounted for as Class II milk.

(2) Class II milk shall be all milk, skim milk, and cream, used to produce a milk product other than those specified in Class I milk and all milk accounted for as actual plant shrinkage: *Provided*, That allowance for such plant shrinkage shall not exceed 3 percent of the total receipts of milk from producers.

(c) *Responsibility of handlers.* In establishing the classification of milk as required in (b) of this section, the burden rests upon the handler who receives milk from producers to account for the milk and to prove to the market administrator that such milk should not be classified as Class I milk.

(d) *Transfers of milk and cream.*

(1) Milk, skim milk, and cream shall be classified as Class I milk when moved from the plant of a handler (i) to the plant of another handler who receives milk from producers: *Provided*, That if such milk, skim milk, or cream was utilized in Class II, it shall be classified accordingly subject to verification by the market administrator; (ii) to the plant of a handler who receives no milk from producers other than milk of his own production; and (iii) to the plant of a nonhandler who distributes milk, skim milk, or cream in fluid form for consumption as such.

(2) Milk, skim milk, and cream received at the plant of a handler from sources other than producers or other handlers shall be Class II milk except for such milk in excess of the total Class II utilization of the receiving handler.

(3) Milk, skim milk, and cream, disposed of by a handler to the plant of a nonhandler who does not distribute milk, skim milk, or cream for consumption in fluid form shall be classified as Class II milk.

(e) *Computation of the milk in each class.* For each delivery period, the market administrator shall compute in the case of each handler the amount of milk in each class as defined in (b) of this section as follows:

(1) Determine the total pounds of milk, skim milk, and cream received as follows: add into one sum the total pounds of milk, skim milk, and cream received from (i) producers; (ii) the handler's own farm production; (iii) other handlers; and (iv) other sources.

(2) Determine the total pounds of butterfat received as follows: multiply by its average butterfat test the weight of the milk, skim milk, and cream received from (i) producers; (ii) the handler's own farm production; (iii) other handlers; and (iv) other sources. Add together the resulting amounts.

(3) Determine the total pounds of milk in Class I as follows: (i) Convert to pounds the total quantity of milk, skim milk, and cream, disposed of in each of the several products of Class I on the basis of 2.15 pounds per quart; (ii) add together the resulting amounts; and (iii) of the quantity of milk so computed when added to the pounds of milk in Class II computed pursuant to (5) (iv) of this paragraph is less than the total pounds of milk received in accordance with (1) of this paragraph an amount equal to the difference shall be added to the sum obtained in (ii) of this subparagraph.

(4) Determine to total pounds of butterfat in Class I as follows: (i) Multiply the actual weight of each of the several products of Class I by its average butterfat test; (ii) add together the resulting amounts; and (iii) if the quantity of butterfat so computed, when added to the pounds of butterfat in Class II computed pursuant to (6) (iv) of this paragraph is less than the total pounds of butterfat received in accordance with (2) of this paragraph, an amount equal to the difference shall be added to the sum obtained in (ii) of this paragraph.

(5) Determine the total pounds of milk in Class II as follows: (i) Compute the total pounds of milk, skim milk, and cream which were used to produce each of the several products of Class II; (ii) add together the resulting amounts; (iii) subtract the total pounds of milk in Class I computed pursuant to (3) (ii) of this paragraph and the total pounds of Class II milk computed pursuant to (ii) of this subparagraph from the total pounds of milk received computed pursuant to (1) of this paragraph, which resulting quantity, up to 3 percent of the total receipts of milk from producers, shall be allowed as plant shrinkage for the purpose of this paragraph; and (iv) add together the result obtained in (ii) of this subparagraph and the result obtained in (iii) of this subparagraph, up to 3 percent of the total receipts of milk from producers.

(6) Determine the total pounds of butterfat in Class II as follows: (i) Multiply the actual weight of each of the several products of Class II by its average butterfat tests; (ii) add together the resulting amounts; (iii) subtract the total pounds of butterfat in Class I milk computed

pursuant to (4) (ii) of this paragraph and the total pounds of butterfat computed pursuant to (ii) of this subparagraph from the total pounds of butterfat computed pursuant to (2) of this paragraph, which resulting quantity, up to 3 percent of the total receipts of butterfat from producers, shall be allowed as plant shrinkage for the purpose of this paragraph; and (iv) add together the result obtained in (ii) of this subparagraph and the result obtained in (iii) of this subparagraph, up to 3 percent of the total receipts of butterfat from producers.

(7) Determine the classification of milk of producers as follows: (i) Subtract from the pounds of milk in each class the pounds of milk, skim milk, and cream received from other handlers and apportioned to each class in accordance with (d) of this section; (ii) subtract from the remaining pounds of milk in Class II the total pounds of milk, skim milk, and cream, except emergency milk, received from other sources: *Provided*, That if the quantity of such milk, skim milk, and cream received is greater than the remaining quantity of Class II milk of such handler, an amount equal to the difference shall be subtracted from the remaining pounds of Class I milk; and (iii) subtract pro rata from the remaining pounds of milk in each class, the total pounds of milk which were received from the handler's own farm production and emergency milk; and (iv) the result shall be known as the "net pooled milk" in each class.

SEC. 4. Minimum prices—(a) Class prices. Each handler shall, subject to the provisions of (b) of this section, pay at the time and in the manner set forth in section 8 not less than the prices set forth in this section per hundredweight of milk received during each delivery period at such handler's plant or caused by such handler to be delivered to a plant from which no milk is disposed of in the marketing area.

(1) For Class I milk, the price shall be 50 cents per hundredweight more than the price resulting from the following computation by the market administrator: determine the average of the basic or field prices per hundredweight ascertained to have been paid for milk of 3.5 percent butterfat content received during the period beginning with the 16th day of the previous month and ending with the 15th day of the current month at the plants listed in this subparagraph: *Provided*, That if the price so determined is less than the price computed by the market administrator in accordance with the following formula, such formula price shall be used in lieu of the above-stated price: (i) Multiply by six the average wholesale price per pound of 92-score butter at Chicago for the delivery period as reported by the United States Department of Agriculture (or such other Federal agency as may be hereafter authorized to perform this price reporting function); (ii) add 2.4 times the average weekly prevailing price of the cheese known as "Twins" during said delivery period on the Wisconsin Cheese Exchange at Plymouth,

Wisconsin (in the absence of such prices the prevailing price of "Twins" at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be hereafter authorized to perform this price reporting function) shall be used); (iii) divide the resulting sum by 7; (iv) add 30 percent thereof; and (v) multiply the result by 3.5.

Amboy Milk Products Co., Amboy, Ill.
Borden Company, Dixon, Ill.
Borden Company, Sterling, Ill.
Carnation Milk Company, Oregon, Ill.
Dean Milk Company, Belvidere, Ill.
Dean Milk Company, Pearl City, Ill.
Dean Milk Company, Pecatonica, Ill.
Libby, McNeil and Libby Co., Morrison, Ill.
Pet Milk Company, Schullsburg, Wis.
United Milk Products Co., Argo Fey, Ill.

(2) For Class II milk, the price shall be the result of the following computation by the market administrator: Multiply by 3.5 the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be hereafter authorized to perform this price reporting function) during the delivery period in which such milk was received, add 20 percent thereof and add any plus amount resulting from the following calculation:

Subtract 6 cents from the average price per pound of casein and multiply such result by 2.3. The price per pound of casein to be used shall be the average of the carlot prices for unground casein f. o. b. drying plants in the Chicago area as reported by the United States Department of Agriculture (or such other Federal Agency as may be hereafter authorized to perform this price reporting function).

(b) *Butterfat differentials to handlers.*

(1) If the average butterfat content of the milk of producers disposed of as Class I by any handler computed pursuant to section 3 (e) is more or less than 3.5 percent, such handler shall add to the Class I price per hundredweight computed pursuant to (a) (1) of this section for each one-tenth of 1 percent that the average butterfat content of such Class I milk is above 3.5 percent, or shall subtract from such Class I price for each one-tenth of 1 percent that the average butterfat content of such Class I milk is below 3.5 percent, an amount computed by the market administrator as follows: to the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be hereafter authorized to perform this price reporting function) for the delivery period during which such milk was received, add 20 percent, divide the result obtained by 10, and add 1.0 cent.

(2) If the average butterfat content of the milk of producers disposed of as Class II by any handler computed pursuant to section 3 (e) is more or less than 3.5 percent, such handler shall add to the Class II price per hundredweight computed pursuant to (a) (2) of this section for each one-tenth of 1 percent that the average butterfat content of such Class II milk is above 3.5 percent,

or shall subtract from such Class II price for each one-tenth of 1 percent that the average butterfat content of such Class II milk is below 3.5 percent, an amount computed by the market administrator as follows: to the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be hereafter authorized to perform this price reporting function) for the delivery period during which such milk was received, add 20 percent, and divide the result obtained by 10.

(c) *Emergency price provision.* Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy or other similar payment being made by any Federal agency in connection with the milk or product, associated with the price specified: *Provided*, That if for any reason, the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any subsidy or other similar payment: *Provided*, That if the specified price is not reported or published and there is no applicable maximum uniform price or if the specified price is not reported or published and the War Food Administrator determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the War Food Administrator to be equivalent to or comparable with the prices specified.

SEC. 5. Reports of handlers—(a) Periodic reports. (1) On or before the 5th day after the end of each delivery period each handler, with respect to all milk or milk products which were, during such delivery period, (i) received from producers; (ii) received from other handlers; (iii) received from such handler's own farm production; (iv) received from any other source; or (v) caused to be delivered to a plant from which no milk is disposed of in the marketing area, shall report to the market administrator, in the detail and on forms prescribed by him, as follows:

- (a) The receipts at each plant from producers who are not handlers;
- (b) The receipts at each plant from any other handler, including any handler who is also a producer;
- (c) The receipts at each plant from such handler's own farm production;
- (d) The receipts at each plant from any other source;
- (e) The utilization of all milk and milk products disposed of;
- (f) The quantity of milk and milk products on hand; and
- (g) The respective butterfat content of each of the above.

(2) On or before the 5th day after the end of each delivery period, the receipts at each plant of emergency milk as follows: (1) The amount of such milk

and the average butterfat content thereof; (ii) the date or dates upon which such milk was received during the delivery period; (iii) the plant from which such milk was shipped; (iv) the prices paid or to be paid for such milk; (v) the utilization of such milk; and (vi) such other information with respect thereto as the market administrator may request.

(b) *Reports as to producers.* Each handler shall report to the market administrator within 10 days after the market administrator's request with respect to any producer and with respect to a period of time designated by the market administrator: (1) The name and address; (2) the total pounds of milk received; (3) the average butterfat test of milk received; and (4) the number of days upon which milk was received.

(c) *Reports of payments to producers.* On or before the 20th day after the end of each delivery period, each handler shall submit to the market administrator his producer pay roll for such delivery period, which shall show for each producer (i) the net amount of such producer's payments with the prices, deductions, and charges involved, and (ii) the total volume of milk received from such producer or caused by the handler to be delivered to a plant from which no milk is disposed of in the marketing area and the average butterfat test of such milk.

(d) *Reports of producer-handlers and handlers whose sole sources of supply are receipts from other handlers.* Producer-handlers and handlers whose sole sources of supply are receipts from other handlers shall report to the market administrator at such time and in such manner as the market administrator may request.

(e) *Verification of reports and payments.* The market administrator shall verify all reports and payments of each handler by audits of such handler's records and the records of any other handler or person upon whose disposition of milk such handler claims classification. Each handler shall keep adequate records of receipts and utilization of milk and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

- (1) Verify the receipts and disposition of all milk required to be reported pursuant to this section and, in the case of errors or omissions, ascertain the correct figures;
- (2) Weigh, sample, and test for butterfat content the milk received from producers and any product of milk upon which classification depends; and
- (3) Verify the payments to producers prescribed in section 8.

SEC. 6. Application of provisions—(a) Producer-handlers. (1) Sections 4, 7, 8, 9, and 10 shall not apply to the handling of milk by handlers (i) whose sole sources of supply are receipts from other handlers or (ii) who are producer-handlers pursuant to section 1 (g) as verified by the market administrator in the manner provided in (2) of this paragraph.

(2) Handlers shall furnish to the market administrator for his verification, subject to review by the War Food Administrator, evidence of their qualifications pursuant to section 1 (g), as of the effective date hereof, and they shall furnish evidence of subsequent changes made in the manner of producing or distributing their milk that affects their qualification as producer-handlers; such verification by the market administrator shall be made within 15 days of the date of receipt of the evidence and shall be effective retroactively to the effective date of the provisions hereof in cases verified within 45 days of such effective date and shall be effective retroactively to the first day of the delivery period during which verification is made in subsequent cases.

(b) *Emergency milk.* During any delivery period when the market administrator determines that the supply of milk available to any handler from producers and handlers is not sufficient to fulfill the Class I requirements of such handler, such handler, after giving notice to the market administrator of his intention to purchase milk from other than such sources, may secure milk from emergency sources on terms and conditions other than those provided in section 4 hereof. Emergency milk shall be reported to the market administrator by the receiving handler separately from milk received from producers and handlers in accordance with section 5 (a) (2). The person from whom the handler received such milk shall not be considered a handler with respect to milk disposed of in the marketing area under the circumstances described in this paragraph.

(c) *Payment for excess milk or butterfat.* If a handler, after subtracting receipts from his own farm production, receipts from other handlers, and receipts from sources determined as other than producers or other handlers, has disposed of milk or butterfat in excess of the milk or butterfat which, on the basis of his reports, has been credited to his producers as having been delivered by them, the market administrator in computing the net pool obligation of such handler pursuant to section 7 (a) shall add an amount equal to the value of such milk or milk equivalent of such butterfat in accordance with its actual utilization by the handler.

SEC. 7. Determination of uniform price to producers—(a) *Net pool obligation of handlers.* The net pool obligation of each handler for milk received from producers during each delivery period shall be a sum of money computed for such delivery period by the market administrator as follows: multiply the pounds of milk in each class computed pursuant to section 3 (e) by the class prices computed pursuant to section 4 (a) subject to the butterfat differentials set forth in section 4 (b), add together the resulting amounts and add the value of any payments required to be made pursuant to section 6 (c).

(b) *Computation of the uniform price.* For each delivery period the market administrator shall compute the uniform

price per hundredweight of milk as follows:

(1) Combine into one total the net pool obligations of all handlers computed pursuant to (a) of this section who made the reports prescribed by section (5) and who made the payments prescribed by section 8 for the previous delivery period;

(2) Add an amount equal to one-half the cash balance in the producer-settlement fund less the amount due handlers pursuant to section 8 (g);

(3) Divide the resulting sum by the total quantity of net pooled milk of all handlers whose reports are included in the computation; and

(4) Subtract not less than 4 cents nor more than 5 cents per hundredweight of milk for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payment by handlers.

(c) *Announcement of prices.* On or before the 10th day after the end of each delivery period, the market administrator shall notify all handlers and make public announcement of the computations pursuant to (b) of this section, of the uniform price per hundredweight of milk, of the Class I and Class II prices computed pursuant to section 4 (a), of the butterfat differentials to handlers computed pursuant to section 4 (b), and of the butterfat differential to producers computed pursuant to section 8 (c).

(d) *Notification of handlers.* On or before the 10 day after the end of each delivery period, the market administrator shall notify each handler of the amount of his net pool obligation and of the amount by which such handler's net pool obligation is greater or less than the sum required to be paid producers by such handler pursuant to section 8 (a).

SEC. 8. Payments for milk—(a) *Time and method of payment.* Each handler shall make payment, subject to the butterfat differential set forth in (c) of this section, after deducting the amount of the payments made pursuant to (b) of this section, for milk purchased or received from producers by such handler during each delivery period as follows:

(1) To each producer, except as set forth in (2) of this paragraph, on or before the 15th day after the end of the delivery period during which such milk was purchased or received at not less than the uniform price per hundredweight computed pursuant to section 7 (b).

(2) To a cooperative association for milk which it causes to be delivered to a handler from producers and for which such cooperative association collects payments, on or before the 12th day after the end of the delivery period during which such milk was purchased or received, of a total amount equal to not less than the sum of the individual payments otherwise payable to such producers under (1) of this paragraph.

(b) *Half delivery period payments.* (1) On or before the last day of each delivery period, each handler shall, except as set forth in (2) of this subparagraph, make payment to each producer

for the approximate value of the milk of such producer which, during the first 15 days of the delivery period, was received by such handler.

(2) At least 3 days before the end of each delivery period, each handler shall make payment to a cooperative association for milk which it causes to be delivered to a handler from producers and for which such cooperative association collects payments for the approximate value of the milk which such cooperative association caused to be delivered to such handler during the first 15 days of the delivery period.

(c) *Butterfat differential to producers.* If, during the delivery period, any handler has purchased or received from any producer milk having an average butterfat content other than 3.5 percent, such handler, in making the payments prescribed in (a) (1) and (2) of this section, shall add to the uniform price per hundredweight paid to such producer for each one-tenth of 1 percent of average butterfat content in milk above 3.5 percent not less than, or shall deduct from the uniform price per hundredweight paid to such producer for each one-tenth of 1 percent of average butterfat content in milk below 3.5 percent, not more than an amount computed by the market administrator as follows: to the average wholesale price per pound of 92-score butter at Chicago as reported by the United States Department of Agriculture (or such other Federal agency as may be hereafter authorized to perform this price reporting function) add 20 percent, and divide the resulting sum by 10.

(d) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to (e) and (g) of this section and out of which he shall make all payments to handlers pursuant to (f) and (g) of this section: *Provided,* That the market administrator shall offset any such payment due to any handler against payments due from such handler. Immediately after computing the uniform price for each delivery period, the market administrator shall compute the amount by which each handler's net pool obligation is greater or less than the sum obtained by multiplying the hundredweight of milk of producers by the appropriate prices required to be paid producers by handlers pursuant to (a) of this section and adding together the resulting amounts. This amount shall be entered on each handler's account as such handler's pool debit or credit, as the case may be.

(e) *Payments to the producer-settlement fund.* On or before the 12th day after the end of each delivery period, each handler shall pay to the market administrator for payment to producers through the producer-settlement fund the amount by which the net pool obligation of such handler is greater than the sum required to be paid producers by such handler pursuant to (a) of this section.

(f) *Payments out of the producer-settlement fund.* On or before the 15th

day after the end of each delivery period, the market administrator shall pay to each handler for payment to producers the amount by which the sum reported to be paid producers by such handler pursuant to (a) of this section is greater than the net pool obligation of such handler.

(2) If the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 15th day after the end of each delivery period, has not received the balance of such reduced payment from the market administrator shall be deemed to be in violation of (a) of this section if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

(g) *Adjustments of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors in payments to the producer-settlement fund made pursuant to (e) of this section, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days of such billing, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler pursuant to (f) of this section, the market administrator shall, within 5 days, make such payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer discloses payment to such producer of an amount which is less than is required by this section, the handler shall make up such payment to the producer not later than the time of making payment to producers next following such disclosure.

Sec. 9. *Marketing service.*—(a) *Deductions for marketing services.* Except as set forth in paragraph (b) of this section, each handler shall deduct an amount not exceeding — cents per hundredweight (the exact amount to be determined by the market administrator, subject to review by the War Food Administrator) from the payments made to producers pursuant to section 8 with respect to all milk received by such handler during each delivery period from producers, and shall pay such deductions to the market administrator on or before the 15th day after the end of such delivery period. Such moneys shall be used by the market administrator to verify weights, samples, and tests of milk received by handlers from producers during the delivery period and to provide such producers with market information, such services to be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) *Producers' cooperative association.* In the case of producers for whom a cooperative association, which the War Food Administration determines to be qualified under the provisions of the act of Congress of February 18, 1922, as

amended, known as the "Capper-Volstead Act," is actually performing, as determined by the War Food Administrator, the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions from the payments to be made to such producers as may be authorized by such producers and, on or before the 15th day after the end of each delivery period, pay over such deductions to the cooperative association rendering such services of which such producers are members.

Sec. 10. *Expense of administration.*—(a) *Payments by handlers.* As his pro rata share of the expense of the administration hereof, each handler, on or before the 15th day after the end of each delivery period, shall pay to the market administrator a sum not exceeding 5 cents per hundredweight with respect to all milk received during such delivery period from producers or from a producers' cooperative association or produced by such handler, the exact sum to be determined by the market administrator subject to review by the War Food Administrator: *Provided,* That such handler which is a cooperative association shall pay such pro rata share of expense of administration on only that milk of producers received by such association or caused to be delivered by such association to a plant from which no milk is disposed of in the marketing area.

(b) *Suits by market administrator.* The market administrator may maintain a suit in his own name against any handler for the collection of such handler's pro rata share of expense set forth in this section.

Sec. 11. *Effective time, suspension, or termination.*—(a) *Effective time.* The provisions hereof or any amendment hereto, shall become effective at such time as the War Food Administrator may declare and shall continue in force until suspended or terminated, pursuant to paragraph (b) of this section.

(b) *Suspension or termination.* The War Food Administrator may suspend or terminate this order or any provision hereof, whenever he finds that this order or any provision hereof, obstructs, or does not tend to effectuate the declared policy of the act. This order shall terminate, in any event, whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided,* That any such acts required to be performed by the market administrator shall, if the War Food Administrator so directs, be performed by such other person, persons, or agency as the War Food Administrator may designate.

(1) The market administrator, or such other person as the War Food Administrator may designate, shall (i) continue in such capacity until discharged by the War Food Administrator, (ii) from time to time account for all receipts and disbursements, and, when so directed by the War Food Administrator, deliver all funds or property on hand, together with the books and records of the market administrator, or such person to such person, as the War Food Administrator may direct, and (iii) if so directed by the War Food Administrator, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant hereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the War Food Administrator, may designate shall, if so directed by the War Food Administrator, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

Sec. 12. *Agents.* The War Food Administrator may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

Copies of this notice of hearing may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 1331 South Building, Washington, D. C., or may be there inspected.

Dated: May 27, 1944.

THOMAS J. FLAVIN,
Assistant to the War Food
Administrator.

[F. R. Doc. 44-7742; Filed, May 29, 1944;
11:24 a. m.]

WAR PRODUCTION BOARD.

AMIS OIL & BUTANE CO.

CONSENT ORDER

Edgar Amis, doing business as Amis Oil & Butane Company, at Anthony, New Mexico, is engaged in selling at retail liquefied petroleum gas equipment and plumbing and heating equipment.

He is charged by the War Production Board with having violated Preference Rating Order No. P-98-b by extending an AA-1 rating and placing on six purchase orders the symbol MRO-P-98-b and the certification provided in CMP Regulation No. 7 in purchasing between

August 17, 1943, and October 26, 1943, from a manufacturer, 14 items of liquefied petroleum gas equipment consisting of butane systems for resale to his customers.

He is charged by the War Production Board with violating Limitation Order L-86 between December 12, 1942, and October 23, 1943, by making 20 sales to, and installations for, his customers, of butane systems, for the aggregate price of \$5,361.64 without filing applications with, or obtaining authority from, the War Production Board.

He is charged by the War Production Board with violating Limitation Order L-79 between January 4, 1943, and October 23, 1943, by making 15 sales of new plumbing and heating equipment for the price of \$1,713.34 in filling unrated orders or orders that were not supported by customers' certifications.

He is charged with violating Limitation Order L-23-c on October 7, 1943, by selling a new domestic range for \$75 to B. Franklin of La Mesa, New Mexico, without receiving from the purchaser an A-10 preference rating, which sale was not made pursuant to a rationing order issued by the Office of Price Administration.

Edgar Amis admits having committed the aforesaid violations, but denies that the violations were wilful and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Edgar Amis, the Regional Compliance Chief and the Regional Attorney, and upon the approval of a Compliance Commissioner, *It is hereby ordered, That:*

(a) Deliveries of liquefied petroleum gas equipment, as defined in Limitation Order L-86, and new plumbing and heating equipment, as defined in Limitation Order L-79 to Edgar Amis, doing business as Amis Oil & Butane Company, or under any other name, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board unless hereafter specifically authorized, in writing, by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Edgar Amis, doing business as Amis Oil & Butane Company, or under any other name, his

successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on May 25, 1944, and shall expire on August 25, 1944.

Issued this 18th day of May 1944.

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

[F. R. Doc. 44-7536; Filed, May 25, 1944;
2:59 p. m.]

[Certificate 150, Amdt. 1]

FOREIGN PETROLEUM OPERATIONS

APPROVAL OF AMENDMENT TO P. A. W.
DIRECTIVE

The ATTORNEY GENERAL.

Referring to Certificate No. 150 (8 F.R. 13995) issued pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), on October 7, 1943, I submit herewith Amendment No. 1 to Petroleum Directive 70¹ of the Petroleum Administration for War.

For the purposes of the statute cited, I approve the amendment; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Petroleum Directive 70 as amended is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

MAY 24, 1944.

[F. R. Doc. 44-7636; Filed, May 27, 1944;
10:54 a. m.]

RAYMOND J. PIERCE

CONSENT ORDER

Raymond J. Pierce, of Brattleboro, Vermont, a building contractor, is charged by the War Production Board with having engaged in construction in violation of Conservation Order L-41 in the following instances: On slaughter house owned by R. L. Brooks, of Bellows Falls, Vermont, September 1943, approximate estimated cost \$3,108; on residence of G. M. Householder, of Brattle-

¹ *Supra.*

boro, Vermont, March 1943, approximate estimated cost \$303; on bull-barn of Ellsworth Bunker, Putney, Vermont, March, 1943, approximate estimated cost \$1,056; on combined residential and business block owned by Harold Putnam, Main Street, Brattleboro, Vermont, December 1943, approximate estimated cost \$5,935; on piggery owned by the Putney School, Putney, Vermont, July 1943, approximate estimated cost \$4,664; on the main house of the Putney School used as dormitory, administration and class-room building, December 1943, approximate estimated cost \$4,147. Raymond J. Pierce admits the violations as charged, but does not admit the wilfulness thereof and does not desire to contest the issue of wilfulness and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Raymond J. Pierce, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Deliveries of material to Raymond J. Pierce, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation or allotment shall be made to Raymond J. Pierce, his successors or assigns, directly or indirectly, of any material or product the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Raymond J. Pierce, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on date of issuance and shall expire on August 15, 1944.

Issued this 27th day of May 1944.

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

[F. R. Doc. 44-7702; Filed, May 27, 1944;
4:14 p. m.]

